Chandler • Arizona

2016 City Council Minutes

Regular Meetings

January 14, 2016

January 28, 2016

February 11, 2016

February 25, 2016

March 17, 2016

March 31, 2016

April 11, 2016

April 14, 2016

May 12, 2016

May 26, 2016

June 9, 2016

June 23, 2016

July 25, 2016

July 28, 2016

August 8, 2016

August11, 2016

September 12, 2016

September 15, 2016

October 10, 2016

October 13, 2016

November 7, 2016

November 10, 2016

December 5, 2016

December 8, 2016

Special Meetings are listed on the next page

Special Meetings

January 11, 2016 Use of Aesthetics Funds/ City Manager Recruitment

February 25, 2016 Budget Connect

April 29, 2016 Liquor Licenses

April 29, 2016Budget

May 12, 2016 Budget

June 9, 2016 Budget

August 8, 2016 Most Connected

September 15, 2016 Utility Rates

October 10, 2016 Downtown Chandler Update

November 28, 2016 Canvass

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, January 11, 2016 in the City Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 6:00 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Terry Roe	Councilmember
René Lopez	Councilmember
Nora Ellen	Councilmember
Jack Sellers	Councilmember
Rick Heumann	Councilmember (via telephone)

Staff present: Marla Paddock, City Clerk; Marsha Reed, Acting City Manager; Kay Bigelow, City Attorney; Nachie Marquez, Asst. City Manager; Deb Stapleton, Human Resources Director.

1. Set an Executive Session for the purpose of Legal Advice and Negotiation of Agreement with SRP for Use of Aesthetics Funds. In accordance with A.R.S. § 38-431.03(A)(3) and A.R.S. § 38-431.03(A)(4), Council may consult or discuss with, and/or receive legal advice from, legal counsel regarding the public body's position on contracts that are subject of negotiations for use of SRP Aesthetics Funds.

MOVED BY VICE MAYOR HARTKE, seconded by Councilmember Lopez to set and recess into an Executive Session. MOTION CARRIED UNANIMOUSLY (7-0).

The Mayor recessed the Special Meeting at 6:01 p.m.

Mayor Tibshraeny reconvened the Special Meeting at 6:40 p.m.

2. Discussion and possible direction regarding timelines and proposals for the recruitment of a City Manager.
During its meeting regarding Item #2, the Council may move to go into Executive Session for the discussion and consideration by the public body of one or more possible candidates for employment as the City Manager, in accordance with A.R.S. § 38-431.03(A)(1).

Ms. Stapleton, Human Resources Director reviewed the proposed schedule for the recruitment for the City Manager. She said the consultant would not charge a fee for the second recruitment as the city was not able to finalize a contract with a candidate in the previous recruitment. She noted expenses such as travel would be permissible. She noted the aggressive recruitment schedule and stated the consultant would meet with the city staff the week of March 21 to select the finalists. The interviews with Council could be held on April 11 and a new City Manager could begin sometime in the summer.

MOVED BY COUNCILMEMBER SELLERS, seconded by Councilmember Ellen to recess into Executive Session. The motion carried unanimously (7-0). The Mayor recessed the Special Meeting.

The Mayor reconvened the Special Meeting at 6:55 p.m.

The Mayor indicated the Council's desire to begin recruitment. Ms. Stapleton said she would proceed immediately.

Adjournment: The Mayor adjourned the meeting at 7:04 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: January 28, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on January 11, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 29 day of January 2016

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, January 14, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:01 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Nora Ellen	Councilmember
	*Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	*Jack Sellers	Councilmember

Councilmembers Heumann and Sellers participated telephonically.

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Roy Cheriyan - International Assembly of God led the invocation.

PLEDGE OF ALLEGIANCE: Mayor Tibshraeny led the Pledge of Allegiance.

CONSENT:

MOVED BY VICE MAYOR HARTKE, SECONDED BY COUNCILMEMBER ELLEN, to approve the Consent Agenda as presented.

Councilmember Heumann inquired on Item 15 and asked if the school district voted to approve the Downtown Chandler Entertainment District. The Mayor confirmed there is a memo indicating they did.

Councilmember Roe stated he would be voting no on Item 5.

MOTION CARRIED UNANIMOUSLY (7-0), noting the exception.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Micro Retreat (Airport) of November 19, 2015
1b. Regular Meeting of December 7, 2015
1c. Regular Meeting of December 10, 2015

2. CITY CODE AMENDMENTS: Chapter 43 Ord. #4676

ADOPTED Ordinance No. 4676 adopting updated Public Works design and construction standards and amending Chapter 43, Section 43-5, Subsections 43-4.5.A, 43-4.5.B, 43-4.5.C, 43-4.5.D. 43-4.5.E, 43-4.5.G and 43-4.5.I of the Code of the City of Chandler.

3. REZONING: Bogle House Ord. #4677

ADOPTED Ordinance No. 4677, DVR15-0023 Bogle House, rezoning from Single-Family District (SF-10) to Planned Area Development (PAD) for Single-Family Residential with a bed and breakfast.

4. PLANNED AREA DEVELOPMENT ZONING STIPULATION AMENDMENT: Allred Chandler Airport Center Ord. #4678

ADOPTED Ordinance No. 4678, DVR15-0036 Allred Chandler Airport Center, amending Planned Area Development (PAD) zoning Stipulation No. 3 to allow athletic training facilities and/or recreation/instructional uses to locate within Building B and modify Stipulation No. 4 for adjacency of uses in suites where "H" occupancy related businesses locate. The existing development is located at the northeast corner of Germann Road and Piper Drive, east of Cooper Road and south of the Loop 202 Santan Freeway.

5. CITY CODE AMENDMENT: Chapter 2 Ord. #4679

COUNCILMEMBER ROE VOTED NAY.

ADOPTED (6-1 Roe) Ordinance No. 4679 amending Chandler City Code, Chapter 2, Section 2-2, relating to compensation of Mayor, Vice Mayor and Council Members.

6. CONTINUED REZONING/PRELIMINARY DEVELOPMENT PLAN: RMB Business Park Ord. #4653

CONTINUED TO MARCH 31, 2016, INTRODUCTION of Ordinance No. 4653, DVR15-0010 RMB Business Park, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial to allow the applicant additional time to address project issues related to the floodplain, grading and drainage.
CONTINUED TO MARCH 31, 2016, Preliminary Development Plan (PDP) for site layout and building architecture located north of the NEC of Ryan Road and Arizona Avenue to allow the applicant additional time to address project issues related to the floodplain, grading and drainage.

7. CITY CODE AMENDMENT: Chapter 2 Ord. #4674

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4674, amending Chapter 2, Section 2.8, of the Chandler City Code authorizing the City Manager to administratively approve and execute certain grant agreements.

BACKGROUND
The City of Chandler Grant Management Policy provides, among other things, policy guidance on the approval, acceptance and administration of grant opportunities available to the City.

Specifically, the Grant Management Policy establishes a process for consideration and approval of grant opportunities with the aim of promoting transparency and efficiency in the administration and management of grant opportunities. One important component of the Grant Management Policy relates to the processes and procedures to follow in order to have grant opportunities considered and approved based on the value of the grant as it relates to the City's commitment of City resources.

Chapter 2, Section 2.8 of the Code, establishes the powers and duties of the City Manager. Currently, Section 2.8 does not specifically authorize the City Manager to approve, administer or execute grants and grant documents on behalf of the City.

In order to effect the policy considerations relating to the approval and administration of grants reflected in the Grant Management Policy, an amendment to Section 2.8 of the Code authorizing the City Manager to approve, administer and execute grants and grant documents on behalf of the City is necessary. Furthermore, in keeping with the policy directives of the Grant Management Policy, Section 2.8, as amended, limits the City Manager's authority to approve and administer grants to those grants whose total value grant amount plus any commitment of City resources, does not exceed $30,000.00 or that otherwise require City Council approval such as Intergovernmental Agreements or grants that specifically require approval by the Mayor and City Council.

8. POWER DISTRIBUTION EASEMENTS: Salt River Project Ord. #4675

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4675 granting two no-cost power distribution easements to Salt River Project (SRP) for street light and traffic signal facilities installed as part of the Old Price Road/Queen Creek Road Intersection Improvements.

BACKGROUND/DISCUSSION
As part of the Old Price Road/Queen Creek Road Intersection Improvements, it was necessary to relocate, upgrade and install new electrical facilities for City owned traffic signal and street light equipment. As a result, Salt River Project (SRP) has requested two power distribution easements for the new electrical facilities over a portion of City property at the southwest and southeast corners of Old Price Road and Queen Creek road. The new power distribution easements will be at no cost to SRP as the work is for City facilities and benefits the public.

Staff has reviewed and approved the legal descriptions for the requested easements.

9. REZONING/PRELIMINARY DEVELOPMENT PLAN: Parkland Memory Care Ord. #4682

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4682, DVR15-0025, Parkland Memory Care, rezoning from Planned Area Development (PAD) for Office to PAD (Office/Medical Related Uses) for a memory care facility and other associated uses. (Applicant: Raymond Poe.) APPROVED a Preliminary Development Plan (PDP) for approximately 4.5 acres located at the NWC of Arizona Avenue and Appleby Road.

BACKGROUND
The approximate 4.5-acre site is located at the northwest corner of Arizona Avenue and Appleby Road. The subject site was designated for Office as a part of the Section 16 Area Plan adopted by the adjacent Dobson Crossing and Hamilton Heights residential subdivisions. The property has been used for farming and agricultural uses. Arizona Avenue abuts the site's east side; Hamilton High School is south of the property; west of the site is a place of worship and to the

west and north are single-family residential homes as part of the Dobson Crossing and Hamilton Heights subdivisions.

The request is for rezoning from PAD (Office/Medical Related Uses) with Preliminary Development Plan (PDP) approval for the site layout and building design for a memory care facility and other associated uses related to general office and medical uses. The proposed development includes a 36,377 square foot building accommodating 56 rooms with 72 beds for a long term memory care facility. The one-story building includes a two-story height element in the middle for an interior clerestory air space. The development also includes two 2,250 square foot office buildings along Appleby Road. These office buildings are proposed for future general/medical/dental offices and other related medical uses.

The memory care facility is sited at the north end of the property. An enhanced entrance drive from Appleby Road is decorated with patterned pavers, a landscape median, and Date Palm trees leading to the memory care facility's porte-cochere A landscape buffer runs along the west and north property lines adjacent to single-family residential. The office buildings are sited in a landscape setting along Appleby Road. The development intends to be phased with the memory care facility occurring first and the offices in later phases. The office pads will be landscaped as citrus groves in the interim.

The project is accessed from both Arizona Avenue and Appleby Road with the primary entrance and exit from Appleby Road. A looped drive aisle surrounds the memory care building providing parking areas on three sides. The office pads will provide parking on-site in addition to some shared parking spaces along the looped drive.

The memory care facility architecture incorporates four-sided architecture with use of stone veneer, stucco, columns, arch elements, varied rooflines, roof dormers with faux windows, gable and hip roofs, and cedar trellises. The front elevation is designed with a porte-cochere enhanced with stone columns and decorative light creating a sense of arrival. The architectural materials, colors and forms along with four-sided architecture are replicated on the two office buildings.

Two freestanding monument signs are included in the proposal. One sign is along Arizona Avenue and the other at the intersection of Arizona Avenue and Appleby Road. Both signs incorporate raised flower bed planters, brick veneer and recessed tile sign.

Planning Staff finds the proposed development to be in conformance with the General Plan and Section 16 Area Plan. The memory care facility use and associated office buildings are compatible with the adjacent place of worship, high school and single-family residential. The project's site and building design are integrated well with the surrounding area and provides a compatible transition to existing uses.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 19, 2015. There were three area property owners in attendance with questions regarding the building height, site lighting and landscaping. The applicant responded to questions and presented the proposed plans. No additional questions followed. Planning Staff has received no correspondence in opposition. A resident living on the immediate west side of the site contacted Staff for information on the proposed development. Plans were emailed to the homeowner who had no further questions or comments.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioner Donaldson absent and Commissioner Ryan abstaining.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "PARKLAND MEMORY CARE", kept on file in the City of Chandler Planning Division, in File No. DVR15-0025, except as modified by condition herein.
2. The site shall be maintained in a clean and orderly manner
3. Landscaping shall be in compliance with current Commercial Design Standards.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls, and the Transportation & Development Director for arterial street median landscaping.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

10. CONTINUED REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Mainstreet Transitional Care Facility Ord. #4684

CONTINUED TO FEBRUARY 11, 2016, introduction of Ordinance No. 4684, DVR15-0035 Mainstreet Transitional Care Facility, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Commercial/Medical Related Uses.
CONTINUED TO FEBRUARY 11, 2016, Preliminary Development Plan (PDP) for a transitional health care facility and other associated uses.
CONTINUED TO FEBRUARY 11, 2016, Preliminary Plat (PPT), PPT15-0015, for approximately 8 acres located at the SEC of Arizona Avenue and Queen Creek Road.

Continuance was requested by the applicant, Ralph Pew, Pew & Lake, PLC, to allow their client time to explore a one-story facility versus the proposed two-story building design.

11. CITY CODE AMENDMENT: Chapter 35 Ord. #4685

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4685, ZCA15-0001, Adaptive Reuse Overlay District, City initiative to adopt Article XXXIII A.R.O.D. – Adaptive Reuse Overlay District of Chapter 35 (Land Use and Zoning) of the Chandler City Code.

BACKGROUND

Following the economic downturn, business owners and developers began focusing on underutilized buildings within infill areas. The Adaptive Reuse concept was a Mayor-led initiative to investigate how Chandler could facilitate and capitalize on this evolving development trend. Winter and Company was retained in 2014 tasked with the evaluation of Chandler's current codes and development environment, including an analysis of community 'best practices' as they relate to the concept of Adaptive Reuse. Public outreach meetings, stakeholder interviews and presentations to various groups were conducted. Winter and Company produced a comprehensive report that included a series of development related issues often faced by perspective users that can be grouped into areas such as building setbacks, parking requirements, mechanical equipment screening, landscaping and Building Code compliance, as well as recommendations for possible code revisions. The proposed Article XXXIII Adaptive Reuse Overlay District (AROD) is the culmination of these efforts and recommendations. The goal of the proposed district is to facilitate the reuse of existing underperforming and/or underutilized retail buildings/properties which will ultimately stimulate reinvestment within established areas and facilitate the locating of new and unique local businesses.

The proposed AROD is a zoning district that modifies certain regulations of the existing commercial zoning districts within the overlay boundary. The proposed AROD does not modify the applicable property's underlying zoning, meaning land uses are neither added nor removed. The overlay zoning district modifies the Site Development standards within the Zoning Code that often make the reuse of existing buildings, structures and sites economically unfeasible. The AROD applies to any building located wholly or partially within the boundaries of the attached map, for properties zoned either C-1-Neighborhood Commercial District, C-2-Community Commercial District, C-3-Regional Commercial District, or any property permitting commercial uses through a Conditional Use Permit, provided the building was constructed prior to 1990 and the building is less than 15,000 square feet and/or constructed on a lot no greater than 30,000 square feet. The AROD does encompass an area that includes parcels not currently zoned for commercial uses such as residential homes. The AROD is not applicable to these parcels not having commercial zoning; however, the standards contained within the AROD can be applied provided City Council approves a zoning district change to allow said commercial uses.

The Adaptive Reuse Overlay District includes modifications to the Site Development standards by increasing the maximum lot coverage to 100%, eliminating the front, side and rear building setbacks, eliminating the parking setbacks from adjacent rights-of-way and property lines and increasing the potential parking reduction waiver from 40% to 60%. Additionally, the AROD reduces the mechanical equipment screening requirements to an effective 'net zero' meaning no additional mechanical equipment screening is necessary if equipment is simply being replaced or updated, or the total number of proposed mechanical units is equal to or less than the original number of units. The proposed AROD Site Development standards are intended to eliminate the 'one-size-fits-all' development standards contained within the underlying zoning districts and allow a case-by-case site approach that will maximize each unique site's development potential.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- As required by Arizona Revised Statutes, hearing dates for the Planning Commission and City Council, as well as the complete text of the draft Adaptive Reuse Overlay District have been published in an eighth-page newspaper ad at least fifteen (15) days prior to the first required public hearing.
- Notices containing a website link to view and print the proposed Adaptive Reuse Overlay District were mailed to approximately 1540 property owners within the proposed boundary.

- Two neighborhood meetings were held on October 15, 2015, and October 20, 2015, at the City Council Chambers. Approximately 65 property owners attended the first meeting and an additional 25 attended the second. The attendees were very engaged asking many questions such as how this applies to their specific property, if the City was offering any incentives, how/if this applied to residential homes and when this will become effective. No opposition was offered at either neighborhood meeting with many offering support and excitement for the overlay.
- Planning Staff has received approximately 35 phone calls from property owners within the proposed boundary seeking additional information.
- This request was continued from the November 4th Planning Commission hearing to allow additional time to accommodate the including of two small expansions of the proposed district boundary in response to public input. The two expansions include the area south of the San Marcos Hotel property as well as the area encompassing and surrounding the Alta Steel Yard urban multifamily residential development currently under construction.
- As of the writing of this memo, Planning Staff is not aware of any formal opposition to this request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Donaldson absent.

RECOMMENDED ACTION
The Planning Commission and Planning Staff recommend approval.

12. CITY FINANCIAL POLICIES UPDATE Res. #4902

ADOPTED Resolution No. 4902 updating the City Financial Policies.

BACKGROUND
The City of Chandler developed strong Financial Policies many years ago that have been and continue to be, the high standards set for stewardship over Chandler's financial resources. They are also a guide for sound fiscal planning and budgeting, while maintaining fiscal integrity. Each year, the Financial Policies are reviewed and adopted as part of the annual budget.

An Action Plan item in the 2015 Strategic Policy Goal set by Council was to continue adherence to and improve upon fiscal policies. Additionally, the issue of Public Safety Personnel Retirement System unfunded liabilities was a topic of deliberation, which led to a recommended update to the Reserve Policy. Therefore, on October 19th and December 7th, 2015, Micro Retreats were held with Mayor and Council to discuss the updated City Financial Policies after an intense review of existing policies and incorporating the Government Finance Officers Association (GFOA) best practices.

This resulted in City Financial Policies to be divided into eight categories including, Operating Management, Capital Management, Reserves, Debt Management, Long-Range Financial Planning, Grants Management, Investment, and Accounting, Auditing and Financial Reporting. The updates included rationale added to each policy to clarify its purpose, reorganizing and restructuring of policy components, some new components added and the addition of a new Grants Management Policy. The new Grants Management Policy requires an update to City Code to clarify grant agreement approval authority which is included as item #7 on this agenda.

13. MUNICIPAL AESTHETICS PROGRAM FUNDING AGREEMENTS: SRP Res. #4913

ADOPTED Resolution No. 4913 consenting to Municipal Aesthetics Program Funding Agreements with Salt River Project (SRP) and authorizing the City Manager or designee to execute the necessary documents.

BACKGROUND
In 1989, SRP implemented the Municipal Aesthetics Program to encourage partnerships with local municipalities. The Municipal Aesthetics Program provides municipalities with the opportunity to conduct aesthetic improvements to existing SRP water and power distribution facilities. Annual allotments of Aesthetics Funds to municipalities are based upon: irrigation water acreage, the percentage of Salt River Valley Water Users Association Membership within the municipality, the municipality's percentage share of total electric facilities revenue and the total cost of electric system work accomplished during SRP's prior fiscal year period. The City of Chandler has received $40,611,182.00 in aesthetic funds since the program's inception.

On June 4, 2014, members of the City Council Planning, Municipal Utilities and Transportation & Development Subcommittee were briefed regarding a number of proposed aesthetic projects that had been identified and prioritized by Staff. At the regular City Council meeting of September 11, 2014, seven projects were authorized with an approximate cost of $6,019,000.00.

On December 10, 2015, members of the City Council Planning, Municipal Utilities, and Transportation & Development Subcommittee were briefed regarding eight proposed aesthetic projects that had been identified and prioritized by Staff. Based on discussion from the Subcommittee, a proposed project on Warner Road between Arizona Avenue and McQueen Road has been removed since a future developer may be responsible for undergrounding those facilities. Staff now recommends moving forward with seven projects with an approximate cost of $7,137,000.00 which will result in the removal of 15 poles and 59,388 feet (11.24 miles) of conductor Citywide. Of this, $6,067,800.00 must be assigned to projects in order to meet SRP's schedule for allocations for this fiscal year or the funds will be forfeited. The proposed projects are detailed in the Municipal Aesthetic Program Funding Agreements.

FINANCIAL IMPLICATIONS
SRP has provided Conceptual Job Estimates of $7,137,000.00 for the relocation of the existing SRP overhead facilities at seven locations. These funds will be appropriated from the City's available SRP Aesthetics funds balance which is currently at approximately $7,450,200.00. SRP will submit a final account summary to the City after the agreements are approved so that final engineering design can be completed. Historically, the Conceptual Job Estimates tend to be below the actual contract amount so that no additional funds are required.

14. STREET NAME CHANGE: Columbine Drive to Sabrina Drive Res. #4915

ADOPTED Resolution No. 4915 authorizing the change of the street name from Columbine Drive to Sabrina Drive in the Monterey Bay at Ocotillo subdivision.

BACKGROUND/DISCUSSION
The homeowners of the property at 3870 S. Columbine Drive in the Monterey Bay at Ocotillo subdivision have requested the City change their street name. This is the only property with that street name. The new street that extended the alignment of Columbine Drive to the south did not

continue that street name. Instead, it is named Sabrina Drive in the Echelon at Ocotillo subdivision.

It is the desire of the City to promote a uniform and consistent street naming and numbering system, adhering to the adopted Street Naming and Addressing Procedures. Also, it is in the best interest of public safety to eliminate confusing and duplicate street names in the City. Therefore, Staff recommends a street name change.

The homeowners have been made aware of the implications that may come with an address change such as notifications required for their personal and business needs and are willing to proceed.

15. DOWNTOWN CHANDLER ENTERTAINMENT DISTRICT EXPANSION Res. #4925

ADOPTED Resolution No. 4925 authorizing the expansion of the Downton Chandler entertainment district in accordance with Arizona Revised Statute Section 4-207(C)(4).

BACKGROUND/DISCUSSION

In December 2014, Mayor and Council adopted Resolution No. 4819 implementing an Entertainment District in Downtown Chandler. The Entertainment District allows a municipality's governing body to approve an exemption from the 300' distance restriction applicable to churches/schools and certain liquor licenses. These liquor licenses must be approved by Mayor and Council on a case-by-case basis after receiving public input.

State Statute defines an Entertainment District as an area that contains a "significant number of entertainment, artistic and cultural venues, including music halls, concert facilities, theaters, arenas, stadiums, museums, studios, galleries, restaurants, bars and other related facilities".

On November 19, 2015, Mayor and Council adopted Ordinance No. 4668 authorizing the provisions of a development and option agreement between VPK The Row, LLC, and the City of Chandler for redevelopment of Site 3 and option to purchase Sites 1 and 2 for redevelopment. As part of the agreement, Phase 1, The Row, will consist of a two-story retail/entertainment development, including an approximate 30,000 square foot, 6-screen, Red's Drafthouse Cinema on the second level. The Row, at the southwest corner of Chandler Boulevard and Arizona Avenue, is within the current Entertainment District.

Red's Drafthouse Cinema is required to purchase a Series 6 Liquor License. Although within the Entertainment District, the City Council is unable to waive the 300' restriction because Chandler High School sits outside the current Entertainment District boundaries.

City Staff, along with VPK The Row, LLC, attended the December 9, 2015, Chandler Unified School District (CUSD) Board of Directors Study Session to discuss the expansion of the Entertainment District to include a section of the school property up to, and including, the Chandler Center for the Arts. A formal vote to support the expansion of the Entertainment District will be taken at the January 13, 2016, CUSD Board meeting.

The expansion of the Entertainment District to the north accomplishes two objectives; first, giving City Council the ability to waive the 300' restriction permitting Red's Drafthouse Cinema to obtain a Series 6 Liquor License needed for the project; second, adding the Chandler Center for the Arts to the Entertainment District will increase the inventory of entertainment, artistic and cultural venues within the previously established district.

16. AGREEMENT: Zoolikins, LLC Res. #4926

ADOPTED Resolution No. 4926 authorizing an agreement with Zoolikins, LLC, for mutual termination of a lease and mutual releases, for the premises at 51 E. Boston Street in Chandler, Arizona; and authorizing the City Manager to execute the agreement.

BACKGROUND/DISCUSSION
In May 2013, City Council approved Ordinance No. 4660 authorizing and approving a lease agreement between Zoolikins, LLC, and the City of Chandler at 51 E. Boston Street for a term of 5 years. Zoolikins opened in the fall of 2013 and has been punctual with lease payments.

Zoolikins put a tremendous amount of marketing into their Downtown Chandler location, including spearheading special events such as the Diaper Challenge. In spite of these efforts, Zoolikins has been unable to make this location viable. Over the past 18 months, City of Chandler Staff and the Downtown Chandler Community partnership (DCCP) spent time evaluating Zoolikins' business model and assisting in marketing efforts.

Zoolikins, LLC, has requested an early termination of their lease.

FINANCIAL IMPLICATIONS
The original monthly lease payment was $2,437. Approximate loss of rent revenue over the next 30 months is $73,110. Staff is evaluating options for future use of the property to minimize financial impacts.

17. ZONING EXTENSION: Pollack Business Park South

APPROVED a three-year timing extension on the existing Planned Area Development (PAD) zoning for commercial retail, office, industrial and showroom uses along with Preliminary Development Plan (PDP) approval for site layout and building architecture for an approximate 3-acre site located at the SEC of Arizona Avenue and Elliot Road. (Applicant: Stephen Earl; Earl, Curley & Lagarde.)

BACKGROUND
The request is for action on the existing 16-acre (gross) parcel located at the southeast corner of Arizona Avenue and Elliot Road. In 1981, the site, as part of a larger industrial development, received zoning approval for an I-1/PAD zoning designation; the zoning was vested due to construction occurring within the larger development. In early 2006, the site received zoning and Preliminary Development Plan approval to include retail uses. The zoning was conditioned to start construction within three (3) years of Council approval, causing the expiration to occur on April 23, 2009. The site received an extension of the zoning in 2009, and again in 2012, causing expiration to occur earlier this year. The current request is to extend the zoning for a third time for an additional three years. The proposed three-year extension would be in effect, pending City Council approval, until April 23, 2018, as the time limit is calculated from the initial zoning approval's expiration.

The City has the following options when a zoning district's timing condition expires. The City could, through administrative action, extend the timing condition for another period of time, eliminate the timing condition, determine compliance with the three-year schedule for development, or by legislative action, revert the zoning to its former zoning classification. If the City should approve the timing condition extension, all other conditions in the original approval would remain in effect.

The currently approved PDP provides for retail shops space, a restaurant drive-thru and bank drive-thru on the western 4.24 acres (net) of the site and office/showroom/industrial uses on the eastern 9.25 acres of the site.

PRELIMINARY DEVELOPMENT PLAN

The second component of the request is for PDP approval for site layout and building architecture. The applicant seeks to maintain the existing PDP, as well as provide a second option. The second option is for an 80,000 square foot office building located on the site's eastern 9.4 acres. The commercial parcel will be maintained at the intersection corner, but will be reduced from 4.24 acres to 3.5 acres.

The office will operate as a location for the Arizona Department of Economic Security. The single-story building will utilize concrete tilt as the predominant building material with elements of masonry block and metal paneling to provide additional interest. The entrance is offset and the ends of the building incorporate different design elements to break-up the symmetry of the rectangular building. A large pedestrian gathering area for the public is provided at the main entrance with low seat walls and planter boxes.

DISCUSSION

Due to the nature of the operator, the parking provided exceeds 125% of the required amount of parking. Provisions are provided in the Zoning Code which allows for exceeding the required amount of parking so long as design elements are incorporated to offset the heat island effect. The provisions include parking within the building footprint or within a structure, providing alternative paving materials, shade provided by structures that can support plant growth, or additional shade provided by landscape materials resulting in coverage of 50% within five years. Diamond planter islands have been doubled from code requirements to meet the shade requirement and islands have been increased in width to provide additional shade to meet the 50% coverage requirement. It should be noted that 50-60 of the parking stalls will be utilized for state vehicles, where employees will drive their personal vehicle and park it at the site and utilize their state vehicle during the day.

Planning Staff finds that the underlying land-use is still appropriate in the area and with the proposed plans in place, development will maintain consistency with the surrounding area. The request for simultaneous PDPs is atypical, but not unwarranted. Both plans are consistent with design requirements and could be supported individually; however, based on contract negotiations, concerns were expressed by the existing and potential owner resulting in the request for both plans to be considered.

Due to the involvement of the State, timelines are strict with an anticipated construction start time by early 2016.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on November 30, 2015. There was one neighbor from the management team of a nearby apartment complex in attendance in support of the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Donaldson absent.

RECOMMENDED ACTIONS

Zoning Time Extension

The Planning Commission and Planning Staff recommend approval of a three-year timing extension with all of the conditions in the original approval remaining in effect.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pollack Business Park South" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0040, or in substantial conformance with the Development Booklet entitled "Pollack Business Park South" and kept on file in the City of Chandler Planning Division in File No. DVR05-0057, except as modified by condition herein.
2. Landscaping shall be in compliance with current commercial Design Standards.
3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

18. CONTINGENCY TRANSFER: Health Benefits Trust Fund Personnel Account

APPROVED a contingency transfer in the amount of $42,000.00 from the General Fund Non-Departmental Contingency appropriation to the Human Resources Division, Health Benefits Trust Fund Personnel Account to allow revenue received from Blue Cross/Blue Shield (BC/BS) to be spent towards a new Wellness Coordinator beginning FY 2015-2016.

BACKGROUND

City Staff concluded a Request for Proposal (RFP) process in September 2015, for a healthcare provider and third party administrator for the City's self-insured medical plan. BC/BS of Arizona was selected and the new contract was approved by Council to be in effect on January 1, 2016. As part of the negotiations, BC/BS agreed to fund a fulltime Wellness Coordinator position that will be responsible for managing the City-wide wellness program. This funding, which is $100,000 per year for each year of the seven (7)-year contract term, will be available in January of 2016. Staff was unable to recommend the addition of this position for the FY 2015/2016 budget as the contract negotiation was completed after the City's budget was approved. City Staff recommends that this position be filled mid-year FY 2015-2016 using funds provided by BC/BS.

19. CLAIMS REPORT

APPROVED the Claims Report for the Accounts Payable payments for the quarter ended December 31, 2015.

20. AGREEMENT AMENDMENT: PFM Asset Management, L.L.C.

APPROVED Agreement No. 2140, Amendment No. 4, with PFM Asset Management, L.L.C., for investment management services to extend for a period of two years. This is the final extension of this agreement.

The City engages two investment management firms to invest City funds that are not immediately expended. Each firm manages approximately half of the City's portfolio. The firms invest according to the City's investment policy to ensure safety, liquidity and yield objectives and maintain conformance with Arizona Revised Statutes. City Staff meets quarterly with investment managers to review performance of the portfolios, discuss short and long-term investment strategies and review cash-flow projections.

In addition to the City's general portfolio, PFM Asset Management manages investments for the City's Industrial Development Authority (IDA), Health Care Benefits Trust and Worker's Compensation and Employer Liability Trust. PFM has been one of the City's investment managers since 2005 and Staff is pleased with the continued high level of customer service and online report services.

21. AGREEMENT AMENDMENT: Wells Capital Management Services, Inc.

APPROVED Agreement No. 2042, Amendment No. 2, with Wells Capital Management Services, Inc., for investment management services to extend for a period of two years. This is the final extension of the agreement.

The City engages two investment management firms to invest City funds that are not immediately expended. Each firm manages approximately half of the City's portfolio. The firms invest according to the City's investment policy to ensure safety, liquidity and yield objectives and maintain conformance with Arizona Revised Statutes. City Staff meets quarterly with investment managers to review performance of the portfolios, discuss short and long-term investment strategies and review cash-flow projections. Wells Capital Management, Inc., has been one of the City's investment managers since 2003 and Staff is pleased with the continued high level of customer service and online report services.

22. AGREEMENT: R Entertainment Co.

APPROVED an agreement with R Entertainment Co., utilizing the City of Peoria Contract No. ACON33412B, for 4th of July event production services in the amount of $50,000.00 for the term January 15, 2016, through January 14, 2017, with the option of up to four additional one-year extensions.

The City of Chandler has held its 4th of July celebration for the community since 2000. During this time, the City has partnered with community non-profit organizations to produce, manage and represent the City as the organizer of this event. The event previously took place in Downtown Chandler, but due to the growth of the event, it was moved to its current location at Tumbleweed Park in 2003. Since then, the event has grown to an average of 45,000 guests.

R Entertainment Co., as the event producer for the 2016 event, will be responsible for providing a free gathering with music, concessions, vendor sales, beer sales, bike parade, water inflatables, inflatables, small amusement rides and fireworks. The event is scheduled for July 4th from 4:00 p.m. to 10:30 p.m.

23. PROJECT AGREEMENT: Perlman Architects of Arizona, Inc.

APPROVED Project Agreement No. FI1503.451 with Perlman Architects of Arizona, Inc., for construction administration services for Fire Training Center Expansion – Burn Building, pursuant

to Annual Architectural Services Contract No. EN1504.101, in an amount not to exceed $65,294.00.

24. AGREEMENT AMENDMENT: Parts and Services

APPROVED Agreement No. FD4-060-3317, Amendment No. 1, with Courtesy Chevrolet, Earnhardt Chandler Cadillac, Earnhardt Ford Sales Company, Berge Ford, Earnhardt Gilbert Chrysler Dodge Jeep Ram, and Earnhardt Toyota Scion, for original equipment manufacturer parts and service (GM, Ford, Toyota and Chrysler), in an amount not to exceed $550,000.00 from April 1, 2016, through March 31, 2018. This is the first of two optional 2-year extensions.

25. AGREEMENT: Diamond Services

APPROVED Agreement No. MU6-830-3637 with Diamond Services for repair and recoating of hypochlorite tanks in an amount of $63,087.00.

26. PROJECT AGREEMENT: Wilson Engineers, LLC

APPROVED Project Agreement No. WA1301.452 with Wilson Engineers, LLC, for construction management services, for the Pecos Well Equipping, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $125,240.00.

27. AGREEMENT AMENDMENT: MR Tanner Development & Construction, Inc.

APPROVED Agreement No. ST5-745-3478, Amendment No. 1, with MR Tanner Development & Construction, Inc., for street replacement asphalt mill and inlay services, in an amount not to exceed $7,106,480.00 for one year. This is the first of four optional one-year extensions.

28. CITY PARTICIPATION AGREEMENT: LGE Corporation

APPROVED City Participation Agreement No. CP15-001 with LGE Corporation for the design and realignment of the Roosevelt Water Conservation District facility on Stearman Road, in excess of their offsite improvement obligation, at a cost to the City in an amount not to exceed $69,330.00.

BACKGROUND/DISCUSSION

The Bellman offsite/industrial project is being constructed by LGE Corporation (LGE) within the Chandler Airport Business Park at the southeast corner of Germann and Stearman roads. Along the north side of this project, there is an existing Roosevelt Water Conservation District (RWCD) irrigation line that crosses Stearman Road. That section of Stearman Road was reconstructed by the City of Chandler over 10 years ago as part of the Germann Road reconstruction. At that time, the RWCD crossing of Stearman Road was designed with the best information available from RWCD based on the then planned development in that area. When the Bellman project was in the early design stages in 2014, it was determined by RWCD that the pipe that crosses Stearman Road was installed by the City at an elevation that now has a negative impact on the RWCD irrigation system. RWCD required the City to reconstruct the crossing at the revised elevation and a slightly different alignment. This reconstruction was determined to be the City's responsibility to correct.

Because reconstruction of the RWCD irrigation line across Stearman Road by the City would have likely delayed the Bellman project, LGE agreed to do the work as part of their project subject

to a reimbursement from the City. The cost of design and reconstruction of the portion of the RWCD irrigation system is $69,330.00. In order to reimburse LGE, the City needs to enter into a City Participation Agreement with LGE.

29. MASTER SERVICES AGREEMENT: Accela

APPROVED Master Services Agreement (MSA) No. 3547 with Accela for an electronic document review system in the amount of $162,675.00.

The purpose of the MSA is to serve as the governing document for the City's requirements for various information technology consulting and professional services from Accela. The MSA contains the terms, conditions, and pricing under which individual engagements for these services will be performed and as needs arise; the City and the consultant will agree on a statement of work for each project. The City utilizes the Accela Civic Platform for permitting and inspection processes as well as code enforcement.

Currently, the City's development plan review process is manual and requires multiple paper copies of plans. The existing process does not take advantage of today's plan review technology and does not offer electronic plan submittal options for customers (with the exception of sign permits which may be requested electronically).

Providing an option for on-line plan submission and plan review will reduce the need for paper plans, lower overall submission costs, and help to streamline the overall plan review process. Currently, customers submit plans to the City which are marked up and returned to the customer for correction. The electronic document review system will give customers the option of submitting their plans on-line and receiving comments from City Staff electronically. The interactive voice response (IVR) system will remain in place to schedule inspections by telephone along with the existing option to schedule inspections on-line.

An electronic document review module will be added to the existing Accela Civic Platform for integration with the electronic plan review solution (ePlanCheck) that also integrates with the existing electronic document management system where all plans and supporting documents will be stored.

An internal work team from Transportation & Development, Planning, and Information Technology has been working since the summer of 2015 on the framework of this project which included reducing the number of permit categories to streamline the process, selecting a proposed vendor for the plan mark-up software (ePlanCheck), and preparing the necessary contract documents. Additionally, external stakeholders have been identified and surveyed to provide feedback on their experience with electronic document submittal. The external stakeholders have also been asked to participate in a pre-launch pilot program in the fall of 2016 prior to full implementation. The project plan calls for a public launch in December 2016.

30. CONSTRUCTION CONTRACT: M.A. Mortenson Company

APPROVED Construction Contract No. WA1301.402 to M.A. Mortenson Company for the Pecos Well Equipping in an amount not to exceed $756,513.11.

31. CONSTRUCTION CONTRACT: Danson Construction, LLC

APPROVED Construction Contract No. FI1503.401 to Danson Construction, LLC, for Fire Training Center Expansion – Burn Building in an amount not to exceed $2,878,998.00.

32. PURCHASE: Toter, LLC

APPROVED the purchase of refuse and recycling containers and parts from Toter, LLC, utilizing the National Intergovernmental Purchasing Alliance (NIPA) Contract No. 120576, in an amount not to exceed $350,000.00 for the term January 31, 2016, through January 30, 2017.

33. PURCHASE: Dimension Data North America, Inc.

APPROVED the purchase of annual maintenance and support of Citywide Cisco network equipment from Dimension Data North America, Inc., utilizing State of Arizona Contract No. ADSPO16-117850, in the amount of $63,526.00.

This purchase will provide Cisco Smartnet Services for support and maintenance of the City's Cisco network infrastructure software and equipment. This equipment includes switches, routers and connectivity equipment. These are annual recurring costs that cover hardware technical support, repair or replacement in the event of failure. In addition to the hardware maintenance and repair/replacement, the vendor also provides software patches and upgrades for the City's network hardware. The equipment must be kept up to date with these patches in order for the City's network to remain secure and reliable. This agreement also allows for access to technical support resources to escalate issues and obtain resolution to technical problems with the Cisco network equipment.

34. PURCHASE: Printer Cartridges

APPROVED the purchase of OEM and remanufactured laser and inkjet printer cartridges from Vision Business Products and Wist Office Products, utilizing the State of Arizona contracts, in a total amount not to exceed $75,000.00, for the period January 1, 2016, through December 31, 2016.

35. USE PERMIT/PRELIMINARY DEVELOPMENT PLAN: Extra Space Storage

APPROVED Use Permit ZUP15-0011 Extra Space Storage, for an indoor mini-storage facility located within a Planned Area Development zoning district.
APPROVED Preliminary Development Plan (PDP), PDP15-0008, for site layout and building architecture located south of the SWC of Dobson and Germann roads. (Applicant: Brennan Ray; Burch & Cracchiolo, P.A.)

BACKGROUND
The subject site is located south of the southwest corner of Dobson and Germann roads, within the Chuparosas commercial development. The subject site shares access with a CVS Pharmacy that is located north and vacant land west of the site. South and southwest of the site are the Chuparosas multi-family apartments.

The 40-acre Chuparosas master-planned community was approved in 2003, encompassing the subject site, the adjoining Chuparosas apartments and the Tri-City Baptist Church campus. At the time of approval, the master-plan was designed to provide pedestrian connections between all three components creating a live-work-play development. The existing pharmacy at the intersection corner was the first component to develop in 2005, with the apartment complex and

portion of the church campus commencing construction in 2006. The remaining 3.1 acres of planned retail land remains undeveloped and will require separate PDP submittal and approval.

The request is to develop an indoor mini-storage facility on the 3.7-acre site south of the existing pharmacy. Access to the site utilizes two existing drives along Dobson Road. Main access into the building is provided along the Dobson Road frontage; customer access points for loading and unloading along the north, south and west elevations. Pedestrian connections, as designed for with the original development, are provided along the south of the site connecting the apartment complex with access into the commercial development.

Architecturally, the building incorporates the Spanish Mission style architecture that is throughout the Chuparosas master-plan, incorporating Spanish tile, archways, sand finish stucco, arched parapets and reveals, corbels and a color palette consistent with Spanish Mission design. Massing of the 30-foot, two-story building is broken-up through the use of arched, full-height pop-outs and covered walkway along the north elevation. Generous faux windows, scoring and iron details are provided along the second-story for all elevations. Building mounted and monument signage shall be consistent with the provisions provided in the original development.

DISCUSSION

Planning Staff supports the Use Permit and PDP requests. The underlying zoning of the commercial component was approved with a PAD zoning designation for Community Commercial (C-2) uses. Based on the Zoning Code, mini-storage facilities are considerable in C-2 districts with Use Permit approval. Planning Staff supports the Use Permit finding that with the surrounding residential areas, the use provides an amenity that is not currently provided for in the immediate area.

Since Use Permits are utilized specifically for land uses and not design, a PDP is required to establish the site layout and building architecture. Planning Staff supports the PDP citing that the development team has provided a product that is architecturally integrated with the overall Spanish Mission architectural style prescribed for the Chuparosas development. Furthermore, with the two-story design, vacant land remains for future commercial development. Future development will require PDP approval.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on August 25, 2015. A husband and wife were in attendance in support of the project. Planning Staff has received four phone calls from nearby residents. Three neighbors expressed opposition citing incompatibility with the use and surrounding area; a fourth neighbor was undecided and sought more information.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Donaldson absent.

RECOMMENDED ACTIONS

Use Permit

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 3472, case DVR02-0026 CHUPAROSAS, except as modified by condition herein.

2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Extra Space Storage", kept on file in the City of Chandler Planning Division, in File No. PDP15-0008, except as modified by condition herein.

Preliminary Development Plan
The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Extra Space Storage", kept on file in the City of Chandler Planning Division, in File No. PDP15-0008, except as modified by condition herein.
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. 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.

36. CONTINUED USE PERMIT: Verizon – Hunt Highway

CONTINUED TO FEBRUARY 11, 2016, Use Permit ZU15-0017 Verizon – Hunt Highway, to install a monopalm wireless communication facility on property located east of the NEC of Cooper Road and Hunt Highway to allow the applicant to address last minute issues with the neighborhood.

37. SPECIAL EVENT LIQUOR LICENSE: The Chandler Emergency Relief Fund

APPROVED a Special Event Liquor License for The Chandler Emergency Relief Fund for the Big Red Rage Radio Show January 21, 2016, at Majerle's Sports Grill, 3095 W. Chandler Boulevard. A recommendation for approval will be forward to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department has no objections to this event and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

38. SPECIAL EVENT LIQUOR LICENSE: St. Andrew the Apostle Catholic Church

APPROVED a Special Event Liquor License for St. Andrew the Apostle Catholic Church for the St. Andrew Catholic Community Bottled Wine Silent Auction on February 10, 2016, at St. Andrew the Apostle Catholic Church, 3450 W. Ray Road. A recommendation for approval will be forward to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

39. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Lee Ann Womack concert, February 21, 2016, at the Chandler Center for the Arts, 250 N. Arizona Avenue.

A recommendation for approval will be forward to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

40. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for the Second City sketch and improve comedy event, March 4, 2016, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forward to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

41. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a Special Event Liquor License for the Chandler Cultural Foundation for Tony 'n Tina's Wedding, March 11 & 12, 2016, at the Chandler Center for the Arts, 250 N. Arizona Avenue. A recommendation for approval will be forward to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

42. CONTINUED LIQUOR LICENSE: Starbucks Coffee #15746

CONTINUED TO February 26, 2016, Liquor License, Series 12, for Andrea Dahlman Lewkowitz, Agent, Coffee House Holdings Inc., dba Starbucks Coffee #15746, located at 4985 W. Ray Road, to allow the applicant time to complete the requirements for a new Use Permit.

ACTION:

43. ELECTION of Vice Mayor for a one-year term from January 15, 2016, through January 12, 2017.

MOVED BY MAYOR TIBSHRAENY SECONDED BY COUNCILMEMBER HEUMANN TO NOMINATE COUNCILMEMBER JACK SELLERS FOR THE ONE YEAR TERM.

THE MOTION CARRIED UNANIMOUSLY (7-0).

44. AIRPARK AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Enclave at Hamilton Res. #4924 & Ord. #4683

RESOLUTION NO. 4924, APL15-0004 Chandler Airpark Area Plan Amendment, Area Plan amendment from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential.

INTRODUCTION OF ORDINANCE NO. 4683, DVR15-0028, Enclave At Hamilton Ranch, rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for Offices to PAD for Residential.
PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout and housing product.
PRELIMINARY PLAT (PPT), PPT14-0012 for approximately 28 acres located south and east of the SEC of Arizona Avenue and Queen Creek Road. (Applicant: Mike Withey, Withey Morris PLC.)

BACKGROUND

The proposed Area Plan amendment, Rezoning with PDP and Preliminary Plat (PPT) came before City Council on March 26, 2015, as zoning cases APL14-0007 and DVR14-0019. The requests were denied. The current application requests remain essentially the same; however, minor changes have occurred with the PDP component. The development has been reduced from 132 lots to 128 lots. The four removed lots were previously located at the ends of four streets. The landscape tract near the east property line/railroad right-of-way remains the same with some enlarged tracts in place of the four lots. While some landscape tracts got wider, the separation width between lots and the railroad right-of-way/east property line is not greater than other subdivisions built or developing along the railroad track.

In addition, the applicant has provided studies on noise attenuation, an airport influence area analysis and an office market analysis responding to concerns that arose with their initial application request in March 2015. The noise study concludes that potential noise impact from the Chandler Municipal Airport and Union Pacific Railroad activity are well below (quieter than) Housing and Urban Development (HUD) "acceptable" standards. Noise attenuation is achieved through site walls and home construction materials. The airport influence area analysis compares the differences between the proposed residential development and a recently approved residential development along McQueen Road (Avalon) as well as the airport potential impacts from each project. The analysis concludes both developments are within acceptable parameters for impacts from the airport. The proposed development is further away from the airport than Avalon, thus subject to less overflight and related airport operational activity and will not be a detriment to present and future airport operations. Lastly, the office market analysis concludes that commercial/office/business park development on the subject site as designated by the CAAP, would be a disruption to emerging neighborhoods and detrimentally impact the area by generating commercial traffic and posing safety concerns for children on their way to school. Further, the presence of existing and proposed office developments in Chandler combined with the proposed residential development's lack of proximity to a major freeway and business amenities, the best land use for the property is this residential proposal.

The subject site is located south and east of the southeast corner of Arizona Avenue and Queen Creek Road. The property is approximately 28 acres and a portion of the site was annexed in February 2015 and given initial City zoning of Agricultural District (AG-1). The balance of the site received PAD zoning for office in 2009 on 9 acres which never commenced. The PAD zoning was extended for an additional 3 years expiring in 2012. The subject property primarily surrounds an undeveloped 8-acre parcel located at the immediate intersection corner of Arizona Avenue and Queen Creek Road. This parcel was annexed in December 2015 and given initial City zoning of AG-1. This corner parcel has a current zoning case in process for a proposed post-operation transitional care medical facility. East of the site are the Union Pacific Railroad tracks and land zoned PAD for office/warehouse/industrial type uses. To the south is vacant land zoned Neighborhood Commercial (C-1) and developed land zoned PAD for a veterinary office/pet resort and a church along with 30 acres of undeveloped land owned by the church.

North of the site is Queen Creek Road. North of Queen Creek Road is land zoned PAD for a single-family residential development and a multi-family residential development both under construction. To the west is Arizona Avenue, vacant land zoned PAD for commercial and a multi-family residential development.

GENERAL PLAN CONFORMANCE / AREA PLAN BACKGROUND

The General Plan designates the subject site as Employment and a Commercial Node, as within the Chandler Airpark Area Plan (CAAP), and as a Large Tract Growth Area. The General Plan's Employment designation includes light industrial parks, corporate offices, manufacturing, knowledge-intensive employers and a compatible mix of industrial support uses and residential densities as an integral component of a planned mixed-use development. The Commercial Nodes category denotes intersections appropriate for neighborhood or community commercial retail, office, commercial services and institutional uses, as well as residential or employment where appropriate when allowed by the underlying land use, in this case Employment.

The CAAP denotes the parcel as Commercial/Office/Business Park for major, campus-like employment centers including retail services, research and development, or office/showroom development type uses. In addition, the entire parcel is within the Light Rail Corridor Overlay allowing the development of residential densities of 12.1 to 18.0 dwelling units per acre. The CAAP also identifies Neighborhood Commercial at the intersection corner for neighborhood-based commercial uses such as retail, personal services, restaurants and the like. The subject site is not part of a larger single-family residential neighborhood. Under the guidelines of the General Plan and CAAP, single-family residential is not a land use recognized in the Employment, Neighborhood Commercial, or Commercial/Office/Business Park categories.

Planning Staff finds the subject site is not appropriate to consider for single-family residential land use based on the existing established CAAP land uses.

AREA PLAN AMENDMENT

The request is to amend the CAAP from Neighborhood Commercial and Commercial/Office/Business Park with a Light Rail Corridor Overlay to Low-Medium Density Residential. The single-family residential use is not part of the current land use categories and is incompatible with planned commercial/office/business park development including industrial uses to the east and planned commercial/office/business park uses to the south.

REZONING

The request is for Rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for offices to PAD for Residential (Low-Medium Density). The property has been farmed for many years. Mattamy Homes proposes to develop a single-family residential community that includes 128 single-family residential units at approximately 4.61 du/ac.

SUBDIVISION DIVERSITY

The Rezoning request includes PDP approval for a single-family subdivision layout with one- and two-story housing products. The gated development includes private streets. There is a full-movement entry/exit off of both arterial streets which will be shared with adjacent parcels when developed. The Arizona Avenue entry landscape median is highlighted with a Date Palm tree-lined entry leading to the community's gates. A central curvilinear street meanders north connecting to the Queen Creek Road entry/exit gate. The entries are designed with an agrarian accent including gates with decorative metal and faux roughhewn wood accent. The main entry off of Arizona Avenue is further enhanced with a stone veneer pier with lighting and faux wood light poles.

The lots are designed as a traditional subdivision layout for individual detached homes. Lots sizes are minimum 52'x97' (5,044 sq. ft.) providing minimum front yard setbacks of 18 feet and/or 10 feet, rear yard setbacks of 10 feet and side yard setbacks of 7 feet and 5 feet. Front yard setbacks will be staggered to enhance the streetscape. It is important to note there is no restriction for corner lots being limited to 1-story homes or a limit on the number of 2-story homes along arterial streets.

Since all of the lots are less than 7,000 square feet, all of the Residential Development Standards (RDS) for subdivision diversity would be required. However, it is realized that this type of subdivision cannot meet all of the subdivision diversity standards due to the parcel's configuration. The conventional lot layout incorporates diversity elements such as curvilinear streets, looped streets, a cul-de-sac, and open spaces. A centralized active open space and playground area includes custom amenities integrated amongst shade trees and ramadas. Unique features are a tree house platform, play stream with bridge, a tunnel, climbing rope ladder and climbing blocks. The subdivision design meets the intent of the RDS subdivision diversity elements as outlined in the Development Booklet.

HOUSING PRODUCT

The housing plans include two 1-story and three 2-story homes ranging in size from 1,916 to 2,827 livable square feet with a variety of architectural styles. Each housing plan includes 3 elevation styles providing a total of 12 housing plan options.

The lot sizes are not practical for deeper rear yard setbacks and rear yard vehicle access. The homes have forward facing garages both recessed and at livable space. The housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet.

AIRPORT COMMISSION RECOMMENDATION

The Airport Commission reviewed the request in accordance with the Airport Conflicts Evaluation Process at their November 18, 2015, meeting. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission determined that the proposed development does constitute a conflict with existing or planned airport uses. While a non-residential use is preferred, various physical and administrative corrective actions were recommended for mitigation.

Physical corrective actions included noise attenuation construction within the homes, a roadway style sign indicating the presence of aircraft, and incorporation of 'Chandler Airpark' into the development's name.

Administrative corrective actions included the requirement of significant disclosure statements to be signed by prospective home buyers indicating the proximity to the airport, heliport, and the potential impact from aviation noise and vibrations. Additionally, an avigation easement shall be dedicated to the City of Chandler. Finally, a large map shall be displayed within the sales office identifying the proximity of the subdivision to the airport including the noise contours and over flight patterns.

As discussed at the meeting, the goal was to create a physical and administrative 'net' to catch prospective home buyers that may not want to necessarily live near an active airport, acknowledging that certain home buyers do enjoy living in that environment.

Planning Staff finds the proposed development is not in conformance with the General Plan and CAAP. The single-family residential use is incompatible with planned industrial and commercial surrounding the subject parcel including future industrial and light industrial development to the east as part of the CAAP. Land uses as identified within the CAAP, are more appropriate including commercial, office, flex industrial, warehouse, business park, and like uses. These uses are compatible and provide a transition into commercial/office/business park and light industrial uses planned for the area. Residential land uses can be considered; however, the CAAP identifies the need for lighter density multi-family residential to support the CAAP in addition to commercial, office and business park type uses.

Additionally, the intersection is a designated Commercial Node and currently the northwest and southwest corners are zoned PAD for commercial use and the northeast corner is zoned and developing with multi-family residential and single-family residential. An evaluation of this intersection and surrounding area from a land use and economic development standpoint, considered the potential growth at this intersection and what is sustainable for the future. Staff concluded that the subject site remains viable for neighborhood commercial and commercial/office/business park uses.

While Planning Staff does not support the requested Area Plan amendment and Rezoning, the PDP for subdivision layout and housing product are consistent with the intent of the RDS. The curvilinear street system and unique recreational amenity creates a pedestrian-oriented neighborhood environment amongst 128 homes.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on September 29, 2015. There were no neighbors in attendance. Planning Staff received a letter of support from the Carino Estates Homeowners Association. Following the Planning Commission, the applicant submitted over 200 letters of support. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Donaldson absent.

The Planning Commission unanimously approved the request. Commissioner Cunningham opposed this project in March 2015 finding it was not appropriate to take commercial to residential; however, she now likes how the corner has turned out with the other residential development under construction and supports this case. The Commission commented that the Airport Commission's proposed airpark signage is not necessary; this project is far away from the airport and no other developments along Arizona Avenue have an airpark sign. The addition of sound walls for the perimeter walls is a good addition to the project.

PLANNING COMMISSION RECOMMENDED ACTIONS

Area Plan
The Planning Commission recommends approval.

Rezoning
The Planning Commission recommends approval along with the Planned Area Development subject to the conditions listed in the ordinance.

Preliminary Development Plan
The Planning Commission recommends approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Enclave at Hamilton Ranch", kept on file in the City of Chandler Planning Division, in File No. DVR15-0028, except as modified by condition herein.
2. No more than two identical side-by-side roof slopes should be constructed along arterial streets or public open space.
3. The same floor plan and elevation shall not be built side-by-side or directly across the street from one another.
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. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
7. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

Preliminary Plat
The Planning Commission recommends approval subject to the following condition:

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

PLANNING STAFF RECOMMENDED DENIAL FOR ALL ACTIONS

DISCUSSION:
SENIOR CITY PLANNER, JODIE NOVAK, summarized the requests by the developer. The three requests include an Area Plan Amendment, changing the land use; a Rezoning request from a current Agriculture and PAD for commercial offices to a PAD for residential, and a Preliminary Development Plan, approval of the subdivision layout and the proposed housing product and the preliminary Plat.

She stated the proposal is similar to the one presented in March of 2015 with some adjustments to the site and landscape plan.
The applicant has since performed several studies and those findings were presented in the Council packet. The reviews, evaluations and recommendations by the Airport Commission, the Planning Commission and City Staff are also included.

COUNCILMEMBER LOPEZ inquired if the applicant, after the first rejection from the Airport Commission, had gone back through the process with their new changes and if so, what was the outcome.

MS. NOVAK replied the applicant did go back through the process and while the Airport Commission still made the same findings, they felt that if the requests were approved by Council, the applicant had included various administrative corrective measures and physical corrective actions they preferred be included, being it is right next to an airport.

COUNCILMEMBER ELLEN inquired as to what the changes were from their last application in March of 2015.

MS. NOVAK stated that when the project originally was presented, it had a very nice layout for the site, a quality housing product, and Planning Staff had no fundamental concerns on the design. In this new proposal, one of the major changes that occurred is the removal of 4 lots, at the eastern end of the streets, and by removing them, they removed some lots that may have been closer to the airports, as well as allowing more open space allowing for a greater buffer from the railroad tracks. The overall scope and design of the project remains the same. The developer did agree to add additional noise attenuation within the construction of the homes, and upgraded the type of wall on the east and south perimeter.

VICE MAYOR HARTKE inquired what, if any, changes in the General Plan might have been made because of this development to the Airpark area, along Arizona Avenue.

Ms. Novak stated the new General Plan being considered, which still needs a vote of the Council and of the voters, would provide for a mix of uses along the corridor. This could include some form of residential use.

In response to a question from Councilmember Lopez, Ms. Novak said the immediate corner that this subdivision would wrap around is a case that is currently in process called Main Street Transitional Care Facility. It's an acute care facility for post-operative care. That case is scheduled before Council on February 11th. She said that particular use is an office use that is akin to a hospital / medical use facility that falls under a commercial land use.

COUNCILMEMBER HEUMANN inquired if there was a disclosure in the deed for the railroad and the power lines.

Ms. Novak stated that within the ordinance for the development and zoning of the site, disclosure must be made regarding the proximity of the airport area and the railroad. There is not a separate stipulation for utilities.

He said it was important with the general nature of the corridor that also is spelled out. He said he would also like to see an increase in the tree plantings to make a natural border along the railroad line.

Mr. Mike Withey, of Withey Morris PLC, representing the applicant, reiterated the project has unanimous recommendation of the Planning Commission. He noted a year ago, the applicant was asked to consider modifications to the project and he believes they have done what Council has asked. He said they had received wide support from the neighborhood. Mr. Withey addressed the changes Ms. Novak mentioned - the elimination of the 4 lots, which increased the setback along Arizona Avenue; the sound attenuation features the homes will have, and the perimeter wall being build more for another sound attenuation feature. Also agreed to was the additional trees in the east landscape area. There are some limitations along the SRP easement on the types and height of trees allowed. He recapped the studies the developer performed and what the results showed. He reported there is much more broad base and clear support from the neighborhoods. Mr. Withey stated over 250 petitions in support were submitted including support from Carino Estates, Fox Crossing and other home owner associations.

Mayor Tibshraeny acknowledged the 6 comment cards in support of the case as well as the following speakers:

Jon Willis, designated broker of Willis Property Company, representing the seller of the 9 acre parcel. He said there is no demand south of Germann Road as it relates to office in this area due to the developments occurring near the Airpark, Mercy Gilbert and Chandler Regional. That is where the main focus of office is occurring now. He stated his clients are in full support of this project.

Pat Aritz, President of Carino Estates Homeowners Association representing 721 homes, said the support for this project was close to unanimous. The thought was a single family community would be the best for property values, aesthetics of the area, as well as the fit seems better with the surrounding area.

Earl Sales, Carino Estates resident, stated his support for the project. He said there are quite a few apartment complexes in the area and he would like to see more homes in the area.

Robert Sty, Hamilton Heights Homeowners Association President, and a member of the Citizen Advisory Committee for the General Plan update voiced his support for the project.

Carolyn Urish, resident of Carino Estates, said she feels there is more than enough commercial development in the area and she would prefer to see homes.

Ralph Pew, land use attorney representing the developer of the Main Street project at the immediate intersection of Arizona Avenue and Queen Creek Road, expressed the support for the project. He said the residential use is very compatible with the Main Street use. Mr. Pew explained the project he represents (Main Street) is a national, real estate development and investment and health solutions company. Currently, in the Phoenix and Tucson areas, there are 4 or 5 projects underway. He explained he had hoped the Main Street project would be on tonight's agenda, but will be delayed. Main Street is a post-acute care transitional facility.

COUNCILMEMBER ELLEN asked if the petition signers knew the Chandler Airpark Area Plan would need to be changed from Neighborhood Commercial and Commercial Office Business Park. Mr. Withey said he doesn't believe the signers were given a copy of the Area Plan or a copy of the proposed General Plan. He said the discussion was going from agricultural to the proposed plan. Mr. Withey said after full discussion, the homeowners were very knowledgeable.

MOVED BY COUNCILMEMBER LOPEZ TO APPROVE RESOLUTION NO. 4924, APL15-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT, TO INTRODUCE AND TENTATIVELY APPROVE ORDINANCE NO. 4683, DVR15-0028, ENCLAVE AT HAMILTON RANCH, PAD FOR RESIDENTIAL, APPROVE PRELIMINARY DEVELOPMENT PLAN (PDP) FOR SUBDIVISION LAYOUT AND HOUSING PRODUCT, AND PRELIMINARY PLAT (PPT), PPT14-0012 FOR APPROXIMATELY 28 ACRES LOCATED SOUTH AND EAST OF THE SEC OF ARIZONA AVENUE AND QUEEN CREEK ROAD.

COUNCILMEMBER HEUMANN SECONDED THE MOTION BUT ASKED THE MOTIONMAKER TO INCLUDE ON STIPULATION NO. 13 TO ADD THE LANGUAGE ABOUT THE HIGH CAPACITY TRANSMISSION LINE CORRIDOR. IN ADDITION, A STIPULATION TO WORK

WITH STAFF TO PUT ADDITIONAL TREES ON THE EAST BORDER OF THE PROPERTY FOR A 20' ON CENTER BUFFER. COUNCILMEMBER LOPEZ ACCEPTED.

COUNCILMEMBER SELLERS asked if the applicant accepted the amendments. Mr. Withey said they would accept the amendments.

COUNCILMEMBER ELLEN said she likes the project and appreciates the additional notification for the public report. She stated in her experience as a realtor, most buyers do not pay attention to the public report. She said this projects borders two major roads, has major power lines and close to the railroad, and experiences low flying aircraft. She said her desire is to hold out for a better and higher use. She said she is not anxious to get this area developed and believes it is possible to have some nice neighborhood commercial/office business park.

COUNCILMEMBER HEUMANN said while he voted against this project last time mainly due to the 9 acre parcel being an out parcel. He expressed his appreciation to Mr. Pew in explaining their project. He said another concern was the desire for additional landscaping and now feels he can support this project.

THE MOTION TO APPROVE CARRIED BY MAJORITY (6-1) WITH COUNCILMEMBER ELLEN VOTING NAY.

UNSCHEDULED PUBLIC APPEARANCES:

Mr. Victor Hardy announced the 16th anniversary of the Celebration of Unity event this weekend. Mr. Hardy said he is the Pastor of the Congregational Church of the Valley, President of the Chandler Men of Action, and Musical Director for C4. He extended the invitation to attend the Black Violin performance at the Center for the Arts. The annual Multi-Cultural Festival will be held on Saturday at the Chandler Fashion Mall. The 16th annual Creative Expression Competition is underway and winners will be recognized at the festival as well as a future Council meeting in conjunction with the City of Chandler Diversity Office.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor also reminded attendees that voting is still available for the annual Mayor's Neighborhood Excellence Awards finalists. Voting runs through Friday, Jan. 22, and you can cast your ballot at chandleraz.gov/connect. Winners will be announced in April during the Mayor's next Listening Tour at the Knox Gifted Academy.

The Mayor introduced the City's new Intergovernmental Affairs Coordinator Ryan Peters and wished him well in his position. He explained that his position is very important to the City to protect the interests of Chandler residents.

Mayor Tibshraeny also mentioned House Bill 2026, which has been re-introduced by Rep. Darren Mitchell after being defeated during the last legislative session. HB2026 is a residential tax bill that would significantly harm the City's budget. If passed, any city or town with a population of more than 100,000 could not collect taxes on those renting or leasing residential units. Sales tax is very important to the City as it's used to provide residents with public safety services (police and fire), parks, libraries, community centers

and more. The City will proactively fight this bill and the Mayor finds it concerning that it's back after being rejected. The Mayor asked the City Attorney to inform the Council of what they will be able to do with future or pending multi-family zoning cases and how a development agreement may come into use.

B. Councilmembers' Announcements

Councilmember Lopez announced that the Chandler Symphony Orchestra's last winter performance (Winter Romance) will be at 3 p.m., Sunday, Jan. 31. More information is available at chandlersymphony.com.

Vice Mayor Kevin Hartke shared how much he enjoyed serving as the Vice Mayor during the past year, especially meeting with constituents and developers. He expressed that Councilmember Sellers will serve the City well in his new role. Councilmember Hartke shared that the naturalization ceremony, as part of the Festival, is an amazing experience to see new citizens being sworn in. It reminds him of how blessed we are and to not take things for granted. He encouraged residents to attend and see 200 new citizens from across the world become U.S. citizens.

Vice Mayor Hartke also wished both his wife and son happy birthdays.

Councilmember Ellen thanked Vice Mayor Hartke for his wonderful service as Vice Mayor and looks forward to Councilmember Sellers taking on this new role. She encouraged the public to attend Helicopter Days at Chandler Municipal Airport at 9 a.m., Saturday, Feb. 20. She also shared that she's a grandmother as her daughter gave birth to a healthy girl on Dec. 12. Councilmember Ellen publicity thanked Victor and Cynthia Hardy for their work in our community.

Councilmember Roe also thanked Vice Mayor Hartke for his service as Vice Mayor. Mr. Roe announced his 35th wedding anniversary. He mentioned that earlier in the day, he attended a breakfast with Gov. Doug Ducey and other leadership. He gave kudos to the Chandler Chamber of Commerce for its efforts to support businesses and encourage new business opportunities in Chandler.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:25 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: January 28, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 14th day of January 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 29 day of January, 2016.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, January 28, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:03 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	*Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

*Councilmember Heumann participated by phone.

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Ryan Gear from One Church gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember René Lopez led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

COUNCILMEMBER HEUMANN VOTED NAY ON ITEM NO. 30
COUNCILMEMBER HARTKE VOTED NAY ON ITEM NO. 37
COUNCILMEMBER ELLEN VOTED NAY ON ITEM NO. 5

MOTION CARRIED UNANIMOUSLY (7-0) with the exceptions noted.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Study Session of December 7, 2015.
1b. Study Session of January 11, 2016.
1c. Regular Meeting of January 14, 2016.
1d. Special Meeting of January 11, 2016.
1e. Special Meeting of December 7, 2015.

2. CITY CODE AMENDMENT: Chapter 2 Ord. #4674

ADOPTED Ordinance No. 4674, amending Chapter 2, Section 2.8, of the Chandler City Code authorizing the City Manager to administratively approve and execute certain grant agreements.

3. POWER DISTRIBUTION EASEMENTS: Salt River Project Ord. #4675

ADOPTED Ordinance No. 4675 granting two no-cost power distribution easements to Salt River Project (SRP) for street light and traffic signal facilities installed as part of the Old Price Road/Queen Creek Road Intersection Improvements.

4. REZONING: Parkland Memory Care Ord. #4682

ADOPTED Ordinance No. 4682, DVR15-0025, Parkland Memory Care, rezoning from Planned Area Development (PAD) for Office to PAD (Office/Medical Related Uses) for a memory care facility and other associated uses.

5. REZONING: Enclave at Hamilton Ord. #4683

COUNCILMEMBER ELLEN VOTED NAY.

ADOPTED (6-1) Ordinance No. 4683, DVR15-0028, Enclave at Hamilton Ranch, rezoning from Agricultural District (AG-1) and Planned Area Development (PAD) for Offices to PAD for Residential.

6. CITY CODE AMENDMENT: Chapter 35 Ord. #4685

ADOPTED Ordinance No. 4685, ZCA15-0001, Adaptive Reuse Overlay District, City initiative to adopt Article XXXIII A.R.O.D. – Adaptive Reuse Overlay District of Chapter 35 (Land Use and Zoning) of the Chandler City Code.

7. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Parkview Place Ord. #4688

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4688, DVR15-0032 Parkview Place, rezoning from Agricultural to Planned Area Development for single-family residential. (Applicant: Mari Flynn; Ashton Woods Arizona, LLC.)
APPROVED a Preliminary Development Plan (PDP) for subdivision layout and housing product for a 50-lot, single-family residential subdivision located approximately one-half mile south of the SEC of Ocotillo and Basha roads.
APPROVED Preliminary Plat PPT15-0014 for a 50-lot, single-family residential subdivision.

BACKGROUND
The 6.28-acre site is located approximately one-half mile south of the southeast corner of Ocotillo and Basha roads within close proximity to Snedigar Park. Portions of Snedigar Park surround the site with the exception of a City well-site adjacent to the site's south side; vacant Agricultural property is directly north.

The site is not part of an existing area plan resulting in a default to the General Plan designation. The General Plan categorizes the site for residential development with a range of 0-18 dwelling units per acre (du/ac) depending on location. Due to the site's proximity to existing residential,

density is broadly determined with consistency in the area. Townhomes within Fulton Ranch are southeast of the site with a density of 5 units per acre and Serenity Shore condominiums south of Snedigar with a density of 12 du/ac.

The request is for a 50-lot, single-family residential subdivision with an overall density of 7.95 du/ac. The gated community is relatively symmetrical as it is situated on a rectangular lot. The entry terminates at the primary outdoor space, with a second outdoor area connecting to Snedigar Park located at the southeast corner of the site. The homes are designed to utilize garage entry off of the main drive aisles resulting in front porches facing the front porches of the adjacent homes. A meandering pedestrian path is located in front of each row of homes. Mini cul-de-sacs are created along the southern boundary with the main cluster of buildings centralized in the subdivision. As has been standard with recent medium density developments, a number of guest parking stalls are provided and dispersed throughout the side with a majority surrounding the main amenity area.

Outdoor living for the homes utilized a Use and Benefit Easement, resulting in a zero setback on one side and ten feet on the other side. Depths of the homes vary, creating staggering along the front entry courtyard areas. Four, two-story plans are provided ranging in square footage from 1,871 to 2,618 square feet. Four elevations are provided with each home having three elevations to choose from along with three color schemes offered for each elevation. Side elevations for the homes located adjacent to the loop roads have been enhanced to provide corresponding architectural pop-outs.

Similar to design concerns for standard single-family subdivisions, when dealing with more dense detached single-family subdivisions with two-story homes, concerns arise with the creation of two-story corridors. In this case, a concern with the drive aisles where garage entry is located, two-story corridors are created. To address the concern, pavement treatment will be incorporated into the minimal driveways with paving bands splitting the length of the drive aisle. Planning Staff has added Condition No. 5 of the PDP recommendation addressing the drive aisles. Additionally, landscaping will be located along both sides of the driveway to soften the corridor appearance. Lastly, the design team has incorporated corresponding architectural elements to the rear of the homes to assist in a varied streetscape, as well as designing two of the four floor plans to not have a second story element over the garage, visually creating staggered building massing.

Planning Staff supports the request finding that the subdivision provides housing product to the area that is currently not provided. It should be noted that the developer is currently working with the City's Municipal Utilities Department regarding the well station south of the site. When the City developed the site, a ten-foot landscape buffer was intentionally left to separate the City property from the subject site. So that a no-man's land is not created in between the sites, the developer is working with the City to maintain the area and allow the site to be integrated with the development; the property will remain the City's.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 20, 2015. There were eight neighbors in attendance in general support of the request. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Pridemore absent.

RECOMMENDED ACTIONS

Rezoning
The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
The Planning Commission and Planning Staff recommend approval subject to the following conditions:

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

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

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

8. No item.

9. EASEMENT EXTINGUISHMENT: SEC Kyrene Road and Ray Road Res. #4922

ADOPTED Resolution No. 4922 authorizing the extinguishment of a water line easement that is not needed for public use at the SEC of Kyrene and Ray roads.

BACKGROUND/DISCUSSION
In 1987, the City was granted a water line easement on a parcel of land located at the southeast corner of Kyrene and Ray roads in the Laguna Village Plaza. The property owner requested the removal of the easement as there is no corresponding water line within the easement area. Staff from the Municipal Utilities Department inspected the easement and confirmed that a public water line does not exist within the easement. Staff concurs that the easement is not required and can be extinguished.

10. CONTINUED AIRPARK AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN: Canal View Homes Res. #4931 & Ord. #4686

CONTINUED TO FEBRUARY 25, 2016, Resolution No. 4931, APL15-0006, Chandler Airpark Area Plan Amendment, Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential.
CONTINUED TO FEBRUARY 25, 2016, INTRODUCTION OF ORDINANCE NO. 4686, DVR15-0027 Canal View Homes, rezoning from Agricultural to Planned Area Development for single-family residential.

CONTINUED PRELIMINARY DEVELOPMENT PLAN (PDP) for subdivision layout and housing product for an 8-lot, single-family residential subdivision located at the SEC of the Consolidated Canal and the Wildhorse Place alignment.

The applicant, Stephen Earl; Earl, Curley & Lagarde, requests the continuance in order to further discuss the development with the adjacent residents.

11. CONTINUED AIRPARK AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN: Villas at chandler Airpark Res. #4932 & Ord. # 4687

CONTINUED TO FEBRUARY 25, 2016, Resolution No. 4932, APL 15-0008 Chandler Airpark Area Plan Amendment, Area Plan Amendment to the Chandler Airpark Area Plan from Special Use Commercial to High Density Residential.
CONTINUED TO FEBRUARY 25, 2016, INTRODUCTION OF ORDINANCE NO. 4687, DVR15-0031 Villas at Chandler Airpark, rezoning from Planned Area Development (PAD) for multi-family residential and commercial to PAD for multi-family residential.
CONTINUED TO FEBRUARY 25, 2016, PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture located east of the SEC of Germann and McQueen roads.

The applicant, Ed Bull; Burch & Cracchiolo, requests the continuance.

12. WITHDREW ZONING EXTENSION: The Enclave

WITHDREW ZONING, DVR15-0034 The Enclave, action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former Conceptual Planned Area Development (PAD) for commercial with a transit-oriented multi-family residential overlay. The existing PAD zoning designation is for multi-family residential on approximately 21.7 acres located at the SEC of Arizona Avenue and Chandler Heights Road.

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

13. PRELIMINARY DEVELOPMENT PLAN: San Tan Plaza

APPROVED Preliminary Development Plan PDP15-0006 San Tan Plaza, to allow additional freestanding multi-tenant monument signs for an existing development located at the NWC of Arizona Avenue and Willis Road. (Applicant: Signs Plus, Chris Totten & Gary Johnson.)

BACKGROUND
The subject site is the existing San Tan Plaza commercial retail center located at the northwest corner for Arizona Avenue and Willis Road. The site was originally developed with Kohl's department store. Another retail building occupied by Planet Fitness developed later, east of Kohl's, and inline shops developed along Arizona Avenue. Recently, a WinCo Foods Store developed on the west end of the center. The original zoning approval included a comprehensive sign package for building mounted signage and freestanding monument signs. A freeway monument sign and two freestanding monument signs were approved and developed. The 65-foot high freeway monument sign is located behind the WinCo Food Store building along the Loop 202 Santan Freeway and includes four tenant panels. The two freestanding monument

signs are 14 feet high with three tenant panels each. One monument is located off the center's Arizona Avenue entrance and the other sign is located off the most western Willis Road entrance.

The request is to allow the addition of two more 14-foot high, three-tenant panel freestanding monument signs. One additional sign will be located along Arizona Avenue near the intersection of the Loop 202 Santan Freeway and Arizona Avenue. The second sign will be located near the intersection of Arizona Avenue and Willis Road.

The architecture of the monument signs and the design of the tenant panels will match the existing signs; however, the tenant panels lettering will be upgraded to provide ¾-inch routed-out, push-through lettering to provide dimension to the side elevations of the panels. The applicant has received agreements in writing from all the property owners in the San Tan Plaza development in regards to upgrading the tenant panels. The property owners routinely update their tenant panels every few years or so. The tenant panels on the two existing monument signs will be updated within the next 5 years from the date of Council approval.

A new feature for the proposed monument signs is the use of solar panels. The solar panels will power the two new signs. The Willis Road sign's solar panel is located behind the proposed sign with screening from existing utility cabinets and existing trees thus not as visible from Arizona Avenue. The Arizona Avenue solar panel is represented as visible along the street frontage; however, Condition No. 6 is recommended to ensure the solar panel is relocated and screened from street view.

DISCUSSION

Planning Staff finds the proposed addition of two freestanding monument signs with three tenant panels each to be appropriate for this site. The site is a regional commercial center off of the freeway and an arterial street as well as almost a ¼-mile in length along Willis Road. The development's visibility is limited along Arizona Avenue due to the alignment of the freeway and grade differential off of Arizona Avenue. In addition, the buildings are setback over 500 feet from Willis Road which affects visibility from Arizona Avenue. Finally, the amount of freestanding signs is consistent with the regional commercial center on the opposite side of Arizona Avenue

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood notice letter was mailed on November 17, 2015, in lieu of a neighborhood meeting due to the nature of the application request limited to monument signs consistent with the design and height of existing signs. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Pridemore absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

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

4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
6. The applicant shall work with Planning Staff to relocate the solar panel associated with the northernmost Sign A. The solar panel shall be relocated north of the adjacent retail buildings.

14. PRELIMINARY DEVELOPMENT PLAN: San Tan Super Storage & Industrial

APPROVED Preliminary Development Plan PDP15-0010 San Tan Super Storage & Industrial, for building design and site layout of recreational vehicle (RV) storage buildings and a multi-tenant light industrial building located approximately one-quarter of a mile east of the NEC of Arizona Avenue and Willis Road. (Applicant: LGE Design Group, Bret Ryan.)

BACKGROUND

The approximate 9.4-acre subject site is located east of Arizona Avenue on the north side of Willis Road. The vacant property is east of the existing Santan Gateway commercial center's Sam's Club. The site is bounded on the north by the Loop 202 Santan Freeway; the Union Pacific Railroad tracks and commercial retail are on the west and a 0.3-acre parcel owned by the Arizona Department of Transportation on the east. South of the property is the 84 Lumber Company industrial business and a vacant parcel zoned for industrial uses.

The subject site was zoned Planned Area Development (PAD) for industrial park in June 1986, as part of a larger 160-acre industrial park including an industrial park, apartments, commerce park, townhomes and single-family residential in an area from Pecos Road to Willis Road and the Union Pacific Railroad tracks to near a ¼ mile west of McQueen Road. The intended uses in the industrial park were based upon the 1982 General Plan Land Use element defining warehousing, research and development, various types of industry and the like in conformance with the Zoning Code. The uses would be akin to Planned Industrial District (I-1) zoning.

The proposed recreational vehicle (RV) storage facility includes 100 units within a total of four buildings totaling 75,060 square feet. The buildings are one-story in height and located on the parcel's west side. The light industrial building is one-story in height and approximately 62,240 square feet with up to twelve tenant spaces located on the site's east side. Uses include those permitted by right in the I-1 zoning district.

All of the buildings are designed with a common architecture theme including building forms, materials and colors. A mix of building materials includes EIFS, split and smooth face masonry concrete walls, standing seam metal roofs, metal accent panels, exposed painted steel columns and beams, varied rooflines and varied wall planes.

The site layout incorporates an RV storage building within a landscape setting parallel with Willis Road at the gated entrance. The other storage buildings are oriented primarily north to south with a looped drive aisle around the buildings. There is vehicular cross access to the adjacent light industrial building component. The light industrial building has a staggered footprint in response to the angled north property line along the freeway right-of-way. The loading bay areas are grouped and recessed on the north building elevation.

The landscaping is a desert theme with a mix of low water use trees and shrubs as well as decomposed granite. The Willis Road streetscape includes shrubs planted in an S-shaped pattern. Landscaping will be provided along the north property line as well as within the site.

The development proposal does not include signage. Building mounted signage and freestanding tenant monument signs will be designed to comply with Sign Code regulations and reviewed administratively by Planning Staff. A separate PDP application will occur if signage does not conform to Sign Code.

DISCUSSION

Planning Staff finds the proposed RV storage facility and light industrial building to be consistent with the adopted land plans for this site as well as meeting the City's Zoning Code and design expectations for architecture and site layout. There is one requested waiver from Zoning Code regarding parking requirements for the RV storage facility. The Zoning Code parking schedule does not include a parking ratio for storage facilities, only light industrial warehousing and manufacturing. Therefore, the applicant proposes parking appropriate for the RV storage use including one parking space for every 35 storage units. This provides adequate customer parking and employee parking for the on-site office.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning code. A neighborhood notice letter was mailed on November 5, 2015, in lieu of a neighborhood meeting due to no residential in proximity to this property. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Pridemore absent.

RECOMMENDED ACTION

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "San Tan Super Storage & Industrial", kept on file in the City of Chandler Planning Division, in File No. PDP15-0010, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 1644 in case Z86-25 LARRY S. LAZARUS, except as modified by condition herein.
3. The site shall be maintained in a clean and orderly manner.
4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.
5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

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

15. CONTINUED PRELIMINARY DEVELOPMENT PLAN: First Credit Union Plaza

CONTINUED TO FEBRUARY 25, 2016, Preliminary Development Plan PDP15-0017 First Credit Union Plaza, for building mounted signage located at 25 S. Arizona Place, east of the NEC of Arizona Avenue and Boston Street as requested by the applicant to finalize design details. (Applicant: James Rogers; Bootz and Duke Signs.)

16. AGREEMENT AMENDMENT: RideNow Powersports Chandler

APPROVED Agreement No. FD4-929-3349, Amendment No. 1, with RideNow Powersports Chandler, for police motorcycle parts, maintenance and repair in an amount not to exceed $125,000.00 for a two-year term, June 1, 2016, through May 31, 2018. This is the first of 2, two-year optional extensions.

17. PROJECT AGREEMENT: CH2M Hill Engineers, Inc.

APPROVED Project Agreement No. WA1605.101 with CH2M Hill Engineers, Inc., for consulting services for the Municipal Utilities Department Operator Training Program Development Assistance, pursuant to Annual Water and Wastewater Services Contract No. EN1519.101, in an amount not to exceed $69,000.00.

The Municipal Utilities Department (MUD) continues to experience retirement of the most experienced water and wastewater operations staff. Individuals in these positions are required by State law to maintain nationally recognized water and wastewater certifications for these positions. The City of Chandler, along with other cities across the Phoenix metropolitan area, is finding it difficult to hire experienced and properly certified water and wastewater treatment plant operators. Well-trained and certified staff is needed to ensure the City's water and wastewater treatment facilities are operated in a compliant, safe and cost-effective manner.

The scope of work consists of assistance to develop a Performance Management and Best Practices Program. The consultant will assist MUD staff in creating a technical training program that will prepare water and wastewater operations staff for the national certification testing as well as provide specific skills, training and documentation related to the City's water and wastewater treatment facilities. This training program will allow staff to advance through the Utilities Operator positions as they prove knowledge and proficiency within the training program. The implementation and administration of this program will be a primary duty of MUD's Utilities Programs Coordinator.

18. PROJECT AGREEMENT: Wilson Engineers, LLC

APPROVED Project Agreement No. WA1520.451 with Wilson Engineers, LLC, for construction management services for the Roosevelt and Basha Tank Rehabilitation, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $194,920.00.

19. AGREEMENT: Vulcan Materials Company

APPROVED Agreement No. ST6-745-3633 with Vulcan Materials Company for hot mix asphalt materials in an amount not to exceed $329,905.55, for one year, February 1, 2016, through January 31, 2017, with options to renew for up to four additional one-year periods.

20. PROJECT AGREEMENT: AZTEC Engineering Group, Inc.

APPROVED Project Agreement No. IT088.451 with AZTEC Engineering Group, Inc., for construction management services, pursuant to Annual Civil Engineering Services Contract No. EN1505.101, in an amount not to exceed $54,575.00.

21. CONSTRUCTION CONTRACT: CS Construction, Inc.

APPROVED Construction Contract No. IT088.401 to CS Construction, Inc., for enhanced communications remote sites in an amount not to exceed $501,820.20.

City Staff has identified remote City facilities that require enhanced communications high-speed fiber optic service. These locations include Fire Stations 2, 3, 4, 5, 6, 7, 8 and 10, McCullough Price House, Snedigar Recreation Center, Hamilton Aquatic Center, Nozomi Aquatic Center, Arrowhead Pool, Folley Pool and PDH9 (Old Fire Station 1).

The base bid included project site locations: Fire Stations 2, 3, 4, 5, 6, 7 and 8, Arrowhead Pool, Hamilton Aquatic Center and Nozomi Aquatic Center.

Alternative 1:	McCullough Price House
Alternative 2:	Snedigar Recreation Center
Alternative 3:	Fire Station 10
Alternative 4:	Folley Pool and PDH9 (Old Fire Station 1)
Alternative 5:	McCullough Price House, Snedigar Recreation Center, Fire Station 10, Folley Pool and PDH9 (Old Fire Station 1)

22. CONSTRUCTION CONTRACT: Salt River Project

APPROVED Construction Contract No. ST0810 with Salt River Project (SRP) to accommodate McQueen Road Improvements, Riggs Road to Chandler Heights Road, for conversion of overhead facilities and underground relocations in an amount not to exceed $174,416.07.

23. CONSTRUCTION CONTRACT: Schofield Civil Construction, LLC

APPROVED Construction Contract No. WA1520.401 with Schofield Civil Construction, LLC, for the Roosevelt and Basha Tank Rehabilitation in an amount not to exceed $1,881,000.00.

24. PURCHASE: Valves

APPROVED the purchase of valves for the Pecos Surface Water Treatment Plant Valve & Actuator Replacement Program from Instrumentation and Controls, LLC, utilizing City of Tempe Contract No. WUD14-139-01, in an amount of $84,652.25.

25. PURCHASE: Premise One, Inc.

APPROVED the purchase of fiber optic network cabling services as part of the Enhanced Communications for Remote Sites, from Premise One, Inc., utilizing State of Arizona Contract No. ADSPO12-033468, in an amount of $77,532.00.

26. PURCHASE: Guidesoft, Inc., dba Knowledge Services

APPROVED the purchase of Information Technology consulting and staffing services from Guidesoft, Inc., dba Knowledge Services, utilizing State of Arizona Contract No. ADSPO12-031581, in an amount not to exceed $90,000.00.

Information Technology has historically hired temporary employees to assist in special projects or to backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology Staff and work on a temporary basis for a specific assignment. This resource will assist with maintaining day-to-day operations of the City's financial and human resources systems while fulltime IT Staff members are devoted to assisting with implementation of the Portal for Electronic Payment Processing Integration (PEPPI) Project.

27. USE PERMIT: Payless Market

APPROVED Use Permit LUP15-0021 Payless Market, Series 10 Beer and Wine Store License to sell beer and wine for off-premise consumption at a new convenience store located at 405 South Arizona Avenue, south of the SEC of Arizona Avenue and Frye Road. (Applicant: Hallak Enterprises, LLC.)

BACKGROUND

Payless Market is an existing convenience store located at 398 S. Arizona Avenue and proposes to relocate to a building located at 405 S. Arizona Avenue, south of the southeast corner of Arizona Avenue and Frye Road. The new location is in an existing building that has remained vacant since the previous tenant, a 99 Cent Plus discount store closed several years ago. The commercial retail strip businesses include: Wash Works Laundry Center, Principal Tax Services, Cricket Wireless, a smoke shop and D&L Chandler Glassworks. Single-family homes and vacant parcels, zoned Multiple Family Residential District (MF-2), are to the east, across the alley.

Tenant improvements to the approximately 2,000 square foot building are proposed. When improvements are completed, the owner will move to the renovated building and relinquish their existing Series 10 Beer and Wine Store license. Hours of operation are from 8 a.m. until 9 p.m., Sunday through Thursday and 8 a.m. until 10 p.m. on Friday and Saturday. Shared parking for the small commercial strip is available along the Arizona Avenue frontage.

Planning Staff finds that the sale of beer and wine as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City. Planning Staff recommends approval with no time limit condition to maintain consistency with similar type retailers approved for a Liquor Use Permit under a Series 10 Beer and Wine Store license.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 7, 2015. The property owners of D&L Chandler Glassworks, 411 S. Arizona Avenue, Suite 1, attended expressing concerns related to day laborers, parking and property maintenance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 5 – 0 with Commissioners Cunningham and Pridemore absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

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

28. USE PERMIT: Bella Gusto

APPROVED Use Permit LUP15-0023 Bella Gusto, Series 12 Restaurant License to allow liquor sales as permitted for on-premise consumption indoors at a new restaurant located at 1964 N. Alma School Road, Suite 1, SWC of Alma School and Warner roads. (Applicant: Matt Nobile, Business Owner.)

BACKGROUND
The subject restaurant is located at the southwest corner of Alma School and Warner roads within the Warner Plaza. The restaurant occupies the most southern end of the shopping plaza and is adjacent to Stottler Drive. Residential properties are adjacent to the west and south of Stottler Drive. The subject site has been serving liquor since 1982 and was previously occupied by Ibiaz Blue, Mariscoc Mi Lindo Mazatlan #2, El Diamante Dining and Dancing, Boomers Dining and Dancing, Native New Yorker, Hitts Bar & Grille and Casa Diego Restaurant. Previous liquor licenses have been for Series 7 (Beer and Wine), Series 6 (Bar License) and Series 12 (Restaurant License), which have all expired. In the past, under previous owners, noise disturbances had been a problem at this site for surrounding neighbors.

Bella Gusto is an urban pizzeria that plans to sell beer, wine and house made lemon cello and sangria. The suite has been reduced from previous businesses to a total square footage of 4,350, which seats about 114. The restaurant will operate Sunday through Thursday from 11 a.m. to 9 p.m. with extended hours Friday and Saturday 11 a.m. to 10 p.m. and will employ 14 employees. Bella Gusto has represented they will not have live music or entertainment at any point. They plan to use a speaker system to play music at a low volume to enhance the dining experience. Planning Staff has added a stipulation to ensure music is controlled and will not disturb surrounding neighbors.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 12, 2016. There were no neighbors in attendance. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Ryan absent.
RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 12 License only and any change of license shall require reapplication and new Liquor Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
5. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

29. LIQUOR LICENSE: Bella Gusto

APPROVED a Series 12 Restaurant Liquor License (Chandler #161361L12) for Matthew T. Nobile, Agent, Bella Gusto LLC, dba Bella Gusto Urban Pizzeria, 1964 N. Alma School Road, Suite 1. A recommendation for approval of State Liquor License #1207A473 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

30. LIQUOR LICENSE: El Coyote Sports Bar

COUNCILMEMBER HEUMANN VOTED NAY.

APPROVED (6-1) a Series 6 Bar Liquor License (Chandler #160684L6) for Emanuela Watt, Agent, Emanuela Watt, dba El Coyote Sports Bar, 481 N. Arizona Avenue. A recommendation for approval of State Liquor License #06070464 will be forwarded to the State Department of Liquor Licenses and Control.

The Police Department conducted a neighborhood meeting in November with residents adjacent to the El Coyote Sports Bar to learn of their issues and concerns. The Police Department leadership contacted El Coyote Sports Bar ownership regarding quality of life issues affecting the neighborhood. Management has agreed to self-police the area after closing, add more lighting and increase security staffing on weekends. The Police Department will continue to conduct frequent patrols, communicate with neighbors and track progress. Also, the Police Department will reach out to new owners to express quality of life concerns and ensure progress is continued.

The Police Department reports no objections to the issuance of this license and all protests have been received and addressed. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Owner, Ruben Magallanes, dba El coyote Sports Bar.

31. LIQUOR LICENSE: Crazy Chicken

APPROVED a Series 12 Restaurant Liquor License (Chandler #161045L12) for Jae M. An, Agent, Nanoom Enterprise LLC, dba Crazy Chicken, 1825 W. Chandler Boulevard, Suite 2. A recommendation for approval of State Liquor License #1207A480 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the

issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Chino Bandido Development LLC, dba Chino Bandido.

32. SPECIAL EVENT LIQUOR LICENSE: The Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival on March 11, 12 & 13, 2016, at Tumbleweed Park, 2250 S. McQueen Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

33. SPECIAL EVENT LIQUOR LICENSE: The Chandler Chamber of Commerce

APPROVED a Special Event Liquor License for the Chandler Chamber of Commerce for the Ostrich Festival Wrap Up Celebration, March 17, 2016, at Thorobred Chevrolet, 2121 N. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

34. SPECIAL EVENT LIQUOR LICENSE: The Boot Campaign

APPROVED a Special Event Liquor License for The Boot Campaign for The Great America BBQ & Beer Festival, March 19, 2016, at Dr. A.J. Chandler Park, 3 S. Arizona Avenue. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

35. TEMPORARY EXTENSION OF PREMISES: The Perch

APPROVED a Temporary Extension of Premises for a Series 6 and 3 Liquor License (Chandler #145511 L6 & L3) held by The Perch LLC, dba The Perch, 232 S. Wall Street for a 2nd Annual Anniversary Party, February 14, 2016. A recommendation for a Temporary Extension of Premises for State Liquor Licenses 06070316 and 03073070 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

36. FINAL PLAT: Noria at Chandler Airpark

APPROVED Final Plat FPT15-0010 Noria at Chandler Airpark, for a 483-unit multi-family residential and commercial mixed-use development located at the SEC of McQueen and Germann roads. (Applicant: David Soltysik; Terrascape Consulting.)

BACKGROUND

The Final Plat was approved by Council in late 2013 and creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Planning Staff recommends approval.

37. FINAL PLAT: Modern Storage

COUNCILMEMBER HARTKE VOTED NAY.

APPROVED (6-1) Final Plat FPT15-0020 Modern Storage for a self-storage facility located at the SEC of Arizona Avenue and Germann Road. (Applicant: Jeff Behrana, Optimus Civil Design Group.)

BACKGROUND
The Final Plat was approved by Council in December 2014 and creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Staff recommends approval.

38. FINAL PLAT: Layton Lakes Parcel 18 Amended

APPROVED Final Plat FPT15-0024 Layton Lakes Parcel 18 Amended, for a single-family residential subdivision located south and west of the SWC of Lindsay and Queen Creek roads. (Applicant: Troy Peterson, Bowman Consulting.)

BACKGROUND
This Final Plat was approved by Council in late 2007 and is for the replat of Parcel 18 of the Layton Lakes master planned community and represents minor adjustments to lot lines. The plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Staff recommends approval.

39. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board/Commission appointment:

Domestic Violence Commission
Shannon Rich
Patrick De Leon

40. STATEMENT OF WORK: CIP Portal

APPROVED the statement of work with Neudesic for a CIP Portal, utilizing Master Services Agreement (MSA) No. 3437, in the amount of $455,400.00.

The Capital Projects Division Staff in the Transportation & Development Department provide contract and project management support for the City's ten-year, $1.1 billion Capital

Improvements Program (CIP). This division is in need of a computerized project management system.

Several project management systems have been utilized in the past. These other systems were inadequate because they were incompatible with the City's operating system, they became antiquated, and/or they were unable to provide minimum functionality to manage projects. In late 2014, the City engaged with Neudesic to validate and complete initial discovery and design of the CIP Project Management Solution. After performing a detailed analysis, Neudesic proposed utilizing Microsoft SharePoint off-the-shelf software as the basis for custom workflows to advance the development of the City's structured CIP business process. The collaborative and organized manner in which SharePoint secures, stores and allows access to information will assist in the tracking of project schedules, budgets and documents.

Neudesic proposed four project phases that provide incremental functionality with each implemented phase. The scope of work for Phase 1 and Phase 2 is to create the CIP Portal. Phase 1 consists of developing the Core Portal where all projects will have high-level reports within a system dashboard that will display the status of each project's life-cycle. Phase 2 will leverage contract fee schedules for streamlined and automated payments to consultants and contractors. Also included in the scope of work, is onsite support during deployment, ongoing "help desk" support and maintenance of the system. Initially, Phase 1 was included in the FY 2015-16 Information Technology Oversight Committee Capital Improvement Program budget, but upon further review, it was determined that Phase 2 was also needed immediately to provide the best benefit to the City. Phases 3 and 4, along with ongoing support and maintenance costs, will be requested in a future budget.

On August 11, 2014, the City Manager approved MSA No. 3437 with Neudesic. The MSA serves as the governing document for the City's requirements for various information technology consulting and professional services from Neudesic. The MSA contains the terms, conditions and pricing under which individual engagements will be performed. When a need arises, Staff and the consultant agree upon a Statement of Work to be performed under the MSA. Statements of Work whose value exceeds Council approval thresholds are brought forward for approval.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced the City's Volunteer Income Tax Assistance Program, also known as VITA, will be available starting February 1. He stated Chandler's Earned Income Tax Credit campaign helps working families who earned less than $54,000 in 2015 with free tax preparation and filing services. Six tax preparation sites in Chandler are set to open the week of Feb. 1 through Friday, April 15. You can find the locations and hours of operation online at Chandleraz.gov/VITA.

The annual State of the City Address will be Thursday, February 18th in the Council Chambers. A light reception will be held at 5:30 p.m., followed by his address at 6:00 P.M.

The Mayor also shared that Chandler is the proud host of this year's 5th Annual East Valley Mayor's Prayer Breakfast, to be held at the Coyote Center at Chandler-Gilbert Community College. Individual Tickets and tables are available online at evmpb.org. The breakfast event is Wednesday, March 16. He thanked the steering committee, and his co-chair for the event, Pastor Victor Hardy, for their work. Mayor Tibshraeny and the City Council wished Chandler Channel 11's Bob Leister the best of luck in retirement.

B. Councilmembers' Announcements

COUNCILMEMBER HARTKE gave a shout out to Pastor Lee Rehrer from Holy Trinity Lutheran Church, who will be retiring after 37 years of service. Councilmember Hartke invited the public to the Regional Unity Walk at 6 p.m., Saturday, Jan. 30, at Tempe Beach Park. The event is hosted by the cities and towns of Chandler, Tempe, Gilbert, Mesa, Phoenix, Scottsdale and Guadalupe.

COUNCILMEMBER HARTKE also wished everyone a Happy (Chinese) New Year. Feb. 8 kicks off the Chinese New Year of the Monkey. Chandler will be celebrating Chinese Culture and Cuisine Week from Feb. 8-14. He noted there are approximately 34 Chinese restaurants and 80 Asian restaurants in Chandler. He shared that the House of Egg Roll, near Alma School and Ray roads, was named one of the Best Chinese Restaurants in America by Time Out Magazine. He encouraged the public to visit the City's tourism website at visitchandler.com for a complete listing of restaurants.

COUNCILMEMBER HARTKE announced the upcoming Mayor's Volunteer Recognition Awards Breakfast that celebrates the top volunteers of the year. This event will be held at the Chandler Center for the Arts on Wednesday, Feb. 10. The public has an opportunity to vote for their favorite volunteer in the "People's Choice" category. Visit chandleraz.gov/volunteer100 to cast your vote.

COUNCILMEMBER LOPEZ announced the last winter performance of Chandler Symphony Orchestra will be at 3 p.m., Sunday, Jan. 31.
He congratulated his daughter for being accepted into both Arizona State University and the University of Arizona. He shared that she's decided to attend Arizona State.

COUNCILMEMBER ELLEN encouraged the public to nominate a Chandler veteran for Operation Welcome Home. The program honors military men and women who are returning from active duty or leaving for service. To nominate a veteran, visit chandleraz.gov/patriotism.

COUNCILMEMBER ROE gave a reminder about the upcoming Ostrich Festival in March. Visit ostrichfestival.com for more information, including an event countdown clock.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:13p.m.

ATTEST: _____
City Clerk

_____
MAYOR

Approved: February 11, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 28th day of January 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12 day of February, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, February 11, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: The invocation was given by Rabbi Rimler of the Chabad of the East Valley

PLEDGE OF ALLEGIANCE: Councilmember Roe led the Pledge of Allegiance.

A request so speak on Agenda item 18 had been received. Discussion of that item is listed under item number 18.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR SELLERS, to approve the Consent Agenda as presented.

MOTION CARRIED UNANIMOUSLY (7-0).

MAYOR TIBSHRAENY announced there would be no Public Hearing; it was tied to Item number 24, which had been continued.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Regular Meeting of November 19, 2015.
1b. Special Meeting (Exec Session) of January 25, 2016.
1c. Study Session of January 25, 2016.
1d. Regular Meeting of January 28, 2016.

2. REZONING: Parkview Place Ord. #4688

ADOPTED Ordinance No. 4688, DVR15-0032 Parkview Place, rezoning from Agricultural to Planned Area Development for single-family residential.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Mainstreet Transitional Care Facility Ord. #4684

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4684, DVR15-0032 Mainstreet Transitional Care Facility, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Commercial/Medical Related Uses. (Applicant Ralph Pew, Pew & Lake, PLC.)
APPROVED a Preliminary Development Plan (PDP) for a transitional health care facility and other associated uses.
APPROVED Preliminary Plat (PPT), PPT15-0015 for approximately 8 acres located at the SEC of Arizona Avenue and Queen Creek Road.

BACKGROUND
The request was continued from the January 14, 2016, City Council meeting to the February 11, 2016, meeting to allow the applicant time to explore a one-story facility versus a proposed two-story building design.

The approximate 8-acre site is located at the immediate southeast corner of Arizona Avenue and Queen Creek Road, annexed in December along with initial City zoning of Agricultural District (AG-1). East and south of the site is property zoned AG-1 and Planned Area Development (PAD) for office use; however, on these parcels, a zoning case requesting single-family residential was approved by Council on January 14, 2016, Enclave at Hamilton Ranch. North of the site is Queen Creek Road and land zoned PAD for single-family residential and multi-family residential both under construction. To the west is Arizona Avenue and vacant land zoned PAD for commercial.

The request is for Rezoning from AG-1 to PAD for Commercial/Medical Related Uses with PDP approval for a transitional health care facility and other associated uses along with Preliminary Plat (PPT) approval. The proposed commercial uses include those permitted by right in the Community Commercial (C-2) zoning district. The PDP includes site layout and building design for the transitional care facility and future building pads. The proposed development includes a one-story, 48,000 square foot transitional health care facility with 70 beds and two 3,150 square foot office buildings. The two office buildings are an initial use concept. Planning Staff will work with the applicant administratively if any changes are proposed in substantial conformance with the Development Booklet and PDP Condition No. 9. The development will be phased with the transitional health care facility occurring first and the building pads in later phases.

The project is accessed from both Arizona Avenue and Queen Creek Road with the primary entrance and exit from Arizona Avenue. Both entrance/exit driveways will be built along adjacent parcels which will share an access easement at full-movement median breaks.

The transitional care building is sited to front Arizona Avenue. The main entrance is designed with a porte-cochere for an inviting sense of arrival. The building is surrounded by landscaping, a looped drive aisle and parking spaces. The building's undulation provides opportunities for outdoor usable spaces such as courtyards with gardens, a putting green, outdoor dining and wellness.

The one-story building's contemporary architecture includes building forms and materials creating a style that stands apart from traditional care facilities. The main entrance's porte-cochere roof and angled roof elements break up wall planes and parapet rooflines. Building accent materials include dark bronze window framing, a sand pebble fine texture EIFS, tile cladding around windows and significant use of accent stone in a horizontal wood plank pattern. Appropriate uses of vertical design elements minimize flat walls and building mass. The architectural materials, colors and forms along with four-sided architecture will be further replicated on the two office buildings as per PDP Condition No. 9.

A corner intersection campus identification sign and two freestanding monument signs are included in the proposal for the transitional care facility. The corner sign is a curved wall with the campus name. The wall is approximately 4 feet in height with individual reverse pan channel lettering. One monument sign, approximately 7 feet in height, is located at each of the main entrance drives. The signs incorporate an angled roofline and accent stone to match the building architecture. In addition, two signs are proposed for the office building pads, each approximately 5 feet in height. These signs are intended to be located on the site's interior adjacent to each building. The signs include two lines of copy with the intent to have two tenant names each. The campus identification sign and the monument signs each have individual reverse pan channel lettering.

AIRPORT RECOMMENDATION

The Airport Commission reviewed the Rezoning request in accordance with the Airport Conflicts Evaluation Process at their November 18, 2015, meeting. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission determined that the proposed development does not constitute a conflict with existing or planned airport uses.

DISCUSSION

Planning Staff finds the proposed development to be in conformance with the General Plan and Chandler Airpark Area Plan. The post-acute transitional health care facility use and associated medical related/commercial buildings are compatible with surrounding land uses including the recently approved single-family residential subdivision to the east and south. The project's site and building design are integrated well with the surrounding area and creates a design presence at this intersection corner.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 14, 2015. There were two citizens in attendance representing the adjacent, recently approved single-family residential development. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed 6 – 0 with Commissioner Ryan absent.

The Commission recommended the addition of two zoning conditions addressing architectural design of the two future pads and the design of useable open space courtyard. Conditions 9 and 10 have been added to the PDP recommendation.

RECOMMENDED ACTIONS

Rezoning

The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "MAINSTREET TRANSITIONAL CARE FACILITY", kept on file in the City of Chandler Planning Division, in File No. DVR15-0035, except as modified by condition herein.
2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
3. The site shall be maintained in a clean and orderly manner.
4. Landscaping shall be in compliance with current Commercial Design Standards.
5. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter wall and the Transportation & Development Director for arterial street median landscaping.
6. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
7. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
9. The applicant shall work with Staff to enhance the pad buildings' architecture to include adding materials, paint colors and forms to match the care facility as well as provide enhanced elevation design adjacent to residential lots.
10. The applicant shall design the four courtyard areas as useable opens space with turf and/or hardscape as represented in landscape plan L1.0 dated September 29, 2015, as submitted to Planning Staff.

PRELIMINARY PLAT
The Planning Commission and Planning Staff recommend approval subject to the following condition:

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

4. CONTINUED REZONING/PRELIMINARY DEVELOPMENT PLAN: Frye Road Business Park Ord. #4691

CONTINUED TO MARCH 17, 2016, introduction of Ordinance No. 4691, DVR15-0033 Frye Road Business Park (Santan Technology Park), rezoning from Planned Area Development (PAD for light industrial to PAD for light industrial and billboards. (Applicant: Adam Baugh, Withey Morris PLC.)
CONTINUED TO MARCH 17, 2016, Preliminary Development Plan (PDP) for two 70-foot tall digital billboards located at the NEC of 56th Street and Loop 2021 Santan Freeway.

The applicant requests further continuance to address business owner concerns.

5. EASEMENT EXTINGUISHMENT: Gilbert Road and 202 Freeway Res. #4927

ADOPTED Resolution No. 4927 authorizing the extinguishment of a temporary drainage easement no longer needed for public use at the northeast corner of Gilbert Road and the 202 Freeway.

BACKGROUND

In 2014, the owner of the Rivulon – Phase I development granted a temporary drainage easement to the City of Chandler. The easement was granted as part of the Gilbert Road improvements constructed by Rivulon from the 202 Freeway to Pecos Road. Rivulon subsequently incorporated the required retention provided by this easement into their development. As a result, the easement is no longer required and can be extinguished. Rivulon has requested that the City extinguish this easement in order to clear up their title. Staff reviewed the request and concurs that the easement can be extinguished.

6. GRANT AGREEMENT: Arizona Department of Public Safety Res. #4928

ADOPTED Resolution No. 4928 authorizing a Crime Victim Assistance Program Grant Agreement with the Arizona Department of Public Safety.

BACKGROUND/DISCUSSION

The Police Department has been awarded a Victim Assistance Grant through the Arizona Department of Public Safety as a pass-through grant from the Federal Government's Victims of Crime Act (VOCA). The Police Department has been the recipient of an award through this program since Fiscal Year 2007/08. The grant covers 80% of actual expenses for a Victim Services Specialist position. This position interacts with victims of actual or threatened crime in the Chandler community to assist in their recovery as quickly and fully as possible. This agreement is for $65,183.00 for the period October 1, 2015, through September 30, 2016.

FINANCIAL IMPLICATIONS

This grant covers 80% of the position's expenses and a matching grant through the Arizona Criminal Justice Commission covers the remaining 20%.

7. INTERGOVERNMENTAL AGREEMENT: Arizona State University Res. #4930

ADOPTED Resolution No. 4930 authorizing an Intergovernmental Agreement (IGA) for data sharing with the Arizona Board of Regents for and on behalf of Arizona State University (ASU); authorizing the Mayor and Chief of Police to sign the agreement; and authorizing the Chief of Police to administer, execute and submit all documents and other necessary instruments in connection with such agreement.

DISCUSSION

ASU received a Federal grant to collect, analyze and disseminate data on violent deaths in Arizona. ASU created the Arizona Violent Death Reporting System which seeks to reduce the number of homicides and suicides in Arizona by understanding the facts behind these occurrences to help communities, policy makers and planners guide local decisions. ASU is partnering with Arizona agencies that track violent deaths, including suicides. Chandler would like to join other partnering police and government agencies to assist in the data collection efforts of the Arizona Violent Death Reporting System. The agreement is for a two-year period with an option to extend for an additional two-year period.

8. BOARD AND COMMISSION APPOINTMENTS

APPROVED the following Board and Commission appointments:

Airport Commission	Museums Advisory Board
Chasey Tezak	Christine Halvorson

9. AGREEMENT AMENDMENT: Police Ammunition

APPROVED Agreement No. PD5-680-3472, Amendment No. 1, with San Diego Police Equipment Co., Inc., International Cartridge Corporation, Proforce Law Enforcement and Miwall Corporation for ammunition, in a total combined amount not to exceed $125,829.85, for a one-year term, February 1, 2016, through January 31, 2017. This is the first of four optional one-year extensions.

10. AGREEMENT AMENDMENT: Laboratory Testing Services

APPROVED Agreement No. MU3-962-3169. Amendment No. 2, with TestAmerica Laboratories, Inc., Trans West Analytical Services, LLC dba Zenco Laboratories, Legend Technical Services of Arizona, Inc. and Eurofins Eaton Analytical, Inc., for laboratory testing services, for a one-year term, in a total combined amount not to exceed $379,000.00. This is the second of four optional one-year extensions

11. AGREEMENT AMENDMENT: Southwest Slurry Seal, Inc.

APPROVED Agreement No. ST5-745-3500, Amendment No. 1, for slurry seal materials and installation with Southwest Slurry Seal, Inc., in an amount not to exceed $1,200,000.00, for the term of one year, March 13, 2016, through March 12, 2017. This is the first of four optional one-year extensions.

12. AGREEMENT AMENDMENT: Cutler Repaving, Inc.

APPROVED Agreement No. ST4-745-3339, Amendment No. 2, with Cutler Repaving, Inc., for hot-in-place asphalt recycling in an amount not to exceed $1,000,000.00 for a term of one year, March 2, 2016, through March 1, 2017. This is the second optional one-year extension.

13. PROJECT AGREEMENT: Wilson Engineers, LLC

APPROVED Project Agreement No. WA1506.451 with Wilson Engineers, LLC, for construction management services for the Riggs Road Well Equipping, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $157,265.00.

14. PROFESSIONAL SERVICES CONTRACT: Central Creative, LLC

APPROVED Professional Services Contract No. ST0810.104, with Central Creative, LLC, for Public Outreach Services for McQueen Road Improvements (Riggs Road to Chandler Heights Road), in an amount not to exceed $46,130.00.

15. PROFESSIONAL SERVICES CONTRACT: Ritoch-Powell & Associates Consulting Engineers, Inc.

APPROVED Professional Services Contract No. ST0810.452 with Ritoch-Powell & Associates Consulting Engineers, Inc., for Construction Management Services for McQueen Road Improvements (Riggs Road to Chandler Heights Road), in an amount not to exceed $542,044.00.

16. CONSTRUCTION CONTRACT: Grey Mountain, LLC

APPROVED Construction Contract No. ST0810.403 with Grey Mountain, LLC, for McQueen Road Improvements (Riggs Road to Chandler Heights Road), in an amount not to exceed $4,040,044.00.

17. CONSTRUCTION CONTRACT: Weber Water Resources, LLC

APPROVED Construction Contract No. WA1506.401 with Weber Water Resources, LLC, for the Riggs Road Well Equipping in an amount not to exceed $1,394,923.64.

18. USE PERMIT: Verizon at Congregational Church of the Valley

Ms. Monte Barnes, 4722 South Oleander Drive, Chandler gave her concerns for this use that is located near her other property at 220 South Cooper Road. The proposed placement of this monopalm would devalue the surrounding area and possibly cause unknown health risks due to the microwaves emitted from the tower. She felt it is the City's duty and responsibility to protect the residents with a save and healthy environment. Ms. Barnes stated over the years, the City has taken significant frontage from her property to widen the road for a 4 lane divided road and SRP has also taken land at the rear of her property for a walking pathway. SRP has also buried irrigation lines on the south end of her property and have a 16 foot easement for servicing these pipes. With the addition of a cell tower, she believes she will have significant difficulty selling or renting her place much less to a family with children. A serious road condition exists in the front yard, and a serious water hazard in the back. With the addition of a cell tower, adds the increase exposure to microwaves and noise pollution from its operation.

COUNCILMEMBER ROE inquired whether the cell tower has a self-contained generator.

In response to questions from the City Council, CITY PLANNER SUSAN FIALA stated there is a backup generator for the tower, but it does not run 24 hours. The monopole was moved further south on the property and now sits 240 feet to the southwest from Ms. Barnes property line. The applicant has agreed to add two palm trees, which will require the installation of irrigation lines, to mitigate the visual impact. Currently, there is an additional AT&T tower on the site, it is 40 feet and has been there since 2006.

APPROVED Use Permit ZUP15-0006 Verizon at Congregational Church of the Valley, to install a 48-foot monopalm wireless communication facility at 240 South Cooper Road, south of the SWC of Cooper Road and Chandler Boulevard. (Applicant: Jason Sanks, Shaw & Associates.)

BACKGROUND

The proposed monopalm height is 48 feet measured to the top of antennas. Agricultural zoned property is approximately 204 feet north and contains a single-family residence. Hill Learning Academy is south, the Paseo Trail and canal is west and a Salt River Project (SRP) electric substation s southwest.

The nearest single-family residential subdivisions are Colonia Coronita and The Springs. Colonia
Coronita is approximately 453 feet east, across Cooper Road and The Springs is approximately
189 feet west, across the canal.

The Zoning Code requires a Use Permit for wireless communication facilities in non-industrial zoning districts that do not utilize existing poles or towers.

The monopalm design resembles a Date Palm having a minimum of 65 fronds with the antennas painted to match the fronds. An 8 ½-foot tall equipment enclosure, utilizing concrete masonry units painted to match the color of the adjacent building, will be constructed. A solid metal gate allows access for routine maintenance of the equipment within the new enclosure. Two 25-foot tall live Date Palms would be planted adjacent to the facility to create a palm grove effect.

Within the immediate area, there are no other suitable alternatives for collocation of the wireless communication facility on existing poles or towers. An inventory of existing wireless facilities vertical towers, and structures, located within an approximately one mile radius was prepared by the applicant to assess alternative locations. Each location was analyzed to determine feasibility for collocation on utility poles, street and parking lot lights, monopoles and other verticalities. None of the locations met the frequency requirements and locational service needs. An existing 40-foot tall AT&T canister monopole is located within the parking lot approximately 70 feet east of the subject monopalm. The AT&T canister monopole will remain as this design does not allow for collocation.

DISCUSSION

Planning Staff finds the proposed location to be appropriate for a wireless communication facility in the form of a 48-foot monopalm, measured to the top of antennas. The monopalm design is appropriate at this location given the presence of palms in the area and the addition of two 25-foot tall live Date Palm trees. The separation from the single-family home on the agricultural property and from the single-family subdivisions is greater than the 160-foot distance of recently approved wireless communication facilities. Planning Staff is of the opinion that permitting the monopalm at this specific location is consistent with the review factors examined as part of the Use Permit process.
Following the neighborhood meeting, the applicant worked with the property owner of the abutting parcel to select a new location for the wireless facility in order to provide a greater separation from the single-family residence. Although the monopalm was relocated and the distance increased from approximately 116 feet to 204 feet from the north property line, the adjacent property owner remains opposed to any type of wireless communication facility on the church property, regardless of its placement.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on October 5, 2015. There were five property owners in attendance to obtain information and voice their opposition to the location as well as health concerns. Planning Staff received a phone call and a letter of opposition from the property owner of the abutting agricultural zoned parcel. The concerns voiced relate to reduced property values, visual impact, location and health.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 6 – 0 with Commissioner Ryan absent.

The property owner of the adjacent parcel spoke in opposition to the request. The property owner reiterated the content of the letter of opposition, including the property's history, health concerns, visual obtrusiveness and property values.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with approved exhibits. Expansion or modification of the use beyond approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
3. The two 25-foot tall live palms shall be maintained at a level consistent with or better than at the time of planting.

19. WITHDREW USE PERMIT: Verizon - Hunt Highway

WITHDREW Use Permit ZUP15-0017 Verizon – Hunt Highway, to install a monopalm wireless communication facility on property located east of the NEC of Cooper Road and Hunt Highway at the request of the applicant.

20. LIQUOR LICENSE: Payless Market

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #16143L10) for Jarjis Yousif Hallak, Agent, Hallak Enterprises LLC, dba Payless Market, 405 S. Arizona Avenue. A recommendation for approval of State Liquor License #10076729 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The applicant's Use Permit through the Planning Division was approved at the January 28, 2016, Council meeting.

21. LIQUOR LICENSE: Vinum 55 Chandler

APPROVED a Series 10 Beer and Wine Store Liquor License (Chandler #159823L10) for John Robert Finn, Agent, Vinum 55 Chandler LLC, dba Vinum 55 Chandler, 2577 W. Queen Creek Road, Suite 112. A recommendation for approval of State Liquor License #10076724 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The applicant's Use Permit through the Planning Division was approved at the November 19, 2015, Council meeting.

22. LIQUOR LICENSE: Arirang Korean BBQ & Sushi

APPROVED a Series 12 Restaurant Liquor License (Chandler #160881L12) for Sue Yun Shim, Agent, K-Food LLC, dba Arirang Korean BBQ & Sushi, 3002 N. Arizona Avenue, Suite 18-19.

A recommendation for approval of State Liquor License #1207A505 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Ha Eun Inc., dba Taka Sushi and Korean BBQ.

23. FINAL PLAT: Ray Road Apartment Homes (Brio Apartments)

APPROVED Final Plat FPT15-0019, Ray Road Apartment Homes (Brio Apartments) for a 192-unit multi-family residential development located west of the NEC of Arizona Avenue and Ray Road. (Applicant: Mitch Ragsdale, Terrascape Consulting LLC.)

BACKGROUND
This Final Plat is for a multi-family residential development that was approved by Council on June 12, 2014. The plat creates the lot and tracts, establishes the necessary easements and dedicates the required rights-of-way.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Staff recommends approval.

24. CONTINUED PUBLIC HEARING: T-Sys Western Operations Center

CONTINUED TO APRIL 14, 2016, the public hearing item PH1 below, DVR05-0036 T-Sys Western Operations Center, 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.

BACKGROUND/DISCUSSION
The subject 15.6-acre site received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740.

Ordinance No. 3740 included a three-year time limit, Condition No. 6, which expired on January 12, 2009. Council approved a three-year time extension in 2009 which expired in January 2012, and again in January 2013, which expired in January 2015. On July 9, 2015, City Council approved a continuance of this matter to the October 22, 2015, City Council meeting in order to allow Staff and the property owner to consider alternatives to the current zoning approval for the property. On October 22, 2015, City Council approved a continuance of this matter to the December 10, 2015, City Council meeting in order to allow Staff and the property owner to continue efforts to modify the zoning designations for the property. Since the December 10, 2015, continuance, Staff and the applicant have discussed alternative zoning designations for the property. Staff was informed by the applicant the submission of an application to rezone the property was imminent. As of the writing of this memorandum, no rezoning submittals have been received by City Staff.

STAFF COMMENTS
Since the December 10, 2015, continuance, Staff and the property owner met to discuss the types of land uses and details for submittal of a rezoning application to change the zoning designations applicable to the property.

The property owner indicated to Staff their desire to pursue the rezoning of the property by way of a formal zoning application seeking to modify the zoning designations applicable to the property. It was anticipated a rezoning application would be submitted prior to the February 11, 2016, City Council meeting. The brief continuance to the April 14, 2016, City Council meeting will afford the property owner the opportunity to submit a substantially complete rezoning application to modify the zoning designations for the property, or, in the absence of a substantially complete zoning application submittal by the April 14, 2016, deadline, provide the City Council the opportunity to consider its legislative and administrative options as outlines in the Staff memorandum for the PH1 item listed in this agenda.

PUBLIC HEARING

CONTINUED TO MARCH 17, 2016 CITY COUNCIL MEETING.

PH1. PUBLIC HEARING TO TAKE ADMINISTRATIVE ACTION ON DVR05-0036 T-SYS WESTERN OPERATIONS CENTER 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.

1. Open Public Hearing
2. Staff Presentation
3. Council Discussion
4. Discussion from the Audience
5. Close Public Hearing
6. Council Action

UNSCHEDULED PUBLIC APPEARANCES:

MR. BERT CROCKETT, 1612 West Citation Lane, Chandler, wanted to thank the City for all their efforts in promoting a healthier lifestyle. Mr. Crockett said he is 85 years of age and seniors are living longer, but at this point and time the recreation facilities or activities for seniors is very lacking. While the City is working on changing and updating these facilities, he would like to them to keep this project on the forefront and not delay.

MR. MO WAKEFIELD, 797 West Germann Road, Chandler, commented on the rezoning and re-development of his neighborhood located at Germann and Alma School roads. This issue started back in 2013 and after the neighbors fought the issue, they all thought the case was closed. Recently they received a letter from the developer wanting a neighborhood meeting to speak with the residents regarding their proposal. He stated after researching, the City has 15 opening zoning cases, and he cannot find out any information as to what is going on with this case. This case started in the fall of 2013 which puts the residents under tremendous stress, waiting to see what will happen. He asked the City to follow up with him on matters related to the zoning case.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced the State of the City address will be held on Thursday, February 18. A reception will be held in the Vision Gallery at 5:30 p.m. and the Address will begin at 6:00 p.m.

He reminded everyone of the Mayor's Fun Run and Ostrich Festival Parade on the morning of Saturday, March 5th in downtown Chandler. Interested parties can find more information at ostrichfestival.com.

He announced Chandler is welcoming another class of tremendous athletes to the Chandler Sports Hall of Fame this Saturday, February 13th. Recipients include Olympic Silver Medal winner Lyndsey Fry. Lyndsey appeared on his Cable show last year, and can also be seen on You Tube. Other recipients in this year's class include the 1970 Chandler High School Baseball Team and the 1972 Chandler High School Track Team; for more information visit chandlermusuem.org.

B. Councilmembers' Announcements

COUNCILMEMBER HARTKE announced former Councilmember Patti Bruno who is president of the Desert Cancer Foundation of Arizona was recently named East Valley Woman of the Year.

VICE MAYOR SELLERS announced the City celebrated the Chinese New Year, and Former Governor Jan Brewer also participated.

COUNCILMEMBER HEUMANN announced the Night of Art and Science will be held Friday, February 19th, and the SciTech Festival which will be held Saturday, February 20th from 10 a.m. to 4 p.m. The website is www.chandleraz.gov/science.

COUNCILMEMBER ELLEN invited everyone to Helicopter Days on Saturday, February 20th from 9:00 a.m. to 1:00 p.m.

COUNCILMEMBER ROE announced March 5th Chandler Fire, Health, and Medical will hold an open house for the community and he reminded everyone to come out and enjoy the event.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: February 25, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 11th day of February 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 26th day of February, 2016.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING (Budget Connect) OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago St., on Thursday, February 25, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 6:02 P.M.

The following members were present:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Rick Heumann	Councilmember
	Kevin Hartke	Councilmember
	Terry Roe	Councilmember
	René Lopez	Councilmember
	Nora Ellen	Councilmember

Mayor Tibshraeny explained for many years this opportunity has allowed the community to openly interact with the City Council and City Staff in the budget process. Several hundred responses were received during the recent budget survey.

Mayor Tibshraeny read a comment received as part of the Budget Survey. "We think Chandler should be known as the City of Parks and Recreation. What does the future hold for new parks in Chandler?"

Mr. Mickey Ohland, Parks Operations Manager, said it has always been a goal to develop at least one neighborhood per square mile of residential development. There are 65 developed parks, 49 are neighborhood parks. Over the next three years, there are 3 more neighborhood parks to develop. He noted out of the 65 parks, over half are over 20 years old. Monthly inspections are done, as well as citizen feedback, to determine upgrades to these parks.

In response to a question from Councilmember Hartke, Mr. Ohland said a sports field assessment was recently completed to determine needs for the next 10-20 years. He noted one area of need is practice space. Over the past two years, approximately 3-4 acres of turf has been added at Tumbleweed as well as a turf upgrade at Chuparosa Park.

The Mayor read another question received during the Budget Survey. "What is the City doing to implement body cameras, training and monitoring for law enforcement to ensure interaction with the public remains both lawful and constructive?"

Police Chief Duggan responded that over 2 years ago the use of body cameras was reviewed for use not only as a tool to help do an efficient accountable job, but also to demonstrate the commitment to reviewing and implementing the best practices in policing. He explained a small test group was started the first year for evaluation of cameras, and training and policy development. That was scaled up to 40 cameras, and in July, 2015 Council approved funding for another 160 more, for a total of 200 cameras in place for first responders. In December 2015, Council approved a contract with Taser for the purchase of the 160 cameras, hardware, software, and the Cloud storage solution. He anticipates the full implementation will be completed by May. Councilmember Heumann thanked Chief Duggan for the research and information provided in implementing this program. Chief Duggan added that they have partnered with Arizona State University to help monitor the value of the program. A report to Council will be made and he anticipates a reduction in law suits, fewer use of force incidents, and quicker adjudication on cases.

BUDGET SURVEY RESULTS:

BUDGET MANAGER GREG WESTRUM said the annual citizen budget survey provides feedback on the programs and services. The recent Priority Based Budgeting process identified over 350 programs and services the City provides. He explained the survey serves as a report card from the citizens on how well the City is providing leadership, quality of life issues, and return on their tax dollar. He noted 98% of the respondents say the city is performing "excellent, very good or satisfactory". He noted 97% respondents say the quality of life in Chandler is either "excellent or very good" and 86% believe they get a good return on their various tax dollars.

He explained the second section of the survey asked the respondents to rate some of the various services the city performs. He said a sampling includes fire emergency, police patrol, transportation, street maintenance and traffic management, leisure, cultural and youth activities and library. The entire survey and results are online at the city's website.

MAYOR TIBSHRAENY read a question received from the Budget Survey. The question read, "I would like to see more done for the northern part of the city. What is being planned?" Economic Development Director Micah Miranda said north Chandler is a very important point of emphasis. Recently an Adaptive Reuse Overlay District was put in to place which allows reuse of existing building productive in that area of the city. The Infill Incentive Program is also a great tool. He said north Chandler holds about 8% of total employment and 17% of industrial space and is still a very vibrant and vital to the community.

The MAYOR read a question received from Twitter that asked "How does the City prepare to maintain its aging infrastructure particularly older streets?" Transportation and Development Director R.J. ZEDER replied that the total operating and capital budget for street maintenance is approaching $15 million yearly. The method used to determine where that money goes is that every 3 years an outside engineering company comes in to evaluate every lane mile of public street in Chandler. That data is used to determine the pavement quality index. The index is used to determine what type of maintenance is required. The Mayor said the investment in that funding is critical and needs to be supported, if not increased. Mr. Zeder said the public has various ways to report issues to the City about pavement quality.

The MAYOR read a Facebook submittal that asked "How is Chandler doing compared to other cities coming out of the recession?" The Mayor noted Chandler is doing well mainly due to policies put in place. In addition, the Council during that time, made many prudent moves to further help that. He said since then, there has been other economic activity to help bolster the revenue; although Chandler remains cautious as there are global and legislative impacts that could impact us. Management Services Director DAWN LANG agreed with the comments by the Mayor and said the Council and staff were able to address expenditure reduction, reallocation, and adjust quickly to a new "normal" during the recession. Because of those moves, the City was able to come out of the recession faster and stronger than before.

COUNCILMEMBER HEUMANN commented that the city did many things to avoid furlough days, layoffs, and reduction in pay and hours. He gave kudos to the staff for working through these times.

COUNCILMEMBER HARTKE commented additionally, the rebound of sales tax and the confidence of consumers. MS. LANG said through the recession they saw a dramatic reduction in the Transaction Privilege tax in addition to state shared revenues. During that time, consumer confidence was low. She believed the consumer confidence gained as the city progressed through the next years as additional development began. Chandler saw consumer confidence return quicker than in surrounding cities.

MAYOR read another question "The Senior Center is too small for the volume of seniors attending. Are there plans to look at making changes to the Senior Center?" Ms. Barbara Young, Acting Community Services Director, said ages 55 to 74 will see a projected increase in growth of 40% over the next 5 years. She said there is a need to do a study to identify the current level of resources available. She said they anticipate completing an assessment in the next budget year.

The MAYOR read the next question: "What is being planned to enhance the downtown area so there are more things for single mature adults to do?" Ms. Kim Moyers, Downtown Redevelopment Manager said currently there are several city venues with the Center for the Arts, Vision Gallery, and the year round programming at the Library. In addition, the Downtown Chandler Community Partnership hosts weekly Farmers Markets, monthly Art Walks, and dozens of events throughout the year. The new Downtown Stage will accommodate events for up to 10,000 people. She cited the restaurants and other venues downtown. She noted the proposed cinema and additional restaurants.

BUDGET AND CAPITAL IMPROVEMENT PLAN OVERVIEW:

MANAGEMENT SERVICES DIRECTOR DAWN LANG said the budget is a financial operations and capital spending plan for the community which reflects citizen needs through Mayor and Council decisions.

Ms. Lang said the Local Sales Tax, Franchise Fees and State Shared Revenues make the largest portion of the general operating fund. The water, wastewater and utility charges go specifically to Enterprise Funds that cannot be used for general operations. System Development fees are also collected. Other services, charges and receipts also provide revenue. Property taxes are both primary and secondary. The primary funds the General Fund and the secondary is the portion that supports the debt service on capital infrastructure. She reported that Chandler has one of the lowest tax rates in the Valley.

Ms. Lang displayed a pie chart showing how the monies are spent between Public Safety, Transportation and Development, Municipal Utilities, Community & Neighborhood Services, Management Services, and General Government. The largest portion goes to major capital which shows the investment in community by maintaining infrastructure and providing additional infrastructure.

She noted revenues have to equal expenditures. Many challenges occur during the year and in 2016-17, a challenge is using ongoing revenue for ongoing expenditures. Manage the expenditure growth by maintaining our existing service levels and prioritizing ongoing demands. Ms. Lang said it is important to be watchful of legislative impacts.

Ms. Lang said citizen input is welcomed and outlined the upcoming dates for citizen comments. The Mayor thanked Ms. Lang for the update.

The MAYOR read the next question received "Is there any chance of making left turn signal lights a few seconds longer?". Mr. Zeder said the challenge is when working with an approximate 2 minute cycle, if you add time to the left turn arrow, you must reduce green time from that leg of the intersection. He explained they use a fairly sophisticated modeling program called "Synchro". This summer they will work in north Chandler, in particular those intersections with double turn lanes, to determine if longer left arrows can be added.

COUNCILMEMBER LOPEZ asked about the traffic cameras and low traffic flow times. Mr. Zeder replied they have expanded the use of flashing yellows. During the peak travel times, you are only able to make a left turn on the arrow. However, in the evenings when traffic volumes are lower, by adding the flashing yellow, it is safer to make that movement. That is also a project they are actively expanding. He added the cameras and detectors help quite a bit. The cameras on the mast arms of the signals are a sensor that can detect vehicles in the left turn lane, and also allows Traffic Management Center staff to visually keep an eye on intersections which allows them to real time adjust timing.

The Mayor read a Facebook post that asked if the City plans to take any action to reduce the sewer roach and rat population in northwest Chandler. The Mayor noted the roof rat issues can be addressed by Maricopa County Vector Control. Gregg Capps, Acting Municipal Utilities Director said there is a maintenance program for sewer manholes. They are inspected on a routine basis. Staff will make inspections upon citizen requests. He said roaches can come from the manholes or through vegetation around homes. They recommend keeping moisture and vegetation away from the home.

In response to a comment from the Mayor, Mr. Capps confirmed that after a manhole has been treated, a color will be put on the manhole that indicates the year the inspection and treatment was made.

The Mayor said another comment made by a citizen is that they would like to see a ranking of the City of Chandler against other cities in terms of utility costs, taxes, etc.

Ms. Lang referred to a comparison that the City of Tempe prepares annually and shows from 2013-2015. It incorporates how much an average home would spend on the water, wastewater, solid waste, property taxes and sales tax. Chandler compares as the second lowest to all the other cities. She reviewed a single family residential utility bill that includes water, wastewater and solid waste, assuming the use of 12,000 gallons. She noted Chandler is second lowest with the other valley cities.

She said Chandler is the third lowest in property tax rate for the valley cities. She noted that for every dollar that is spent on property tax, ten cents is what Chandler's portion is. The larger portion goes to the school district, County and other districts.

The Mayor and Council members each expressed their appreciation for the work of staff and for those citizens who participated in the budget survey and process.

Adjournment: The meeting was adjourned at approximately 7:00 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: March 17, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona, held on the 25th day of February 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 22 day of March, 2016.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, February 25, 2016 at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Heumann led the Pledge of Allegiance.

CONSENT:

MOVED BY VICE MAYOR SELLERS, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

COUNCILMEMBER HEUMANN stated he would be voting no on item number 8 (Villas at Chandler Airpark)

MOTION CARRIED UNANIMOUSLY (7-0), noting the exception.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Special Meeting (Exec Session) of February 8, 2016.
1b. Study Session of February 8, 2016.
1c. Regular Meeting of February 11, 2016.

2. REZONING: Mainstreet Transitional Care Facility Ord. #4684

ADOPTED Ordinance No. 4684, DVR15-0035 Mainstreet Transitional Care Facility, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Commercial/Medical Related Uses.

3. REPEAL ORDINANCE NO. 3803: West Detroit Circle Ord. #4690

ADOPTED Ordinance No. 4690 repealing Ordinance No. 3803, rescinding the determination stated therein that West Detroit Circle is no longer necessary for public use as a roadway; and declaring an emergency.

BACKGROUND/DISCUSSION

In 2006, Glynlyon, Inc., asked the City to vacate certain public roadway, a cul-de-sac situated within the Southpark Business Center subdivision known as "West Detroit Circle". Because the corporation owned the private property abutting the cul-de-sac, either in its own name or in the name of a related entity named Schmitzki Fund 1, LLC, vacating the cul-de-sac would have allowed this roadway to assemble to the abutting private land so as to further the expansion of Glynlyon's business operations.

On July 24, 2006, Council adopted Ordinance No. 3803 allowing for the roadway vacation, subject to certain conditions being met. That is, in Ordinance No. 3803, Council made the determination that the cul-de-sac was no longer necessary for public use as a public roadway and declared it abandoned and vacated subject to the following consideration from the owner of the abutting property: (a) monetary consideration in the sum of $138,253.00, and (b) the conveyance to the City of certain real property for use as a future City well site. Completion of the vacation and the vesting of title to the cul-de-sac in the owner of the abutting property were made subject to the concurrent recording of the ordinance, a vacation plat executed and approved by the City and a minor land division map of the tax parcels surrounding the cul-de-sac (i.e. the abutting private property).

The City has never received any of the required consideration (either money or property), nor have the vacation plat and minor land division map been prepared, approved or recorded. The cul-de-sac has continued to be maintained as public roadway by the City. Nevertheless, Ordinance No. 3803 was inadvertently recorded with the Maricopa County Recorder on December 20, 2006, as Document No. 2006-1656963, and inadvertently re-recorded on March 20, 2007, as Document No. 2007-0329198, to add the missing legal descriptions referenced as exhibits in Ordinance No. 3803 for the roadway and for the future well site parcel.

Both the owner and the City mutually desire not to complete the vacation of the roadway; to lift any cloud on title created by the recording of Ordinance No. 3803; and to have the cul-de-sac continue to be owned and operated as a public roadway by the City. Because any cloud on title needs to be cleared in order for the owner to complete a pending transfer of title of its property, this Ordinance No. 4690 is requested to be adopted as an emergency ordinance. This ordinance will be recorded upon receipt of a fully executed quitclaim deed to the City from the owner for the cul-de-sac.

4. EASEMENT: Intel Corporation Ord. #4666

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4666 granting an easement for vehicular ingress and egress proposes to Intel Corporation for a relocated portion of Old Price Road south of Queen Creek Road.

BACKGROUND/DISCUSSION
The City of Chandler recently acquired approximately 37 acres of land at the southwest corner of Price Road and Queen Creek Road to allow the construction of water production and treatment facilities at this location.
Intel Corporation currently has an easement for vehicular ingress and egress over a portion of the Old Price Road alignment along the west side of the City's parcel. In accordance with the term of the development agreement with Wells Fargo Bank, it was necessary to relocate the roadway used by Intel for ingress and egress slightly to the east of its present alignment. As a result of this relocation, it is necessary to grant Intel a new vehicular ingress and egress easement over a portion of the City's parcel. The relocation is for safety reasons so that the Intel easement and access to the City's parcel align with the entrance and exists to the new Wells Fargo Bank facility.

Staff has reviewed and approved the legal descriptions for the easement.

5. POWER DISTRIBUTION EASEMENT: Sale River Project Ord. #4689

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4689 granting a no-cost power distribution easement to Salt River Project Agricultural Improvement and Power Distribution District (SRP) within the Knox Road right-of-way between Hartford Street and Arizona Avenue as required for an SRP aesthetics project in this area.

BACKGROUND/DISCUSSION
SRP is proposing an esthetics improvement project within the right-of-way of Knox Road between Hartford Street and Arizona Avenue that will underground and convert the power lines that are on existing poles in the area. SRP aesthetic funds will be used to pay for the project. To accommodate the project, SRP is requesting an easement within the Knox Road right-of-way. The easement is at no cost to SRP as it is for a project that will benefit the citizens of Chandler.

Staff reviewed and approved the legal descriptions for the requested easement.

6. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4692

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4692 granting a no-cost power distribution easement to Salt River Project (SRP) for electrical upgrades at Desert Breeze Park.

BACKGROUND/DISCUSSION
Desert Breeze Park is currently undergoing several facility improvements including the upgrade of an electrical entrance panel. The upgraded electrical entrance panel is necessary in order to bring the electrical services at Desert Breeze Park up to current standards. SRP has requested one power distribution easement to cover electrical upgrades that they will install as part of the electrical upgrade to Desert Breeze Park. The new power distribution easement will be at no cost to SRP as the work is for City facilities.

Staff has reviewed and approved the legal descriptions for the requested easements.

7. GRANT AGREEMENT: Arizona Automobile Theft Authority Res. #4929

ADOPTED Resolution No. 4929 authorizing a Law Enforcement Grant Agreement with the Arizona Automobile Theft Authority.

BACKGROUND/DISCUSSION
The Chandler Police Department (CPD) was awarded a Law Enforcement Grant in the amount of $24,300.00 through the Arizona Automobile Theft Authority in December 2015 for the current fiscal year (July 1, 2015, to June 30, 2016). This grant provided funding to purchase a subscription to the LEARN software system through Vigilant Solutions.
This system will allow the Police Department unlimited access to Vigilant's National License Plate Reader (LPR) server, the largest private and law enforcement database in the country, for investigative purposes. CPD will migrate its existing and new LPR data to the National LPR server.

8. AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Chandler Airpark Area Plan Amendment & Villas at Chandler Airpark Res. #4932 & Ord. #4687

COUNCILMEMBER HEUMANN VOTED NAY ON THIS ITEM.

ADOPTED (6-1) Resolution No. 4932, APL15-0008, Chandler Airpark Area Plan Amendment, Area Plan amendment to the Chandler Airpark Area Plan from Special Use Commercial to High Density Residential.
INTRODUCED AND TENTATIVELY APPROVED (6-1) Ordinance No. 4687, DVR15-0031 Villas at Chandler Airpark, rezoning from Planned Area Development (PAD) for multi-family residential and commercial to PAD for multi-family residential. (Applicant: Ed Bull Burch & Cracchiolo.)
APPROVED (6-1) a Preliminary Development Plan (PDP) for site layout and building architecture.
APPROVED (6-1) Preliminary Plat PPT15-0017 for a 504-unit apartment complex located on approximately 29 acres located east of the SEC of McQueen and Germann roads.

BACKGROUND
The subject site is located east of the southeast corner of McQueen and Germann roads. West is approximately 35 acres of vacant land zoned for commercial retail and multi-family. Adjacent to the site's south is the Los Arboles Park; east is the Consolidated Canal.

The site was zoned in late 2008 for a commercial office, retail and 320-unit apartment development. The commercial component consisted of three retail buildings at the northwest corner of the site surrounded by 12 garden offices. The 320-unit apartment complex was situated on the eastern and southern portions of the site. A zoning extension was approved in 2011, causing expiration in early 2015.

AREA PLAN AMENDMENT
The site is within the Chandler Airpark Area Plan and designated as supporting Special Use Commercial. The Special Use Commercial designation was created and applied to specific properties adjacent to the canal and within close proximity to the intersection of McQueen and Germann roads. The designation allows for the most intense commercial and residential development to occur in a "village" type fashion. The existing plan met the intention of the Special Use Commercial designation with the combination of retail, office and residential components. The request is to amend the area plan to allow for High Density Residential, eliminating the need for commercial components.

SITE LAYOUT
Due to the existing zoning specifically designating portions of the site as commercial, rezoning specifically for multi-family residential is required. The 504-unit development draws on strong

aeronautical themes due to the close proximity to the municipal airport. One, two, and three-bedroom units are provided with square footages ranging from 554 to 1,342 square feet.

Primary access is provided midway along the Germann Road frontage. The entry porte-cochere has been deliberately designed to appear as an airplane hangar with a broad arched roof. The approach into the site visually creates building heights in a stepped fashion. Flanking the entrance are two U-shaped buildings.
Within the "U", special consideration has been given to the design to create useable outdoor space for the residents including a walking path and seating areas. Central to the site is the primary focus of the residential units, with six residential buildings and the clubhouse. The buildings are located so that two large amenity areas are provided; one for the northern grouping of buildings and one for the southern. Unique to this site is the way that the buildings are clustered. Parking is provided around the building cluster, which maximizes the amount of open space that residents are able to enjoy and view from their unit.

Along the southern end of the site, adjacent to Los Arboles Park, are three residential buildings. The buildings are set in a landscape setting with two access points leading directly to the park. Strong pedestrian connections are provided connecting the buildings to the remainder of the site.

Amenities include two pool areas, various ramada and barbeque areas, dog park, and fully amenitized clubhouse. Within the clubhouse, a fitness room, racquetball court, basketball court, aerobics room, and club room are provided. Additionally a business area is included that provides work stations, printing area, presentation area and a conference room. A large covered patio is provided adjacent to the pool area. Lastly, as provided in the Development Booklet, various airport related placards will be provide throughout the site showcasing the aeronautical heritage of the area.

Architecture of the three-story residential buildings captures design elements found throughout airport styled architecture. Elements include steel columns, arched metal canopies over entry ways, clerestory windows, pointed roof elements and massing elements giving the appearance of vertical stabilizers. Further details and exhibits are provided in the Development Booklet.

AIRPORT COMMISSION
The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their December 9, 2015, meeting. The Airport Administrator has issued a conflicts evaluation report indicating that the Airport Commission found that the proposed subdivision does constitute a conflict with existing or planned airport uses, as well as existing businesses within the site's vicinity. While a non-residential use is preferred, various physical and administrative corrective actions were recommended for mitigation resulting in conditions 8-14 of the Rezoning portion of the Recommended Actions.

Physical corrective actions included noise attenuation construction within the residential units and a roadway style sign indicating the presence of low flying aircraft.

Administrative corrective actions included the requirement of significant disclosure statements to be signed by prospective lessees indicating the proximity to the airport, heliport, aircraft engine repair and testing facility, and the potential impact from aviation noise and vibrations. Additionally, an avigation easement shall be dedicated to the City of Chandler. Finally, a large map shall be displayed in the leasing office identifying the proximity of the development to the airport including the noise contours and over flight patterns.

DISCUSSION

Planning Staff supports the request finding that the development of multi-family residential is well suited at this location. With the development and success of the Crossroads Towne Center, Mill Crossing and Watermark commercial centers, commercial development in a village pattern is drawn away from the site.

While multi-family development has raised concerns in the recent past, Planning Staff finds that with the location being near freeway access, within close proximity to a large employment area and within close proximity to one of the City's main recreational areas, multi-family development at this location is appropriate. Furthermore, with the Los Arboles Park bordering the south and the Consolidated Canal bordering the east, natural barriers are created demarcating a difference in land-use patterns, with residential development occurring west of the canal.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on December 3, 2015. There were nine neighbors in attendance expressing general support. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT

The motion to approve:

In Favor: 3; Opposed: 0; Absent: Commissioners Cunningham and Pridemore; Abstaining: Commissioners Baron and Wastchak.

RECOMMENDED ACTIONS

Area Plan Amendment

The Planning Commission and Planning Staff recommend approval.

Rezoning

The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan

The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "Villas at Chandler Airpark", kept on file in the City of Chandler Planning Division, in File No. DVR15-0031, except as modified by condition herein.
2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
3. The applicant shall work with Planning Staff to incorporate airport observation areas within the development.

Preliminary Plat

The Planning Commission and Planning Staff recommend approval subject to the following condition:

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

9. DRAINAGE EASEMENT EXTINGUISHMENT: Dobson & Elliot Res. #4936

ADOPTED Resolution No. 4936 authorizing the extinguishment of a drainage easement no longer needed for public use located just north of the northeast corner of Dobson Road and Elliot Road.

BACKGROUND/DISCUSSION
In 2003, the City acquired a drainage easement as part of the Dobson Road and Elliot Road Intersection Improvement Project at the northeast corner of Dobson Road ad Elliot Road. The owner of this parcel, Circle K Stores, Inc., is in the process of developing their site that is located just north of the northeast corner of Dobson Road and Elliot Road and has incorporated the required retention provided by this easement into their development. As a result, the easement is no longer required and can be extinguished. Circle K Stores, Inc., has requested that the City extinguish this easement in order to clear up their title. Staff reviewed the request and concurs that the easement can be extinguished.

10. CONTINUED PRELIMINARY DEVELOPMENT PLAN: First Credit Union Plaza

CONTINUED TO MAY 12, 2016, Preliminary Development Plan PDP15-0017 First Credit Union Plaza, for building mounted signage located at 25 S. Arizona Place, east of the NEC of Arizona Avenue and Boston Street. The Planning Commission recommended a continuance to the April 6, 2016, Planning Commission hearing to allow the item to be reviewed by the Design Review Committee. Accordingly, the Planning Commission and Planning Staff recommend Council continuance to May 12, 2016.

11. SOFTWARE LICENSE AGREEMENT: E-Plan, Inc.

APPROVED a software license agreement with E-Plan, Inc., through Accela, Inc., for electronic document review software.

BACKGROUND
At the January 14, 2016, City Council meeting, Council approved a Master Services Agreement with Accela, Inc., for the implementation of an electronic document review system. The agenda item included the purchase of ePlanCheck software to assist in the markup and handling of submitted plans and documents. In order to complete the purchase, an Accela order form must be signed accepting the terms and conditions of the E-Plan software license agreement. This requirement was not known until after the item went forward for Council approval, so it is now being brought forward for approval so the order can be processed. This software license grants City Staff the ability to use the ePlanCheck software to electronically review submitted plans. Staff has reviewed the agreement and accepts its terms.

12. AGREEMENT: NJBSoft, LLC

APPROVED Agreement No. 3536 with NJBSoft, LLC, for a water regulatory compliance system in an amount not to exceed $119,100.00.

A compliance management software program increases the efficiency of reporting and recordkeeping to assist Staff with meeting regulatory requirements. The Municipal Utilities Department's (M.U.D.) previous software program was purchased seven years ago and only included tracking and reporting activities for drinking water. The new software system has

increased functionality and integration capabilities as it will be used for tracking and reporting activities for both drinking water and wastewater, in addition to generating the federally-mandated annual Drinking Water Quality Consumer Confidence Report and the annual Discharge Monitoring Report.

Because the software is proprietary, it is only available from NJBSoft, LLC.

This agreement also provides for five (5) years of support and maintenance. The first year is included with the cost of software implementation. Thereafter, NJBSoft, LLC, will hold the annual cost for support and maintenance at $20,000.00 each year for years 2 through 5, which will be paid out of annual operating funds.

13. AGREEMENT: Plante & Moran, PPLC

APPROVED Agreement No. 3659 with Plante & Moran, PPLC, for the development of an Information Technology strategic plan in an amount not to exceed $56,350.00.

14. PROJECT AGREEMENT: Dibble Engineering

APPROVED Project Agreement No. AI1502.451 with Dibble Engineering for the Construction Management Services for Airport Guidance Signs & Runway 4R/22L Precision Approach Path Indicators (PAPI) Replacement Project, pursuant to On-call Airport Facilities and Infrastructure Design Services Contract No. EN1005-101, in an amount not to exceed $97,973.00.

15. PROJECT AGREEMENT: Wilson Engineers, LLC

APPROVED Project Agreement No. WW1604.201 with Wilson Engineers, LLC, for design services for the Price Road Reclaimed Waterline services, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $176,305.00.

16. DESIGN AND CONSTRUCTION CONTRACT: Salt River Project

APPROVED Design and Construction Contract No. WW1301.503 with Salt River Project (SRP) for enhanced distribution facilities for the Ocotillo Water Reclamation Facility Expansion in an amount not to exceed $80,914.00.

To accommodate the Ocotillo Water Reclamation Facility (OWRF) expansion for present and future services, SRP will install new electrical facilities to serve the OWRF. The construction will be located within the project site at 333 S. Old Price Road.

This contract also includes an agreement for electric service for the enhanced distribution facilities and establishes a ten-year term of monthly facility charges to pay for the improvements.

17. PROFESSIONAL SERVICES CONTRACT: Michael Baker International, Inc.

APPROVED Professional Services Contract No. PR1504.451 with C T Corporation Systems, a Pennsylvania corporation dba Michael Baker International, Inc., for construction administration services for the Paseo Vista Recreation Area Drainage in an amount not to exceed $166,681.00.

The Paseo Vista Recreation Area, the 64-acre former landfill site, is located at 3850 S. McQueen Road. In 2005, the landfill was closed and in 2009, the site was developed into a recreation area.

During the past six years, several areas along the slopes of the site have eroded during storm events. The storm event in September 2014 identified the need for a new drainage strategy. A Council Subcommittee meeting was held December 10, 2015, to discuss the strategy.

The purpose of this construction project is to improve drainage control within the limits of Paseo Vista and apply groundcover to mitigate future damage.

18. CONSTRUCTION CONTRACT/CONTINGENCY TRANSFER: Redpoint Contracting, Inc.

APPROVED Construction Contract No. PR1504.402 to Action Direct, LLC, dba Redpoint Contracting, for the Paseo Vista Recreation Area Drainage, Project No. PR1504.402, in an amount not to exceed $1,297,578.00, plus $129,758.00 for associated in-house engineering services, for a total amount not to exceed $1,427,336.00.
APPROVED a Contingency Appropriation Transfer in the amount of $628,686.00 from the General Fund Non-Departmental Contingency appropriation to the General Fund Capital, Parks Cost Center for the contract and associated in-house engineering services.

The Paseo Vista Recreation Area, the 64-acre former landfill site, is located at 3850 S. McQueen Road. In 2005, the landfill was closed and in 2009, the site was developed into a recreation area. During the past six years, several areas along the slopes of the site have eroded during storm events. The storm event in September 2014 identified the need for a new drainage strategy. A Council Subcommittee meeting was held December 10, 2015, to discuss the strategy.

The purpose of this project is to improve drainage control within the limits of Paseo Vista and apply groundcover to mitigate future damage.

FINANCIAL IMPLICATIONS
Parks and Solid Waste each had $500,000.00 appropriated in the FY 2015-16 CIP for costs related to the Paseo Vista Park and the landfill. Expenses for the proposed Construction Management, Construction and Internal Staff Charges exceed the available funds. Therefore, City Council approval is needed to transfer contingency appropriation from the General Fund Non-Departmental Contingency (part of the 15% contingency) for the cost of repairs and associated in-house engineering services.

19. PURCHASE: Roadway Striper truck

APPROVED the purchase of a roadway striper truck, utilizing Maricopa County Contract No. 13118-C, from EZ-Liner Industries in the amount of $403,128.00.

20. PROFESSIONAL SERVICES CONTRACT: Ritoch-Powell & Associates

APPROVED Professional Services Contract No. ST1602.201 with Ritoch-Powell & Associates Consulting Engineers, Inc., for design consultant services for Ocotillo Road Improvements (Cooper Road to Gilbert Road), in an amount not to exceed $424,665.00.

21. CONSTRUCTION CONTRACT: Rural Electric, Inc.

APPROVED Construction Contract No. AI1502.401 with Rural Electric, Inc., for Airport Guidance Signage and Runway 4R-22L Precision Approach Path Indicator (PAPI) Replacement Project in an amount not to exceed $418,385.00.

22. PURCHASE: Goodmans, Inc.

APPROVED the purchase and installation of library furniture from Goodmans, Inc., utilizing the State of Arizona Contract No. ADSPO13-040689, in the amount of $125,000.00.

23. PURCHASE: Microsoft Software Licenses

APPROVED the purchase of Microsoft software licenses, utilizing the Western States Contracting Alliance (WSCA) Contract No. ADSPO11-007500, from SHI International Corporation in the amount of $78,210.00.

The City of Chandler continues to invest in Microsoft technologies as the platform for Citywide and Departmental applications. Many of these technologies have a core licensing cost and an additional client access license (CAL) cost either per user or per device. As the City invests in new technologies leveraging mobile devices, it is important that licensing periodically be re-evaluated to stay agile with these new technologies.

This licensing purchase will allow upcoming projects to deploy structured query language (SQL) technologies for the required back-end data components. One of these projects is the Capital Improvement Project management tool application for Transportation and Development. The other project is the Enterprise Service Bus upgrade.

This purchase will also include the Microsoft licenses identified as required in the recent Microsoft audit.

24. USE PERMIT: Starbucks

APPROVED Use Permit LUP15-0024 Starbucks, Series 12 Restaurant License to sell liquor as permitted for on-premise consumption indoors and within an outdoor patio at an existing restaurant located at 4985 W. Ray Road, SEC of Rural and Ray roads. (Applicant: Andrea Lewkowitz, Lewkowitz Law Office PLC.)

BACKGROUND

The subject site is located at the southeast corner of Rural and Ray roads, within the Corona Del Sol Plaza. The plaza contains a mix of restaurants, commercial businesses and a vacant Fry's Food & Drug store. Starbucks is a fee-standing building with frontage along Ray Road, which has been open since 2012. Starbucks is introducing a new concept for the evening hours to serve craft beer and wine. Starbucks presently provides this concept within several cities of the valley as well as nine other states. This is the first request within the City of Chandler.

Under a typical Series 12 license, the establishment must derive at least 40% of its gross revenue from the sale of food and non-alcoholic beverages. Starbucks plans to sell craft beer and wine during the afternoon and evening hours along with savory small plates to compliment the current operations. Beer and wine sales at presently licensed locations account for only 2% of total sales.

The subject 2,536 square foot restaurant seats 42 persons with an 871-square foot, 23-seat outdoor patio located on the northwest side of the building. The restaurant is open from 4:30 a.m. to 9 p.m. daily. In order to comply with Arizona State Statutes, Starbucks will use reusable glassware, dishes and utensils. The restaurant will also have employees, who will be at least 19

years of age, and managers, all of which will be trained in responsible alcohol sales and service; they will employ approximately 20 employees. Starbucks will continue to utilize the speaker system to play recorded music at a controlled volume and will not have live music or entertainment.

PUBLIC/NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting being held on January 27, 2016. There were two residents in attendance with one expressing concerns with increased traffic at the intersection and the number of establishments serving alcohol in the area. Planning Staff has received no correspondence in opposition.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, the Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 12 License only and any change of license shall require reapplication and new Liquor Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other store locations.
4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

25. LIQUOR LICENSE: Starbucks Coffee #15746

APPROVED a Series 12 Restaurant Liquor License (Chandler #160618L12) for Andrea Dahlman Lewkowitz, Agent, Coffee House Holdings Inc., dba Starbucks Coffee #15746, 4985 W. Ray Road. A recommendation for approval of State Liquor License #1207A423 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

26. TEMPORARY EXTENSION OF PREMISES: Fat Willy's Family Sports Grill

APPROVED a Series 18 Temporary Extension of Premises for Chandler Liquor License #140076L18 held by Fat Willy's Chandler LLC, dba Fat Willy's Family Sports Grill, 4850 S. Gilbert Road, for a Fat Willy's St. Patrick's Day Block Party on March 17 & 18, 2016. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #12079030 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

27. TEMPORARY EXTENSION OF PREMISES: Fibber Magees

APPROVED a Series 18 temporary Extension of Premises for Chandler Liquor License #45077L18 held by TW Steve's LLC dba Fibber Magees, 1989 W. Elliot Road, Suite 19, for a Fibber Magees St. Patrick's Day Festival on March 17, 2016. A recommendation for approval of a Temporary Extension of Premises for State Liquor License #06070661 will be forwarded to the State Department of Liquor Licenses and Control.
The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

28. FINAL PLAT: Chandler DES

APPROVED Final Plat FPT15-0026 Chandler DES, for an office building located at the southeast corner of Arizona Avenue and Elliot Road which was approved by Council on January 14, 2016. The Plat creates the lots and tracts, establishes the necessary easements and dedicates the required rights-of-way. Planning Staff recommends approval.

ACTION

29. AREA PLAN AMENDMENT/REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Canal View Homes Res. #4931 & Ord. #4686

CONTINUED TO MARCH 31, 2016 CITY COUNCIL MEETING:
Resolution No. 4931, APL15-0006, Chandler Airpark Area Plan Amendment, Area Plan Amendment to the Chandler Airpark Area Plan from Low Density Residential to Low-Medium Density Residential.

Ordinance No. 4686 DVR15-0027 Canal View Homes, rezoning from Agricultural to Planned Area Development for single-family residential.
Preliminary Development Plan (PDP) for subdivision layout and housing product.
Preliminary Plat PPT15-0013 for an 8-lot single-family residential subdivision located at the SEC of the Consolidated Canal and the Wildhorse Place alignment. (Applicant: Rod Jarvis; Earl Curley & Lagarde.)

BACKGROUND
The subject site is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment approximately one-half mile east of the southeast corner of Willis and McQueen roads. The site is a remnant parcel from the construction of the Loop 202 Santan Freeway. Directly north is a single-family home that was annexed into the City of Chandler in 2010. East is the Canyon Oaks Estates single-family residential subdivision. Directly south is the Loop 202 with the Consolidated Canal running the length of the western boundary. The site is currently within the jurisdiction of Maricopa County and is zoned Rural-43 (RU-43). Annexation of the property is being requested on this agenda.

AREA PLAN AMENDMENT
The site is within the Chandler Airpark Area Plan and designated as supporting Low-Density Residential development with a density range of 1.6-3.5 dwelling units per acre (du/ac). The request is to amend the area plan to Low-Medium Density Residential with a density range of 3.6-8 du/ac. The density would be limited to the 4.32 units per acre as proposed.

SITE LAYOUT/HOUSING PRODUCT

The two-acre site largely fits the definition of infill development due to the physical constraints surrounding the site. Eight lots for the approximate 2-acre site are proposed with a density of 4.32 units per acre. The site is designed with private streets. Lot sizes range from 5,117 square feet up to 9,822 square feet. Minimum lot sizes within the adjacent neighborhood range from a minimum 7,200 square feet up to 9,240 square feet, depending on which phase of the neighborhood. Two floor plans are provided with a square footage of 2,955 and 3,400 square feet; both plans are two-story. Home sizes of the Canyon Oaks Estates subdivision range from 1,688 square feet up to 4,108 square feet. Both proposed home plans provide five bedrooms, with Plan B offering an option for a sixth bedroom. Plan A offers a two-car garage that is designed central to the house façade; Place B provides a three-car garage.

Design of the homes utilizes a southwest color palette and similar design elements as provided in the Canyon Oaks subdivision. Thick wainscot stucco elements are provided along the façade with various stucco pop-outs and relief elements. Stone, shutter elements and varying window designs are provided depending on the elevation.
Due to the site being adjacent to the canal, a ten-foot landscape area is provided with the exception of the area adjacent to lot 7. Due to the size of the lot and home footprint, the full ten feet cannot be provided while maintaining the ten-foot rear setback. To discourage blind corners, the perimeter wall corners are chamfered.

AIRPORT COMMISSION

The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their November 18, 2015, meeting. The Airport Administrator has issued a conflict evaluation report indicating that the Airport Commission found that the proposed subdivision does constitute a conflict with the existing or planned airport uses. Physical and administrative corrective actions were recommended.

Physical corrective actions included noise attenuation construction within the residential units and a roadway style sign indicating the presence of low flying aircraft.

Administrative corrective actions included the requirement of significant disclosure statements to be signed by prospective homeowners indicating the proximity to the airport, heliport, aircraft engine repair and testing facility and the potential impact from aviation noise and vibrations. Additionally, an avigation easement shall be dedicated to the City of Chandler. Finally, a large map shall be displayed in the sales office identifying the proximity of the development to the airport including the noise contours and over flight patterns.

STAFF:

Planning Staff supports the request finding that the development of single-family residential is consistent with the overall goals of the Area Plan and that while there is an increase in density, the end product is consistent with the immediate area and provides a beneficial solution to a difficult infill piece. Furthermore, the design of the homes has been cognizant of the surrounding area and utilizes common elements within the larger community. Lastly, the development of the site resolves any longstanding conditions with the vacant lot and its proximity to the Consolidated Canal and Loop 202.

PUBLIC/NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the chandler Zoning Code with a neighborhood meeting being held on November 16, 2015. There were eight neighbors in

attendance with general questions regarding the development, street system and design, whether or not the site is within a flood district and the housing product.

Following the meeting, Planning Staff has responded to a number of the questions pertaining to City design standards that the neighbors had. As a follow-up to the neighborhood meeting and based on additional questions from the neighborhood, a meeting was held at the site on January 21, 2016 with nine neighbors in attendance. Requests were made to address the development from the adjacent neighbors resulting in a speed hump being added to the entry drive, reorganization of the stop signs located at the immediate four-way stop upon exiting the site, bollard lighting and path to be located in the landscape area in between the subdivisions, a separate tot lot in the proposed development, wrought-iron fencing and a gate along the canal, ensuring the landscape palette is consistent with the Canyon Oaks neighborhood and a sidewalk located at the southern end of the development connecting to the canal. Planning Staff has worked with the Traffic, Fire and Civil divisions to determine if the requests are considerable. The divisions have responded positively with the exception that a sidewalk cannot be provided on the southern portion of the neighborhood due to retention basins being in the area.

The request has triggered a legal protest.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5 – 0 with Commissioners Baron and Foley absent.

Three neighbors spoke at the meeting with two being in opposition and one in support. The opposing neighbors had concerns with the proposed density of the project and felt that the number of homes could be reduced resulting in the density being consistent with the Canyon Oaks Estates subdivision. A concern was also expressed about the access to the homes through the existing subdivision as well as with the design of Wildhorse Place. Density of the adjacent subdivision is 2.7 dwelling units per acre; proposed density of the project is 4.3. It should be noted that the subdivision is designed such that four lots in the proposed development are adjacent to four lots in the Canyon Oaks Estates subdivision. While the access drive has been reduced, the Traffic, Fire and Civil divisions have reviewed the design to ensure that traffic can move safely on the street; parking will not be allowed on the entry drive into the development.

RECOMMENDED ACTIONS
Area Plan
The Planning Commission and Planning Staff recommend approval.

Rezoning
The Planning Commission and Planning Staff recommend approval subject to the conditions listed in the ordinance.

Preliminary Development Plan
The Planning Commission and Planning Staff recommend approval subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "Canal View Homes", kept on file in the City of Chandler Planning Division in File No. DVR15-0027, except as modified by condition herein.
2. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and the Preliminary Development Plan shall apply.

3. The applicant shall work with Planning Staff to ensure the landscape palette is consistent with the adjacent neighborhood.
4. The applicant shall work with Planning Staff to address the design elements requested by the adjacent neighborhood such as addressing traffic circulation concerns, incorporating bollard lighting in the adjacent landscape tract, providing fencing adjacent to the canal, ensuring the landscape palette is consistent with the area and the incorporation of a tot lot.

Preliminary Plat
The Planning Commission and Planning Staff recommend approval subject to the following condition:

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

Discussion

City Planner Erik Swanson provided an overview of the request. He stated the Council has received several emails from individuals within the area and the HOA Board in opposition to this request. There is a legal protest and therefore will require a Council vote of at least 6 to approve this item. The Planning Commission and Planning Staff recommend approval subject to certain conditions, which are listed in the Council memo.

COUNCILMEMBER HARTKE inquired as to what else could be built in the area. Mr. Swanson stated the General Plan designates this as low density residential with 1.6 up to 3.5 ua. In this case the applicant is asking for medium density. He did not think any other type of development would work in the residential area.

COUNCILMEMBER HEUMANN inquired about the size of the proposed home plans and if all the homes proposed are two stories. Mr. Swanson reviewed the lot sizes of the Canyon Oaks subdivision. He replied that the application proposes all two story homes.

COUNCILMEMBER LOPEZ inquired if the Airport Commission's recommendations regarding this development would have applied to the current subdivision. Mr. Swanson said while speaking with the administrator who processed that case, it was confirmed there was also a conflict.

Mr. ROD JARVIS, 3101 N. Central Avenue, representing the applicant, noted the property is adjacent to the San Tan 202 Freeway, it is close to the Chandler Airport, and next to an irrigation canal. The location of the property and issues with access to the property makes it very difficult to be developed. The neighbors compiled a list of their requests regarding the development of the property, to which the owner agreed to everything on that initial list. However, there were still some neighbors expressing their concerns. Given the surrounding cul-de-sac developments, and overall neighborhood and residential homes, their proposed development fits into the parameters for developing the site. Mr. Jarvis confirmed the property owner who will be selling part of his land for accessing this parcel has reduced his price, which will allow his client to reduce the lots and they could possibly offer a plan that stipulates a 7 lot subdivision.

Councilmember Hartke asked if a stipulation was put in place that allowed three houses neighboring the ones to the east and four on the other side, would that be agreeable to his client.

Mr. Jarvis said if they were to lose a lot, the impact should be enjoyed by the immediate neighbors.

Councilmember Heumann asked if they were willing to limit them to one story. Mr. Jarvis said his client would like to go to larger houses if the indication was he would be losing a lot. The balconies would be reoriented as to not be on the back of the homes, they would try to orient them away from the neighbors. They would also consider putting large trees in order to screen more. He noted the dirt 20' walkway is owned by the Canyon Oaks Homeowner's Association.

Mr. SETH GRAINGER, 1530 S. VELERO PLACE stated he was in opposition of the 8 lot development. Mr. Grainger pointed out the density does not fit the neighborhood, and the proposed homes are two-story in an area mostly built of single story homes. The lots are small but have very large homes being proposed. His other concerns were of safety. Emergency vehicles will not be able to access the area if anyone parks on the street, and the turn radius is not sufficient. He expressed concern with the Airport Commission recommendation that a street sign be posted indicating low flying aircraft in the area. His neighborhood does not have one of these signs and believes it will cause a negative reaction. In response to questions from the Council, Mr. Grainger said if they went to a lower density, he would not be opposed. He would like to see the plan on paper again.

In response to a clarification on the density, Mr. Swanson said the reduction in lots would take the density down to 3.5 which then puts it in the category of low density and it would then remove the request for the Area Plan amendment.

Mr. ERIC GOODMAN, 1540 S. VELERO PLACE stated his concerns are with the value of these properties because of the location. He does not believe these homes will sell quickly due to location and freeway noise. Which means it is possible the homes will not sell for what they are asking, and therefore the project could be abandoned.

Mr. JARED THOM, 1703 E. WILDHORSE PLACE, President of the Canyon Oaks HOA. He said they are already being affected by construction and traffic in the area, and this development will only increase this traffic and the dangers they are experiencing with the excessive traffic and speeding. He said the area has been evaluated for speed humps, they did not qualify due to the orientation of homes along the street. He would like to see that added if this project is approved. He gave concern to the traffic generated by the construction of these homes. He is a loan officer and has discussed the estimated value of these homes and at the current proposed prices, he does not believe these will sell at the asking price due to proximity of the airport and freeway.

In response to a question from Councilmember Heumann, Mr. Thom said the largest home that has sold was just over $400,000 at about 4100 s.f. which was about a half mile away, not near a water treatment plant or a canal. It was noted the homes were built before the freeway.

THE MAYOR inquired as to how many individuals it takes to file a legal protest.

Mr. SWANSON stated it takes 20% of the property owners within a 150 foot buffer area of the proposed development. Initially two property owners contested the development, then a third, then the HOA. At this time it is approximately 72% in opposition.

Council had further questions regarding home values, access to the proposed development and the gated and non-gated communities in the area. Mr. Swanson said the subject site is private

streets and is non-gated. The Canyon Oaks subdivision is public streets, not gated. There is a small component off of Longhorn and Cooper that is a gated cluster home development.

Councilmember Hartke inquired about the speed humps. MR. SWANSON said there is criteria for speed humps but believes the request is for just Wildhorse Place and evaluation for this in this area can be reviewed.

MR. Swanson confirmed that this project would require the formation of an HOA.

Mr. ROD JARVIS, stated it appears they have addressed the concern with density if they reduce the development to seven (7) homes instead of eight (8), and that they would not have to apply for an Area Planned Amendment.

As far as the setbacks and second floor patios, they would make the stipulations that all balconies and patios will be only located on the sides of the home, not on the back of the home. He noted the site is actually 4 feet lower in grade than the community to the east. They would also stipulate, if the HOA wanted to maintain them, to add mutually agreed upon shrubs/trees in their walkway for additional screening. In regards to noise and the airport impacts, there are stipulation that requires them to construct the homes to maintain a decibel level no higher than 45 db in the home. This will screen the noise from the freeway and the airport. The Freeway sound wall ends and that development will not have the sound barrier wall like other neighborhoods; therefore this development will become like a sound wall for the surrounding community. He said the traffic from construction of these homes would be a temporary issue.

COUNCILMEMBER HARTKE asked the developer to work with the neighborhood one more time on the location of the three lots and their placement if they reduce the number of homes to 7.

THE MAYOR asked the developer if they would consider a continuance to work out the changes and work with the neighborhood to see what can be agreed upon. Councilmember Heumann concurred with the Mayor's recommendation.

Mr. JARVIS stated his client is willing to have a one month continuance, but wished to make clear that they cannot reduce the development to 6 lots. They will work on the layout of the homes, placement of the balconies, site plan of the homes, and placement of trees, if any, in the walkway.

MOTION MADE BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER LOPEZ to continue Item 29 and 30 to the March 31st Council meeting.

MOTION CARRIED (6-1) WITH COUNCILMEMBER ELLEN VOTING NAY.

30. <u>ANNEXATION</u>: Southeast Corner of the Consolidated Canal & Wildhorse Place Alignment Ord. #4694

THIS ITEM WAS CONTINUED IN THE MOTION ON ITEM #29

Ordinance No. 4694, Annexation – Southeast Corner of the Consolidated Canal and the Wildhorse Place Alignment, annexation of a site approximately 2.04 acres located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment. (Applicant: Jalil Ahmad, Star Tech USA, LLC.)

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Arizona Railway Museum is hosting Arizona Railway Day from 9 a.m. to 4 p.m. This is a free event and includes tours of vintage railcars, plus displays of artifacts and memorabilia. The museum is located at 330 E. Ryan Road, just south of Tumbleweed Park.

The annual Classic Car and Hot Rod Show returns to downtown Chandler from 10 a.m. to 4 p.m. About 250 vehicles will be on display, along with entertainment and vendors. Proceeds benefit local youth and veteran organizations.

The Mayor thanked everyone who submitted questions to the Budget Connect meeting held earlier tonight. He thanked staff for their continued work on such a critical fiscal document.

He thanked everyone who attended the State of the City Address, and mentioned it was available for viewing online at the City's website.

B. Councilmembers' Announcements

COUNCILMEMBER LOPEZ announced the upcoming Library Con (LibCon) event for teenagers only.

COUNCILMEMBER HARTKE stated he recently attended several State of the City addresses, and while they each have their own points of pride, he appreciates Chandler even more. He announced the Ostrich Parade will occur on March 5.

COUNCILMEMBER HEUMANN announced last week the SciTech event was a great event. The President of Orbital was in attendance and Intel sponsors the event. He complimented Odetta Moore from Chandler's Economic Development Department for her efforts in coordinating this event.
Councilmember Heumann expressed appreciation to his wife on their upcoming 33rd wedding anniversary.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:06 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: March 17, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 25th day of February 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 22 day of March, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 17, 2016 at 7:00 p.m.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge of Allegiance.

CONSENT:

The Mayor noted there is a request to withdraw on Item 29 and asked the motion maker to include that in the motion.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR SELLERS, TO APPROVE THE CONSENT AGENDA AS SUBMITTED WITH THE INCLUSION OF ITEM 29 FOR WITHDRAWAL.

COUNCILMEMBER HEUMANN commented on Item 27 and said he appreciates the applicant working with staff to get this finished. He stated his "no" vote on Item 5.

THE MOTION CARRIED UNANIMOUSLY (7-0) WITH THE EXCEPTION NOTED.

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. MINUTES of the Chandler City Council Study Session of February 22, 2016.
1b. MINUTES of the Chandler City Council Regular Meeting of February 25, 2016.
1c. MINUTES of the Chandler City Council Special Meeting (Exec Session) of February 25, 2016.
1d. MINUTES of the Chandler City Council Special Meeting (Exec Session) of February 22, 2016.

1e. MINUTES of the Chandler City Council Special Meeting (Budget Connect) February 25, 2016.

1f. MINUTES of the Chandler City Council Special Meeting (Micro Retreat) of October 19, 2015

2. EASEMENT: Intel Corporation Ord. #4666

APROVED FINAL ADOPTION OF Ordinance No. 4666 granting an easement for vehicular ingress and egress proposes to Intel Corporation for a relocated portion of Old Price Road south of Queen Creek Road.

3. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4689

APPROVED FINAL ADOPTION OF Ordinance No. 4689 granting a no-cost power distribution easement to Salt River Project Agricultural Improvement and Power Distribution District (SRP) within the Knox Road right-of-way between Hartford Street and Arizona Avenue as required for an SRP aesthetics project in this area.

4. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4692

APPROVED FINAL ADOPTION OF Ordinance No. 4692 granting a no-cost power distribution easement to Salt River Project (SRP) for electrical upgrades at Desert Breeze Park.

5. REZONING: Villas at Chandler Airpark Ord. #4687

COUNCILMEMBER HEUMANN VOTED NAY ON THIS ITEM.

APPROVED (6-1) FINAL ADOPTION OF Ordinance No. 4687, DVR15-0031 Villas at Chandler Airpark, rezoning from Planned Area Development (PAD) for multi-family residential and commercial to PAD for multi-family residential. (Applicant: Ed Bull Burch & Cracchiolo.)

6. REZONING: 111 W. Boston Street Ord. #4665

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4665, DVR15-0039 111 W. BOSTON STREET, rezoning from City Center District (CCD) to CCD with a Planned Area Development (PAD) overlay, CCD/PAD zoning, for additional building height on property located at 111 W. Boston Street.

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Rezoning subject to conditions.

BACKGROUND

The property is located west of the southwest corner of Boston Street and Oregon Street, west of Arizona Avenue. The building is currently one-story and approximately 14 feet in height. The building is next to Burst of Butterflies to the west and to the east are Compass Hair Studio and The Religious Store. To the south is a 20 foot wide alley and vacant land referred to as Site 6. Recent tenants of the building included a musical instrument reed store and a hair/beauty salon.

The request is for rezoning from City Center District (CCD) to CCD with a Planned Area Development (PAD) overlay for additional building height to accommodate the redevelopment of a new building. The PAD overlay is required to allow the building height to extend above 30 feet at the building setback lines, the maximum height permitted in the CCD zoning district. The proposed building is approximately 40 feet tall to the top of parapet; three levels including two floors and a rooftop deck which are represented in the Development Package, Exhibit A. The proposed development features a ground floor restaurant/bar, a second floor cigar lounge/bar, and a third level rooftop lounge/bar. The uses are consistent with those allowed in the CCD zoning. The building's architectural design will be reviewed and approved by the downtown Architectural Review Committee (ARC). A Liquor Use Permit will be processed separately.

The building takes full advantage of the site building to property lines. The total building square footage is approximately 7,616 square feet. The ground level includes an integral patio on the first floor along Boston Street, a rear yard outdoor dining patio, and a recessed niche for an electric transformer box along the alley. The second floor includes a curved open-air patio along Boston Street and a rear outdoor patio along the alley. The third level includes rooftop equipment on the northern end and an open-air rooftop deck with a bar and seating on the southern end.

Planning Staff finds the proposed additional building height is appropriate given the site's location within the downtown area, proximity to adjacent and existing businesses, and the design techniques used to mitigate the overall building height and mass. The variation in wall planes and rooflines with outdoor dining components help to transition the building mass at the street level and provide visual diversity. Abutting buildings are one-story in height. There is a two-story 30 foot high building to the west and northeast. South of the property is Site 6 which intends to develop primarily with multi-story office buildings, retail, and a parking garage. The proposed 40 foot high building is complimentary to existing building heights and planned building heights in Site 6. The request is for building height through a PAD overlay. The development's site layout and building design will be reviewed by the ARC board and City staff will review the encroachment permits.

PUBLIC / NEIGHBORHOOD NOTIFICATION

•This request was noticed in accordance with the requirements of the Chandler Zoning Code.
•A neighborhood meeting was held on January 28, 2016. Three persons attended representing two businesses in the immediate area. The discussion focused on the building's design and comments on the architecture. Attendees liked the proposal.
•As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with the request.

The Planning Commission voted 6-0 in favor.

RECOMMENDED ACTION

Planning Commission and Planning Staff recommend City Council approve the Rezoning from City Center District (CCD) to CCD with a Planned Area Development (PAD) overlay, CCD/PAD zoning, for additional building height, subject to the following conditions:

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

2. The maximum building height shall be 40 feet as represented in the Development Package, Exhibit A.

7. HAZARD MITIGATION PLAN: Res. #4933

ADOPTED RESOLUTION NO. 4933 authorizing the 2015 Multi-Jurisdictional Hazard Mitigation Plan.

8. DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT: Res.#4937

ADOPTED RESOLUTION NO. 4937 authorizing modification of the assessment diagram; making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District; completing the assessment; setting the date for the hearing on the assessment; and ordering the giving of notice of such hearing.

9. CALL OF ELECTION: 2016 Primary & General Elections for City Council Res. #4940

ADOPTED RESOLUTION NO. 4940 calling the 2016 Primary and General Elections, and authorizing the City Clerk to enter into an intergovernmental agreement with Maricopa County Elections Department for election services.

10. PRELIMINARY DEVELOPMENT PLAN: Towneplace at the Met

APPROVED PRELIMINARY DEVELOPMENT PLAN, PDP15-0014 TOWNEPLACE AT THE MET, (Applicant: Adam Baugh, Withey Morris, PLC) for site layout and building design of a commercial development with a hotel and inline shops on approximately 4 acres located at the SEC of Chandler Boulevard and Hearthstone Way.

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan (PDP) subject to conditions.

BACKGROUND

The property was zoned Planned Area Development (PAD) in 2013 for mixed use with a mid-rise overlay as part of a larger development which included a 300 unit multi-family residential apartment community, The Met. The mixed use parcel allows for commercial uses permitted by right in the Community Commercial (C-2) zoning district such as retail, restaurant, and office, and Multi-Family Residential (MF-2) uses, with a mid-rise overlay.

The subject site is bounded by Chandler Boulevard to the north and Hearthstone Way to the west. The Hyatt Place hotel and Chandler Village Drive are to the east. West of Hearthstone Way is vacant land zoned for light industrial and a plant nursery.

The request is for Preliminary Development Plan (PDP) approval for site layout and building design of a commercial development with a hotel and inline shops on approximately 4 acres. The proposal includes a 4-story, 54 foot high hotel with 109 rooms and amenities including a swimming pool, sun deck, fire pit, outdoor dining patio, fitness facility, lobby, business center, board room, and breakfast area. In addition, there are two 1-story 9,800 square foot inline retail/restaurant shop buildings. The inline shop buildings incorporate areas for open or cordoned-off outdoor dining.

The overall design theme is integrated with the adjacent apartment development with urban-style architecture and a pedestrian-oriented environment. Similar to The Met, the buildings have a contemporary style. The building architecture includes the use of natural stone, stucco, wood-look fiber cement siding, metal shade awnings, and other accents with earth-tone colors.

Pedestrian access is provided between the hotel and inline shop buildings. Pedestrian access is also provided via a decorative paved pathway and gate to and from The Met multi-family residential south of the subject site. Vehicular access is provided from both Chandler Boulevard and Hearthstone Way. The main entrance off of Chandler Boulevard includes colored decorative pavers, accent pavers at pedestrian crossings, and artwork in the form of a concrete medallion with an exposed aggregate finish. The main entry terminates at the hotel's porte-cochere front entry.

Building wall-mounted signs for the inline retail shop buildings will be designed in accordance with Sign Code and utilizes either reverse pan channel (RPC) or pan channel lettering with halo-illumination as represented in the Development Booklet. Details for the wall-mounted hotel signs are included on the hotel's black and white building elevations, and includes pan channel lettering designed for the Marriot hotel brand. The request includes three freestanding monument signs which include a 6 foot high center identification sign and two 13'6" high multi-tenant signs. A few Sign Code deviations are requested as represented in the Development Booklet. Deviations include distance between two signs along Hearthstone Way, number of tenant panels, and sign height. Planning Staff recommends a zoning condition that tenant panel lettering be ¾-inch routed-out push-through.

Several Zoning Code deviations are requested as represented in the Development Booklet. Deviations include a landscape intersection setback, parking setback, a couple landscape planter islands, and landscape setback reduction. These reductions allow for compliance with other site development standards such as minimum drive aisle widths and parking space dimensions.

DISCUSSION

Planning Staff finds the proposed hotel and inline shop buildings to be a quality addition to the area surrounding the Chandler Fashion Center mall. The project is an extension of The Met multi-family residential and furthers an urban environment for living, shopping, and dining. Planning Staff finds the requested deviations for site development standards appropriate and similar to deviations previously approved with The Met. The requested deviations for signage are appropriate given the site's location in a regional commercial area.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on January 25, 2016. One person attended who resides in the nearby single-family residential subdivision. The resident gathered information on the project and was supportive of the proposal.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.
In Favor: 6 Opposed: 0 Absent: 1 (Foley)

Planning Commission recommended the addition of two zoning conditions regarding the addition of Date Palm trees along the main boulevard entrance and the water feature incorporating a shade cover or relocating it to a pedestrian-oriented area.

RECOMMENDED ACTION
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Towneplace at The Met", kept on file in the City of Chandler Planning Division, in File No. PDP15-0014, except as modified by condition herein.

2. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

3. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.

4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. Raceway signage shall be prohibited within the development.

6. Tenant panel lettering on all monument signs shall be ¾-inch routed-out push-through.

7. Date Palm trees shall be added at the Chandler Boulevard entry continuing along the boulevard entry drive south to the hotel.
8. Add a permanent shade structure over the water feature or relocate the water feature to a pedestrian-oriented location within the development that incorporates shade.

11. PRELIMINARY DEVELOPMENT PLAN: RHYTHM

APPROVED PRELIMINARY DEVELOPMENT PLAN, PDP15-0016 RHYTHM,(Applicant: Chris Jones, AndersonBaron Landscape Architecture) for one-story housing product within a component of the Rhythm residential development located at the NWC of 56th Street (Priest Drive) and Orchid Lane, north of Ray Road.

RECOMMENDATION
Upon finding the request to be consistent with the General, Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan (PDP) subject to conditions.

BACKGROUND
The approximately 30 acre Rhythm residential development was approved in August 2015, with 281 residential units including 125 condominiums and 156 varied residential unit types; approximately 9.62 du/ac. The subdivision includes four different components with varying lot sizes and a mix of 2- and 3-story housing product. One of the components, the Casita lots, is located at the subdivision's northeast corner and includes twelve lots at 50'x95' (4,750 sq. ft.). The lots are approved to develop with three 2-story housing plans.

The request is for Preliminary Development Plan (PDP) approval for the addition of two 1-story housing plans in the Casita component. The 1-story plans are 1,754 and 1,884 square feet and designed with the same architectural styling as the 2-story plans which are a modern/contemporary/urban character. The homes offer a variety of paint, stone veneer, brick veneer, roofing, and front door and garage door color schemes. The proposed 1-story housing product design meets the intent of the RDS architectural diversity elements as outlined in the Development Booklet providing architectural diversity and distinct building materials and features. The Development Booklet includes a streetscape exhibit to show the 1-story homes in context with the approved 2-story homes.

Planning Staff finds the proposed addition of two 1-story housing plans to be compatible with the 2-story homes in the Casita lot component as well as the 2- and 3- story housing product throughout Rhythm. The addition of 1-story homes on twelve lots provides diversity to the subdivision's northeast corner and the transition with Tempe's component.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on December 15, 2016. Three people attended asking questions about construction timing, home pricing, and access to the community from 56th Street/Priest Drive.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

PLANNING COMMISSION VOTE REPORT

Motion to Approve
In Favor: 6 Opposed: 0 Absent: 1 (Foley)

RECOMMENDED ACTION

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

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

12. EMERGENCY REPAIR: Fire Apparatus

ACCEPTANCE of the report of the emergency expenditure approved by the Acting City Manager pursuant to City of Chandler Code of Ordinances §3-13.3 in the amount of $116,000.00 to H&E Equipment Services, Inc., for the repair of fire apparatus #05002.
CONTINGENCY TRANSFER of General Fund Non-Departmental Contingency Funding in the amount of $116,000.00 to the Fire, Health & Medical Department's Fire Support Services Cost Center.

On January 9, 2016, while responding to an emergency, fire apparatus #05002 experienced a catastrophic mechanical failure in the drivetrain and rear suspension, which rendered the vehicle inoperable. The vehicle was transported to the authorized dealer and service provider, H&E Equipment Services. The fire crew was able to move into a reserve apparatus, maintaining response capability.

13. Software License and Support Agreement: iWater, Inc.

APPROVED a Software License and Support Agreement, with iWater, Inc., for implementation of a hydrant and valve inspection software system, through HD Supply Waterworks, in the amount of $99,000.

In 2014, the Municipal Utilities and Information Technology (IT) Departments identified the need to replace two outdated software applications used by staff to implement the hydrant and valve inspection and maintenance program. The software, no longer supported by IT, was developed by a former City staff member. Staff researched solutions that could replace the hydrant and valve inspection software while providing integration with Lucity, the City's asset management system, and combining the two applications into one. The only solution found was the iWater infraMAP software.

A sole source pilot program, consisting of Lucity integration, software installation, and training, was approved by the IT Department and Purchasing Division in August 2014, in the amount of $18,000. The pilot was deemed successful when it was verified that infraMAP interfaced with Lucity, and it was able to operate valve and hydrant equipment, record activity data, capture permanent data of field work, and increase overall efficiency.

To take the project from the pilot phase to full implementation, a Software License and Support Agreement with iWater, Inc., for the purchase of twenty infraMAP software licenses, through HD Supply Waterworks, is needed.

14. AGREEMENT AMENDMENT: Devau – Temporary Staffing

APPROVED Amendment No. 2 to Agreement No. CS4-964-3332, with Devau Human Resources, for temporary staffing services, in an amount not to exceed $935,000, for a one-year term of April 1, 2016, through March 31, 2017.

On March 27, 2014, City Council approved an agreement with Devau Human Resources for temporary staffing services for a one year period with the option of up to four one-year extensions. Devau Human Resources has agreed to extend for one additional year at the same terms, conditions and pricing. This is the second extension of the agreement.

15. AGREEMENT: Cactus Asphalt

APPROVED Agreement No. ST6-745-3648, with Cactus Asphalt, a division of Cactus Transport, Inc., for tire rubber modified surface seal, in an amount not to exceed $1,114,409.24 for one year, April 1, 2016, through March 31, 2017, with options to renew for up to four additional one-year periods.

16. AGREEMENT: Cem-Tec Corporation

APPROVED Agreement No. TD6-285-3638, with Cem-Tec Corporation, for street light poles, in an amount not to exceed $51,898.00, for one year, with the option of four (4) one-year extensions.

17. CONTRACT: DNG Construction

APPROVED Job Order Contract (JOC) to DNG Construction, LLC, for Contract No. JOC1601.401, in an amount not to exceed $750,000.00 per year, for a two-year term, with the option of one (1) two-year extension. The contract provides for general contracting services

necessary for construction projects related to major and minor construction, renovations, repairs, additions, demolition, re-constructions and alterations.

18. CONTRACT: SDB, INC.

APPROVED Job Order Contract (JOC) to SDB, Inc. for Contract No. JOC1602.401, in an amount not to exceed $750,000.00 per year, for a two-year term, with the option of one (1) two-year extension for general contracting services necessary for construction projects related to major and minor construction, renovations, repairs, additions, demolition, re-constructions and alterations.

19. PURCHASE: Office Supplies

APPROVED the purchase of office supplies utilizing the National IPA Contract with Office Depot/Max and 1GPA contract with Wist Office Products, in a combined total amount not to exceed $215,000, for the term of April 1, 2016, through March 31, 2017.

20. SPECIAL EVENT LIQUOR LICENSE: St. Andrew the Apostle Catholic Church

APPROVED a Special Event Liquor License for St. Andrew the Apostle Catholic Church for the Silent Auction for Bottles of Wine on Friday, March 25, 2016, from 6:00 a.m. until 9:00 p.m., located at St. Andrew Apostle Catholic Church, 3450 W. Ray Road.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

21. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Partnership

APPROVED a Special Event Liquor License for the Downtown Chandler Community Partnership for the 17th Annual Chandler Jazz Festival on Friday, April 1, 2016, from 5:00 p.m. until 10:00 p.m., and Saturday, April 2, 2016, from 5:00 p.m. until 10:00 p.m., located at The Library Plaza, 125 E. Commonwealth Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

22. SPECIAL EVENT LIQUOR LICENSE: International Alliance for the Prevention of AIDS

APPROVED a Special Event Liquor License for International Alliance for the Prevention of AIDS for the Volunteer Appreciation Dinner on Friday, April 15, 2016, from 5:30 p.m. until 8:30 p.m., located at Chandler Center for the Arts, 250 N. Arizona Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods. The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

23. LIQUOR LICENSE: Murphy's Law Irish Pub & Ale House

APPROVED a Series 6 Bar Liquor License (Chandler #161607 L6) for Brad Ingarfield, Agent, Field Restaurant Concepts LLC, dba Murphy's Law Irish Pub & Ale House, located at 58 S. San Marcos Place. A recommendation for approval of State Liquor License #06070685 will be forwarded to the State Department of Liquor Licenses and Control.

This application reflects a change in ownership. A new Use Permit is not required since this will be a continuation of the location's previous use as Murphy's Law 58 LLC, dba Murphy's Law Irish Pub & Ale House.

The Police Department reports no objections to the issuance of this license, and no written protests have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code.

24. FINAL PLAT: Metro Chandler Airport

APPROVED FINAL PLAT, FPT15-0014 METRO CHANDLER AIRPORT CENTER, (Applicant, Nate Cottrell; CEG) at the Southwest corner of Cooper and Germann roads for an approximate 25-acre business park located at the southwest corner of Cooper and Germann roads that was approved by Council in October of 2014.

25. PRELIMINARY PLAT: Legacy Traditional School

APPROVED FINAL PLAT, FPT16-0001 Legacy Traditional School (Applicant: Joe Burke; Hunter Engineering) for a charter school on an approximate 6.8 acre lot located south and west of the southwest corner of McQueen and Warner roads.

26. FINAL PLAT: Legacy Traditional School

APPROVED FINAL PLAT, FPT16-0002 Legacy Traditional School (Applicant: Joe Burke; Hunter Engineering) for a charter school on an approximate 6.8 acre lot located south and west of the southwest corner of McQueen and Warner roads.

27. CONTINUED PUBLIC HEARING ITEM: T-SYS

CONTINUED TO THE JULY 28, 2016 CITY COUNCIL MEETING - Action on the existing Planned Area Development (PAD) zoning to take administrative action on DVR05-0036 TSYS WESTERN OPERATIONS CENTER 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.

Since the February 11, 2016, continuance, staff has reviewed the PAD/PDP rezoning application submittal and recently provided staff comments on the PAD/PDP applications to the property owner. Additionally, staff met with the property owner and its representatives on March 11 to review staff comments to the PAD/PDP applications. Based on that meeting, it is anticipated the property owner will submit a revised PAD rezoning application for planning staff review and, assuming the revised submittal is responsive to staff comments, the application

will proceed to hearing before the Planning Commission and appear on a future Council agenda in approximately June 2016.

A continuance of the Public Hearing to the July 28, 2016, Council meeting will afford staff and the property owner the opportunity to process and present, for Council consideration, the rezoning application for the subject property. If the Council approves the new zoning for the property in June, it can also move to vacate the future hearing date of July 28, 2016 pending for the existing zoning of the property.

28. On Action

29. WITHDRAWN REZONING: Frye Road Business Park / Santan Technology Park

APPROVED THE APPLICANT'S REQUEST FOR WITHDRAWAL ON DVR15-0033 FRYE ROAD BUSINESS PARK (SANTAN TECHNOLOGY PARK) – Applicant - Adam Baugh, Withey Morris PLC - Ordinance No. 4691, Rezoning from Planned Area Development (PAD) for light industrial to PAD for light industrial and billboards along with a Preliminary Development Plan (PDP) for two 70 foot tall digital billboards at the Northeast corner of 56th Street and Loop 202 Santan Freeway

30. SETTLEMENT: Rossi

APPROVE settlement in the matter of Rossi v. City of Chandler, et al in full and final satisfaction of all claims asserted without admitting liability for the amount of $125,000.00 and further authorize the City Attorney to sign any necessary documents in such form as are approved by the City Attorney to effectuate the terms and conditions of settlement and this action.

ACTION

28. DEVELOPMENT AGREEMENT: Ryan Companies Ord. 4697

Councilmember Heumann asked if there was a signed agreement available.

City Attorney Bigelow responded that there is not a signed agreement, but they are all on agreement on it. It is a matter of getting the formatting correctly for an execution copy. She anticipated it to be ready tomorrow.

Councilmember Heumann said he had concerns voting on item without the agreement being signed by the applicant and asked if there were any legalities. Ms. Bigelow said there is no legality problem with the City Council approving the terms and conditions included in the packet and allowing the applicant to sign after the meeting. Councilmember Heumann asked what would happen if there were changes made by the applicant. Ms. Bigelow said no changes would be made. She said the document included in the packet contains all of the business terms and all of the legal language. If for some reason the applicant wanted a change, that would need Council approval. She said this is often the way Council has approved large development agreements in the past.

MS. KIM MOYERS, Downtown Redevelopment Manager gave an overview of the project and added the marketing materials must be available within 30 days of the signed development

agreement. The applicant will build to Class A office standards. She explained the lease and option to purchase. Ms. Moyers displayed several site drawings. By February, 2017 the developer should have 50% pre-leased in Phase 1. Commencement of construction should begin by August, 2018. By 2020, 50% pre-leased for Phase II with commencement of construction by August, 2020.

MR. STEVE JORDAN, Ryan Companies, 581 W San Marcos Drive, Chandler. Mr. Jordan said they are very excited about this project and it is a great opportunity to respond to the market. He reported meeting with the Downtown Chandler Community Partnership (DCCP) today. He said the two phases provide opportunities for office space to attract jobs.

VICE MAYOR SELLERS asked about the delay in getting the documents signed. MR. JORDAN said after the business points were reviewed on the term sheet, there was a time when the parking structure was going to be incorporated. He named several of the "competitors" in Chandler and said those developments, with the exception of the Rockefeller development, do not have parking structures. It does not work with the financial model. He noted the City then stepped up to own that and Ryan Companies will rent the spaces back from the City. He said that didn't change until recent months and required additional work on the agreement. He added the agreement is a bit complex as there is a ground lease, a GPLET lease, parking lease, and these are options; along with the option to purchase the property at some point.

BACKGROUND: Site 6 is a 4.25 acre site directly across from Chandler City Hall, located at the northwest corner of Chicago Street and Arizona Avenue. The site is vacant and owned by the City. It is currently utilized for parking, but is otherwise unencumbered.

On August 14, 2014, City Council adopted Resolution No. 4795, awarding the Site 6 Request for Proposal to Ryan Companies US, Inc., and authorizing staff to begin development agreement deal terms between the City of Chandler and Ryan Companies US, Inc., and directing staff to present the negotiated development agreement to the City Council for consideration and possible action.
Ryan Companies US, Inc., is a 75-year, nationally recognized company specializing in office development, construction, and management experience in the Phoenix area. Over the past 17 years, Ryan Companies US, Inc., has developed over 18 million square feet of office, industrial, and mixed-use product throughout metropolitan Phoenix.

Ryan Companies US, Inc. proposes the development of a mixed-use project consisting of two office buildings and related retail focusing on attracting significant jobs into downtown Chandler.

Phase 1 will consist of a minimum of a two-story office building (1 floor = approximately 22,000 s.f.) and minimum 4,000 s.f. for restaurant and retail uses.

Phase 2 will consist of a minimum of a five-story office building (1 floor = approximately 25,000 s.f.) and minimum 7,000 s.f. for restaurant and retail uses.

Ryan Companies US, Inc.'s minimum office improvements will be built to Class A standards and will be designed to encourage uses from industry segments including high tech, financial, medical administration, and communications. Additionally, Ryan Companies US, Inc., will provide an open space/gathering area encouraging pedestrian connectivity south of the Historic Downtown Square, construction of a trash enclosure for the use of the property and businesses along Boston Street, between Arizona Avenue and Oregon Street, and will pay into the Enhanced

Municipal Services District (EMSD). Ryan Companies, LLC will commence construction of Phase 1 no later than October 2018 and commence construction of Phase 2 no later than August 2021.

Ryan Companies US, Inc., is requesting that the City provide for a 25-year Government Property Lease Excise Tax (GPLET) rate, a provision in Arizona's Tax Code that allows for a specific dollar value per square foot assessment, as opposed to the traditional assessment that is based on the value of the property. Further, because the site is located in both the City's existing Central Business District and the City's Redevelopment Area, the site will also be able to take advantage of an 8-year abatement on all property tax, as part of the requested 25-year GPLET. Notices, required by A.R.S. § 42-6206, were sent to all taxing jurisdictions on December 8, 2015. The statutes require a 60 day notification period before City Council can vote on the GPLET provision, which has passed.

As part of the Development Agreement, the City assures adequate water and sewer for the project and electrical undergrounding, which was part of the Fiscal Year (FY) 2015-16 Capital Improvement Program (CIP). City of Chandler will lease Site 6 with options to purchase throughout the term of the agreement. Additionally, the City of Chandler will participate in the construction of a parking garage that will be built congruently with each phased development. Ryan Companies US, Inc., will operate and maintain the parking garage through a Parking Management Services Agreement and will lease parking spaces from the City of Chandler in a Parking Lease Agreement.

FINANCIAL IMPLICATIONS:

The financial implications to the City of the proposed development agreement for Site 6 with Ryan Companies US, Inc. include the estimated costs of providing water ($1,000,000) and sewer ($500,000) upgrades. This funding is budgeted in the FY 2015-16 Water Bond Fund, Water Capital Cost Center (601.3820.6714.6WA110) for $1,000,000 and the FY 2015-16 Wastewater Operating Fund, Wastewater Capital Cost Center (615.3910.6813.6WW332) for $500,000. Street improvements and other infrastructure improvements on Chicago Street and Oregon Street are budgeted at $1,753,775. This capital project was planned and budgeted in the FY 2015-16 General Government Capital Fund, Streets Capital Cost Center (401.3310.6513.6ST699) and will be used to fund this project.

The parking garage will provide approximately 340 parking spaces in Phase 1 and approximately 6 parking spaces for each 1,000 s.f. of Phase 2. The FY 2015-16 budget includes carry forward funding for a capital project called San Marcos Commons Phase 2 parking. This capital project is budgeted in the General Government Capital Fund, Non-Department Capital Cost Center (401.1291.61106GG623) for $7,795,370. This project will be closed out and fall back to General Fund balance to be requested in the CIP for FY 2016-17 for downtown parking. The estimated cost of for Phase 1 is $5,250,000.

Ryan Companies US, Inc. will lease Site 6 for a period of 8 years at $10 per year, with an option to purchase during the term of the GPLET at $6.50 s.f. Should Ryan Companies US, Inc. continue to lease between years 9-19, the annual rent will be 8% of the purchase price and shall increase by 20% every 10 years thereafter. If Ryan Companies US, Inc. does not purchase the property during the term of the GPLET, a new appraisal will be completed which shall establish the purchase price for the next 25 years. Ryan will have the option of leasing the real property only after the term of the GPLET Lease up to 74 years with the rent increasing by 20% every decade of the Ground Lease. All leases and operating agreements were negotiated as part of the Development Agreement process so that both parties are aware of their obligations going

forward. The City Council's approval of the Development Agreement also approves the form agreements for the leases and garage operating agreement.

A MOTION WAS MADE BY COUNCILMEMBER HEUMANN TO INTRODUCE AND TENTATIVELY APPROVE ORDINANCE NO. 4697 AUTHORIZING THE PROVISIONS OF A DEVELOPMENT AGREEMENT WITH RYAN COMPANIES US, INC., FOR DISPOSITION AND REDEVELOPMENT OF SITE 6. COUNCILMEMBER LOPEZ SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY (7-0).

The Mayor gave the reminder the Public Hearing was continued as part of Item 27.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor announced Health Connect on Saturday at Tumbleweed Recreation Center.

He said for the 6th year, Chandler Firefighters are asking residents to join them in a door to door campaign through local neighborhoods to help educate and prevent water related tragedies on Saturday, April 2.

He reminded Council recruitment is being done for service on Chandler Boards & Commissions.

The Mayor said over 400 people were in attendance for the East Valley Mayors' Prayer Breakfast. He thanked Councilmember Hartke for his effort in making it a successful event.

He congratulated the attendees of the Chandler Teen Leadership Academy and thank David Bigos for his work coordinating.

B. Councilmembers' Announcements

COUNCILMEMBER LOPEZ said March 26 is the family Library LibCon. Mr. Lopez wished his son a happy birthday.

COUNCILMEMBER HARTKE said March 26 at Tumbleweed Park there will be a ribbon cutting to showcase a new butterfly habitat provided by a Girl Scout Troop. He announced the Mayor's Family Fun Bike Ride on April 9th at Tumbleweed Park.

VICE MAYOR SELLERS said there is an East Valley Partnership meeting on March 30 that will be leading discussions on the emergence of "intelligent vehicles".

COUNCILMEMBER HEUMANN said he just finished programming for a show on Relay for Life. Chandler's event will be held on April 29th.

He encouraged participation in the event. Councilmember Heumann noted in conjunction with drowning awareness, he encouraged enrollment in swim lessons.

COUNCILMEMBER ELLEN wished all a Happy Easter.

COUNCILMEMBER ROE stated Ostrich Festival was a great success the past weekend. He announced a successful Senior Expo was also recently held! He thanked Councilmember Hartke for his involvement on a well-attended East Valley Mayor's Prayer Breakfast.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: March 31, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 17th day of March 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 1 day of April, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, March 31, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:03 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Susan Stevens Clark from the Chandler Bahai Faith gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Nora Ellen led the Pledge of Allegiance.

CONSENT:

COUNCILMEMBER HEUMANN asked Sr. Planner Erik Swanson to give a brief summary of item #5.

MOVED BY, COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

The Mayor stated he received a comment card in support of item #14 as well as a thank you from George Urish on the item.

THE MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED THE FOLLOWING:

1a. MINUTES of the Chandler City Council Special Meeting (Exec Session) of March 14, 2016.
1b. MINUTES of the Chandler City Council Study Session of March 14, 2016.
1c. MINUTES of the Chandler City Council Regular Meeting of March 17, 2016.

2. ZONING: 111 W. Boston Street Ord. 4665

FINAL ADOPTION OF ORDINANCE NO. 4665, DVR15-0039 111 W. BOSTON STREET, rezoning from City Center District (CCD) to CCD with a Planned Area Development (PAD) overlay, CCD/PAD zoning, for additional building height on property located at 111 W. Boston Street.

3. DEVELOPMENT AGREEMENT: Ryan Companies / Site 6 Ord. 4697

FINAL ADOPTION OF ORDINANCE NO. 4697 authorizing the provisions of a development agreement with Ryan Companies US, Inc., for disposition and redevelopment of Site 6.

4. ZONING: RMB Business Park

CONTINUED TO MAY 12, 2016 CITY COUNCIL MEETING - ORDINANCE NO. 4653, DVR15-0010 RMB BUSINESS PARK, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial.
PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture located north of the NEC of Ryan Road and Arizona Avenue. (STAFF REQUESTS CONTINUANCE TO THE MAY 12, 2016, CITY COUNCIL MEETING.)

5. ZONING: SANTAN OFFICE CAMPUS Ord. 4699

Mr. Swanson gave an overview of the project. He explained there will be 3 office buildings with a potential from 400,000 to 600,000 s.f. of office space. The said the most exciting piece of this project is the design aspect.

In response to a question from the Mayor, Mr. Swanson said there is flexibility to put up to 5 stories or 75'. Mr. Swanson said as the large users come on board, there is opportunity for support retail and commercial.

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4699, DVR15-0041 SANTAN OFFICE CAMPUS, rezoning from Planned Area Development (PAD) for commercial retail and hotel to PAD for an office park with ancillary retail and restaurant uses, including a Mid-Rise Overlay for building height up to 75 feet.
PRELIMINARY DEVELOPMENT PLAN, for site layout and building architecture on approximately 19 acres located at the SWC of Alma School and Pecos roads.

BACKGROUND
The subject site is located at the southwest corner of Alma School and Pecos roads. Arterial streets are adjacent to the north and east side of the property, with the Santan Loop 202 along the southern boundary. The Camden Pecos apartment complex is adjacent to the site's west boundary.

The subject site was zoned in late 2005, for a commercial retail center and hotel development. The site has been included in a number of master plans including the Santan Freeway Area Plan and the Pecos Ranch master plan, always with a designation of Commercial. The request is consistent with the historic plans.
The request is to rezone the property from commercial retail and hotel uses to PAD for an office park with ancillary retail and restaurant uses, including Mid-Rise Overlay for up to 75 feet, and PDP approval for site layout and building architecture.

SITE LAYOUT
Three office buildings (A, B, and C, respectively) are proposed along with two pads for potential restaurant uses, with a potential build-out of 400,000 square feet of space. A parking garage is proposed internal to the site and centered along the western boundary. The garage will be constructed in phases with northern half constructed during phase two and the remaining as part of phase three.

Predominance of the arterial intersection is highlighted with the location of one of the office buildings (A) at the intersection in an L-shape design as phase one. Full movement access is provided along Alma School Road, with the entrance drive terminating at the future parking garage. Secondary access is provided along Pecos Road west of office A. A restaurant pad is located north of the primary entrance.

Phasing is proposed to start with office A, onsite parking sufficient for the building, and all adjacent off-site improvements. Phase two will incorporate a portion of the parking garage and surface parking sufficient for the two office buildings along with office B, and the remaining off-site improvements. Phase three will include full build-out of the parking garage and office C. Administrative approval is requested in the event a user warrants modification to the proposed phasing plan.

Various outdoor areas are created and incorporated by nature of the building layout and design. Amenity locations are shown on the Access, Circulation and Amenity Plan.

ARCHITECTURE

While the buildings are rectangular in form, the design team has addressed massing of the buildings by incorporating a number of architectural elements. Cantilevered elements project from the main entry of each building, as well as at main focal points such as at the intersection corner. The cantilevered elements lend to outdoor pedestrian gathering areas, and extend along the wall plane terminating at enlarged and highlighted architectural masses on each building. While maintaining similarity in color, the design and massing elements vary from one office building to the next. Materials will include extensive use of glass with appropriate glazing, along with various metal paneling, E.I.F.S., stone, and composite wood elements.

Complete design details have not been provided for the parking garage; however, conceptual designs have included horizontal banding and pop-out elements that relate to the office buildings. Elevations for the restaurant pads are not provided. Administrative review and approval of the design for the restaurant pad is requested with the understanding that the architecture will draw from the design theme of the office buildings.

Mid-Rise for the office buildings is requested for a maximum height of 75 feet exclusive of screening for mechanical units. Support for mid-rise development is appropriate at this location due to the close proximity to the Santan Loop 202 freeway, adjacency to two arterial streets, and limited single-family residential development in the surrounding area.

SIGNAGE

A comprehensive sign plan is included with the request. Entry monument signs are provided at both entrances. A single site identity sign is provided at the intersection corner. The entry monument signs and the center identification sign are identical in design with the entry signs slightly taller and include an interpretive art feature as an element. Various directional and directory signs are provided throughout the site.

Two monument signs are provided along each street frontage. The monument signs allow for up to five tenants and are eight feet tall to the top of the tenant copy. The project name on the monument signs are reverse pan channel with the tenant lettering being routed push-thru lettering. The vertical yellow accent element will be halo-illuminated.

A freeway monument sign is provided with an overall height of 40 feet and allows up to five tenants. Similar in design to the monument signs, the project name will be reverse pan channel, with the tenant copy being routed push-thru lettering. The vertical yellow accent element will be halo-illuminated.

Planning Staff supports the request citing the high quality design of the development in conjunction with the location presents an ideal location for office development along the freeway corridor. As is typical with office developments, ancillary retail and other commercial uses are requested. The development requests uses allowed in the Community Commercial (C-2) zoning district consistent with support services to the office development. Prohibited uses to the development, but allowed by right in the C-2 district, are provided under the Exhibits paragraph.

Administrative approval is requested for minor modifications relating to architecture, site layout, and phasing as development occurs.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- Due to the request for Mid-Rise Overlay, two neighborhood meetings were held. The meetings were held Wednesday and Thursday, February 3rd and 4th respectively. No neighbors attended the first meeting; three neighbors attended the second neighborhood meeting and had general questions.
- As of the writing of this memo, Planning Staff is not aware of any concerns with the request.

The Planning Commission voted to approve the project 6-0.

RECOMMENDED ACTIONS

Rezoning

Planning Commission and Planning Staff recommend City Council approve the Rezoning, including Mid-Rise Overlay, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Santan", kept on file in the City of Chandler Planning Division, in File No. DVR15-0041 THE SANTAN OFFICE CAMPUS, except as modified by condition herein.

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

8. Maximum building height, exclusive of mechanical screening, shall be limited to 75 feet.

Preliminary Development Plan

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "The Santan", kept on file in the City of Chandler Planning Division, in File No. DVR15-0041 THE SANTAN OFFICE CAMPUS, except as modified by condition herein.

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

3. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

4. Raceway signage shall be prohibited within the development.

5. The tenant lettering of the monument signs shall be ¾-inch routed push-thru lettering.

6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

7. Landscaping shall be in compliance with current Commercial Design Standards.

8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

9. The applicant shall work with Staff to incorporate art features within the development.

10. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials

11. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

12. Queuing drives and menu board locations for the drive-thru pads shall be consistent with the Commercial Design Standards.

13. The applicant shall work with Planning Staff to incorporate specimen trees such as Empire Oak, Cathedral Oak, Evergreen Elm, and Red Push Pistache trees along the entry drive.

6. EASEMENT: Salt River Project Ord. 4695

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4695 granting a no-cost power distribution easement, to Salt River Project Agricultural Improvement and Power Distribution District (SRP) on City property located at 3333 S. Price Road.

Municipal Utilities requires additional power facilities on their property at 3333 S. Price Road to accommodate expansion at this location. In order to provide the additional power services, SRP is requesting an additional easement. The easement is to be granted to SRP, at no cost, as it is for a City project that benefits the citizens of Chandler.

7. AGREEMENT: Salt River Project / Wireless Network Ord. 4934

ADOPTED RESOLUTION NO. 4934 authorizing an agreement with Salt River Project (SRP) for the use of City property in connection with the operation of a wireless network, and authorizing the Mayor or designee to execute the necessary documents.

SRP is in the process of upgrading their communication system in order to improve the reliability of reading electric meters by a wireless (WIFI) method. This "Smart Grid Modernization Project" involves installing routers throughout Central Arizona of which approximately 42 are requested to be placed on City-owned street light poles. On October 12, 2014, the City's Director of Transportation & Development used his administrative authority to sign a Request for Commencement of Construction Letter that allowed the issuance of encroachment permits for SRP to begin the installation of the routers while compensation for the use of the City Property was negotiated between the City and SRP.

At this time, the parties have agreed that during the initial 10-year term of the Agreement, in-lieu of an annual fee or rental payment for the use of the poles, SRP will instead deliver an in-kind project for the installation of new streetlights on Germann Road from Arizona Avenue to Airport Boulevard (1.5 miles). Compensation for the use of the poles for any term-renewals will be based on the City of Chandler Wireless Communication Facilities (WCF) in the Right-of Way fee schedule that is in place at the time of the renewal. Other terms for the use of City Property are detailed in the Agreement.

In-lieu of an annual fee or rental payment to the City for the first term of the Agreement, SRP will deliver an in-kind project for the installation of new streetlights on Germann Road, from Arizona Avenue to Airport Boulevard (1.5 mile), which has the value of $635,413.

8. No item.

9. AGREEMENT: Municipal Emergency Services, Inc.,

APPROVED AGREEMENT NO. FD3-340-3133, Amendment No. 4, with Municipal Emergency Services, Inc., (MES) for fire protective clothing and uniforms increasing the annual spending limit

amount by $55,000.00 for a revised not to exceed amount of $355,000.00 for the term ending September 14, 2016. This spending limit increase will allow staff to purchase fire protective clothing and uniforms for 9 newly hired firefighters in FY 15/16.

10. AGREEMENT: Chemicals

APPROVED AGREEMENT NO. MU4-885-3350, AMENDMENTS with BASF Corporation in an amount not to exceed $780,750.00; Brentag Pacific, Inc., in an amount not to exceed $2,373,942.75; Charlie Pepper, Inc., in an amount not to exceed $131,000.00; Chemtrade Chemicals US, LLC, in an amount not to exceed $347,800.00; Hill Brothers Chemical in an amount not to exceed $1,259,396.40; Kemira Water Solutions, Inc., in an amount not to exceed $601,920.00; Polydyne, Inc., in an amount not to exceed $102,478.00; Univar USA, Inc., in amount not to exceed $228,690.00; and Waternuts Aquatic Ent, Inc., dba Commercial Pool Repair in an amount not to exceed $172,200.00, for the purchase of water treatment, wastewater treatment, and swimming pool chemicals, for a one-year term, for a grand total amount not to exceed $5,998,177.15. With the exception of one line item, Sodium Chlorite, purchased through Charlie Pepper, Inc., all of the vendors have agreed to extend the agreement for one (1) additional year at the same terms, conditions, and pricing. The increase for Sodium Chlorite is based on raw material price increases. The overall effect of the price increase is less than 1%.

11. AGREEMENT: Chemicals

APPROVED AGREEMENT NO. MU5-885-3526, AMENDMENT NO. 1 with Chemrite, Inc., in an amount not to exceed $198,416.00; Evoqua Water Technologies, LLC, in an amount not to exceed $195,700; Hill Brothers Chemical Company in an amount not to exceed $359,975.00; Polydyne, Inc., in an amount not to exceed $538,325.00; and Thatcher Company of Arizona, Inc., in an amount not to exceed $284,175.00, for water treatment, wastewater treatment, and pool chemicals, for a one-year term, for a grand total amount not to exceed $1,576,591.00.

This agreement is a supplement to Agreement No. MU4-885-3350. It includes chemicals needed to meet new water quality requirements that have emerged, were not extended on the existing

Agreement, and replaces chemicals that were not functioning properly. All vendors have agreed to extend for one (1) additional year at the same terms, conditions, and pricing.

12. AGREEMENT: Civil Planning Services

APPROVED AGREEMENT NO. 3359, Amendment No. 3, with EPS Group, Inc., for Civil Plan Review and Civil Planning Services, in an amount not to exceed $50,000.00 for a one-year term of March 15, 2016, through March 14, 2017.

13. CONTRACT: Chandler Heights Road Improvements

APPROVED PROFESSIONAL SERVICES CONTRACT NO. ST1502.201 to Kimley-Horn and Associates, Inc., for Design Consultant Services for Chandler Heights Road Improvements, Arizona Avenue to McQueen Road, in an amount not to exceed $974,546.00.

This project is to improve Chandler Heights Road from approximately two (2) blocks east of Arizona Avenue to McQueen Road. Chandler Heights Road will be improved to four (4) traffic lanes. Portions of this roadway are currently being constructed by private developers. This project will complete the half street areas with raised medians, bike lanes, turn lanes, sidewalks, curbs, gutters, street lighting, traffic signals, traffic signal interconnect, storm drainage, landscaping and irrigation, right-of-way acquisition, and utility relocations.

Additionally, this project will add or extend public systems to outside the new roadway to provide water, sewer, and reclaimed lines to all undeveloped parcels. The project will include coordination with Union Pacific Railroad and Arizona Corporation Commission for widening the roadway at the railroad crossing to the ultimate six-lane configuration. This project will also include design and coordination with Salt River Project Irrigation for their Consolidated Canal structure widening to the ultimate six-lane configuration.

This project was originally approved by the City Council on March 26, 2015, utilizing local funds. Subsequent to the original approval, the City received federal funds for this project. As such, staff did not execute the original contract and re-advertised the project per federal guidelines.

14. CONTRACT: Cooper Road Improvements

APPROVED PROFESSIONAL SERVICES CONTRACT NO. ST1503.201, to Entellus, Inc., for Design Consultant Services for Cooper Road Improvements, (3500 feet north of Chandler Heights Road to Riggs Road), in an amount not to exceed $1,088,294.00.

This project is to improve Cooper Road from approximately 3500' north of Chandler Heights Road to Riggs Road. Cooper Road will be improved to four (4) traffic lanes with raised medians, bike lanes, turn lanes, sidewalks, curbs, gutters, street lighting, traffic signals, traffic signal interconnect, storm drainage, landscaping and irrigation, right-of-way acquisition, and utility relocations. Additionally, this project will add or extend public systems to outside the new roadway to provide water, sewer, and reclaimed lines. The scope of work also includes the evaluation of existing Americans with Disabilities Act compliance within the project limits. The project will be designed to Federal Highway Administration (FHWA) and Arizona Department of Transportation (ADOT) standards to facilitate use of federal funds on the project.

15. CONTRACT: Dakota Street Improvements

APPROVED PROFESSIONAL SERVICES CONTRACT NO. ST1511.201, to J2 Engineering and Environmental Design, for Design Consultant Services for Dakota Street Improvements, in an amount not to exceed $275,700.54.

In addition to the new segment of Dakota Street between Buffalo Street and Commonwealth Avenue, a new 15" sanitary sewer within the new Dakota Street alignment will be constructed. Also, included in the project are improvements to approximately 800' of the SRP Irrigation Canal along Commonwealth Avenue, as well as the hardscape/landscape improvements on the east side of San Marcos Resort frontage along San Marcos Place. The project will include sidewalks, walking path, curbs, gutters, street lighting, storm drainage, landscaping and irrigation, right-of-way acquisition, and utility relocations. The scope of work also includes stakeholder coordination with the various high profile stakeholder groups within the project location; Salt River Project/Bureau of Reclamation, DCCP (Downtown Chandler Community Partnership), San Marcos Resort, and San Marcos Historical District.

16. CONTRACT: Ray Road/Dobson Road Decelerations Lane

APPROVED CONSTRUCTION CONTRACT NO. ST1404.401, to RK Sanders, Inc., for Ray Road/Dobson Road Eastbound Deceleration Lane, in an amount not to exceed $183,665.00.

The intersection at Ray Road and Dobson Road is one of the most congested intersections in the City.

An eastbound right turn deceleration lane will help to ease congestion and reduce potential for shortcutting along parallel local and collector streets. This has been an issue in the past as the City has received multiple complaints from residents.

This project will construct a right-turn lane for the eastbound traffic on Ray Road onto Dobson Road. The project also includes: improvements to ADA ramps on all four corners; storm sewer modifications; relocation of one street light; signal modifications.

17. CONTRACT: Frye Road Improvements

APPROVED CONSTRUCTION CONTRACT NO. ST1505, to Salt River Project to accommodate the Frye Road Improvements, Roosevelt Avenue to Kyrene Road, for conversion of overhead facilities and underground relocations, in an amount not to exceed $488,100.00.

This project will construct approximately 1,700 lineal feet of Frye Road from Roosevelt Avenue to Kyrene Road. The construction work will include subgrade preparation, roadway asphalt, bike lanes, curb and gutter, sidewalk, street lighting, storm drainage, and a crossing over the Gila Drain.

Salt River Project will perform the following work: remove 7 poles and hardware, 11 pole mounted devices and approximately 4,521 lineal feet of conduit; install approximately 17,450 lineal feet of new underground primary and feeder conductor and 7 pad-mounted transformers; install approximately 1,650 lineal feet of streetlight conductor; all other work incidental to the aforementioned improvements.

18. CONTRACT: City Facilities Refuse Collection

APPROVED CONTRACT NO. SW4-910-3378, Amendment No. 1, with Allied Waste Transportation, Inc., dba Republic Services of Phoenix, for City Facilities Refuse Collection, for a two-year term, in an amount not to exceed $165,000.00.

The City provides refuse collection services to all City of Chandler facilities including City parks and City office buildings. In an effort to reduce the cost associated with refuse collection, Solid Waste Services converted many City facilities to a lower cost contract that provides for side-load collection of 300-gallon refuse containers.

Due to concerns for volume of waste generated, space restraints with revetments and/or parking, and access to containers for collection, the option of converting to 300-gallon container collection at some facilities was not viable. City facilities not serviced with 300-gallon container collection require front-load collection of two, three, four, and six cubic yard containers that are serviced under this contract.

19. PURCHASE: Leica Geosystems Surveying Equipment

APPROVED PURCHASE Leica Geosystems surveying equipment from Surveyors Source, sole source, in the amount of $88,664.08.

The Police Department Vehicular Crimes Unit (VCU) is responsible for investigating major collisions involving serious injury and fatal injury, and assists the Homicide Unit with measuring and recreating large crime scenes. As part of these investigations, the VCU uses specialized equipment to take precise measurements that can be used to create scaled scene diagrams, animations, and collision reconstruction. The ability to collect this information in a reliable and efficient manner at the time of investigation is critical to support the criminal prosecutions usually associated with these investigations. The current equipment in use by the VCU is outdated, difficult to maintain, and is becoming less reliable. Three different systems were evaluated.

The Leica system was determined to be the best overall system, and it is currently used by other local jurisdictions. The purchase of Leica Geosystems surveying equipment will equip the VCU with up-to-date technology for reliable and efficient measurement collection and will allow the VCU to support cross-jurisdictional partnerships in data and equipment sharing.

Staff researched products specific to law enforcement and found that none provide all of the elements of Leica's product. Staff received confirmation from Leica Geosystems that Surveyors Source, LLC, is the sole authorized distributor of the Leica Geosystems surveying equipment for the Arizona territory.

20. USE PERMIT: Pesto's Pizza

APPROVED USE PERMIT, LUP15-0022 PESTOS PIZZA, (Frank Taurisano, Owner), Series 12 Restaurant License to continue to sell and serve liquor for on-site consumption as permitted indoors and within a new outdoor covered patio located at 1960 W. Ray Road, Suite 4, within the Anderson Springs shopping center, at the NEC of Ray and Dobson roads.

BACKGROUND

Pesto's Pizza and Wine Bar is an existing restaurant located at 1960 West Ray Road, Suite 4, within the Anderson Springs shopping center, at the northeast corner of Ray and Dobson roads. The family owned and operated restaurant has been in business since 1994. In 2004, a Liquor Use Permit was approved for a Series 12 Restaurant license.

The request is for Liquor Use Permit approval to continue to sell and serve liquor for on-premise consumption as permitted under a Series 12 Restaurant License indoors and within a new outdoor covered patio.

The owner wishes to enhance the front of the restaurant and provide outdoor dining for their customers. Indoor floor area is approximately 3,300 square feet with a new 760 square foot outdoor patio. Due to the business front facing west, the outdoor patio would be covered with an awning for shade.

A decorative fence is proposed to enclose the new 30 seat outdoor dining area. Hours of operation are seven days a week from 10 a.m. until 9 p.m. The restaurant employs approximately 25 staff members.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on February 15, 2016. No one other than the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

The Planning Commission voted to approve the project 5-0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP15-0022 PESTOS PIZZA, subject to the following conditions:

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

21. USE PERMIT: Staybridge Suites Phoenix-Chandler

APPROVED USE PERMIT, LUP16-0001 STAYBRIDGE SUITES PHOENIX-CHANDLER, (Applicant: Andrea Lewkowitz, Lewkowitz Law Office, PLC), Series 7 Beer and Wine Bar License to sell and serve liquor for on-site consumption as permitted at the hotel located at 3990 W. Chandler Boulevard, at the NEC of Chandler Boulevard and McClintock Drive.

Staybridge Suites is an existing four-story hotel, located at 3990 West Chandler Boulevard, at the northeast corner of Chandler Boulevard and McClintock Drive. Surrounding the site are the recently approved McClintock and Chandler Luxury apartments by Lennar, and a Circle K convenience store to the west, across McClintock Drive. The nearest single-family subdivision is south, across Chandler Boulevard.

The request is for Liquor Use Permit approval to sell and serve liquor for on-premise consumption as permitted under a Series 7 Beer and Wine Bar License. Beer and wine would be served to guests during hotel evening socials held from 5:30 p.m. to 7:30 p.m. and will also be available for purchase at the hotel market. Alcohol service is not proposed outdoors, however guests may consume beer and wine within the outdoor patios and pool area. The hotel will employ approximately 12 full time and part time food and beverage employees.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on February 29, 2016. No one other than the applicant and the hotel manager attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

The Planning Commission voted to approve the project 5-0)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0001 STAYBRIDGE SUITES PHOENIX-CHANDLER, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

22. LIQUOR LICENSE: Staybridge Suites Phoenix-Chandler

APPROVED LIQUOR LICENSE, Series 7, for Andrea Lewkowitz, Agent, Pacific Heritage Inn of Chandler LLC, dba Staybridge Suite Phoenix-Chandler, located at 3990 W. Chandler Boulevard.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 7, Beer and Wine Bar Liquor License, the business may sell beer and wine only for on- or off-premise consumption.

23. USE PERMIT: La Bocca / Modern Margarita

APPROVED USE PERMIT, LUP16-0004 LA BOCCA / MODERN MARGARITA, (Applicant: Amy Nations, Arizona Liquor Industry Consultants), Series 12 Restaurant License to sell and serve liquor as permitted for on-premise consumption indoors for two new restaurants along with an extension of premises within outdoor patios on Boston Street and Arizona Avenue. The request also includes entertainment indoors for a DJ. The property is located at 1 E. Boston Street, at the SEC of Arizona Avenue and Boston Street.

BACKGROUND

The property is located at 1 East Boston Street, at the southeast corner of Arizona Avenue and Boston Street. The existing building was the former location of 'Coach and Willie's restaurant. Tenant improvements to the interior and façade renovations, along with signage, were approved by the Architectural Review Committee on February 18, 2016.

The request is for Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption indoors for two new restaurants along with an extension of premises within outdoor patios on Boston Street and Arizona Avenue. The request also includes entertainment indoors for a DJ.
A new Liquor Use Permit herein known as "extension of premises permit" in the City Center District (CCD) is required due to revisions to the floor plan and liquor service within the outdoor patios located in the City's right-of-way.

Two new restaurants will occupy the building. Separate entrances to each restaurant are proposed. Existing patios and railings along each street frontage will be renovated to coordinate with the façade renovations. The patios are designed to meet the CCD zoning standards including location, distance from public infrastructure, passing space, and fence height.

La Bocca's entrance is on Boston Street. The existing outdoor patio expands to include casual lounge seating and four settee booths. Three new planters will be interspersed with the 36 inch tall railing constructed with grey/brown horizontal barnwood siding. Sidewalk pavers will replace existing decomposed granite, thus creating a wider pedestrian walkway. Modern Margarita's entrance is on Arizona Avenue. This outdoor patio renovation includes four settee booths, a ten seat countertop which opens from the interior through new bi-fold doors located over the bar top, and retrofitting the 42 inch tall railing with a natural cedar finished horizontal barnwood siding.

Indoor entertainment is included as part of the request for a DJ, from 9 p.m. to 2 a.m. on Thursdays through Sundays. Business hours are proposed from 11 a.m. to 2 a.m., seven days a week. Staffing includes 15 full time and 40 part time employees.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food and non-alcoholic beverages. Menus are attached.

PUBLIC / NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

A neighborhood meeting was held on March 2, 2016. No one other than the applicant attended.

As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

The Planning Commission voted to approve this project 5-0.

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0004 LA BOCCA / MODERN MARGARITA, subject to the following conditions:

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

24. USE PERMIT: La Bocca / Modern Margarita

APPROVED LIQUOR LICENSE, Series 12, for Randy D. Nations, Agent, La Bocca Modern Chandler LLC, dba La Bocca Urban Kitchen/Modern Margarita, located at 1 E. Boston Street.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

25. USE PERMIT: Drafthouse Cinema

APPROVED USE PERMIT, LUP16-0005 ALAMO DRAFTHOUSE CINEMA, (Applicant: Andrea Lewkowitz, Lewkowitz Law Office, PLC), Series 12 Restaurant License to sell and serve liquor as permitted for on-premise consumption within a new movie theater including a restaurant located at 4955 S. Arizona Avenue, NEC of Arizona Avenue and Chandler Heights Road.

BACKGROUND

The subject site is located within the Shoppes at Chandler Heights at the northeast corner of Arizona Avenue and Chandler Heights Road. Alamo Drafthouse Cinema is one component of the planned commercial center, which is currently being reviewed by Planning Staff.

The movie theater will serve a variety of appetizers, pizzas, sandwiches, complete meals, and offer alcoholic beverages to compliment meals by guest over 21 years of age.

The request is for Liquor Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License for on-premise consumption within a new movie theater with longue area. Under a typical Series 12 License, the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages.

Alamo Drafthouse Cinema's new location will be the building previously planned for a fitness center and will occupy a 35,328 square foot major tenant suite. The subject site will include nine separate theaters seating 972 persons, a 3,000 square foot kitchen, and a bar in the lobby area seating 50 guest. Nearly all food and beverage are ordered from and delivered to guest in the theater, however, full menu is available at the bar in the lobby. The lobby will have recorded music and during special movie previews the theater may feature live theme music or entertainment. Typical hours of operation will be 8 a.m. to midnight. The theater will employ more than 90 employees for its food and beverage service.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on March 7, 2016. Two residents attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to this request.

The Planning Commission voted to approve this project 5-0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0005 ALAMO DRAFTHOUSE CINEMA, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 12 License only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

3. The Liquor Use Permit is non-transferable to other store locations.

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

26. LIQUOR LICENSE: Drafthouse Cinema

APPROVED LIQUOR LICENSE, Series 12, for Andrea Lewkowitz, Agent, Alamo Chandler LLC, dba Alamo Drafthouse Cinema, located at 4955 S. Arizona Avenue.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code.

With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

27. CONTINUED USE PERMIT: Cost Plus World Market

CONTINUED TO THE MAY 12, 2016 CITY COUNCIL MEETING. USE PERMIT, LUP16-0002 COST PLUS WORLD MARKET, Series 10 Beer and Wine Store License to sell beer and wine for off-premise consumption with in-store sampling at a new store located at 860 N. 54th Street, south of the SWC of Ray Road and 54th Street. (STAFF REQUESTS CONTINUANCE TO THE MAY 12, 2016, CITY COUNCIL MEETING.)

28. SPECIAL EVENT LIQUOR LICENSE: Southwest Cajun Festival

APPROVED SPECIAL EVENT LIQUOR LICENSE, for Downtown Chandler Community Foundation, for the Southwest Cajun Festival on Saturday, April 23, 2016, located at The Library Plaza, 125 E. Commonwealth Avenue.

An application for a Special Event Liquor License has been submitted by Downtown Chandler Community Foundation for the Southwest Cajun Festival on Saturday, April 23, 2016, from Noon until 10:00 p.m., located at The Library Plaza, 125 E. Commonwealth Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

29. LIQUOR LICENSE/SAMPLING: Von Hanson's Meat and Spirits

APPROVED SAMPLING PRIVILEGES, LIQUOR LICENSE, Series 10, for Martha Lynne Neese, Agent, Von Hanson's Meat Arizona Inc., dba Von Hanson's Meats and Spirits, located at 2390 N. Alma School Road, Suite 101.

BACKGROUND
Von Hanson's Meats Arizona Inc., dba Von Hanson's Meats and Spirits has been in business at this location since June 15, 2004, at which time Council approved a Series 10, Beer and Wine Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 10 State Liquor License No. 10074769. The Arizona State Legislature amended A.R.S. Section 4 206.01(J) effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

30. PRELIMINARY PLAT: Tower Storage

APPROVED PRELIMINARY PLAT, PPT15-0016 TOWER STORAGE LLC, for a self-storage facility on an approximate 11.5 acre lot located south of the southeast corner of Arizona Avenue and Chandler Heights Road, which was annexed and zoned in October 2015.

The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve Preliminary Plat, PPT15-0016 TOWER STORAGE LLC, subject to the following condition:

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

31. FINAL PLAT: Extra Space Storage

APPROVED FINAL PLAT, FPT16-0007 EXTRA SPACE STORAGE, for an indoor storage facility located south of the SWC of Dobson and Germann roads that was approved by Council in December of last year. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

ACTION:

32. ZONING/SUBDIVISION: Chandler Airpark Area Plan Amendment Ord. 4686

DISCUSSION:
Mr. Erik Swanson, Sr. Planner, stated items 32 and 33 are joint items. He provided a summary of the project. Item 32 is the rezoning and PDP for the subdivision layout and product, and item 33 is the annexation assuming approval of the rezoning and PDP. At the February 25th Council meeting, Council continued the agenda item and directed Staff to work with the developer in reducing the number of lots from eight to seven, to produce a new site plan, and present it to the surrounding neighborhood and then bring the item back to Council with the neighborhood comments. The Area Plan Amendment has been withdrawn because the reduction of lots keeps the original zoning of low to medium density. Mr. Swanson addressed the summary of changes and the concessions that came out of the neighborhood meeting in his Council memo.

The legal protest is still in place.

COUNCILMEMBER HEUMANN stated the property is currently in the County and inquired what that zoning allows. Mr. Swanson stated the zoning is RU43 which would be equivalent to Chandler AG-1 which is one lot per acre. Councilmember Heumann asked if they could be zoned in the County first. Mr. Swanson said yes, and they could ask the city for services, but the city would ask them to annex. He said MF3 zoning would be the highest designation for multifamily and that equates to 18 dwelling units per acre.

MR. ROD JARVIS, 3101 N Central Avenue Phoenix, representing the developer, presented the development plan and layout to Council. He did a side by side comparison of the original plans, and the new plan, along with all the concessions they have agreed to with the neighbors to the east. He said the neighbors expressed concerns with times of deliveries of materials to the site, so they will have agreed to make every effort to limit deliveries to 10 a.m. – 2 p.m. He stated they are agreeing to require their employees to park onsite and noted that any employee that ignores that instruction will be given one warning and after that they will be dismissed from the site. He said they have also agreed to plant 36" box red push pistache trees in the Canyon Oaks Community Association owned area.

The maintenance will be the responsibility of the trees. Security cameras will be placed on the site beginning from the delivery of construction until completion. The extension of the northern portion of the private street as close to the canal as permitted.

He noted one concession they are no longer offering is to put in a sidewalk. He said the developer had agreed to most everything the neighborhood has asked, but offered this concession in exchange for releasing the legal protest. He said that was not done, so the applicant is not willing to do this.

MR. SETH GRAINGER, 1530 S. Velero Place stated he still opposes the project. He appreciates the concessions the developer is willing to do, but feels it is not the right piece of development for this property. He appreciates the reduction to 7 homes, but would have preferred 6. The home placement still offers only 10 feet between homes, and bedrooms staring into bedrooms on second floors. He does not feel the current designs would support the prices of the homes and may cause home prices in the area to drop. Mr. Grainger said this would be a perfect addition to Paseo Park Trail.

Ms. Kim Betro, 1651 E. Wesson Drive, commented it is extremely small and the large equipment needed to develop the land will be extremely intrusive and is a major safety concern, and urged the Council to visit the area. The land should not be developed for residential use.

Mr. Luis Zendejas, 1488 E Wildhorse Place. stated in the last month he has kicked out 5 prostitutes, 7 persons selling drugs, and 5 bums. He said the developer has done everything he has requested to help keep the property maintained. He is giving the easement from his property to access this land. He noted that every house in the area has been robbed. He is willing to grant access to his acreage for construction staging at no cost just so this land will be developed.

MOVED BY COUNCILMEMBER ROE, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE RESOLUTION NO. 4931, APL15-0006 CHANDLER AIRPARK AREA PLAN AMENDMENT.

CITY ATTORNEY BIGELOW clarified that both of the ordinances would become effective at the same time it would be safer to decide rezoning first. She noted the Area Plan Amendment had been withdrawn. The motion is for the zoning, preliminary development plan and plat. The annexation ordinance could follow. She reminded the Council 6 affirmative votes would be needed. If not, the annexation would not be necessary.

COUNCILMEMBER WITHDREW HIS MOTION AND RESTATED:

MOVED BY COUNCILMEMBER ROE, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE THE INTRODUCTION OF ORDINANCE NO. 4686, DVR15-0027 CANAL VIEW HOMES, REZONING FROM AGRICULTURAL TO PLANNED AREA DEVELOPMENT FOR SINGLE-FAMILY RESIDENTIAL.

PRELIMINARY DEVELOPMENT PLAN (PDP) FOR SUBDIVISION LAYOUT AND HOUSING PRODUCT.
PRELIMINARY PLAT, PPT15-0013 FOR A 7-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION LOCATED AT THE SEC OF THE CONSOLIDATED CANAL AND THE WILDHORSE PLACE ALIGNMENT.

Councilmember Hartke said he would be voting yes and he has visited the property. He said he thinks this development will be better than it being vacant. He believes the developer has worked hard to address many of the issues.

THE MOTION CARRIED UNANIMOUSLY (7-0).

MEMO BACKGROUND:
The design team has reduced the number of lots to seven and conducted a neighborhood meeting on March 14th, at the Downtown Community Center. Due to the reduction in lots, the Area Plan Amendment is no longer necessary and has been withdrawn by the applicant. The proposed density has gone from 4.32 dwelling units per acre to 3.43 dwelling units per acre, bringing the property into compliance with the existing Area Plan designation.

Seven neighbors attended the neighborhood meeting. At the neighborhood meeting the neighbors requested additional trees and a sidewalk be provided in the landscape tract that is located in between the two sites; condition no. 5 within the Preliminary Development Plan conditions of approval has been added addressing the landscaping. The developer is willing to install the sidewalk with the assumption that the HOA extends their sidewalk to connect to it. Additionally, they requested that the Airport Commission's request for the sign indicating low-flying aircraft be eliminated. Planning Staff supports the elimination of the sign due to the proximity of the development being located north of the Loop 202 and east of the canal, and tucked west of a developed subdivision. Disclosures for future homebuyers will still be required.

While overall support was not provided, the neighbors appreciated the reduction in the lot numbers; however, still have concerns with traffic and the desire for speed humps along Wildhorse Place, and construction timing and staging. Traffic staff has surveyed Wildhorse Place to determine if speed humps meet City criteria for their installation, with an initial result that speed humps were not warranted; however, staff will install speed humps along Wildhorse Place, so long as there is resident and HOA approval consistent with the policies governing traffic calming. Lastly, the developer is cognizant of the concerns of the neighbors regarding construction traffic and timing and will work with the HOA to ensure that construction scheduling is provided and that contact information is provided for a responsible party in the event there are any construction concerns; condition no. 7 has been added addressing this.

The legal protest requiring a three-quarter vote by Council for approval remains in place.

SUMMARY OF CHANGES:

In short, the neighborhood meeting that followed the Council meeting on February 25th, resulted in the following changes:
1) Reduction of lots from eight to seven,
2) Addition of trees being planted in the landscape tract in between the subdivisions (condition no. 5),
3) The elimination of balconies within the three eastern lots (condition no. 6),
4) Providing a contact for construction traffic and timing (condition no. 7), and

5) The installation of speed humps along Wildhorse Place

Upon finding the request to be consistent with the General Plan and Chandler Airpark Area Plan, Planning Commission and Planning Staff recommend City Council approve the withdrawal of the Area Plan Amendment, and approve the Rezoning, PDP, and Preliminary Plat requests, subject to conditions.

The subject site is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment; approximately one-half mile east of the southeast corner of Willis and McQueen roads.

The site is a remnant parcel from the construction of the Loop 202 Santan Freeway. Directly north is a single-family home that was annexed into the City of Chandler in 2010. East is the Canyon Oaks Estates single-family residential subdivision. Directly south is the Loop 202, with the Consolidated Canal running the length of the western boundary. The site is currently within the jurisdiction of Maricopa County and is zoned Rural-43 (RU-43). Annexation of the property is being requested in a preceding memo on the current agenda.

AREA PLAN

The site is within the Chandler Airpark Area Plan and designated as supporting Low-Density Residential development with a density range of 1.6-3.5 dwelling units per acre. The request is for density of 3.43 dwelling units per acre, resulting in compliance with the area plan.

SITE LAYOUT / HOUSING PRODUCT

The two-acre site largely fits the definition of infill development due to the physical constraints surrounding the site. Seven lots for the approximate 2-acre site are proposed, with a density of 3.43 units per acre. The site is designed with private streets. Lot sizes range from 5,117 square feet up to 9,822 square feet. Minimum lot sizes within the adjacent neighborhood range from a minimum 7,200 square feet up to 9,240 square feet, depending on which phase of the neighborhood. Two floor plans are provided with a square footage of 2,955 and 3,400 square feet; both plans are two-story. Home sizes of the Canyon Oaks Estates subdivision range from 1,688 square feet up to 4,108 square feet. Both homes provide five bedrooms, with Plan B offering an option for a sixth bedroom. Plan A offers a two-car garage that is designed central to the house façade; Plan B provides a three-car garage.

Design of the homes utilizes a southwest color palette and similar design elements as provided in the Canyon Oaks subdivision. Thick wainscot stucco elements are provided along the façade with various stucco pop-outs and relief elements. Stone, shutter elements, and varying window designs are provided depending on the elevation.

Due to the site being adjacent to the canal, a ten-foot landscape area is provided, with the exception of the area adjacent to lot 6. Due to the size of the lot and home footprint, the full ten feet cannot be provided while maintaining the ten-foot rear setback. To discourage blind corners the perimeter wall corners are chamfered.

The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their November 18, 2015, meeting. The Airport Administrator has issued a conflict evaluation report indicating that the Airport Commission found that the proposed subdivision does constitute a conflict with the existing or planned airport uses. Physical and administrative corrective actions were recommended.

Physical corrective actions included noise attenuation construction with in the residential units, and a roadway style sign indicating the presence of low flying aircraft. Neighbors in Canyon Oaks Estates have requested the elimination of the roadway sign; Planning Staff is supportive of eliminating the sign.

Administrative corrective actions included the requirement of significant disclosure statements to be signed by prospective homeowners indicating the proximity to the airport, heliport, aircraft engine repair and testing facility, and the potential impact from aviation noise and vibrations. Additionally, an avigation easement shall be dedicated to the City of Chandler.

Finally, a large map shall be displayed within the sales office identifying the proximity of the development to the airport including the noise contours, and over flight patterns.

A copy of the Airport Administrator's report detailing the Airport Commission's recommendation is attached to this memo.

Planning Staff supports the request finding that the development of single-family residential is consistent with the overall goals of the Area Plan, and that the proposal provides a beneficial solution to a difficult infill piece. Furthermore, the design of the homes has been cognizant of the surrounding area and utilizes common elements within the larger community. Lastly, the development of the site resolves any longstanding conditions with the vacant lot and its proximity to the Consolidated Canal and Loop 202.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held Tuesday, November 16, 2015; eight neighbors attended and had general questions about the development, street system and design, whether or not the site is within a flood district, and questions pertaining to the housing product.
- Following the meeting, Planning Staff has responded to a number of the questions pertaining to City design standards that the neighbors had. As a follow-up to the neighborhood meeting and based on additional questions from the neighborhood, a meeting was held at the site on Thursday, January 21, 2016; nine neighbors attended. Requests were made to address the development from the adjacent neighbors resulting in a speed hump being added to the entry drive, reorganization of the stop signs located at the immediate four-way stop upon exiting the site, bollard lighting and path to be located in the landscape area in between the subdivisions, a separate tot lot in the proposed development, wrought-iron fencing and a gate along the canal, ensuring the landscape palette is consistent with the Canyon Oaks neighborhood, and a sidewalk located at the southern end of the development connecting to the canal. Planning Staff has worked with the Traffic, Fire, and Civil divisions to determine if the requests are considerable. The divisions have responded positively with the exception that a sidewalk cannot be provided on the southern portion of the neighborhood due to retention basins being in the area.
- The request has triggered a legal protest.

The Planning Commission voted to approve the project 5-0.

Three neighbors spoke, with two neighbors speaking in opposition and one neighbor in support. The opposing neighbors had concerns with the proposed density of the project and felt that the amount of homes could be reduced resulting in the density being consistent with the Canyon Oaks Estates subdivision. A concern was also expressed about the access to the homes through the existing subdivision as well as with the design of Wildhorse Place. Density of the adjacent subdivision is 2.7 dwelling units per acre; proposed density of the project is 4.3. It should be noted that the subdivision is designed such that four lots in the proposed development are adjacent to four lots in the Canyon Oaks Estates subdivision. While the access drive has been reduced, the Traffic, Fire, and Civil divisions have reviewed the design to ensure that traffic can move safely on the street; parking will not be allowed on the entry drive into the development.

RECOMMENDED ACTIONS

Area Plan

Planning Commission and Planning Staff recommend City Council withdraw the Area Plan Amendment, as it is no longer required.

Rezoning

Planning Commission and Planning Staff recommend City Council approve the Rezoning, subject to the following conditions:

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

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls.

8. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:

a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County 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 over flight activity, and is encumbered by an avigational easement to the City of Chandler."

9. 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.

10. 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.

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 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 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.

12. At the time of sale, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the canal right-of-way together with the adjoining easements dedicated to the City of Chandler, is developed as a multi-trail system for use by the general public.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

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

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

3. The applicant shall work with Planning Staff to ensure the landscape palette is consistent with the adjacent neighborhood.

4. The applicant shall work with Planning Staff to address the design elements requested by the adjacent neighborhood such as addressing traffic circulation concerns, incorporating bollard lighting in the adjacent tract, providing fencing adjacent to the canal, ensuring the landscape palette is consistent with the area, and the incorporation of a tot lot.

5. The applicant shall work with Planning Staff and the adjacent Canyon Oaks Estates HOA for the installation of trees within the landscape tract located between the two developments.

6. No balconies shall be provided on lots 1, 2, and 3 of the development.

7. The developer shall provide contact information for a responsible party associated with the construction of the project to the adjacent HOA for the purposes of ensuring that the neighborhood is aware of construction timing and scheduling, and that the contact information will be used in the event of neighborhood concerns.

Preliminary Plat
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

33. ANNEXATION: Southeast corner of the Consolidated Canal and Wildhorse Place Alignment

Mr. Swanson said this is the companion piece to the previous zoning item.

MOVED BY VICE MAYOR SELLERS, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE THE INTRODUCTION OF ORDINANCE NO. 4694, ANNEXATION OF THE SOUTHEAST CORNER OF THE CONSOLIDATED CANAL AND THE WILDHORSE PLACE ALIGNMENT.

THE MOTION CARRIED UNANIMOUSLY (7-0).

APPROVED INTRODUCTION OF ORDINANCE NO. 4694, ANNEXATION – SOUTHEAST CORNER OF THE CONSOLIDATED CANAL AND THE WILDHORSE PLACE ALIGNMENT, annexation of approximately 2.04 acres located SEC of the Consolidated Canal and the Wildhorse Place alignment.

BACKGROUND

The property is located at the southeast corner of the Consolidated Canal and the Wildhorse Place alignment. The subject site is undeveloped land currently zoned Rural-43 (RU-43) within the county. The site is a remnant parcel from the construction of the Loop 202 Santan Freeway. Directly north is a single-family home that was annexed into the City of Chandler in 2010. East is the Canyon Oaks Estates single-family residential subdivision. Directly south is the Loop 202, with the Consolidated Canal running the length of the western boundary.

The Chandler Land Use Element of the General Plan designates the site as Residential, with further categorization in the Chandler Airpark Area Plan as Low Density Residential.

UTILITY SERVICES

Existing water and sewer lines are available in Wildhorse Place, and will be extended to serve the property.

A public hearing for this annexation was held at the April 16, 2015, City Council meeting. The annexation request is partnered with subsequent requests for an Area Plan Amendment, Rezoning, Preliminary Development Plan, and Preliminary Plat. As of the writing of this memo, Planning Staff is aware of opposition to the zoning related requests. Planning Staff circulated this request among City Departments and received comments relating to the difficulty of the development of the site. Through the review of the zoning applications all development design concerns have been addressed.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Jay Tibshraeny invited residents to attend the next stop on the Mayor's Listening Tour, at 7 p.m., on Wed., April 12, at Knox Gifted Academy, 700 W. Orchid Lane. The winners of the 2015 Neighborhood Excellence Awards will be honored, including Neighborhood Leader of the Year, Best Neighborhood Revitalization Story, Best Neighborhood Event and Most Active/Engaged Neighborhood.

Mayor Tibshraeny noted that the Arizona State Legislature approved and Governor Doug Ducey signed SB1487 into law. The Mayor said this legislation is "bad news" for the City and that it is a punitive and over-reaching bill targeting cities. He said that the City was exploring legal options to address the negative impact of the bill, which allows state leaders to withhold state-shared revenue from cities if the Attorney General determines a city or county has passed a regulation that conflicts with state law.

B. Councilmembers' Announcements

Councilmember René Lopez thanked the Chandler Library staff and many volunteers for hosting LibCon 2016, which was attended by more than 200 teens who were able to "nerd out" with fellow fans and prepare for the "Zombie Apocalypse."

Councilmember Kevin Hartke talked about efforts in the community to help aged or infirmed residents care for their homes and eliminate weeds on their property. The Let's Pull Together initiative continues each Saturday in April and volunteers are needed.

Mayor Tibshraeny and Councilmember Hartke also invited everyone to participate in the annual Family Bike Ride on Saturday, April 9, at Tumbleweed Park. Details are online at chandleraz.gov.

Councilmember Hartke also paid tribute to Will, a homeless man who passed away recently, and he thanked all the individuals, churches and agencies in the community who are working every day to eliminate structural homelessness in Chandler.

Vice Mayor Jack Sellers noted that Chandler National Little League and other youth baseball leagues are starting their seasons, and he wished good luck to all of the teams.

Councilmember Rick Heumann will be participating in the 12th annual Pat's Run at ASU on April 23, and he encouraged others to join in honoring the memory of Pat Tillman. Another event is the Relay for Life on April 29 at Basha High. He concluded his remarks by talking about the bravery and heroism of a holocaust survivor who spoke at the community's annual Holocaust Remembrance event.

Councilmember Terry Roe echoed Councilmember Heumann's comments on the Holocaust Remembrance events, and asked people to realize that similar horrors still happen around the world and that we must treat each other decently and celebrate our humanity. He then invited the public to get involved through a local nonprofit, such as the Kiwanis Club, and help make a difference in the community.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:00 p.m.

ATTEST: _____ City Clerk _____ Mayor

Approved: April 11, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 31st day of March 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of April, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, April 11, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:06 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Scott Smith – Trinity Christian Fellowship

PLEDGE OF ALLEGIANCE: Vice Mayor Sellers led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY VICE MAYOR SELLERS TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

THE MOTION CARRIED UNANIMOUSLY (7-0).

1a. **MINUTES** of the Chandler City Council Special Meeting (Exec Session) of March 28, 2016.
1b. **MINUTES** of the Chandler City Council Special Meeting of March 31, 2016.
1c. **MINUTES** of the Chandler City Council Regular Meeting of March 31, 2016.
1d. **MINUTES** of the Chandler City Council Study Session of March 28, 2016.

2. **FINAL ADOPTION OF ORDINANCE NO. 4686, DVR15-0027 CANAL VIEW HOMES,** rezoning from Agricultural to Planned Area Development for single-family residential.

3. **FINAL ADOPTION OF ORDINANCE NO. 4694, ANNEXATION – SOUTHEAST CORNER OF THE CONSOLIDATED CANAL AND THE WILDHORSE PLACE ALIGNMENT,** annexation of approximately 2.04 acres located SEC of the Consolidated Canal and the Wildhorse Place alignment.

4. **FINAL ADOPTION OF ORDINANCE NO. 4695** granting a no-cost power distribution easement, to Salt River Project Agricultural Improvement and Power Distribution District (SRP) on City property located at 3333 S. Price Road.

5. **FINAL ADOPTION OF ORDINANCE NO. 4699, DVR15-0041 SANTAN OFFICE CAMPUS,** rezoning from Planned Area Development (PAD) for commercial retail and hotel to PAD for an office park with ancillary retail and restaurant uses, including a Mid-Rise Overlay for building height up to 75 feet.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

The Mayor said "Current Events" would be given during Thursday's meeting.

Adjournment: The meeting was adjourned at approximately 7:10 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: May 12, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 11th day of April 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 16 day of May, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, April 14, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	Acting City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Roger Storms – Chandler Christian Church

PLEDGE OF ALLEGIANCE: Councilmember Nora Ellen led the Pledge of Allegiance.

COUNCILMEMBER HEUMANN MADE A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILMEMBER LOPEZ SECONDED THE MOTION. MOTION CARRIED UNANIMOUSLY.

CONSENT:

1. CITY CODE: International Fire Code Ord. 4698

INTRODUCED AND TENATIVELY APPROVED ORDINANCE NO. 4698, amending Chapter 28 of the Code of the City of Chandler thereby adopting the 2015 edition of the International Fire Code with local amendments.

The Chandler Board of Appeals met six times over this past fall and winter during which staff presented a briefing of the significant changes to each code, including the Fire Code for the first time, as well as any proposed local amendments and/or changes from past amendments. The Board recommended that City Council adopt the 2015 codes with amendments proposed by staff.

2. CITY CODES: International & National Code adoption Ord. 4700

In response to questions from Councilmember Roe, Mr. Zeder said there are no substantive changes from the 2012 codes to the proposed codes. Mr. Boose, Building Official, clarified that changes to the Energy Code were very minimal since the 2012 Code. Mr. Boose said the federal government controls what can be manufactured and while some older units may not be manufactured, if you can find a replacement unit that is an older model, the Energy Code does not address the use of it. Each municipality can choose to adopt these codes with or without local amendments. It was noted the Homebuilders Association is supported of the code adoptions.

INTRODUCED AND TENTATVELY APPROVED ORDINANCE NO. 4700, amending the adopting by reference the 2015 editions of the International Building, Plumbing, Mechanical, Residential, Fuel Gas, Energy Conservation, Existing Building, Swimming Pool and Spa Codes, and the 2014 edition of the National Electrical Code with local amendments.

The Chandler Board of Appeals met six times over this past fall and winter during which staff presented a briefing of the significant changes to each code along with any proposed local amendments and/or changes from past amendments. The Board recommended that City Council adopt the 2015 codes with amendments proposed by staff at their meeting of February 26, 2016. Staff met with Jackson Moll, Vice President of Municipal Affairs for Home Builders Association of Central Arizona, privately on two occasions to discuss any home builder concerns, and he attended one of the Board of Appeals meetings. The City's Building Official has also participated in a number of meetings with other building officials from the valley, arranged by Salt River Project to discuss possible coordination of adoption dates and local amendments, one of which was attended by Mr. Moll. Mr. Moll and his organization have not expressed concerns with any specific provisions of the proposed codes or amendments and have provided a letter to that affect.

The local amendments proposed by staff and supported by the Board of Appeals are very minimal in comparison to some jurisdictions, as we believe the model codes are well vetted through the national hearing processes. The amendments that are recommended are primarily to align the code with State Statutes, local zoning regulations, and long standing local fire sprinkler requirements where there is conflict or confusion between regulations. We have also proposed minor changes to the energy conservation code to address homebuilder's concerns.

3. GRANT: Occupant Protection Res. 4938

ADOPTED Resolution No. 4938 authorizing the submittal of a Governor's Office Highway Safety Grant, in the area of Occupant Protection, in the amount of $47,256 and authorizing the Acting Fire Chief to conduct all negotiations and execute and submit all documents in connection with the grant.

The grant requests funding to continue the Child Safety Seat Clinics program. The program will offer 42 child safety seat (CSS) inspection clinics and distribute 150 convertible and booster seats to families that cannot afford to purchase CSS. Additionally, the project will include a public education component. Each parent or caregiver will be given hands-on instruction to insure their ability to properly install their children's CSS. Printed materials will be given to families at each clinic. The grant application requests funds to conduct child car seat safety clinics between October 1, 2016, and September 30, 2017.

4. INTERGOVERNMENTAL AGREEMENT: Ocotillo Road Improvements Res. 4942

ADOPTED Resolution No. 4942, authorizing the City to enter into an Intergovernmental Agreement with the Maricopa County Department of Transportation for right-of-way assistance for improvements to Ocotillo Road from Cooper Road to Gilbert Road.

The City is planning to construct roadway widening improvements to Ocotillo Road from Cooper Road to Gilbert Road during FY 2016/17. These improvements will include a four lane roadway on Ocotillo Road with curb, gutter, & sidewalk; streetlights; raised landscape median; storm drain; and wet & dry utility improvements. Right-of-way acquisition from both City and County

properties is necessary for the project. Since County properties represent about 6% of the project frontage, right-of-way acquisition assistance may be required from Maricopa County.

5. INTERGOVERNMENTAL AGREEMENT: Queen Creek / Cooper Roads Res. 4943

ADOPTED Resolution No. 4943, authorizing the City to enter into an Intergovernmental Agreement with the Maricopa County Department of Transportation for right-of-way assistance for improvements to Queen Creek Road from McQueen Road to Gilbert Road; and Cooper Road from Queen Creek Road to Appleby Road alignment.

The City is planning to construct roadway widening improvements to Queen Creek Road from McQueen Road to Gilbert Road; and Cooper Road from Queen Creek Road to Appleby Road alignment during FY 2017/18. These improvements will include a six lane roadway on Queen Creek Road and four lane roadway on Cooper Road with curb, gutter, & sidewalk; streetlights; raised landscape median; storm drain; and wet and dry utility improvements. Right-of-way acquisition from both City and County properties is necessary for the project. Since County properties represent about 4% of the project frontage, right-of-way acquisition assistance may be required from Maricopa County.

6. GRANT: Submission of projects – Highway Safety Plan Res. 4949

ADOPTED Resolution No. 4949 pertaining to the submission of projects for consideration in Arizona's 2017 Highway Safety Plan; and authorize the Chief of Police to conduct all negotiations and to execute and submit all documents necessary in connection with such grant.

In the past, the Police Department has experienced success obtaining awards from Governor's Office of Highway Safety (GOHS), including seven awards under the FY 2016 program for DUI Overtime, Occupant Protection (Seatbelt) Overtime, Know Your Limit Education Program, Motorcycle Safety Education Program, Traffic Equipment, DUI Phlebotomy Supplies, and DUI Enforcement Vehicle. Staff has submitted applications for award consideration in the FY 2017 program, which begins October 1, 2016.. This year the Police Department is submitting the following requests to GOHS for consideration in their FY 2017 budget:

1. DUI Enforcement Vehicle - $52,250
2. Blood Alcohol Laboratory Refrigerator and Forensic Training - $11,035
3. Know Your Limit Education Program - $33,500
4. Motorcycle Safety Education Program - $16,500
5. Occupant Protection Overtime - $40,000
6. DUI Enforcement Overtime - $67,000
7. DUI Phlebotomy Supplies - $2,000
8. FARO Reality Software and Hardware System - $126,100

7. CLAIMS REPORT:

ACCEPTANCE of the Claims Report for the accounts payable payments for the quarter ending March 31, 2016.

8. BOARD AND COMMISSION APPOINTMENTS:

Airport Commission: Dean Busk Andrew Carroll

Architectural Review Committee: Devan Wastchak
Arts Commission: Carolyn Rhinehart (Reappointment) Kathleen Escobedo (Reappointment)
Board of Adjustment: James Ryan (Reappointment) Manuel Ramirez (Reappointment) Jeff Gorden (Reappointment), Dan Henderson
Board of Appeals: David Love (Reappointment) Marcella Peters (Reappointment)
Citizens Panel for Review of Police Complaints and Use of Force: Bill Herron (Reappointment) Missy Palrang (Reappointment), Lisa Pennington-Askey (Reappointment), Francis Slate (Reappointment)
Chandler Cultural Foundation: Jeanne Forbis (Reappointment), Linda Yarbrough (Reappointment), Deborah Hoogestraat (Reappointment), Matt Halle, Judith Mari, Marie Fotino, Janet Tobias
Domestic Violence Commission: Monalou Callery (Reappointment), Robert Dapcich (Reappointment), Judy Baker (Reappointment), John Repar (Reappointment), Sarah Youngblood (Reappointment), Patrick DeLeon (Reappointment)

Economic Development Advisory Board: Judy Bernas (Reappointment), Todd Czaplewski (Utility)
Housing and Human Services Commission: Jose Curbelo (Reappointment), Jadine Bowens (Reappointment),Greg Rodriguez, Dean Ouellette, Vanessa Agee
Human Relations Commission: Kelly Vickrey (Reappointment), Chris Love (Reappointment), Shannon Begay
Industrial Development Authority: Bill Nolde (Reappointment)
Library Board: Rachel Sutherland (Reappointment), Sara Sellards (Reappointment)
Mayor's Committee for the Aging: Heidi Ross (Reappointment), Ann Marie McArthur (Reappointment)
Mayor's Committee for People with Disabilities: James Miller Kim Foy, Bert Crockett
Mayor's Youth Commission: Rahul Ramesh (Reappointment), Shelby Colson (Reappointment), Momen Abdelkarim (Reappointment), Monet Tam (Reappointment), Heba Shiban (Reappointment), Sarah Gilliam, Rashmi Athavale, Bryce Alvar, Rohit Nandakumar, Jillian Hensley, Shahd Abdelkarim, Arya Lukka
Merit Board: Bill Crawford
Museums Advisory Board: Sam Huang (Reappointment)
Neighborhood Advisory Committee: Jeff Gobster, Don Azlin
Parks and Recreation Board: Erin Hays (Reappointment), Joseph Guadagno (Reappointment), Jeff Reynolds
Planning and Zoning Commission: Devan Wastchak (Reappointment) David Rose
Public Housing Authority Commission: Vanessa Agee
Public Safety Retirement System Local Board: Fire Bill Crawford (Reappointment), Scott Chapman (Reappointment), Darren Nissen
Public Safety Retirement System Local Board: Police Bill Crawford (Reappointment), Bryan Cox (Reappointment), George Arias
Transportation Commission: Leigh Rivers (Reappointment), Dan Henderson

9. APPOINTMENT: City Manager

APPROVED APPOINTMENT of Marsha Reed as City Manager. The contract is effective April 14, 2016 through June 30, 2017, at an annual salary of $213,500.00.

10. AGREEMENT: Wellness Strategy Consultant

APPROVED Agreement No. HR6-918-3669, with The Segal Company (Western States), Inc., in an amount not to exceed $47,000.

The City established an employee wellness committee and began to develop wellness initiatives the same year the medical plan went to a self-funded financial arrangement (2011). This consultant will engage employee focus groups, the Wellness Committee and management to provide input into the creation of a strategic plan which will include an assessment of the City's current wellness program, an analysis of potential future programs and identification of performance measures associated with each program. The consultant will work closely with the City's Wellness Coordinator throughout this process.

11. PROJECT AGREEMENT: Airport Storm Drainage & Grading

APPROVED project agreement to Dibble Engineering for Design Services for Airport Storm Drainage & Grading Improvements Project AI1607.201, pursuant to Annual Airport Facilities & Infrastructure Design Services Contract No. EN1005.101, in an amount not to exceed $181,718.

This project improves the Runway and Taxiway Safety Areas to meet FAA grading and drainage criteria; mitigates storm water runoff to eliminate ponding in the subject areas per the Airport Storm Drain Master Plan; and anticipates future airfield improvements to minimize reconstruction including sizing drainage structures appropriately and performing earthwork/grading. Ninety percent of project costs will be funded by an Arizona Department of Transportation airport improvement grant.

Dibble Engineering and its sub-consultants shall prepare studies, design plans, special provisions, specifications, quantities, cost estimating, and bid assistance services for the construction of grading and drainage improvements for "Storm Water Management Area 2" at Chandler Municipal Airport as identified in the 2005 Airport Storm Drain Master Plan and the Airport's Capital Improvement Program. "Area 2" encompasses the majority of the airfield generally bounded by Taxiways 'H', 'Q', 'A' and 'C' as indicated in the Location Map

A Contract Amendment with Dibble Engineering, pursuant to Annual Contract EN1005.101, to increase the annual limit of the annual Contract from $325,000 to $550,000 is also scheduled for this Council meeting.

12. AGREEMENT: Energy Management System

APPROVED Amendment No. 3 to Agreement CM3-220-3155, for the Energy Management System– Phase II, with Mechanical Products BAS, Inc., (MPBAS) in an amount not to exceed $120,000.00, for one year, April 1, 2016, through March 31, 2017.

The City currently uses an Energy Management System (EMS) to control the HVAC and lighting in twenty one (21) City buildings. This amendment for additional services will provide for continuing programming to all these existing facilities. This includes 384 hours of technical support in modifications and troubleshooting of the Loytech servers. MPBAS will visit the sites four times a month to evaluate trending data and repair any abnormalities in the control logic. The City also requests technical support as staff identifies new areas to improve the efficiency of the current energy management system. One of the projects will be to incorporate new lighting panels fabricated by facility staff into the EMS which will optimize lighting efficiency. Buildings and Facilities is also requesting to update the control system at Chandler City Hall and Tumbleweed Recreation Center. This programming will include replacing the servers to both buildings along

with changing the graphical interface screens to be in-line with all other City buildings. Cost for both of these building upgrades is estimated to be $60,000.00. Parts and materials can also be purchased through this contract. When possible, facility staff will install hardware to reduce the project cost.

13. CONTRACT: Stormwater Management Master Plan Update

APPROVED Professional Services Contract to Michael Baker International, Inc., for consultant services for the Stormwater Management Master Plan Update, Contract No. ST1606.101, in an amount not to exceed $233,823.

A new Arizona Pollutant Discharge Elimination System (AZPDES) Phase II Small MS4 General Permit is anticipated to be released in the first quarter of 2016. The City's Stormwater Management Master Plan (SWMMP) must be updated to include content associated with the new permit. In addition to the SWMMP update, the scope includes: reviewing capital improvement requirements and future projects including estimated costs; reviewing current City standard details (stormwater); reviewing, evaluating and providing options for stormwater system improvements involving both existing and new storm drainage system structures to address capacity and functionality; and develop an inspection, maintenance and replacement program for existing pump stations.

14. CONTRACT: Appraisals

APPROVED Contract Amendment No. 1 to Dennis L. Lopez & Associates for the Alma School Road/Chandler Boulevard Intersection Improvements Appraisals, Project No. ST0807.101, in the amount of $25,000, for a revised contract total of $52,000.

On September 26, 2014, Transportation & Development approved a contract with Dennis L. Lopez & Associates ("Lopez") for appraisal services needed in connection with the acquisition of roadway and easements required for the Alma School Road/Chandler Boulevard Intersection Improvements Appraisals, Project No. ST0807.101 (the "Project"). Additional funding for appraisal services for this project is needed as a result of changes to the design, to relocate the Circle K dumpster, avoid the water feature on the southwest corner and to update previous appraisals as needed.

15. CONTRACT: Airport Design Services

APPROVED Contract Amendment No. 5, pursuant to Annual Contract EN1005.101, to increase the annual limit of the Contract from $325,000 to $550,000.

Staff anticipates needing services related to Airport Facilities and Infrastructure Design. Airport project design requires a wide range of expertise and experience and the City has improved project delivery time and efficiency by using annual contracts with established design firms. These contracts provide consulting services for airport facilities and infrastructure, including access roads, taxiway improvements, aircraft and automobile parking areas, electrical renovations, signage, access control, and other miscellaneous improvements. With an airport design consultant under contract and approved by the FAA, the City can take greater advantage of available federal and state airport improvement grant funds.

Under this contract, individual project agreements will be prepared for execution and approval as needed. Project agreements over $30,000 will be submitted for Council approval up to the

annual aggregate of $550,000. This action saves the cost of the selection process and time to bring individual projects forward.

16. PURCHASE: Toughbooks

APPROVED the utilization of Mohave Educational Services Cooperative (MESC) contract No. 12N-CLH-0119, with CLH International, Inc., for the purchase of the first half of the Panasonic Toughbooks and related services, in a total amount not to exceed $480,000.00.

The City of Chandler Police Department currently utilizes mobile data computing (MDC) units in its fleet of police vehicles. The current units have served the department well for five years, exceeding the industry standard three-year refresh cycle and expected reliable life. The Department's replacement process utilizes funding from two fiscal years to reduce the fiscal impact, with half of the units being replaced late in FY 2015-16 and the other half being replaced early in FY 2016-17.
The MDC is the centerpiece of all communication infrastructure the officers use in the field to perform their daily functions. These units stay in contact with the central dispatch center via industry standard encrypted wireless communication technologies. The importance of these units is enough that a down MDC, in most cases, means the vehicle is pulled from service because of the significant threat to officer safety.

The proposed configuration has been designed to provide five years of service with our current systems, including the functions to meet the CJIS security requirements. The units will include a no fault, five-year warranty that reduces the risk of unfunded costs for accidental damage in the field and provides a solid assurance that the tools will last in the extreme situations they will encounter.

17. PURCHASE: Network Storage Hardware & Software support

Staff recommends City Council approve the utilization of the State of Arizona Contract No. ADSPO16-100284, with vCore, for network storage hardware and software support and maintenance, in an amount not to exceed $271,512.

The City of Chandler continues to have great success with EMC SAN and NAS storage technologies. Services such as Oracle E-Business Suite, Accela Automation, Lucity, MyTimekeeper, EDMS, ChandlerAZ.gov and many other applications rely on enterprise class storage.. Renewal of support and maintenance on this equipment will ensure timely response to support issues and replacement of faulted components. The renewal also guarantees software updates for performance, bug fix and security related issues. EMC and vCore, as an authorized reseller, are providing National Association of State Procurement Officials contract pricing for added value to the city.

18. LIQUOR LICENSE: Golden Crown

APPROVED forwarding a recommendation for approval of State Liquor License No. 1207A566, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 161671 L12, for Xiaoyun Situ, Agent, Golden Crown W LLC, dba Golden Crown, located at 2051 W. Warner Road, Suite 13.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have

been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as C-FU Gourmet Inc., dba C-Fu Gourmet.

19. CONTINUED LIQUOR LICENSE: Coconuts Fish Café

CONTINUED consideration of Series 12, Restaurant Liquor License, for Andrea Lewkowitz, Agent, Desert Mana Enterprises LLC, dba Coconuts Fish Café, located at 1155 W. Ocotillo Road, Suite 1, until May 12, 2016.

20. CONTINUED LIQUOR LICENSE: Circle K

CONTINUED the consideration of the Series 10, Beer and Wine Store Liquor License, for Kim Kenneth Kwiatkowski, Agent, Circle K Stores Inc., dba Circle K Store #3490, located at 3087 S. McQueen Road, until May 12, 2016.

21. CONTINUED LIQUOR LICENSE: The Casual Pint

CONTINUED consideration of the Series 7, Beer and Wine Bar Liquor License, for Theresa June Morse, Agent, E-Z Enterprises Ocotillo, LLC, dba The Casual Pint, located at 1095 W. Queen Creek Road, Suite 8, until May 26, 2016.

22. LIQUOR LICENSE/EXTENSION OF PREMISES: American Legion Post 91

APPROVED forwarding a recommendation of approval for the temporary extension of premises for State Liquor License No. 14073030, a Series 18, Temporary Extension of Premises, held by American Legion Post 91, located at 922 N. Alma School Road and further, that approval be given for the temporary extension for the City of Chandler Liquor License No. 42674 L18.

American Legion Post 91, located at 922 N. Alma School Road, has requested a temporary extension of the alcohol serving area for a Memorial Golf Outing Lunch & After Party. The period of the extension is April 16, 2016, from Noon until 10:00 p.m.

The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

23. SPECIAL EVENT LIQUOR LICENSE: $5 Food Festival

APPROVED forwarding a recommendation for approval of a Special Event Liquor License for Cause INC Foundation, and further, that approval be given for the City of Chandler Special Event Liquor License.

The Special Event Liquor License is for Cause INC Foundation for the $5 Dollar Food Festival on Saturday, May 21, 2016, from 11:00 a.m. until 7:00 p.m., located at Tumbleweed Park, 2250 S. McQueen Road.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

24. SPECIAL EVENT LIQUOR LICENSE: Craft Spirits Festival

APPROVED forwarding a recommendation for approval of a Special Event Liquor License for Southwest Human Development, and further, that approval be given for the City of Chandler Special Event Liquor License.

The Special Event Liquor License is for Southwest Human Development for the Chandler Craft Spirits Festival on Saturday, April 30, 2016, from 3:00 p.m. until 10:00 p.m., located at 2475 W. Queen Creek Road.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department has no objections to this event, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community and Neighborhood Services.

25. FESTIVAL LICENSE: Three Wells Distilling

APPROVED forwarding a recommendation for approval of the State Craft Distillery Fair/Festival License 163007 , and further, that approval be given for the City of Chandler Craft Distillery Fair/Festival License for Chris Dudding, Agent, Three Wells Distilling Company dba Three Wells Distilling, located at Downtown Ocotillo, 2475 W. Queen Creek Road.

An application for a State Craft Distillery Fair/Festival License has been submitted by Three Wells Distilling Company dba Three Wells Distilling for the Chandler Craft Spirits Festival on Saturday, April 30, 2016, from 4:00 p.m. until 9:00 p.m., located at Downtown Ocotillo, 2475 W. Queen Creek Road.

With a Craft Distillery Fair/Festival License, a licensed in-state or out-of-state craft distillery, within the confines of the event during the designated event periods, can sell one liter bottles of its products, and sell such products in original containers for off premises consumption only.

The Police Department reports no objections to the issuance of this license and the festival fees have been paid.

26. FESTIVAL LICENSE: Paradox Distillery

APPROVED forwarding a recommendation for approval of the State Craft Distillery Fair/Festival License 162856, and further, that approval be given for the City of Chandler Craft Distillery Fair/Festival License for John Racer, Agent, Paradox Distillery LLC, dba Paradox Distillery, located at Downtown Ocotillo, 2475 W. Queen Creek Road, Suite 65.

An application for a State Craft Distillery Fair/Festival License has been submitted by Paradox Distillery LLC, dba Paradox Distillery for the Chandler Craft Spirits Festival on Saturday, April 30, 2016, from 4:00 p.m. until 9:00 p.m., located at Downtown Ocotillo, 2475 W. Queen Creek Road, Suite 65.

With a Craft Distillery Fair/Festival License, a licensed in-state or out-of-state craft distillery, within the confines of the event during the designated event periods, can sell one liter bottles of its products, and sell such products in original containers for off premises consumption only.

The Police Department reports no objections to the issuance of this license and the festival fees have been paid.

27. FESTIVAL LICENSE: Rising Sun Distillery

APPROVED forwarding a recommendation for approval of the State Craft Distillery Fair/Festival License 163009, and further, that approval be given for the City of Chandler Craft Distillery Fair/Festival License for Sal Richardson, Agent, Sun Spirits LLC, dba Rising Sun Distillery, located at Downtown Ocotillo, 2475 W. Queen Creek Road.

An application for a State Craft Distillery Fair/Festival License has been submitted by Sun Spirits LLC, dba Rising Sun Distillery for the Chandler Craft Spirits Festival on Saturday, April 30, 2016, from 4:00 p.m. until 9:00 p.m., located at Downtown Ocotillo, 2475 W. Queen Creek Road.

With a Craft Distillery Fair/Festival License, a licensed in-state or out-of-state craft distillery, within the confines of the event during the designated event periods, can sell one liter bottles of its products, and sell such products in original containers for off premises consumption only.

The Police Department reports no objections to the issuance of this license and the festival fees have been paid.

28. FESTIVAL LICENSE: Chicago Distilling Company

APPROVED forwarding a recommendation for approval of the State Craft Distillery Fair/Festival License 163010, and further, that approval be given for the City of Chandler Craft Distillery Fair/Festival License for Jay DiPrizio, Agent, Chicago Distilling Company LLC, dba Chicago Distilling Company, located at Downtown Ocotillo, 2475 W. Queen Creek Road.

An application for a State Craft Distillery Fair/Festival License has been submitted by Chicago Distilling Company LLC, dba Chicago Distilling Company for the Chandler Craft Spirits Festival on Saturday, April 30, 2016, from 4:00 p.m. until 9:00 p.m., located at Downtown Ocotillo, 2475 W. Queen Creek Road.

With a Craft Distillery Fair/Festival License, a licensed in-state or out-of-state craft distillery, within the confines of the event during the designated event periods, can sell one liter bottles of its products, and sell such products in original containers for off premises consumption only.

The Police Department reports no objections to the issuance of this license and the festival fees have been paid.

29. FINAL PLAT: AVILLA – CHANDLER HEIGHTS

APPROVED Final Plat, FPT15-0023 AVILLA CHANDLER HEIGHTS (Applicant: Terrascape Consulting) for a multi-family residential development that was approved by Council in May 2015. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way. It is east of the southeast corner of Arizona Avenue and Chandler Heights Road

PUBLIC HEARINGS:

PH1. **COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FY 2016-2017 ANNUAL ACTION PLAN**

The Mayor opened the public hearing at 7:15 p.m.

Ms. Leah Powell, Acting Housing and Redevelopment Manager explained the City receives approximately $1.2 million in CDBG funds annually. Ms. Powell said a small increase in funding in 2016-17 in the amount of $56,000.

She displayed a list of agencies that requested funding through the annual allocation process. She explained members of the Housing and Human Services Commission, community members and city staff review and evaluate the requests in order to formalize the recommendations.

She noted many of the public service programs are focused on serving the homeless. Funding to Chandler Christian Community Center runs the case management services for the tenant based rental assistance plan.

She said code enforcement funding is also critical in order to help fight neighborhood blight in low and moderate income neighborhoods. She reported 75% of the homeowners without the financial means to correct the violations, were helped through the City's Housing Rehabilitation program.

BACKGROUND: The Department of Housing and Urban Development (HUD) requires that all local governments receiving Community Development Block Grant (CDBG) funding submit an Annual Action Plan that will guide HUD-funded housing, homeless and community development activities in the City of Chandler for the Fiscal Year (FY) beginning July 1, 2016 through June 30, 2017.

To comply with the City of Chandler's Public Participation Plan, the City is currently in a public comment period from Tuesday, March 22, 2016, to Friday, April 22, 2016, for the Annual Action Plan. In addition, a Public Hearing on the Annual Action Plan was held on Wednesday, March 23, 2016, at the Housing and Human Services Commission (HHSC) meeting. The Annual Action Plan defines the one-year activities in relationship to the five year goals and objectives set forth in the Consolidated Plan. It

provides a brief description of the programs and projects of the City of Chandler in FY 2016-2017, as well as funding decisions for the City's CDBG program.

Non-profit organizations and City Departments applying for FY 2016-2017 CDBG funding submitted applications in November, 2015. A total of 15 applications were received, requesting a total of $1,198,994. The HHSC reviewed and evaluated the applications and made recommendations for funding, which can be found on page 10 of the Annual Action Plan.

After the close of the 30 day public comment period, the FY 2016-2017 Annual Action Plan, will be brought to the Mayor and City Council for approval on May 12, 2016. HUD requires submittal of the plan by May 15, 2016.

COUNCILMEMBER HEUMANN commented on the amazing job the staff and committee does through this process.

COUNCILMEMBER HARTKE said the decisions made for funding can be tough and commended all involved.

There was no discussion from the public.

The Mayor closed the hearing at 7:21 p.m.

PH2. **HOME INVESTMENT PARTNERSHIP PROGRAM (HOME) FY 2016-2017 ALLOCATIONS**

The Mayor opened the public hearing at 7:22 pm.

Ms. Leah Powell explained the City of Chandler receives federal HOME funds annually from the U.S. Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium. She explained the HOME funds were more restrictive than the CDBG funds. The public purpose of the program is development and preservation of affordable housing. Eligible housing activities for HOME funds include: homeowner rehabilitation, homebuyer activities, rental housing activities and Tenant Based Rental Assistance (TBRA).

The funding received annually ranges from $275,000 to $295,000. There is a slight increase this year of $25,000. A total of$299,853 is available for allocation for Fiscal Year 2016-2017. Of the $299,853 available, the City will utilize $18,741 for program administration leaving a balance of $281,112 for allocation to affordable housing program providers.

As part of the Fiscal Year 2016-2017 allocation process, staff announced the availability of HOME funding to area nonprofit housing organizations. Three applications for funding were received totaling $670,000. Based on staff input, a review of the proposals and a presentation by each applicant, the Housing and Human Services Commission (HHSC) made funding recommendations. These recommendations were finalized and a Public Hearing held by the HHSC at their meeting on March 23, 2016.

Ms. Powell said the public comment period will run through April 22, 2016 and the Council will vote on the Plan on May 12th.

COUNCILMEMBER HEUMANN noted that while Newtown had requested not received funding this year, they have done amazing things in the city. He noted they have funds remaining from previous years that they are still trying to use.

Ms. Powell noted that Newtown has recently purchased a couple more homes and at the next Council meeting she will bring forward a proposal for another $400,000 for Community Housing Development Organization money to continue their project through the next fiscal year.

There was no discussion from the public.

The Mayor closed the public hearing at 7:25 p.m.

PH3. **DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT ASSESSMENT FOR FISCAL YEAR 2016-2017**

The Mayor opened the public hearing at 7:24 p.m.

Ms. Kim Moyers, Downtown Redevelopment Manager, explained the EMSD was created in 2005 and enables property owners and merchants to better market and beautify the area above what city services provides. She noted this was for business only, not for residential home owners. She said the downtown retail vacancy rate in the area is 2% and the office vacancy is 5%. The area has dynamic redevelopment projects including the Alta Steelyard Lofts and future development projects. She noted many of the new improvements and activities occurring.

On March 17, 2016, City Council approved Resolution No. 4937, which authorized modification of the Assessment Diagram, making a statement and estimate of expenses for the Downtown Chandler Enhanced Municipal Services District, completing the assessment, and setting the date for the Public Hearing on the assessments for the April 14, 2016, City Council meeting.

Subsequent to the April meeting, staff published notice of the date of the Public Hearing for five consecutive days in the Arizona Republic as required by Arizona Revised Statute. Downtown Chandler Community Partnership staff also sent a notice of the Public Hearing to all property owners in the District. The letter advised the property owners that they could file an objection with the City Clerk, should they desire to do so. To date, no objections have been received in the City Clerk's Office.

Upon completion of the Public Hearing and authorization of this item, staff will forward the calculated Assessment Roll to the Maricopa County Assessor's Office. The first assessments for the District will be mailed to property owners with their tax bill in July 2016.

Background:
Assessments in the District are based on three factors, including assessed value (one-third of the assessment), building square footage (one-third of the assessment), and land square footage (one-third of the assessment). All properties will be assessed at the same rate with the exception of buildings along the Historic Square, which will be assessed double the building square footage rate.

The total of all assessments is $245,248, of which privately-owned property in the District contributes $126,445 (52%). In addition, the assessment for City- owned property is $118,804, which is the same as the prior year's contribution and represents 48% of the total District

operating funds for FY16-17. Funds to provide for the City's contribution to the District have been requested in the Downtown Redevelopment's operating budget for 2016-2017.

There were no questions from the Council or public.

The Mayor closed the public hearing at 7:28 p.m.

30. **RESOLUTION NO. 4950** authorizing the 2016-2017 Annual Assessment for the Downtown Chandler Enhanced Municipal Services District.

COUNCILMEMBER HEUMANN MADE THE MOTION TO ADOPT RESOLUTION NO. 4950 AUTHORIZING THE 2016-2017 ANNUAL ASSESSMENT FOR CITY OF CHANDLER, ARIZONA, DOWNTOWN CHANDLER ENHANCED MUNICIPAL SERVICES DISTRICT. COUNCILMEMBER ELLEN SECONDED THE MOTION. THE MOTION CARRIED UNANIMOUSLY.

PH4. **GENERAL PLAN UPDATE, GPA14-0001**, public input, consideration and discussion regarding the update of Chandler's General Plan.

The Mayor opened the public hearing at 7:30 p.m.

MS. TRINITY DONOVAN, General Plan Update Citizens Committee Chair said it was her pleasure to present to the Council for consideration and adoption an updated General Plan. She explained 23 residents were appointed to the Citizen's Advisory Committee to provide guidance to the consultants and Planning Staff. There was an extensive outreach and a variety of methods used to encourage participation from the public. She said there have been over 60 opportunities for the public to provide input. She thanked the Council for the opportunity to serve and chair the committee. She noted there was unanimous recommendation to adopt the draft General Plan.

MR. de la Torre, Principal Planner, noted this update is not a complete overhaul of the current General Plan. Rather, the update is a refinement of the policies to address some of the trends and factors the city is facing. Approximately 85% of the land within Chandler's municipal planning area is already developed.

State statutes require cities to adopt or re-adopt, and voters to ratify, a general plan at least once every ten years. The current general plan was adopted and ratified in 2008. The City initiated the process of updating the general plan a couple of years sooner in order to address changing trends and factors that are facing Chandler. The general plan, which consists of comprehensive and broad development policies and community goals, is required to include 17 elements ranging in a variety of subject matters such as land use, conservation, recreation, water resources, and safety. Figure 1 on page 1 of the draft provides a complete list of all of the required elements and the sections in the document where they are addressed.

The process of updating the general plan officially commenced in December, 2014, when the City Council approved a contract with lead consultants, Partners for Strategic Action, Inc. Most of the year 2015 was devoted to soliciting input from Chandler's citizens through a variety of events and briefings.

The sixty-day review period, is a statutory requirement to allow public review, and review by regional entities, at least sixty days before notification of the first public hearing. The sixty-day review period was held from December 21, 2015, through February 19, 2016. During this time, four public meetings were held, including one that focused on North Arizona Avenue, to gather feedback from the public. All of the comments received during the sixty-day review period were recorded in the 60-Day Review CAC Comments matrix, which also identifies revisions that were made as a result of those comments.

As required by state statutes, the Planning Commission held two public hearings at different locations to promote citizen participation.

The Planning & Zoning Commission, the Citizens Advisory Committee and city staff recommend approval of the draft, subject to the revisions in the addendum. If approved, the Plan would be placed on the August 30, 2016 ballot for voter ratification.

Mr. de la Torre reviewed the significant changes to the General Plan.

- Organization of document. The document is focused on three guiding principles. (Strategic Community Building, Focused Stewardship, and Strong Community Foundation)
- A new section entitled "Healthy Chandler"
- Land Use designations are the same. Only visual/graphical changes are made.
- Growth Area Element – No longer distinguishes between types of growth areas. Some areas are removed because they are mostly developed. A new growth area is identified.
- North Arizona Avenue Growth Area. Identified future steps to refine the vision for North Arizona Avenue.
- South Price Road Corridor. The recommendations from the 2013 South Price Road Employment Corridor Study were incorporated. Continues to emphasize campus like settings, preserve and enhance the corridor aesthetics, encourage intensive utilization of remaining available land, allow for multiple tenants on a single parcel, remove the minimum 15-acre size policy, and remove the Innovation Zone concept.
- Transitional Employment Corridor. A new policy that formalizes the flexibility needed for Council to determine the most compatible land use.
- Densities 18+ du/acre. Recommended by the Mayor's 4-Corner Retail Report. The areas where higher densities can be considered is expanded to the infill incentive district. The greater densities would be eligible as an incentive to redevelop older underutilized commercial corners.

COUNCILMEMBER LOPEZ thanked those involved in developing the plan.
1. Will there be more focus to create a more walk-able environment along N. Arizona Avenue?
In response to Councilmember Lopez's questions DAVID DE LA TORRE, PRINCIPAL PLANNER, stated the General Plan does address creating more walk-able areas within the City. This was located on page 34 of the Draft GP: "Promote developments designed with pedestrian and bicycle oriented element. "

2. Whether the use of the word "tourism" as it relates to the Chandler Airport was appropriate? He stated the word tourism is repeatedly mentioned because after meeting with the Economic Development department, the airport is a significant part of Chandler's tourism and highly influential with economic development of the area.

Mr. de la Torre explained some issues were fixed from the "60 Day Review Draft" to the "Public Hearing Draft".

3. Wanted to make sure there will continue to be classes offered by U of A at the Chandler Community Center. Mr. de la Torre said there will continue to be U of A classes available at the community center.

4. In regards to the South Price Road Corridor Policy – which type of tenants are being sought and is the market supporting those types of tenants?
And after some discussion regarding the business development and tenants along the Price Road Corridor, the City will continue to seek single use tenants for that area, but the city will still be able to review applications and consider multi-tenant businesses that fall within the "Innovations Zone."

COUNCILMEMBER HEUMANN stated he had a handout of his requested changes.

23	Update Median Home Value infographic with the following data from the U.S. Census Bureau American Community Survey 5-year estimates (2010-2014): Chandler, $220,700; Arizona $162,900
33	12th line from the top of page, revise to read as follows: "...provide more flexibility by allowing multiple users, where appropriate on a parcel and..."
36	Strike policy 1.2.4.e and replace with the following: e. Develop the corridor with Mid-Rise Developments, concentrating building intensities along Price Road to further the intensive utilization of properties with high value employment.
36	Strike policy 1.2.4.g. and replace with the following: g. Preserve the campus-like environment by ensuring developments and supporting non-residential uses are centered on a common design theme.
42	2nd paragraph, 2nd sentence: "Land use planning and traffic management are interrelated and, when effective, address the needs of multiple transportation modes while also accommodating people's needs (e.g., improved crosswalks, wider sidewalks, ~~raised intersections for pedestrian safety,~~ traffic calming).
65	2nd paragraph, 1st sentence: "Chandler is focused on getting residents active by providing recreational facilities **strategically** ~~place~~ located ~~geographically~~ throughout the city."
95	3rd paragraph, last sentence: "...and the collection of sales taxes on residential property rentals have ~~all~~ **, or potentially could** impact~~ed~~ municipal financing options."

COUNCILMEMBER HARTKE requested that all requested/suggested changes or amendments to future General Plan amendments be presented in writing at a Study Session to allow the Council a few days to review them before taking any action on last minutes amendments.

MAYOR TIBSHRAENY stated while he would like to see the development of the South Price Road Corridor stay within the desired development plan, a future Council may need the ability to make changes that would best suit the City and he did not wish to prevent them from doing so by having such specific language that would limit them. He does not want the default to be multi-tenant.

Mr. de la Torre, Principal Planner, stated they have listed this in the Price Road Corridor Policy, located in the Draft version, in section A on page 35, and it states: "to actively preserve and enhance the high value employment reputation of the corridor by giving priority to single users in campus like settings," He said that is still the vision for Price Road; however, there is the flexibility in case of a great economic development opportunity to allow for different tenants.

COUNCILMEMBER LOPEZ said his concern is that it opens that door to the precedent for the multi-tenant when we do have Continuum to accommodate multi-tenant. He said he appreciates the flexibility, but has concern without clearer stipulation.

The Mayor said he believes that is the intent.

COUNCILMEMBER HEUMANN stated the Price Road Corridor has been the focus of many City Council's before them to protect it for high end, quality development. The minor changes being discussed would allow future Council's to consider multi-tenant development if it meets the developmental criteria of the corridor.

COUNCILMEMBER LOPEZ expressed concern that more stringent stipulations were not listed and wanted to know under what circumstances would a future Council consider allowing a multi-tenant along the corridor, rather than a single use tenant in a campus like setting, and what type of foot print would be allowed for this multi-tenant.

JEFF KURTZ, PLANNING MANAGER, addressed the concerns and explained the General Plan has a variety of policies that allow for review individual zoning case against the policies. Collectively, the Council will review the zoning case and because of a particular location, constraints or conditions, you may find one policy outweighs the other.

COUNCILMEMBER LOPEZ referred to the mass transit that was mentioned (page 47) as it refers to Rural Road, Arizona Avenue, and Chandler Blvd being defined for efficient expedient transit routes. He has been a proponent for mass transit along Price Road, yet it still is not a consideration listed in the General Plan. When considering the density of individuals that work, live and travel along that corridor, the direct connection to Chandler mall and the surrounding business, it would make sense to have something along that corridor.

Mr. de la Torre said there is a policy that promotes the transit to Price Road. That particular paragraph identifies the existing current designations for high capacity transit corridor based on an older study. He said it is addressed on page 54 under Policy A.

COUNCILMEMBER ELLEN thanked everyone who worked so diligently on the General Plan, as she knows it takes a tremendous amount of work and time.

She inquired whether the 2010 Airport Master Plan could be incorporated into the General Plan, since it is not included in the Chandler Airpark Area Plan which was written in 1998. She inquired if both, the 1998 Chandler Airpark Area Plan and the 2010 Airpark Master Plan, could be mentioned on the bottom of page 53. Something to the point that they do exist, that they are stand alone documents, but are related to the City's General Plan. She would also like to update the Master Plan.

In response to Councilmember Heumann's question, City Manager Marsha Reed stated the Airport Master Plan is in the Capital Improvement Plan (CIP) and will be due for an update around

2018. She clarified the Airpark Area Plan is a planning document for that area in regards to zoning. The Airport Master Plan is more for technical specifications for the Airport.

COUNCILMEMBER ELLEN said according to the FAA, we are required to develop the Airport according to the 2010 Airport Master Plan so she feels it should be included in the General Plan.

MAYOR TIBSHRAENY said obviously the Committee did not put it for a reason. It is a significant document that can go under many changes. He said this would be a major change at the end of the process. He said he didn't have any concerns with reviewing the plans and modernizing them.

COUNCILMEMBER HEUMANN concurred.

COUNCILMEMBER HARTKE clarified if her intent was to have the Plans inserted or referred to. Councilmember Ellen said she wanted the 2010 Plan mentioned in the General Plan.

MAYOR TIBSHRAENY inquired if either the 1998 or the 2010 Airpark Plans have any non-conformance issues with the City's current policies.

CHRIS ANDRES, AIRPORT ADMINISTRATOR stated the General Plan is a much larger and longer standing document than the Airport/Airpark Plans. The Airport/Airpark Plans change much more frequently than the General Plan and that is why they are stand-alone documents.

Mayor Tibshraeny said when he talked to Councilmember Ellen about this today, he had concerns and asked if the inclusion of the plan in any way change current Council practice and policy on having any runway extension referred to the voters. Mr. Andres said it would not change that.

The Mayor said since the timing is tight, he has not had an opportunity to look at that particular document to see if inclusion of it could have any unknown impacts.

In response to questions from Council, Mr. De la Torre stated there are some references, such as the Water/Wastewater Master Plan. There are several "master plans" the city has, but not all of them are listed in the General Plan.

Councilmember Heumann noted the ones that are referred to have been in the draft and available for the public comment process. Councilmember Lopez concurred.

The Mayor closed the public hearing at 8:34 p.m.

31. <u>GENERAL PLAN UPDATE/CALL OF ELECTION:</u>

The City Attorney noted any changes to the addendum need to be included in the motion.

RESOLUTION NO. 4948 adopting the public hearing draft of the Chandler General Plan 2016; a Vision Refined, together with revisions in the Addendum, and submitting to the voters for ratification at the August 30, 2016 election.

MOVED BY COUNCILMEMBER HEUMANN TO APPROVE RESOLUTION NO. 4948, ADOPTING THE PUBLIC HEARING DRAFT OF THE CHANDLER GENERAL PLAN 2016; A VISION REFINED, TOGETHER WITH THE REVISIONS LISTED IN THE ATTACHED ADDENDUM AS RECOMMENDED BY PLANNING COMMISSION, THE CITIZEN'S ADVISORY COMMITTEE, AND PLANNING STAFF, AND PLACING THE GENERAL PLAN ON THE AUGUST 30, 2016, ELECTION FOR VOTER RATIFICATION WITH THE ADDITION OF THE 3 REVISIONS TO PAGES 33 AND 36

23	Update Median Home Value infographic with the following data from the U.S. Census Bureau American Community Survey 5-year estimates (2010-2014): Chandler, $220,700; Arizona $162,900
33	12th line from the top of page, revise to read as follows: "...provide more flexibility by allowing multiple users, where appropriate on a parcel and..."
36	Strike policy 1.2.4.e and replace with the following: e. Develop the corridor with Mid-Rise Developments, concentrating building intensities along Price Road to further the intensive utilization of properties with high value employment.
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65	2nd paragraph, 1st sentence: "Chandler is focused on getting residents active by providing recreational facilities
95	3rd paragraph, last sentence: "...and the collection of sales taxes on residential property rentals have ~~**all**~~, **or potentially could** impact~~**ed**~~ municipal financing options."

THE MOTION CARRIED UNANIMOUSLY.

The Mayor noted Mr. Garry Hays would be the campaign chair for this ballot proposition.

UNSCHEDULED PUBLIC APPEARANCES: None

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor noted the great turnout, including all the Council, for his Listening Tour at Knox Gifted Academy.
The Mayor announced the Neighborhood Excellence Award winners:
Pepperwood Neighborhood for best revitalization story.
The Springs recognized for the most active and Enhanced neighborhood.

The Southwest Shawnee Park Neighborhood for Best Neighborhood Event, and Neighborhood Leader of the Year - David Wolff of the Dobson Estates III Neighborhood.

There were 300 residents participate in the Family Bike Ride.

Chandler was selected by Google as the fourth US city to test its driverless car.
Mayor noted it is National Library Week

B. Councilmembers' Announcements

Councilmember Lopez announced his daughter was accepted into ASU and also the Barrett Program.

Councilmember Hartke announced the next For Our City breakfast on April 21 and the Relay for Life on April 29 at Basha High School.

Councilmember Heumann also noted the Relay for Life and the involvement of Lynne Hartke as Chairperson. He acknowledged the beginning of Passover.

Councilmember Ellen wished her mother a happy 90th birthday and her father a happy 97th birthday.

Councilmember Roe announced the City is accepting nominations for Celebration Plaza.

The Council wished Ms. Reed well as her new role as City manager.

C. City Manager's Announcements

Ms. Reed thanked the Council for their support over the past 10 months. She thanked Asst. City Manager Nachie Marquez and the management team and Chandler employees for their support in the interim and the great job that is done every day serving the citizens of Chandler.

She announced a nationwide search was completed and John Knudson, a current 13-year city employee has been named as the Municipal Utilities Director.

Adjournment: The meeting was adjourned at approximately 8:48 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: May 12, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 14 day of April 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 16th day of May, 2016.

City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Friday, April 29, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 8:45 a.m.

The following members were present:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Kevin Hartke	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

CONSENT:

1. TEMPORARY EXTENSION OF PREMISES: Sandbar Mexican Grill

APPROVED a Temporary Extension of Premises, for a Series 18 in-State Craft Distillery Liquor License (Chandler #125366 L18) held by South Sand LLC, dba Sandbar Mexican Grill, for a Cinco De Mayo Celebration, on Thursday, May 5, 2016, Friday, May 6, 2016, Saturday, May 7, 2016, and Sunday, May 8, 2016, located at 7200 W. Ray Road. A recommendation for approval of a temporary extension of premises for State Liquor License No. 06070188 will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event. The Police Department reports no objections to the issuance of this license and the applicant has applied for a Temporary Sales and Promotional Event Permit.

2. TEMPORARY EXTENSION OF PREMISES: Dos Gringos

APPROVED a Temporary Extension of Premises for a Series 18 in-State Craft Distillery Liquor License (Chandler #125773 L18) held by DG Warner LLC, dba Dos Gringos, for a Cinco De Mayo Celebration, on Thursday, May 5, 2016, located at 1361 N. Alma School Road. A recommendation for approval of a temporary extension of premises for State Liquor License No. 06073005 will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event. The Police Department reports no objections to the issuance of this license and the applicant has applied for a Temporary Sales and Promotional Event Permit.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

Adjournment: The meeting was adjourned at approximately 8:45 a.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: May 12, 2016

CERTIFICATION

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DATED this 16 day of May, 2016.

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City Clerk

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	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Kevin Hartke	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

CONSENT:

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MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

Adjournment: The meeting was adjourned at approximately 8:45 a.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: May 12, 2016

CERTIFICATION

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DATED this 16 day of May, 2016.

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City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Friday, April 29, 2016 in the Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 8:45 a.m.

The following members were present:

Jay Tibshraeny	Mayor
Kevin Hartke	Vice Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Jack Sellers	Councilmember

Opening Remarks – Mayor Jay Tibshraeny

Mayor Tibshraeny gave brief opening remarks. The Mayor thanked Budget staff, Directors, the City Manager, and his office for continuing to identify cost savings and other efficiencies.

The Mayor noted that Chandler continues to be in a good position today because of years, if not decades, of solid fiscal policies and decisions. He noted that Chandler continues to be very transparent throughout this process with the Budget Survey, Budget Connect, two Budget Workshops, public meetings like this, and a couple more after this too. The Mayor pointed out that we will continue to stay vigilant as a City Council and as a City. He noted that we have a very cohesive and dedicated Council and he thanked his fellow Councilmembers.

Introduction – City Manager Marsha Reed

Ms. Reed welcomed everyone to the presentation of the Proposed 2016-17 Budget and 2017-2026 Capital Improvement Program. She stated that the budget reflects Chandler's continued commitment to provide high quality services to the community in the most cost effective manner while maintaining the City's long term financial viability. She stated that the City is stable; however, we continue to be cautious. She noted that Chandler has a structurally balanced operating budget, strong capital and debt management, and spoke of the City's fiscal sustainability measures. She highlighted this year's theme "Another Year of Fiscal Strength and Low Cost-Services".

Overview of Budget – Dawn Lang & Greg Westrum

Management Services Director Dawn Lang provided an overview of the budget including revenue, operating and capital costs, and General Fund balance.

Councilmember Lopez – How does the Debt Service go down when we have sale of bonds for this year? Is that because we don't service those bonds until later? Ms. Lang – In the Adopted 2015-16 budget, the adopted amount is an estimated Debt Service. When we sold bonds we were estimating Debt Service on a much larger bond sale, and we did not sell as much as we originally planned. The Debt Service came in less, but in actuality the net is a slight increase, but we're looking at budget appropriation compared from one year to the next.

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Councilmember Hartke – I heard that Phoenix is looking at raising property taxes, how do we compare to some of our surrounding cities? Ms. Lang – We do not have all of the comparisons for our surrounding cities for FY 2016-17; however, in the prior year we are second lowest compared to all the large cities in the Valley. We have talked to people in Phoenix and they are proposing a property tax increase to support public safety. As for other cities we talked to it does not sound like they are changing their property tax rates.

Councilmember Hartke – When referring to some of the downtown projects and technology enhancements, if we didn't use the General Fund would many of these items be bonded? Ms. Lang – Some of the items that we use the General Fund for are items that typically don't have a long useful life, like the larger vehicles we use in T&D. These are items that we would not use bond funds for. So we may not be able to do them as quickly. We may have some items in Downtown that we normally bond for, but those are probably the most significant. The items that we would not bond for would be spread out more if we have less General Fund balance available. I can direct you to the Executive Summary where there is a summary for the use of General Fund balance that gives you a sense of the increases and the type of things that we are using our General Fund balance for.

Councilmember Heumann – On the General Fund 5-year ongoing operating forecast, transaction privilege tax is about $107 million. Are you projecting it down from the 2015-16 estimate? Ms. Lang – Yes. The Adopted in 2015-16 was $104 million in our total sales tax. We are projecting that by the end of the year in sales tax as well as audit assessments, interest, and penalties, we will end the year at $108.5 million. Some of that is related to development and other spikes that we have identified in our totals that we brought over into 2016-17. Our estimate for 2016-17 is $107.4 million so is slightly below our revised number, but it is pretty flat.

Councilmember Sellers – What is the medium value home in Chandler? Ms. Lang – Full cash value in 2016 is $200,500 (slide 11), but limited to what that is being calculated off of. They never use full cash value anymore for property tax calculations. The assessment is being calculated off of the limited value of $154,553, a 5% increase. They would be limited to that 5%.

Mayor & Council, Communications & Public Affairs – Matt Burdick

Communications & Public Affairs Director Matt Burdick presented the budget for the Mayor & Council Office and Communication & Public Affairs Division.

Councilmember Heumann – Is there a lack of service on the 5th floor such that we need someone at the front desk on that floor? We have staff downstairs that directs people. Why do we need someone at that desk? Mr. Burdick – When visitors/clients come off the elevator there is no one there to greet them or to let someone know that they have arrived. There is also a need for someone to set up appointments and meetings, which will increase the quality of service. Another key component, specifically, would be helping the Economic Development staff with the data entry of contacts, as they interact with different customers and have information readily available and updated in the database in a more timely fashion.

Councilmember Heumann – Why can't we move the person that was previously there back to that desk? Mr. Burdick – With the change in staffing in Economic Development, Anna is the only Administrative Support person and she works with Downtown Redevelopment as well as provides support for Economic Development. She is at capacity in tasks in terms of a lot of things she is asked to do. This new position would be available for all of us on the 5th floor from everything for the Mayor's office to City Manager's office to CAPA as well as Economic Development. It is there

to be that interface to customers and clients and to provide administrative support to all of the offices on the 5th floor.

Councilmember Ellen – We need a good Economic Development database. Are you saying this person would support that function? Mr. Burdick – That would be one of the expectations of this position. This person would probably be here 20-29 hours a week, 5-6 hours a day. With this position there will also be opportunity to provide back up for the downstairs lobby front desk position with Holly going on deployment for a year. This position will work in tandem with Holly to help support that transition.

Councilmember Heumann – What is the lifecycle of the print finishing equipment? Mr. Burdick – The equipment will last from 15-20 years. There will be maintenance that will have to be done on the equipment, but it will last a number of years.

Councilmember Heumann – Is there enough staff there to complete those types of jobs without any issue? Mr. Burdick – Currently our process on post card and business cards is that we will design everything and then we have to outsource it to a printer, they will then print and cut it. It would also be the same thing for anything that would need to be folded or creased. We would not need additional staffing to be able to perform this type of print finishing services within our printing/section.

Councilmember Heumann – Do we have to outsource video production and photography for the website redesign? Mr. Burdick – It is a demand issue. Currently we have 2½ video staff positions and they are doing video productions. This would be to supplement the production capacity.

Councilmember Roe – I would say our video facility is underutilized. I consider this pretty conservative and I think some of these projects might cost us more in overtime because they are odd hours, after hours, or on weekends. Is that correct? Mr. Burdick – That is correct. Some of the things we look at when we contract either with a company or a freelancer is whether it's for events that take place on the weekends or in the evenings and we need video footage. We look at that to determine if we staff that and potentially pay overtime or do we freelance it out and then we will edit that footage to put into a package.

Transportation & Development – RJ Zeder

Transportation & Development Director RJ Zeder presented the budget for the Transportation & Development Department.

Councilmember Lopez – Is the ongoing of $129,000 for SharePoint Project Management tool for licensing costs? What is encompassed in that? Mr. Zeder – It encompasses licensing costs as well as offsite contractor support for the tool.

Councilmember Lopez – Would that tool allow for people to submit drawings online rather than bringing in hard copies? Mr. Zeder – That is a different project we are currently working on called Electronic Document Review and the hope is by the end of the year architectures and developers would be able to submit their plans online. We would be able to mark them up online and send back comments which will reduce the amount of paper and the amount of time need for review.

Councilmember Lopez – Is the SharePoint Project Management tool for us internally? Mr. Zeder – Yes, it is for our project management tracking. It is to help us manage the paper and documents that are involved in the capital project process.

Councilmember Heumann – Is all of our field staff using tablets out in the field? Mr. Zeder – Yes. Within the year we will have equipped our Public Works Inspectors with tablets that are tied back to our network. This will help them in doing their job and staff will have the ability to see multiple documents tied into one package.

Councilmember Heumann – Do we have to use additional fund for bus shelters? Where is the additional Transit Maintenance and Operation ($21,000) going? Mr. Zeder – Under our old contract with the prior vendor the maintenance of the shelters was included in the contract so the advertising vendor took care of it. When we went out for a new contract we split the advertising and basic maintenance and have a separate contract for heavy maintenance or repairs. It should net out to about the same.

Councilmember Heumann – On page 4 of the Transportation & Development booklet, in the overview on the streets capital, it is $83 million for the proposed, however last year's budget was $52 million, is some of that carryforward that wasn't spent? Mr. Zeder – The CIP overlaps because there are large appropriations for projects, so a significant amount of that money is carryforward from prior years and then we are adding on new projects.

Councilmember Heumann – Is the carryforward because there is so much on the table that we cannot get to it? Mr. Zeder – Our staff is pretty full right now. They are working as hard as they can to advance projects. Sometimes it takes a little longer in design and part of it is timing on when we go to construction.

Law – Kay Bigelow
City Attorney Kay Bigelow presented the budget for Law.

Councilmember Lopez – Is the Distributed Denial of Service Protection to cover the entire City network? Ms. Bigelow – Yes.

Councilmember Lopez – Why would it fall under Law instead of IT? Ms. Bigelow – It is an add-on to our cyber security insurance that was purchased as part of the liability litigation section. It is a joint request between both departments.

Councilmember Hartke – On the Office Reconfiguration package, are you converting two cubicles to locked offices? Is there room for that? Ms. Bigelow – the location of the offices will be determined if we get the money. Then we will determine how the reconfiguration is best served in the space we have, to make sure there is functionality and that we have the two staff members affected by these offices relatively close to the people they work with. There will be construction and space issues that we will have to take into account.

Councilmember Hartke – How was the cost determined if there is no plan right now of what that looks like? Ms. Bigelow – These figures were obtained by working with Buildings and Facilities and they are based on furniture cost and a basic estimate to have walls installed. Specific engineering and design work has not been completed.

Councilmember Hartke – Building and Facilities said this in an adequate amount of money to accomplish what you would like to do? Ms. Bigelow – Yes.

City Magistrate – Michael Traynor
Presiding City Magistrate Michael Traynor presented the budget for the City Magistrate Department. No questions.

Municipal Utilities – Gregg Capps

Water Resources Manager Gregg Capps presented the budget for the Municipal Utilities Department which includes Water, Wastewater, Solid Waste, Reclaimed Water, and the Ocotillo Brine Reduction Facility.

Councilmember Roe – Is hazardous materials program under your group or under Fire? Mr. Capps – That is through our group and a part of our operating budget. Currently we have a system where if someone wants to bring in hazardous materials, they would make an appointment.

Councilmember Roe – Is there any opportunity to improve on that? Mr. Capps – Right now we have it scheduled specific days during the week, but we do make exceptions if someone has a small item, but it is very difficult for us to have the staffing to cover the facility 7 days a week. We are constantly looking at ways of improving that facility.

Councilmember Lopez – What is the difference between Wastewater and Reclaimed water? Mr. Capps – Reclaimed water is the tail end of the wastewater process that is treated at a higher level for irrigation use and there are additional costs.

Councilmember Roe – Are there plans to make reclaimed water available in other parts of the City? Mr. Capps – In our master plan we always look at that, but we have infrastructure in place so if we expand it too far to the north we will be ripping up a lot of streets. We have a program where HOA's within our reclaimed water service area can convert over to reclaimed water and we encourage that.

Councilmember Roe – So there is plenty of capacity for it? Mr. Capps – Yes, we have a demand-supply estimate that we project in the master plan.

Councilmember Heumann – How many people have taken advantage of the conversion? Mr. Capps – We have had one so far. They did not actually request the loan, but they worked with our staff.

Councilmember Heumann – Isn't there a capacity issue, we only have a certain amount of wastewater? Isn't there a trade agreement where we trade reclaimed water for potable water? Mr. Capps – We do have an exchange with the Gila River Indian Community where we exchange reclaimed and we get their CAP Water that we treat for potable water source and we also deliver to Ocotillo Management Group.

Community & Neighborhood Services – Barbara Young

Acting Director Barbara Young and Community Resources & Diversity Manager Leah Powell presented the budget for Community & Neighborhood Services.

Councilmember Heumann – On the Lap Swim Program at Desert Oasis, is this for lap swimming in the mornings? What is the offset? Ms. Young – This is correct. It's an offset of $3,382 in revenue. Councilmember Heumann – This offset the expense of $36,692? Ms. Young – Yes.

Councilmember Heumann – Have we had a great demand from our residents asking for more lap swim? Ms. Young – There have been quite a bit of request for a more centralized location. Currently we do offer this at Hamilton and Mesquite Groves and that is a 4 day a week program (Monday – Thursday). Due to the demand of a more central location Desert Oasis has been chosen for that and if funded we would offer lap swimming in the mornings on Friday, Saturday,

and Sunday. Councilmember Heumann – We need to make sure we are charging non-residents a higher rate. This location will draw people from Mesa and Tempe because there isn't something in that area.

Councilmember Heumann – Other than the ongoing for $15,000 for the 4th of July Celebration there is other money besides that correct? Ms. Young – That is correct. We currently receive $35,000 in ongoing costs and since 2011-12 we have been receiving $15,000 in one-time money. This request would make the one-time money ongoing so we can award a guaranteed amount of $50,000 to the event producer.

Councilmember Heumann – Are there any offset revenues for this? Ms. Young – It has been at $50,000 for the last 5-6 years. Even though we have produced the event at bare minimum it costs a little over that number. In the past there has been no revenue generated back to the City. This year with the contract, if there is any money that comes back to the City, it would be a percent of the sponsorship.

Councilmember Heumann – Have there been organizers charging for parking? Ms. Young – Correct – for this year yes. Councilmember Heumann – Where is that money going? Ms. Young – They have been in contact with the Explorers to see if they would like to continue providing that service.

Mayor Tibshraeny – How many Parks Maintenance Technicians would that bring us to, in total? Ms. Young – Right now we currently have 6. This would be a contract to perform those same duties.

Mayor Tibshraeny – Is it better to do it as a contract position versus having a person that is on City payroll and performing under your direction? Ms. Young – We wanted to try it as a contract first and then evaluate it at the end to see how it is working out before we decide about adding FTEs.

Councilmember Hartke – The DCCP has shared the expenses in the past. Is there a shared component with the DCCP for the Downtown Stage Additions? Ms. Young – The DCCP is not able to contribute to this amount, but they have contributed and will continue to contribute to holding Downtown Special Events.

Councilmember Heumann – What was the number that we contributed last year to the Chandler Jazz Festival? Ms. Young – $40,000. Councilmember Heumann – Can I get a full accounting of the Jazz Festival? Ms. Young – I have some of that information here and I will certainly put it into a memo for you.

Councilmember Heumann – On page 7 of the Community and Neighborhood Services booklet, you went from 6.8 positions to 5 positions. Is that just from shifting positions and not cutting staff? Ms. Powell – That is correct.

<u>Police – Chief Sean Duggan</u>
Chief Sean Duggan presented the budget for the Police Department.

Councilmember Heumann – Are there limits on what the RICO Funds can be used for? Is it very specific or is there a wide range? Chief Duggan – It is very narrow. The guidelines are established by the Department of Justice. They can be used for one-time purchases for

equipment or sometimes training. They can't be used for ongoing costs. They can only be used for additional things that are not in the scope of your general budget.

Councilmember Lopez – The Armored Car Services is coming up on a lot of the departments now. Is this something new that we have a new contract with armored car transport and then all of the departments have to pay for their portion or are these separate contracts for each department? Ms. Lang – Chase is currently our main operating bank. They used to allow for a subcontract that we had armor car service; however they no longer support doing a subcontract and are requiring cities to go out on their own for that service. When it comes to our banking contract we have no appropriation for that. It is managed completely through an offset through our earnings that accumulate and it nets against that and is reconciled annually. Typically when interest rates are high we have a net revenue increase. So when they quit doing that as part of the banking contract, we had to have a decision package because we had no appropriation to support an armored car contract. In doing so, we reached out to the departments and found that we had areas that were open to risk because they were carrying their own cash. We did have to add the appropriation and it is now within the areas that actually use that service.

Councilmember Roe – Is there a recommended staffing of officers per person? Chief Duggan – That is one particular measure and I would not rely on that exclusively. There are different cultures, dynamics within different cities, staffing needs, and workload. We base it on everything previously described. That is just a measure and we still use it, but it is just one of the many variables that determine staffing needs.

Fire, Health and Medical – Acting Fire Chief Tom Dwiggins
Acting Fire Chief Tom Dwiggins presented the budget for Fire, Health and Medical.

Councilmember Lopez – In the description for the Medical Equipment Inventory Control System, it says that it reduces or eliminates two others, that it replaces three different systems to go into 1 system. Are there any other cost savings, is there going to be any licensing savings? Acting Fire Chief Dwiggins – Our current system is a metal cabinet. It doesn't reduce cost savings; it reduces our trucks going out of service. When we run on a patient and we give them a medication and they refuse service, we have to have another truck go to the hospital to pick up the medications, transport them to the station and give them to that engine company. So we are taking trucks out of service to make sure that we are always stocked up for the next call. This system will allow us to keep it at the station, so as soon as we get there it can be restocked.

Councilmember Heumann – How many people use the car seat program a year? Acting Fire Chief Dwiggins – Our goal is around 1,000.

Councilmember Heumann – Are a lot of those people who have already installed them and you now have to fix them? Acting Fire Chief Dwiggins – Many of those are. They put them in and they want us to check to see if they are okay.

Councilmember Heumann – On page 7 for the Fire, Health and Medical booklet, the total budget on personnel last year was about $860,000 and it's going to about $1,100,000, but personnel didn't change in total FTEs. Acting Fire Chief Dwiggins – That is a 33% increase and it is appropriation for a Gila River grant for overtime for a program that we did not apply for. That will actually come off.

City Clerk – Marla Paddock
City Clerk Marla Paddock presented the budget of the City Clerk.

Mayor Tibshraeny – When are ballot arguments due? Ms. Paddock – May 1st, 90 days prior.

Councilmember Hartke – Did we have long lines in Chandler or how long were people waiting as opposed to what we heard elsewhere on the past election? Ms. Paddock – Yes, you heard a few of the complaints. We did have a couple of irate voters in our office that had to wait and they didn't know that they could walk to the front and drop their ballots off. We do reach out to the county elections department and ask for them to use us as a partner on those special elections and whatever we could do we would be more than happy to assist.

Councilmember Heumann – On our elections, do we print the ballots or does the county print the ballots? Ms. Paddock – The county prints the ballots. They send a ballot proof to us and we have several people review the proof prior to sending it out.

City Manager – Marsha Reed
City Manager Marsha Reed presented the budget for the City Manager's Office.
No questions.

Buildings & Facilities – Kris Kircher
Facilities Maintenance Manager Kris Kircher presented the budget for Buildings & Facilities.

Councilmember Heumann – How many people and how many tablets? Mr. Kircher – We are going to get 7 tablets and we have 15 guys. Councilmember Heumann - $26,000? Mr. Kircher – Yes, for the tablets. We worked through the IT department and that is the pricing they gave for those. We have one now that we are using through our stand by program. Before we spend that, we are looking at some other options. Councilmember Lopez – They are waterproof and pressure proof.

Councilmember Lopez – Are those for stand-alone access or would those need to be network connected or are they going over cellular connection? Mr. Kircher – They could be both. They could be Wi-Fi in buildings that we have Wi-Fi. They can go on the network through a VPN access and they can tie into the network through a hardwire. Some of them will have MI-FI, because we have facilities that do not have wireless connections.

Councilmember Lopez – They are not on cellular? Mr. Kircher – Mi-Fi is like cellular. It is a cellular module that you carry with you. It's its own Wi-Fi network.

Councilmember Roe – There has been some concern about the temperature inside the Center for the Arts. Is that controlled by your division? Mr. Kircher – Yes it is controlled through our energy management system.

Councilmember Roe – Are there any future thoughts on pre-cooling? Mr. Kircher – The mechanical systems at the Center for the Arts were updated 5-6 years ago. The foyer does have its challenges especially in the morning because of all the thermo energy coming through the glass. Last year we installed some thermo shades that helped a lot with the temperature. We haven't received as many complaints in the foyer this past year. We do get requests on big events to pre-cool and when we do we go in the day before and lower the temperature from 74 to 70 degrees. Even when we did that this past time, the air handler and coils are at 100% capacity it is still putting out 50-55 degree air and we still can't keep up with the load. We have not looked into adding additional air conditioning in that system, but we can look at that in the future.

Councilmember Roe – Do you have access to the Arts Facility calendar or can they communicate that there is a particularly large use of this area to maybe mitigate some of that? Mr. Kircher – Yes they actually have the scheduler on their computers. They can look at the scheduler and the floor plan and they can see the temperatures in the building. When the buildings exceed a certain temperature (75-76 degrees), they will let us know and we will call someone over to look. We do not look at their schedule, however if they have an event and they feel like they have a concern with temperature we will do some pre-cooling or lower the set points.

Economic Development – Micah Miranda
Economic Development Director Micah Miranda presented the budget for Tourism and Economic Development.

Councilmember Lopez – Just want make sure that in our publications we are touting the Chandler Unified School District on how well they are doing in the state as well as nationally. Mr. Miranda – That is one of our major selling points. As we refresh our marketing materials that information will be folded.

Downtown Redevelopment – Kim Moyers
Downtown Redevelopment Manager Kim Moyers presented the budget for Downtown Redevelopment.

Councilmember Heumann – Of the $414,000 in the General Fund does that include the $100,000 we contributed to the Downtown District? Ms. Moyers – The operating budget does include the $118,804.

Airport – Chris Andres
Airport Administrator Chris Andres presented the budget for Airport.

Councilmember Lopez – The $10,000 in ongoing, is that for maintenance on the gate every year? Mr. Andres – It would be to replace one of our gates every year to get us on a replacement cycle that when a particular gate reaches the end of its useful life there is funding to replace that gate. This gets us out of our reactive maintenance and into more of a systematic program to make sure we have consistent performance.

Councilmember Lopez – How many gates are there? Mr. Andres – We have 5 automated vehicle gates and 7 pedestrian gates.

Human Resource – Debra Stapleton
Human Resources Director Debra Stapleton presented the budget for Human Resources.
No questions.

Information Technology (IT) – Steve Philbrick
Chief Information Officer Steve Philbrick presented the budget for IT.
No questions.

Information Technology Oversight Committee (ITOC) – Steve Philbrick
Chief Information Officer Steve Philbrick presented the budget for ITOC.

Councilmember Heumann – Where are you at with the plans you are working on as a result of the IT Assessment? Mr. Philbrick – We have engaged with Plante Moran to start looking and laying

out the plan. Right now we are working with the City Manager's office and are looking at a mid-June kick-off.

Councilmember Heumann – Is there anything in the budget for that right now or will we wait until we have a full plan? Mr. Philbrick – The strategic plan is mainly around how do we prioritize, how do we figure out what projects go forward and what order. Right now we have ITOC, but it doesn't have the tools necessary to know how to decide which project is first, second, and third. That is one of the things we are hoping to get out of this strategic planning process.

Cultural Affairs – Brenda Brown
Cultural Affairs Director Brenda Brown presented the budget for Cultural Affairs.

Mayor Tibshraeny – Is that our contribution to the Chandler Historical Society Luncheon? Ms. Brown – Yes.

Mayor Tibshraeny – How many full-time equivalents are in your Museum Division? Ms. Brown – 3.75. Mayor Tibshraeny – Is the .25 being utilized somewhere or is it a part-time person. Ms. Brown – It is a part-time 30 hour person.

Mayor Tibshraeny – So you have moved somebody to another cost center? Ms. Brown – Yes we have. We have moved Jean Reynolds from the Museum staff to Cultural Affairs. She is now classified as a Cultural Affairs Coordinator doing programmatic oversight for all divisions including the Library and Museum.

Councilmember Heumann – On the budget summary for the Museum there is rent and utilities. Is it more utilities than rent? It went up from $3,000 to $10,000. Ms. Brown – We are going to need to relocate our collection and we will have to rent storage space until the new Museum is built.

Councilmember Heumann – Is the $40,000 for the Chandler Symphony Orchestra the same as we did last year? Ms. Brown – We have funded that as a one-time for a number of years.
Councilmember Heumann – How many people attend? Ms. Mac Lennan – About 6,000 annually.

Planning – Jeff Kurtz
Planning Administrator Jeff Kurtz presented the budget for the Planning Division.

Councilmember Heumann – Where are we at on the Adaptive Reuse and coming back to Council and expanding those areas? For example, the Circle K at Alma School and Chandler Boulevard? Mr. Kurtz – We haven't done any more since then. We haven't had anyone come to avail themselves of the new process. It is probably a little early. We know we have the tools in place if it a piece of property outside the district, but have not yet started working on any expansions of the program.

Management Services – Dawn Lang
Management Service Director Dawn Lang presented the budget for Management Services.
No questions.

Capital Improvement Projects (CIP) – Greg Westrum
Budget Manager Greg Westrum presented a general overview of the Capital Improvement Program (CIP), Projects, Funding Sources and impact on the tax levy.
No questions.

Buildings & Facilities CIP – Kris Kircher
Facilities Maintenance Manager Kris Kircher presented an overview of the CIP for Buildings & Facilities.

Councilmember Heumann – Does landscaping by Desert Breeze fall in your department or is that Parks? Mr. Kircher – For that facility that would be under the Parks Division.

Councilmember Hartke – The Tumbleweed Rec chiller seems to have been experiencing a lot of problems. Is there an entirely different system of chillers and towers that the library has that is not experiencing the same kind of things or is it a newer? Is it different technology or just starting over? Mr. Kircher – It is sort of both. The chiller at the library was replaced about 3 years ago and at that time we had issues with the chiller. We put in a new type of chiller that has small compressors for varying loads. It is a more efficient type of chiller and that is the same type of chiller we want to put in at the Rec Center because the loads vary.

Information Technology/ITOC CIP – Steve Philbrick
Chief Information Officer Steve Philbrick presented an overview of the CIP for IT/ITOC.

Mayor Tibshraeny – What year will the Voice and Data Convergence happen? Mr. Philbrick – We have some funding to get started. This is a two year project and it will be completed in two years.

Councilmember Roe – Is this a Cisco System? Mr. Philbrick – Yes.

Councilmember Roe – Can we reach out to the public and can the public use it to talk to us? Is this system set to do that? Mr. Philbrick – It gives us the ground work for it and we have funding in there to start looking at doing those things. We would have to coordinate some of our other applications because part of that is tied into the application and making sure both systems are capable of doing that kind of functionality.

Councilmember Roe – So there might be software that could work with this and make it possible. Mr. Philbrick – Correct.

Councilmember Lopez – In other decision packages, there were phone lines and conference phones that needed to be replaced for some training. Would this project replace them again or does this not cover conference phones? Mr. Philbrick – We would coordinate that effort. All of the ordering for that would come through IT, so we would make sure that we are not buying some that we are going to have to replace again.

Councilmember Heumann – We had this roll out of the spam system that had to be shut off. Are you going to be cognizant of not shutting off the whole component especially Council? Mr. Philbrick – Yes.

Economic Development CIP – Micah Miranda
Economic Development Director Micah Miranda presented an overview of the CIP for Economic Development.

Councilmember Roe – So the reason there is no money requested for 2016-17 is because you feel you have adequate funds available right now? Mr. Miranda – Yes that is correct.

Downtown Redevelopment CIP – Kim Moyers
Downtown Redevelopment Manager Kim Moyers presented an overview of the CIP for Downtown Redevelopment.
No questions.

Cultural Affairs CIP – Brenda Brown
Cultural Affairs Director Brenda Brown presented an overview of the CIP for Cultural Affairs.
No questions.

Airport CIP – Chris Andres
Airport Administrator Chris Andres presented an overview of the CIP for the Airport.

Mayor Tibshraeny – On the stormwater issue, what would that $304,000 actually do? Is this the area that is always flooded at the south end of the airport or are these areas different? Mr. Andres – These are different areas. This is the final area of a multiphase stormwater program to solve some of those ponding issues. Most of the area is the retention basin that is west of the airport across the boulevard. It's a very linear retention basin between the canal path and the airport property.

Community & Neighborhood Services CIP – Mickey Ohland
Park Development and Operations Manager Mickey Ohland presented an overview of the CIP for Community & Neighborhood Services.

Councilmember Heumann – Are we looking to do anymore development at Tumbleweed Park at the corner of McQueen and Germann, like possibly more ball fields? Mr. Ohland – Yes we have that in our existing master plan, a 4-plex wagon wheel baseball/softball complex there. We continually work with Economic Development on potential commercial development.

Councilmember Heumann – How old is the master plan? Mr. Ohland – 1994, which is why we want to make sure it still meets the community's needs. If the plan still meets the needs, great; but, if not, now is the time to change it and we will be looking at that next year. We have about 75 acres left and then we are done. We have to keep in mind that we have two parks left that we could put lighted athletic fields in if we need to at Tumbleweed and Mesquite Groves because of the housing situation. We really have to take a closer look and see what amenities each park needs to have.

Councilmember Heumann – How much money do we have left over that is either encumbered or unencumbered over the last couple of years on the community parks? Are we behind on projects? It looks like we have unencumbered money that has been allocated in prior years. Mr. Ohland – The budget and our growing season don't necessarily align for some of our projects. Sometimes we have more public meetings than expected or it's a timing issue where we are working around a youth sporting group. It goes year to year on timing and it can depend on the projects and how large they are.

Mayor Tibshraeny – Is Homestead North Park at Frye and the canal? Mr. Ohland – It is just to the east of the bridge. So there is a north and a south phase of that? Mr. Ohland – Yes, Homestead North and Homestead South.

Mayor Tibshraeny – Homestead North would be complete when, based on your schedule? Mr. Ohland – Spring/Summer of 2018.

Councilmember Heumann – Why are these two parks so close. Will Homestead South be something completely different? Mr. Ohland – Homestead North will be your traditional neighborhood park. When we purchased Homestead South it was to enhance the Paseo Trail. It will not have a playground. It will have ramadas and some walking paths, but our thoughts are to have fit courses with exercise equipment and then that could maybe be expanded down the canal.

Councilmember Roe – I was surprised to see there was not money in FY 2016-17 for Snedigar Sportsplex. It seems like addressing parking issues at Snedigar would be more immediate. Mr. Ohland – We have about $1,000,000 in carryforward this year and that money would address the parking lot.

Councilmember Hartke – Is there a plan to look at the Senior Center facility? Mr. Ohland – There is a needs assessment that we have in the program. Councilmember Hartke – Is that this year? Ms. Lang – It is budgeted as a decision package in Community and Neighborhood Services in FY 2016-17.

Mayor Tibshraeny – When will Layton Lakes Park be completed? Mr. Ohland – Layton Lakes Park, our 50th neighborhood park, is scheduled to be completed in the summer of 2017.

Fire, Health & Medical CIP – Battalion Chief Keith Hargis
Battalion Chief Keith Hargis presented an overview of the CIP for the Fire, Health & Medical Department.

Councilmember Heumann – Is the standard in the Valley to have a second set of personal protective clothing? Mr. Hargis – The vast majority of the cities in the Valley have gone to the second set of turnouts.

Police CIP – Assistant Chief Jason Zdilla
Assistant Chief Jason Zdilla presented an overview of the CIP for Police.
No questions.

Municipal Utilities CIP – John Knudson
Municipal Utilities Director John Knudson presented an overview of the CIP for Municipal Utilities including Water, Wastewater, and Solid Waste.
No questions.

Transportation and Development CIP – Dan Cook
City Engineer Dan Cook presented an overview of the CIP for Transportation and Development.

Councilmember Heumann – Along Ray Road and some other places the street lights seem to be rusting or have a rusted color to them. Is that part of the Streetlight Additions and Repairs? Mr. Zeder – The materials used in those street lights are different from what we currently use which is galvanized. Up to this point we go to areas when we get complaints and replace lights as needed. I have asked the staff to put together a comprehensive program that is systematic to address the rusting lights we are starting to see. It is not just the one on arterial streets, although that is where it is most noticeable, but also in the older neighborhoods in north and west Chandler.

Councilmember Lopez – Is the problem with the rust a structural issue where the pole could fall over? Mr. Zeder – In a few cases that is possible, but that is not most of the cases. When you see the rust going further up the pole that is really just aesthetics. Some cases are because the old standard was direct bury, meaning the pole is in the ground where water builds up around the base. It is possible that a streetlight could fall over.

Councilmember Lopez – Has that ever happened? Mr. Zeder – We have had a few. The current standard we use now is putting in a concrete foundation so that the street light is above ground.

Councilmember Roe – On Alma School Road and Chandler Boulevard are you running into a deadline? Mr. Cook – Yes, all of our projects that have grant funding have deadlines attached to them. In this case it is a deadline to obligate the funding and that funding has to be obligated a little later this calendar year and then we have several months to get the construction started.

Councilmember Roe – Isn't January a peak time for traffic? Mr. Cook – We are looking to start after the holidays, but we want to have the bulk of the construction during the summer months and we want to get it done before the next holiday season.

Councilmember Heumann – Are we using SRP aesthetic money on Chicago St & Oregon St (Site 6)? Mr. Cook – No not on this one. This is all in the APS area.

Councilmember Hartke – Has there been any instances where residents on Washington Street have approached us offering to sell their homes to the City? Mr. Zeder – No, it has been pretty quiet, but if properties become available and people approach the City, we do have funding.

Wrap up – Dawn Lang
Dawn Lang gave closing remarks, and thanked to everyone for attending and for their participation.

Councilmember Hartke – Are the amendment forms that will be sent out on May 2nd related to changes to the proposed budget or for use of the one-time and ongoing of mayor and council fund? Ms. Lang – It is both. We have a reserve set aside of $75,000 ongoing and $325,000 one-time for a total of $400,000 that is already appropriated in the budget.

Adjournment: The meeting was adjourned at 3:46 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: July 25, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on April 29, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 29 day of July 2016

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 12, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:05 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Roger Storms introduced Pastor Brian Jobe from the Chandler Christian Church who then gave the invocation.

PLEDGE OF ALLEGIANCE:

CONSENT:

MOVED BY COUNCILMEMBER LOPEZ, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. MINUTES of the Chandler City Council Special Meeting (Exec Session) of April 7, 2016.
1b. MINUTES of the Chandler City Council Regular Meeting of April 11, 2016
1c. MINUTES of the Chandler City Council Study Session of April 11, 2016.
1d. MINUTES of the Chandler City Council Special Meeting (Exec Session) of April 14, 2016.

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1e. MINUTES of the Chandler City Council Special Meeting (Liquor Licenses) of April 29, 2016.

1f. MINUTES of the Chandler City Council Regular Meeting of April 14, 2016.

2. CITY CODE AMENDEMNT – Chapter 28 Ord. #4698

ADOPTED ORDINANCE NO. 4698 amending the Chandler City Code, Chapter 28, thereby adopting the 2015 edition of the International Fire Code with local amendments.

3. 2015 INTERNATIONAL BUILDING CODES Ord. # 4700

ADOPTED Ordinance No. 4700 adopting by reference the 2015 editions of the International Building, Plumbing, Mechanical, Residential, Fuel Gas, Energy Conservation, Existing Building, Swimming Pool and Spa Codes, and the 2014 edition of the National Electrical Code with local amendments.

4. ZONING/PRELIMINARY DEVELOPMENT PLAN: RMB Business Park Ord. #4653

INTRODUCED ORDINANCE NO. 4653, DVR15-0010 RMB BUSINESS PARK, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial.
PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture located north of the NEC of Ryan Road and Arizona Avenue. (Applicant: Pat Mahoney, Arizona Commercial Real Estate Services)

The request was continued after the September 21, 2015, City Council Study Session, in order for the Applicant to address issues related to the site's recent amended designation as being located within a flood zone. The revised site plan reflects two retention basins to address the new FEMA flood map revision which became effective on November 4, 2015. The Arizona Avenue basin was enlarged with increased depth to four feet. A new retention basin was added east of Building One. This retention structure is approximately six feet deep and enclosed with a wrought iron fence and access gate. Split faced and stacked bond concrete masonry units are at the north and south ends of the basin for screening and to integrate with building materials and paint. Building floor area and total number of parking spaces were reduced to accommodate the additional interior retention structure.

RECOMMENDATION
Upon finding the request to be consistent with the General Plan and Chandler Airpark Area Plan, Planning Commission and Planning Staff recommend City Council approve the Rezoning and Preliminary Development Plan, subject to conditions.

BACKGROUND
The approximate 15-acre site is located north of the northeast corner of Arizona Avenue and Ryan Road. Vacant, agriculturally zoned land is to the south, vacant industrial land is to the north, and railroad tracks are to the east. Ryan Estates single-family subdivision is west, across Arizona Avenue.

The request is for rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial with Preliminary Development Plan (PDP) for site layout and building architecture.

AREA PLAN

The site is located within the Chandler Airpark Area Plan and designates the property for Commercial/Office/Business Park uses with a Light Rail Corridor Overlay, if the nearby railroad tracks are ever designated for light rail transit. The proposed uses include those listed under the Planned Light Industrial (I-1) and Regional Commercial (C-3) zoning districts as permitted in the Zoning Code. These uses are consistent with the Chandler Airpark Area Plan designation.

SITE LAYOUT AND BUILDING ARCHITECTURE

The site will consist of six buildings with a shared interior truck yard and truck wells. The total building area is approximately 201,152 square feet. Two driveways on Arizona Avenue provide access. The driveways will be shared with the north and south properties. An agreement with each owner concerning the cross access/shared driveways would be required to be recorded prior to the issuance of a certificate of occupancy. Parking is located around the site perimeter and in front of tenant entrances. Total required parking is 364 parking spaces and 450 are proposed to insure parking needs are met for future tenants.

Building architecture is industrial in style, creating a functional form with visual interest. Design elements and materials incorporate concrete tilt-up panels, metal panel accents, full height glass near the building corners and tenant entrances, modulated rooflines, and stone extruded accents extending from ground to roofline. The color palette utilizes earth tones with a color accent to complement the landscape palette and provide some contrast with the austere building materials.

The request includes approval for two freestanding monument signs with six tenant panels on each face. The materials and colors match those of the buildings including integral colored split face concrete masonry units, metal siding, and stucco. All remaining signage will comply with the City of Chandler Sign Code. Additional details can be found within the attached Development Booklet.

AIRPORT COMMISSION

The Airport Commission reviewed the rezoning request in accordance with the Airport Conflicts Evaluation Process at their July 8, 2015, meeting. The Airport Administrator issued a conflicts evaluation report indicating that the Airport Commission determined the proposed rezoning and associated uses do not constitute a conflict with existing or planned airport uses.

DISCUSSION

Planning Staff finds the proposed development reflects a quality light industrial and business park project which further sustains existing businesses in the area and creates additional employment opportunities within the Chandler Airpark Area Plan. The proposal is compatible with adjacent developments.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 23, 2015. Two residents of the same household attended to gather general information on the project.
- As of the writing of this memo, Planning Staff is not aware of opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.
In Favor: 4 Opposed: 0 Absent: 3 (Cunningham, Foley, Ryan)

RECOMMENDED ACTIONS

Rezoning

Planning Commission and Planning Staff recommend City Council approve the Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Light Industrial and Commercial, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RMB BUSINESS PARK", kept on file in the City of Chandler Planning Division, in File No. DVR15-0010, except as modified by condition herein.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

Preliminary Development Plan

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "RMB BUSINESS PARK", kept on file in the City of Chandler Planning Division, in File No. DVR15-0010, except as modified by condition herein.

2. Cross access agreements and/or other agreements between the property owner/developer of the business park and the land owners to the north and south, regarding the Arizona Avenue driveways, shall be recorded with Maricopa County prior to the issuance of the Certificate of Occupancy.

3. The monument sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

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

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. Raceway signage shall be prohibited within the development.

8. Signage shall comply with the City of Chandler Sign Code.

9. 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.

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

11. Wall mounted signage shall be commensurate with the design quality and materials depicted in the Development Booklet, and shall be administratively reviewed and approved by Planning Staff.

12. Freestanding monument sign tenant panels shall incorporate routed out push-thru acrylic letters.

5. CITY CODE AMENDMENT: Abolish Architectural Excellence Award Committee

INTRODUCED ORDINANCE NO. 4701 repealing Part VI, Article 41 of the Code of the City of Chandler; abolishing the architectural excellence award committee; and repealing code sections, ordinances or resolutions in conflict herewith.

The Architectural Excellence Awards Committee was established in 2003 and has served to spotlight all that is great about design and architecture in the Chandler Community. After much staff discussion regarding a sometimes turbulent economy and the cyclical nature of growth, it has been decided to explore new opportunities to highlight projects in Chandler

Ordinance No. 4701 formally disbands the Architectural Excellence Award Committee. Section 6.01 of the Charter for the City of Chandler grants to the Mayor and City Council the exclusive power, by ordinance, to create such boards and commissions as well as to abolish any board or commission not specifically required by law.

6. EASEMENT & ACCESS AGREEMENT: Artesian Ranch subdivision Ord. 4702

INTRODUCED ORDINANCE NO. 4702, granting and approving an Easement, Maintenance and Access Agreement, at no cost, to the property owner of Lot 186, over a portion of the City well site located at the northwest corner of Gilbert Road and Iris Drive.

The City owns Tract V in the Artesian Ranch subdivision ("Tract V"). Tract V is located at the northwest corner of Gilbert Road and Iris Lane and is currently being equipped with well improvements. In preparation for the well equipping, the City enclosed a portion of Tract V with a perimeter wall (the "Wall Improvements"). The Wall Improvements were constructed approximately one foot inside the west property line of Tract V to ensure that the footings did not extend beyond its west property line. In doing so, a strip of land measuring approximately one (1) foot in width by one hundred and eleven (111) feet in length (the "Land") remains between the Wall Improvements and the west line of Tract V and/or the east property line of Lot 186 of the Artesian Ranch subdivision ("Lot 186").

City staff and the current owner of Lot 186, Maracay 91, LLC (the "Developer"), agree that it would be inconsistent with good construction practices for the Developer to build an additional wall along the east property line of Lot 186 as it would make it difficult, if not impossible, for the City to maintain its Wall Improvements and Land. As a solution, City staff and the Developer prepared an Easement, Maintenance, and Access Agreement whereby the City agrees to grant the Developer or subsequent property owner, permission to maintain and use the Land for landscaping and for a block column to support a swing gate on the east side of the home that is currently being built on Lot 186. In exchange, the Developer is willing to grant the City an easement along the easterly five feet of Lot 186 for access and maintenance of the west Wall Improvements on Tract V. This solution will ensure that the Land is being maintained and that the City will have access to Lot 186 for maintenance of its Wall Improvements.

7. CONTINUED REZONING: Allred Park Place

CONTINUED TO MAY 25, 2016 CITY COUNCIL MEETING ORDINANCE NO. 4704, DVR15-0037 ALLRED PARK PLACE, rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height. PRELIMINARY DEVELOPMENT PLAN (PDP) for site design and building architecture on property totaling approximately 62 acres located at the southwest and southeast corner of Price and Willis roads.

8. DEVELOPMENT PLAN: Risas Dental

APPROVED PRELIMINARY DEVELOPMENT PLAN, PDP15-0015 RISAS DENTAL – RAY ROAD, for site layout and building design of a new dental office located at 125 East Ray Road, east of the southeast corner of Arizona Avenue and Ray Road. (Applicant: David Grass, KOSS design)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan (PDP), subject to conditions.

BACKGROUND
The approximate 1-acre site is located at 125 East Ray Road, east of the southeast corner of Arizona Avenue and Ray Road. The site is the last vacant parcel in the Dene Retail Center. Walgreens is to the west, in-line commercial retail businesses are east, and Palm Trails apartments are to the south. The site is part of a 20-acre mixed use project approved in 1998 with Planned Area Development (PAD) zoning for retail commercial uses and a multi-family residential development. Two previous Preliminary Development Plans were approved for the site including a fast-food restaurant with a drive-through and an auto repair facility. Construction never commenced on either proposal.

The request is for Preliminary Development Plan (PDP) approval for site layout and building design of a new dental office. The 3,884 sq. ft. building is one-story. Parking areas, drive lanes, and other site elements exist on the site. Eight new parking spaces are added to provide a total of 33 parking spaces. Pedestrian sidewalks are designed to provide a continuous walkway from the Walgreens and the inline retail building.

Building design respects the retail center's architecture through use of corner columns with a similar parapet cap and proportioned horizontal bands. Metal canopies and an extruded main entry mimic the covered colonnade of the existing retail building. Materials compliment the center through use of field, accent, and wainscot blocks of varied size and color, utilizing smooth faced joints. The color palette proposes muted earth tones to accentuate the new building as well as integrate with existing buildings.

The request also includes building mounted signage. Building mounted signage includes internally illuminated pan channel aluminum lettering and logo. Additional details can be found within the attached Development Booklet.

DISCUSSION

Planning Staff finds the proposal to represent a compatible completion to the shopping center. Site layout and building design take into consideration the existing shopping center and nearby developments through building design, placement, pedestrian access, and scale.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on March 21, 2016. No one other than the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to approve.
In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "RISAS DENTAL AND BRACES" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0015 RISAS DENTAL – RAY ROAD modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Landscaping shall be in compliance with current Commercial Design Standards.
3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
6. Raceway signage shall be prohibited within the development.
7. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
8. The site shall be maintained in a clean and orderly manner.

9. DEVELOPMENT PLAN: Maracay Homes

APPROVED PRELIMINARY DEVELOPMENT PLAN, PDP15-0020 MARACAY HOMES, for housing product for an 84-lot single-family residential subdivision on approximately 35 acres located east of the SEC of Cooper and Chandler Heights roads. (Applicant: Brennan Ray, Burch & Cracchiolo, P.A.)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan subject to conditions.

BACKGROUND
The roughly 35 acre subject site is located east of the southeast corner of Cooper and Chandler Heights roads, and was zoned in mid-2015 for an 84-lot single-family residential subdivision. Developed single-family residential subdivisions are adjacent to the east and south sides, agricultural properties within the jurisdiction of the County are along the western boundary and are also at the site's northwest and northeastern corners.

The request is for housing product approval. At the time of zoning approval in 2015, housing product was not included, resulting in a future PDP being required for approval. While product was not approved with the zoning, conditions were added addressing how future housing product would be developed. The conditions required that all homes in the subdivision be limited to single-story. Setbacks and lot coverage were also established during the time of zoning.

Typical lot sizes are 80 feet wide and 135 feet deep, resulting in a minimum lot area of 10,800 square feet. Due to all lots exceeding 10,000 square feet, the *Architectural Diversity Elements* as provided in the *Residential Development Standards* do not apply. In spite of the standards, the design team has incorporated a number of elements that are typically required such as three elevation types, stone as an elevation requirement, and various elements that further a prescribed architectural style.

Four single-story floor plans are provided, with three elevations per plan, with four different color palettes per elevation. Elevations include Spanish Colonial, Rural Mediterranean, and Contemporary Ranch. Stone is provided as an option on the Rural Mediterranean and as standard on the Contemporary Ranch elevation. Various elements are incorporated in the design that carries on all elevations depending on the architectural style. Elements include exposed rafter tails, decorative wrought iron elements, decorative window canopies, tile detailing, board and batten, and lap siding elements. Square footage of the homes range from 3,032 square feet up to 3,836 square feet. Three to five bedrooms are provided depending on the plan. All homes include three-car garages. Outdoor living is encouraged through the integration of large courtyards.

DISCUSSION
Planning Staff supports the PDP request citing the high quality design of the homes, and the additional housing options that will be provided in the area furthers the intent of the Southeast Chandler Area Plan and the *Residential Development Standards*.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Thursday, January 21, 2016. Seven neighbors attended, however, three left shortly after the meeting started realizing the request did not include their property, and a fourth left after discussing their interest in moving to the area. The three remaining neighbors supported the request, but had concerns with construction traffic using Via de Palmas during the construction process. Planning Staff

has received one email from an adjacent property owner regarding open space along the southern subdivision boundary.

- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve
In Favor: 7 Opposed: 0

A neighbor to the west of the subdivision turned in a speaker card stating that Via de Palmas (southwest corner of the subdivision) should be posted as a "dead end" street, and that construction traffic should be prohibited on Via de Palmas. Due to the current single-lane design of Chandler Heights Road (which will get improved with the development of the subdivision), the use of Via de Palmas for construction traffic is necessary for overall vehicular safety along the arterial.

RECOMMENDED ACTION
Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "MARACAY HOMES" and kept on file in the City of Chandler Planning Division, in File No. PDP15-0020, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Compliance with original stipulation adopted by the City Council in Ordinance No. 4628, in case DVR14-0043 COOPER AND CHANDLER HEIGHTS, except as modified by condition herein.

3. The same elevation shall not be built side-by-side or directly across the street from one another.

10. EASEMENTS: Bike Lane Safety – Ray Road & Price Loop 101

ADOPTED RESOLUTION NO. 4921 authorizing the acquisition of two temporary construction easements needed for the Bike Lane Safety Improvements at the northwest corner of Ray Road and the Price 101 Intersection Project ST1405 for $2,988.00 plus closing costs and escrow fees; and authorizing the City's Real Estate Manager to sign, on behalf of the City, the purchase agreements and any other documents necessary to facilitate these acquisitions.

BACKGROUND/DISCUSSION: On November 20, 2014, the Chandler City Council approved the design contract for the Bike Lane Safety Improvements Project ST-1405 (the "Project"). The Project requires the acquisition of temporary construction easements on two (2) parcels as depicted on the attached map. The temporary construction easements are needed to allow the reconstruction of two curb ramps within the public right-of-way that connect to sidewalks on private property at this location.

The property owners have agreed to sell the temporary construction easements to the City for $2,988.00 (appraised value) and delivered signed purchase agreements to the City.

11. AGREEMENT: Union Pacific Railroad – Germann Road & Arizona Avenue

ADOPTED RESOLUTION NO. 4939 authorizing an agreement with the Union Pacific Railroad for the reworking of the existing approaches and sidewalks across the Union Pacific Railroad, on Germann Road east of Arizona Avenue, in an estimated amount of $10,000.00.

BACKGROUND/DISCUSSION: In connection with planned mill and overlay work, the existing at-grade public railroad crossing east of Arizona Avenue requires improvements including rehabilitating asphalt pavement and upgrading sidewalks and driveways to meet the current Americans with Disabilities Act standards. Union Pacific Railroad is requiring the execution of an agreement that establishes their typical general terms and conditions and other expectations when working within their rights-of-way.

Upon execution and delivery of the agreement, the City will pay the Union Pacific Railroad the sum of $1,000 to establish the property right. The City will also reimburse the Union Pacific Railroad for actual costs incurred by the Railroad to furnish all labor, material, equipment and supervision for Engineering and flagging associated with the roadway improvements in an estimated amount of $9,000; for a total estimated amount of $10,000.

12. COMMUNITY DEVELOPMENT BLOCK GRANTS:

ADOPTED RESOLUTION NO. 4945 authorizing the City Manager or designee to execute and submit the Community Development Block Grant (CDBG) Fiscal Year 2016-2017 Annual Action Plan to the United States Department of Housing and Urban Development (HUD) and execute all documents and subrecipient contracts.

BACKGROUND: HUD requires that all local governments receiving CDBG funding submit an Annual Action Plan that will guide HUD-funded housing, homeless, and community development activities for the period beginning July 1, 2016, through June 30, 2017. To comply with the City of Chandler's Public Participation Plan, the City held a public comment period that began Tuesday, March 22, 2016, and ended on Friday, April 22, 2016. In addition, a public hearing on the Annual Plan was held Wednesday, March 23, 2016, at the Housing and Human Services Commission (HHSC) meeting and at the April 14, 2016, City Council meeting to ensure opportunities for input from the community.

The City's Fiscal Year 2016-2017 Annual Action Plan serves as the formal application for the use of entitlement funds that are received by the City of Chandler. The Action Plan defines the one-year activities in relationship to the five-year goals and objectives of the Consolidated Plan covering Fiscal Years 2015-2019. It provides a description of the programs and projects of the City of Chandler in Fiscal Year 2016-2017, as well as funding decisions for the City's CDBG program.

In November of 2015, fifteen non-profit organizations applied for Fiscal Year 2016-2017 CDBG funding requesting a total of $1,198,994. The HHSC reviewed and evaluated the applications and made CDBG funding recommendations to the City Council for approval on Thursday, April 14, 2016. The recommendations are summarized on page 10 of the Plan.

13. HOME INVESTMENT PARTNERSHIP PROGRAM

ADOPTED RESOLUTION NO. 4946 authorizing an application for and use of Fiscal Year 2016-2017 Home Investment Partnership Program (HOME) funds from Cranston-Gonzalez National Affordable Housing Act through the Maricopa County Consortium.
BACKGROUND: The City of Chandler receives federal HOME funds annually from the U.S. Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium. A total of $299,853 is available for allocation for Fiscal Year 2016-2017. Of the $299,853 available, the City will utilize $18,741 for program administration, leaving a balance of $281,112 for allocation to affordable housing program providers. Eligible housing activities for HOME funds include: homeowner rehabilitation, homebuyer activities, rental housing activities and Tenant Based Rental Assistance (TBRA).

Staff announced the availability of HOME funding to area housing nonprofit organizations and a Request for Proposal was issued seeking proposals for HOME eligible activities. Three applications for funding were received totaling $670,000.

Based on staff input, a review of the proposals and a presentation by each applicant, the Housing and Human Services Commission (HHSC) made funding recommendations. These recommendations were finalized at a Public Hearing held by the HHSC at their meeting on March 23, 2016. The City's Fiscal Year 2016-2017 HOME program descriptions, as well as the Housing and Human Services Commission funding recommendations are attached.

14. AGREEMENT: Newtown

ADOPTED RESOLUTION NO. 4952 authorizing the agreement between Newtown Community Development Corporation, the City of Chandler, and Maricopa County Consortium for the acquisition, rehabilitation and resale of properties for low to moderate income first-time homebuyers using FY 2015-16 Home Investment Partnership Program (HOME) Community Housing Development (CHDO) funds in the amount of $400,000.00; and authorizing the City Manager to sign the agreement and all related documents on behalf of the City.

BACKGROUND: The City of Chandler, along with seven other local municipalities and Maricopa County, formed the Maricopa HOME Consortium for purposes of administering the U.S. Department of Housing and Urban Development (HUD) HOME Program. The goal of the HOME Program is the development and preservation of affordable housing. Local jurisdictions can expend HOME funds for homebuyer programs, homeowner rehabilitation programs, rental housing programs and tenant based rental assistance programs to assist targeted populations such as homeless individuals and families.

Of the total funds allocated to each jurisdiction under the HOME Program, 15% must be reserved for specific types of nonprofit organizations known as CHDO's. In February 2015, Newtown CDC obtained a resolution of support from the Chandler City Council for an application to the Maricopa County Consortium for HOME CHDO funds. The application was approved by the County HOME Consortium and Newtown was awarded funds to develop up to four units of affordable housing for first time homebuyers in the City of Chandler. In order for funding to be available, the City of Chandler must enter into an agreement with Newtown and the County Consortium for the administration of the contract for the purchase and acquisition of the housing units.

DISCUSSION: Newtown Community Development Corporation is a non-profit that provides first time homebuyer programs to individuals and families in Tempe, Glendale, Scottsdale and Chandler. Newtown first began providing its Community Land Trust (CLT) program in Chandler in 2009, when they received an allocation of Neighborhood Stabilization Program (NSP) funds. Since that time, the City has awarded additional HOME funds to Newtown for the same purpose.

Through HOME funding, the City has created a successful community land trust program with Newtown. Newtown's CLT program provides access to homeownership for people who are otherwise priced out of the housing market. At the time of sale, the CLT buyer purchases the improvements only (the house) and enters into a 99-year renewable ground lease for the land. Newtown holds the land in perpetuity. The ground lease contains resale restrictions that require the home to be sold to another income eligible buyer. Permanent affordability is maintained through a shared equity provision that limits the amount of appreciation the seller may take and establishes an affordable sales price. The ground lease also requires owner-occupancy and gives Newtown the right of first refusal.

The HOME Program requires a minimum affordability period for all projects receiving HOME funds, depending on the average amount of HOME funds invested in each unit and the type of activities performed. The affordability period for the units to be assisted in this case is fifteen years. The HOME required affordability period is secured by a Deed of Trust and Promissory Note recorded against the property.

15. DECLARATION OF TRUST:

ADOPTED RESOLUTION NO. 4953 authorizing the execution and recordation of a Declaration of Trust for Public Housing property in favor of the United States of America.

SUMMARY: The Department of Housing and Urban Development (HUD) requires Public Housing Authorities to record Declarations of Trust against all Public Housing property that is acquired, developed, and maintained with HUD funds. This requirement ensures the accuracy of HUD subsidy calculations and payments under the Operating Fund and Capital Fund as well as expedites HUD's processing and approvals of other federal public housing programs.

BACKGROUND: As Resolution No. 4953 indicates, the Housing and Redevelopment Division is requesting to authorize and record a Declaration of Trust for Project No. AZ20P028011. In 1996, the City acquired a number of parcels of varying sizes and constructed 25 units of Public Housing on those parcels. Recently, staff worked to have those parcels subdivided so each housing unit would have its own lot and parcel number.

The City of Chandler is in compliance with the requirement for Declarations of Trust for all Public Housing properties with the exception of the 25 properties referenced above. Staff would recommend moving forward with recording each parcel as soon as possible to bring Chandler into full compliance.

This item was approved by the Housing and Human Services Commission at their May 4, 2016, meeting and is scheduled for approval by the Public Housing Authority Commission on May 9, 2016.

16. CONTINUED DEVELOPMENT PLAN: First Credit Union Plaza

CONTINUED PRELIMINARY DEVELOPMENT PLAN,TO JUNE 9, 2016 CITY COUNCIL MEETING PDP15-0017 FIRST CREDIT UNION PLAZA, for building mounted signage located at 25 S. Arizona Place, east of the NEC of Arizona Avenue and Boston Street.

17. BOARD AND COMMISSION APPOINTMENTS

APPROVED THE FOLLOWING APPOINTMENTS:

Architectural Review Committee: Bryan Saba
Library Board: Renee Levin, Shanesha Davis
Economic Development Advisory Board: Steve Greenhalgh
Health Care Benefits Trust Board: Sherrlynne Teslow, Alexander Myer
Mayor's Committee on the Aging:Robert Reichard
Mayor's Youth Commission: Khyati Raka, Justin Zhu (Re-Appointment)
Worker's Compensation and Employer Liability Trust Board: Sherrlynne Teslow, Alexander Myer

18. AGREEMENT: Auditors

APPROVED AGREEMENT NO. AC3-946-3212, Amendment No. 3, for audit services with Heinfeld, Meech & Co., P.C. in the amount of $104,830.00, for one year, June 1, 2016, through May 31, 2017.

The City is required by City Charter and state statute to issue an annual audited financial report. In addition, federal law requires the City to undergo an annual single audit of federal financial assistance. The scope of services includes audit work for the City, the Chandler Health Care Benefit Trust, the Chandler Worker's Compensation and Employer Liability Trust, the Chandler Cultural Foundation (CCF), the Volunteer Fireman's Pension and Relief Trust Fund Report, the Annual Expenditure Limitation Report, the ADEQ Landfill Assurance Report, and the Highway User Revenue Fund (HURF) Report. On May 23, 2013, City Council approved an agreement with Heinfeld, Meech and Co., P.C., for audit services, for a one-year period, with the option of four one-year extensions. Heinfeld, Meech and Co., P.C., has agreed to extend for one additional year. This is the third extension of the contract.

19. AGREEMENT: Waterworks Supplies

APPROVED AGREEMENT NO. WH3-890-3218, Amendment No. 3, for the purchase of waterworks supplies with HD Supply Waterworks in an amount not to exceed $300,000.00, for one year.

This agreement is for the City's annual requirements for the supply of waterworks products. The products are stocked in the City's Central Supply and used primarily by the Water Distribution Division. In addition to items stocked in Central Supply, Water Distribution will purchase some of the requested items directly from the vendor. Products available under the agreement include hydrants, valves, copper and brass fittings, as well as mechanical joints, fittings, and pipe and are used as needed by the Municipal Utilities and Transportation and Development Departments for both routine and emergency operations. On April 29, 2013, City Council approved an agreement with HD Supply Waterworks, for waterworks supplies, for a one-year period, with the option of four one year extensions. HD Supply Waterworks has agreed to extend for one additional year under the same terms and conditions. In the extension term, pricing for 260 of the 369 line items remains the same as the first term of the agreement.
HD Supply Waterworks requested a price adjustment for 109 of the 369 line items. Staff reviewed the adjustment request and found an average price increase of 3.17% for these line items was reasonable based on documentation from manufactures indicating an increased cost of material and production across the industry to support the price adjustment. HD Supply Waterworks also provides discounts of 20-80% on non-contract items.

Staff recommends extension of this agreement for the term of May 14, 2016, through May 13, 2017. This is the third extension of the agreement.

20. No item.

21. AGREEMENT: Fertilizer, Herbicides, Pesticides

APPROVED AGREEMENT NO. PM6-967-3647 with Crop Production Services, Inc., SiteOne Landscape Supply, Inc., and Rentokil North America, Inc., dba Target Specialty Products, for fertilizer, herbicides and pesticides, in a total combined amount not to exceed $310,000, including all companion agreements, for one year, May 1, 2016, through April 30, 2017, with options to renew up to four additional one-year periods.

The Park Development and Operations Division purchases fertilizer, herbicides and pesticides material for use in the City's parks. The park system currently has 1,242 acres of developed parkland. Park groundskeepers, certified in herbicide application, apply these chemicals.
In an effort to promote healthier grass in City parks, City Council provided additional funding in FY 14/15 in order for the Parks Division to fertilize park turf areas three times per year during the active growing period (April-Oct) and apply pre-emergent for weed control twice a year. Prior to that, fertilization only occurred one time per year and no pre-emergent was applied. Since that time, there has been a noticeable difference in both the appearance and health of the grass in our parks.

The herbicides are used in the control of weed germination and establishment within the landscape areas. Pre-emergent herbicides are applied twice per year with post-emergent spot spraying applied twice a month.

The pesticides being purchased are used in the control of mosquitoes and ants within the parks. The amount being purchased will provide control for one (1) year. In addition to Parks, the Streets Division anticipates requiring $50,000 for applying chemicals to the right-of-way areas.

22. AGREEMENT: Asphalt & Concrete

APPROVED AGREEMENT NO. BF6-745-3662 with Regional Pavement Maintenance of Arizona, Inc., for asphalt & concrete maintenance & repair, in an amount not to exceed $582,614.00 annually, for one year, June 1, 2016, through May 31, 2017, with options to renew up to four additional one-year periods. Asphalt parking lots and driveways at City facilities and parks require periodic maintenance due to adverse weather conditions and wear. This contract will provide the asphalt maintenance service of cracking sealing, asphalt patching, seal coat, mill and overlay, concrete replacement and repair, tire rubber modified asphalt emulsion sealer (TRMSS) application, and striping. Facilities scheduled to receive maintenance during this contract period are: Fire Station #10, Snedigar Recreation Center, Parks and Facilities and Aquatics Service Center, Main Police and Courts, Chandler Boys and Girls Club, Tumbleweed Park, and the Pecos Surface Water Treatment Plant.

This contract will also provide for miscellaneous repairs of concrete sidewalks and curbing in facilities that require replacement due to failure from cracking or vertical lifting or do not meet current ADA guidelines. The Building and Facilities, Parks Divisions and Municipal Utilities Department will be utilizing this contract for all their asphalt and concrete maintenance and repair.

23. AGREEMENT: Telephone System

APPROVED AGREEMENT NO. IT5-915-3515, Amendment No. 1, with American Telephone, for telephone system maintenance services, and telephone equipment, in the amount of $102,467 for one year. This agreement is for maintenance, support, and related components including all parts and labor for the City's telephone system. Service will be provided seven days a week, twenty-four hours a day, with a maximum two hour response time for emergency and twenty-four hour response time for non-emergency outages.

24. AGREEMENT: Construction Management: Carollo Engineers

APPROVED PROJECT AGREEMENT NO. WA1503.451, with Carollo Engineers, Inc., for construction management services, for the Pecos Surface Water Treatment Plant Rehabilitation Project, pursuant to Annual Water and Wastewater Services Contract No. EN1518.101, in an amount not to exceed $292,786.00. The 2013 Capital Improvement Program established an ongoing program to rehabilitate aging infrastructure at the Pecos Surface Water Treatment Plant (SWTP), located at 1475 E. Pecos Road. An assessment of the facility was completed that recommended various improvements including: demolition of an existing plate settler, construction of a new gravity thickener, installation of two new polymer feed units, and replacement of existing chemical feed piping and four existing raw water pumps.

The project scope of work consists of: project administration, review of submittals, inspection services, shutdown coordination, certification of record drawings, and project close-out.

25. AGREEMENT: Price Road Fencing

APPROVED AGREEMENT NO. ST6-330-3650 with Hunter Guard Rail & Fence, Inc., for Price Road fence, in an amount not to exceed $97,796.00. The existing 2,814 linear feet of vinyl fence around the existing detention basin is in disrepair and matching parts are unavailable. This agreement will replace the fence and associated gates with a black 6' high heavy-duty wrought iron fence in the same location.

26. CONTINUED AGREEMENT: Microfilming Services

CONTINUED AGREEMENT NO. TD2-915-3097, Amendment No. 4, with Lin-Cum, Inc., for microfilming services, in an amount not to exceed $85,000.00, for a one-year term, May 1, 2016, through April 30, 2017.

27. CONTRACT: Pecos Surface Water Treatment Plant

APPROVED CONSTRUCTION CONTRACT NO. WA1503.401, to M.A. Mortenson Company, for the Pecos Surface Water Treatment Plant Rehabilitation Project, in an amount not to exceed $2,667,523.00. The 2013 Capital Improvement Program established an ongoing program to rehabilitate aging infrastructure at the Pecos Surface Water Treatment Plant (SWTP), located at 1475 E. Pecos Road. An assessment of the facility was completed that recommended various improvements.

The project scope of work consists of: demolition of an existing plate settler, construction of a new gravity thickener, installation of two new polymer feed units, and replacement of existing chemical feed piping and four existing raw water pumps. Raw water pump replacement and gravity thickener tie-ins will be coordinated with the annual Pecos SWTP winter shutdown during the SRP Canal dry-up. All other work will be coordinated with plant staff to minimize plant interruptions.

28. CONTRACT: Small Valve Replacement Program

APPROVED CONSTRUCTION CONTRACT NO. WA1511.401, to SDB, Inc., for the Small Valve Replacement Program, in an amount not to exceed $921,451.00. This project is a continuation of the Small Water Valve Replacement Program. The City's potable water distribution system has approximately 40,000 valves. Water Distribution staff exercise valves daily on a regular schedule and identify damaged or inoperable valves. These valves are prioritized for replacement to limit water outage and property damage during a main break event. The project scope of work consists of the replacement of forty-six valves, ranging in size from six to sixteen inches. Affected residents and businesses will receive prior notification of any planned water outages.

29. CONTRACT: Police Department Hamilton Facility Renovations

APPROVED CONSTRUCTION CONTRACT NO. BF1506.401, to RSG Builders, LLC, for Police Department Hamilton Facility Renovations, in an amount not to exceed $615,756.03. This project is civil, landscaping, structural, mechanical, and electrical improvements to convert the existing Hamilton Facility, located at 911 S. Hamilton Street, which was previously used as a fire station, into a police department facility for use by the Special Assignment Unit (SAU).

This unit currently is housed at the Police Property and Evidence building. The reuse of this facility was identified in the Police Facility Master Plan Report and provides all the needs for the unit for housing existing and future equipment and staff.

The scope of work consists of a new exterior 10 foot high masonry wall along the perimeter of the site, landscaping, new ten foot high opaque metal gates, and new grading and drainage. These improvements will also provide for additional on-site parking for staff.

30. PURCHASE: Aftermarket Auto Parts

APPROVED PURCHASE of aftermarket automotive parts and service, utilizing State of Arizona Contract No. ADSPO16-129364, with Genuine Parts Company NAPA, Contract No. ADSPO16-129366, with Carquest Auto Parts, and Contract No. ADSPO16-129360, with Arizona Brake, in an amount not to exceed $170,000.00. The State of Arizona competitively solicited and awarded contracts for aftermarket auto parts and service. Awards were made to eleven firms. Staff is recommending utilization of contracts with three of the awarded firms: Genuine Parts Company NAPA, Carquest Auto Parts, and Arizona Brake. The State's contracts will be utilized to supplement the existing City contracts for original equipment manufacturer (OEM) parts and service, providing alternate sources when parts are discontinued or otherwise not available from the OEM. Additionally, the contracts will be a source for less costly parts in applications where Fleet determines OEM parts are not necessary. The term of the contracts is April 1, 2016, through March 31, 2017, with provisions to extend for up to four years. Genuine Parts Company NAPA and Carquest Auto Parts have stores in Chandler, providing immediate access to parts for staff when needed.

31. PURCHASE: Traffic Signal Controllers

APPROVED PURCHASE of traffic signal controllers from Clark Transportation Solutions, utilizing State of Arizona Contract No. ADOT16-122914, in the amount of $526,508.85. Traffic Engineering applied for and received a federal grant from the Congestion Mitigation and Air Quality (CMAQ) program to purchase and replace 201 traffic signal controllers and accessories for the Fiscal Year 2016. This upgrade will improve timing consistency and signal coordination. The Arizona Department of Transportation (ADOT) administers the project and awarded the contract to Clark Transportation Solutions on behalf of the City. This project has a 94.3% federal cost share. The remaining 5.7% will come from City funds as shown below.

32. PURCHASE: Consulting and Temporary Contract Staffing

APPROVED PURCHASE of consulting and temporary contract staffing services for Information Technology from Guidesoft, Inc., dba Knowledge Services, utilizing State of Arizona Contract No. ADSPO12-031581, in an amount not to exceed $100,000. Information Technology has historically hired temporary employees to assist in special projects or backfill vacant positions by utilizing competitively bid temporary staffing agreements. These temporary employees have specialized skills in specific technical areas which complement Information Technology staff and are intended to work on a temporary basis for a specific assignment. Since the beginning of this fiscal year, Information Technology has attempted to fill an IT Integration Messaging Developer vacancy with no success. This 10 month vacancy has created a large backlog in support and development of enterprise system interfaces across City applications.

Staff recommends using the salary savings from the vacant position to bring in an outside resource that will allow the City to begin to catch up on the backlog of work. In order to address this staffing issue on a longer term basis, an existing employee was recently promoted into this position. This resource will support the backlog issue while the employee trains to meet the requirements of the position.

33. PURCHASE: Dispatch Radio Consoles

APPROVED PURCHASE of two MCC7500 dispatch radio consoles from Motorola Solutions, utilizing State of Arizona Contract No. ADSPO13-036613, in the amount of $128,088.00. Two fully-equipped dispatch consoles were approved as the first phase of a three-year expansion to the Police Department's dispatch center. The Police Department is a member agency of the Regional Wireless Cooperative network in cooperation with Motorola; and in order to maintain the compatibility and security of the system, it is not recommended that an additional radio vendor be introduced into the radio system. The purchase of the two Motorola MCC7500 dispatch radio consoles will provide the hardware and software requirements for the radio dispatching function on the consoles.

34. PURCHASE: Public Safety Communications Equipment

APPROVED PURCHASE of public safety communication equipment from Motorola Solutions, utilizing State of Arizona Contract No. ADSPO13-036880, in the amount of $208,356.65. The City of Chandler currently utilizes Motorola two-way radios for the Police, Municipal Utilities, and Fire, Health & Medical Departments. The City is a member agency of the Regional Wireless Cooperative (RWC) network in cooperation with Motorola. In order to maintain the compatibility and security of the system, it is not recommended that an additional radio vendor be introduced into the radio system. The Police Department needs approximately 35 portable and mobile radios to replace damaged radios and to support the current overhire police officer positions that have exhausted spare radios. As these overhire positions are absorbed through attrition, the radios will be reallocated for cooperative operations with interagency partnerships and task forces. Other agencies within the RWC, including the Glendale, Buckeye, Avondale, and Goodyear Police Departments, have purchased radios utilizing the State of Arizona contract.

35. PURCHASE: Tires

APPROVED PURCHASE of tires, utilizing State of Arizona Contract No. ADSPO12-021289 with Bridgestone Firestone, Contract No. ADSPO16-117140 with Michelin, and Contract No. ADSPO16-12307 with Goodyear Tire and Rubber Co., in a total combined amount not to exceed $260,000.00. The State of Utah competitively solicited and awarded contracts for tires as a lead agency for the Western States Contracting Alliance (WSCA). The State of Arizona has adopted the WSCA contracts. The City has a current Intergovernmental Agreement with the State of Arizona allowing for the cooperative use of its contracts. Staff recommends cooperative use of the contracts for tires because there are three manufacturers on contracts, which allows staff to compare price and select the best tire for the application between manufactures. . Having multiple manufacturers on contract provides alternate options if a tire is discontinued by one manufacturer. The contracts will expire March 31, 2017, and contain provisions to extend two additional one year terms.

36. PURCHASE: Vehicle Bodywork & Painting

APPROVED PURCHASE of vehicle bodywork and painting services from Arizona Truck and Coach, utilizing of the City of Tempe Contract No. T13-088, in an amount not to exceed $100,000.00.

HISTORICAL BACKGROUND/DISCUSSION: Body work and painting services are important parts of automotive repair and maintenance. These services repair collision as well as maintain safe operation and appearance of the City of Chandler fleet. The hi-tech materials, components, and fabrication that go into modern vehicle bodies require advanced shop equipment and specialized technical skills. A responsible service provider such as Arizona Truck and Coach is needed to render these services with minimal down time and quality workmanship at a competitive price.

EVALUATION PROCESS: In May of 2013, the City of Tempe, after a competitive solicitation for vehicle bodywork and painting, awarded a contract to Arizona Truck and Coach for these services. The City of Chandler has previously used the services from Arizona Truck and Coach and has been satisfied with the quality of the services. Additionally, Arizona Truck and Coach's location in Chandler offers additional savings in the cost of transportation. Staff is recommending using the contract through the next extension period ending May 12, 2017.

37. USE PERMIT: ZUP16-0002 NATE'S NEXT GEN AUTO CARE, LLC.

APPROVED USE PERMIT to allow an auto repair facility within the Planned Industrial District (I-1) located at 4043 West Kitty Hawk, Suite 5, south of Chandler Boulevard and west of McClintock Drive. (Applicant: Nathan Merrill)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Use Permit subject to conditions.

BACKGROUND
The subject site is located at 4043 West Kitty Hawk, Suite 5, south of Chandler Boulevard and west of McClintock Drive, and within the Stellar Air Park industrial park. The suite formerly contained the business, "Fast and Furious Motorsports", which received Use Permit approval in 2014 for used motor vehicle sales.

The zoning of Planned Industrial District (I-1) allows a variety of storage, wholesale, warehousing, manufacturing, assembly type uses, and accessory/incidental office and retail sales. Use Permits have been approved in this same industrial park for automotive sales, vehicle repair, and customization businesses. In the same building, an adjacent tenant obtained approval of a Use Permit for golf cart sales and repair.

The request is for Use Permit approval to allow an auto repair facility within the Planned Industrial District (I-1) zoning. The focus is on hybrid vehicle repairs with some traditional auto repairs. All repair work is to occur indoors and typically by appointment only. Business hours are proposed from 7:30 a.m. to 5:30 p.m., Monday through Friday, and 8 a.m. to 5 p.m. on one Saturday per month. Initially, two full-time employees plus the owner are proposed with one additional employee at a later date.

Planning Staff finds the proposed auto repair facility is a compatible use with the industrial park development. The business has limited hours of operation and stores vehicles within a warehouse not affecting on-site parking. Planning Staff is recommending a three (3) year time condition to evaluate land use compatibility.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice letter was mailed out in lieu of a meeting. The applicant received one inquiry related to the business's operational plan.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT
Motion to approve.
In Favor: 7 Opposed: 0

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve Use Permit, ZUP16-0002 NATE'S NEXT GEN AUTO CARE, LLC, subject to the following conditions:

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

38. USE PERMIT: ZUP16-0003 56TH STREET OFFICE DEVELOPMENT

APPROVED USE PERMIT to allow office uses within a Planned Industrial (I-1) zoned district on approximately 30 acres located at the northwest corner of 56th and Galveston streets. Michael Withey; Withey Morris, PLC

RECOMMENDATION
Upon finding the request to be consistent with the General Plan and the I-1 zoning district, Planning Commission and Planning Staff recommend City Council approve the Use Permit subject to a condition.

BACKGROUND

The subject site is located at the northwest corner of 56th and Galveston streets, and is currently vacant. North, east, and south of the site are street frontages, with an existing ice skating rink and vacant commercially zoned property along the western property boundary.

The approximate 30-acre site was zoned in 1980, to the current industrial designation. The surrounding land to the west and north was zoned to commercial as the original location for the Arizona Mills mall; however, was ultimately developed as the current commercial power center. While the commercial development was underway, the property owner had the landscaping installed along the street frontages as a means of maintaining a cohesive theme with the surrounding area.

The request is for Use Permit approval to allow office uses as a primary use, in addition to the existing industrial zoning the site currently enjoys. The office designation would allow general and medical office uses to be considered. Within the Zoning Code's Table of Permitted Uses, office uses are considerable as a primary use within the I-1 zoning district so long as Use Permit approval is granted. Currently, office uses are allowed so long as it is ancillary to a use that is permitted by right such as a manufacturing or warehousing facility.

DISCUSSION

Planning Staff supports the Use Permit citing that due to the site's location being within close proximity to the freeway interchange of both the I-10 and Loop 202, as well as within an area that has a substantial amount of commercial and industrial development, including office uses as part of development opportunities is appropriate. A site plan is not provided with this application, and will be reviewed during the construction drawing phase of development for compatibility with code requirements. All development standards as provided in the Zoning Code will be applied.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held Thursday, March 17, 2016; one neighbor attended and offered support.
- As of the writing of this memo, Planning Staff has received phone calls from one neighbor expressing concerns with the potential for an increase in traffic along 56th Street as well as along Harrison Street (northern boundary) and how traffic may come into the neighborhood east of 56th Street. As part of the review process upon permit submittal, traffic circulation will be reviewed to ensure that traffic circulation is addressed. Currently, 56th Street is well below the anticipated vehicle trips per day (15,500 vs. 21,000).

PLANNING COMMISSION VOTE REPORT
Motion to Approve
In Favor: 7 Opposed: 0

Two neighbors spoke in support at the meeting; however, both expressed concerns with the potential for an increase in traffic, and the use of their neighborhood's residential collector street for vehicular U-turns. The residents shared that based on the current location of signals and directional signage drivers frequently enter their neighborhood to perform U-turns, which has caused traffic issues in the past. Staff is examining the area for potential solutions.

RECOMMENDED ACTION
Planning Commission and Planning Staff recommend City Council approve the Use Permit, subject to the following condition:

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

39. USE PERMIT: LUP16-0002 COST PLUS WORLD MARKET

APPROVED Series 10 Beer and Wine Store License to sell beer and wine for off-premise consumption with in-store sampling at a new store located at 860 N. 54th Street, south of the SWC of Ray Road and 54th Street. Applicant: Andrea Lewkowitz, Lewkowitz Law Office, PLC

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND
The subject site is located east of I-10 in the Chandler Pavilions regional shopping center, and is part of a group of six larger retail shops. Directly south is Bed Bath & Beyond and a vacant suite to the north.

Cost Plus World Market has operated across 54th Street since 2001, and plans to relocate to the west side of 54th Street into a vacant 18,315 square-foot suite. Cost Plus is a national retail store specializing in imported home goods, as well as gourmet food items, specialty beer, and wine selections. The request is for a Liquor Use Permit to sell beer and wine under a Series 10 Beer and Wine License for off-premise consumption with in-store sampling. Sampling will be conducted by employees trained in responsible alcohol sales and service to customers 21 and over. Each customer may only sample up to three ounces of beer or cooler-type products and one and one-half ounces of wine, per brand, per day.
Alcoholic purchases shall not be consumed on-premise. The store's regular hours will be Monday through Friday 10 a.m. to 9 p.m., Saturday 9 a.m. to 9 p.m., and Sunday 10 a.m. to 7 p.m.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice letter was mailed in lieu of a meeting due to no residential within the notification area.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 5 Opposed: 0 Absent: 2 (Baron, Pridemore)

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0002 COST PLUS WORLD MARKET, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 10 license with sampling, and any change of license shall require reapplication and new Liquor Use Permit approval.
2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
3. The Liquor Use Permit is non-transferable to other store locations.

40. LIQUOR LICENSE: Cost Plus World Market

APPROVED Series 10, for Andrea D. Lewkowitz, Agent, Cost Plus Inc., dba Cost Plus World Market, located at 860 N. 54th Street. Staff recommends Council forward a recommendation for approval of State Liquor License No. 10076747, and further, that approval be given for the City of Chandler Series 10, Beer and Wine Store Liquor License No. 162923 L10, for Andrea D. Lewkowitz, Agent, Cost Plus Inc., dba Cost Plus World Market, located at 860 N. 54th Street.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

41. USE PERMIT: LUP16-0003 CIRCLE K STORE

APPROVED Series 10 Beer and Wine Store License to sell beer and wine for off-premise consumption as permitted within a new fuel station convenience store located at 3087 S. McQueen Road, SEC of McQueen and Queen Creek roads. Applicant: David Cisiewski; Law Office of David Cisiewski, PLCC

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND
The subject site is located at the southeast corner of McQueen and Queen Creek roads, and zoned Planned Area Development (PAD) for a commercial fuel station with convenience store. Currently the site is vacant but is in the process of submitting building permits. The site is bordered by McQueen Road to the west, Queen Creek Road to the north, the Consolidated Canal to the east, and vacant land for future commercial development to the south.

The request is for a Liquor Use Permit approval to sell beer and wine for off-premise consumption only as permitted under a Series 10 Beer and Wine Store License. The approximately 4,604 square foot convenience store will sell beer and wine seven days a week, during the hours allowed by state law.

Planning Staff supports the request, finding that the sale of alcohol as a retail commodity ancillary or incidental to the sale of other retail products occurring in a commercially zoned area does not establish a land use conflict. The sale of alcohol from a land use compatibility analysis is a typical retail transaction in commercial districts throughout the City.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice letter was mailed in lieu of a meeting due to no residential within the notification area.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 7 Opposed: 0

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0003 CIRCLE K STORE, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 10 License only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. The Liquor Use Permit is non-transferable to other store locations.

3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

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

42. LIQUOR LICENSE: Circle K Stores

APPROVED Series 10, for Kim Kenneth Kwiatkowski, Agent, Circle K Stores Inc., dba Circle K Store #3490, located at 3087 S. McQueen Road. Staff recommends Council forward a recommendation for approval of State Liquor License No. 10076725, and further, that approval be given for the City of Chandler Series 10, Beer and Wine Store Liquor License No. 161807 L10, for Kim Kenneth Kwiatkowski, Agent, Circle K Stores Inc., dba Circle K Store #3490, located at 3087 S. McQueen Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

43. LIQUOR LICENSE Zorba's Restaurant

APPROVED Series 12, for Hesham Ai Khalil, Agent, Chef H LLC, dba Zorba's Restaurant, located at 1964 N. Alma School Road, Suite 10. Staff recommends Council forward a recommendation for approval of State Liquor License No. 1207A586, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 161792 L12, for Hesham Ai Khalil, Agent, Chef H LLC, dba Zorba's Restaurant, located at 1964 N. Alma School Road, Suite 10.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Anis Ben Harzallah Sr., Agent, Zobra's Restaurant.

44. LIQUOR LICENSE Barro's Pizza

APPROVED Series 12, for Kenneth James Barro, Agent, KJB Enterprises Inc., dba Barro's Pizza, located at 2050 N. Alma School Road, Suite 8. Staff recommends Council forward a recommendation for approval of State Liquor License No. 1207A571, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 162082 L12, for Kenneth James Barro, Agent, KJB Enterprises Inc., dba Barro's Pizza, located at 2050 N. Alma School Road, Suite 8.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Omni Ventures Inc., dba Frank & Charlie's Wood Fire Grill.

45. LIQUOR LICENSE/Series 7 Fry's Marketplace

APPROVED CONTINUANCE TO THE MAY 26, 2016 CITY COUNCIL MEETING of a Series 7, for Lauren Kay Merrett, Agent, Smith's Food & Drug Centers Inc., dba Fry's Marketplace #681, located at 2929 E. Ocotillo Road.

46. LIQUOR LICENSE/Series 9 Fry's Marketplace

APPROVED CONTINUANCE TO THE MAY 26, 2016 CITY COUNCIL MEETING OF A Series 9, for Lauren Kay Merrett, Agent, Smith's Food & Drug Centers Inc., dba Fry's Marketplace #681, located at 2929 E. Ocotillo Road.

47. LIQUOR LICENSE Coconuts Fish Cafe

APPROVED CONTINUANCE TO THE JUNE 23, 2016 CITY COUNCIL MEETING OF A Series 12, for Andrea Lewkowitz, Agent, Desert Mana Enterprises LLC, dba Coconuts Fish Café, located at 1155 W. Ocotillo Road, Suite 1.

48. LIQUOR LICENSE Teakwoods Tavern

APPROVED CONTINUANCE TO THE JULY 28, 2016 CITY COUNCIL MEETING Series 12, for Aubrey Jean Sturdivant, Agent, PTY5 Investments LLC, dba Teakwoods Tavern, located at 5965 W. Ray Road, Suite 20.

49. LIQUOR LICENSE Fired Pie

APPROVED CONTINUANCE TO THE JUNE 23, 2016 CITY COUNCIL MEETING Series 12, for Jesus Manuel Altamirano, Agent, FPOT LLC, dba Fired Pie, located at 1155 W. Ocotillo Road, Suite 8.

50. LIQUOR LICENSE Streets of New York

APPROVED CONTINUANCE TO THE JULY 28, 2016 CITY COUNCIL MEETING Series 12, for Lorraine Glaeser, Agent, Streets of New York Inc., dba Streets of New York #16, located at 5965 W. Ray Road.

51. LIQUOR LICENSE Good Time Charli's

APPROVED CONTINUANCE TO THE JUNE 23, 2016 CITY COUNCIL MEETING Series 12, for Randy D. Nations, Agent, GTC Works LLC, dba Good Time Charli's, located at 6045 W. Chandler Boulevard, Suite 7.

52. PERMANENT EXTENSION OF PREMISES, LIQUOR LICENSE Pesto's Pizza

APPROVED Series 12, held by FDT Restaurants Inc., dba Pesto's Pizza, located at 1960 W. Ray Road, Suite 4. Staff recommends Council forward a recommendation for approval of a permanent extension of premises for State Liquor License No. 12072248, a Series 12, Restaurant Liquor License, held by Pesto's Pizza, located at 1960 W. Ray Road, Suite 4, and further, that approval be given for the permanent extension to the City of Chandler Liquor License No. 22803 L12.

BACKGROUND
Pesto's Pizza, located at 1960 W. Ray Road, Suite 4, has requested a permanent extension of their alcohol serving area to include outside seating.

The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

53. SAMPLING PRIVILEGES, LIQUOR LICENSE, Cost Plus

APPROVED Series 10, for Andrea D. Lewkowitz, Agent, Cost Plus Inc., dba Cost Plus World Market, located at 860 N. 54th Street. Staff recommends Council forward a recommendation for approval to add sampling privileges to the existing State Liquor License No. 10076747s, and further, that approval be given to add sampling privileges to the City of Chandler Series 10, Beer and Wine Store Liquor License No. 162923 L10, for Andrea D. Lewkowitz, Agent, Cost Plus Inc., dba Cost Plus World Market, located at 860 N. 54th Street.

Cost Plus Inc., dba Cost Plus World Market has been in business at this location since April 4, 2016, on May 12, 2016, the Council approved a Series 10, Beer and Wine Store Liquor License. The applicant has submitted an application to add sampling privileges to their Series 10 State Liquor License No. 10076747. The Arizona State Legislature amended A.R.S. Section 4 206.01(J) effective July 29, 2010, allowing an applicant or licensee of a Liquor Store License or a Beer and Wine Store License to apply for sampling privileges.

All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

54. PRELIMINARY PLAT Pacific Oil Partners, LLC

APPROVED PRELIMINARY PLAT, PPT15-0012 PACIFIC OIL PARTNERS, LLC for a commercial development on approximately 2.5 acres located at the SEC of Pecos and Alma School roads. Applicant: Standage & Associates, Ltd., Bill Standage

This Preliminary Plat is for a commercial development on approximately 2.5 acres that was approved by Council in October 2013, and approved a zoning time extension in September 2014. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

55. FINAL PLAT Mesquite Grove Mini-Storage

APPROVED a Final Plat, FPT16-0004 MESQUITE GROVE MINI-STORAGE, for a self-storage/mini-warehousing and moving establishment locating on Lot 2 of a commercial property located north and east of the NEC of Gilbert and Riggs roads. Applicant: Bowman Consulting, John Gray

This Final Plat is for a self-storage/mini-warehousing and moving establishment locating on Lot 2 of a commercial property that was approved by Council in March 2010, and approved a zoning time extension in June 2013. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

ACTION:

56. RESOLUTION NO. 4941 amending the Citywide Fee Schedule relating to Airport, Parks and Recreation, and Transportation and Development, effective July 1, 2016.

DAWN LANG, MANAGEMENT SERVICES DIRECTOR, stated the next step in the budget process is to review the fees and revenues. These discussions related to the City's property tax, sales tax and the utility rates. The following is recommended:

1. City Property Tax: proposed a rate reduction
2. City Sales Tax: no change recommended
3. Utility rates: no change recommended

Ms. Lang stated in order to change the rates in these categories, there are specific procedures that must be followed and they are outlined in the Arizona Revised Statutes.

The City has other fees and these are classified as miscellaneous. These fees are for various services, and are incorporated into the City Wide Fee Schedule.

Each year, departments review fees to determine if any updates are necessary that require modifying, eliminating, or adding a new fee. In 2013, the City Code was amended to add several new requirements to establish or change City fees.

The Summary of Proposed New and Modified Fees were posted on the City's web site on March 11, 2016 (Attachment 1) for 60 days in accordance with the City Code, which expanded the requirements of the Arizona Revised Statutes. Additionally, as required by City Code, a Notice of Intention to Amend the Citywide Fee Schedule (Attachment 2) has been published in the Arizona Republic as well as through social media to alert the public of the proposed changes and the date of the Council action item, May 12, 2016, to allow for Council discussion and public comment.

The proposed changes include new, modified or deleted fees in the following sections of the Citywide Fee Schedule:

- Section 2, Chandler Municipal Airport.
- Section 5, Parks and Recreation.
- Section 6, Transportation & Development – Development Services.

In addition, certain administrative edits are being made to the Citywide Fee Schedule to clarify City Code references, fee descriptions and units used to determine how the fee is charged, but have no change to the fee itself.

Due to the number of new, modified or deleted fees, they have been grouped into categories to simplify the presentation and aid in Council's review of the proposed changes. Page numbers are referenced to help locate the fee changes on the Summary of Proposed Fees (SPF) and redlined Citywide Fee Schedule (CFS).

AIRPORT ADMINISTRATOR CHRIS ANDRES reviewed the changes to his fees.

- **Airport Ground Lease Fees** (p.1 SPF, p.5 CFS): recommend changing from a fixed per square foot rate for the two airport land categories for prime ($0.29.5 s.f.) and non-prime ($.024.5 s.f.), to a negotiable methodology with a minimum rate. The minimum rate for prime would be $.30 s.f. and $.25 s.f. non-prime) This flexible strategy will ensure market value for airport land. MAYOR TIBSHRAENY asked how prime was determined. Mr.

Andres said prime would have additional infrastructure, additional access. Non-prime would require additional investment for development and has a lower initial value.

MS. BARBARA YOUNG, Acting Community Services Director reviewed the fee changes. Ms. Young explained there are two types of fees. The registration fees for classes can be set by the Community Services Director per the City Code. Fee formulas are used and set in the Citywide Fee Schedule.

The second set of fees are for facility rentals, services, admissions, permits and special events. These fees are approved by the City Council upon adoption of the Fee Schedule. She explained the individual changes and noted the Parks and Recreation Board approved the changes at the March 1, 2016 meeting.

- **Park and Recreation Fees** (p. 1-13 SPF, p.17-25 CFS):
  a. Special Event Fees Relating to New Rentals, and Requests for Additional Resources and Event Participation – recommend changes that include new fee options associated with rentals for open grass space, run/walk park race routes, onsite electrician requests, on-call facility maintenance standby and the rental of vendor booth space. The new fees will meet the demands to secure reserved space and resources at a City park or event for private or public use. Also recommended is an entry fee for the Parade of Lights due to the profound interest in the event, with 100% of the revenue going to the parade winners.

  b. Special Event Rates Expanded to Add Commercial and Non-Profit, as well as Discounts for Specific Rentals – recommend changes to maintain consistency with existing fees, some special event rates only had Resident and Non-Resident fees, so Commercial and Non-Profit is being added as well. These fees include the showmobile/portable stage, loss of public use, cleaning deposits based on number of participants, showmobile/portable stage and canopy/tent deposits, and Tumbleweed Park fees for the main park, festival area, red shed theater, road closure, parking fields A-C, and restroom and park maintenance staff.

     Additionally, feedback on the financial impact event producers were facing with existing fees resulted in recommended discounted rates for set-up, tear down and contributors into the Enhanced Municipal Services District (EMSD) system (20% off event hourly rate). These proposed fees would apply to special recreation sites, downtown east event area and the downtown library plaza. Furthermore, a rate decrease is proposed for the bike and skate park rental to better meet the market rate.

     In response to a question from Councilmember Roe, Ms. Young stated that Chandler non-profits receive a 50% discount off of the resident fee.

  c. Facility Rental Fee Increases and a Program Fee Structure Revision – recommend fee adjustments to bring fees from below the average market rate to the middle average market. The increase in facility rental fees that accommodate specific user interest at the exclusion of others include two sections of

multipurpose room, large pavilion rental (Arrowhead/Folley), one small or medium pavilion rental, entire cluster complex medium pavilion rentals (Desert Breeze-3), ball field fees with no lights, tennis pro court rentals, and half of a multipurpose room rental. Additionally, the fee structure for the Environmental Education Exploration program is revised to include all direct costs of the program.

d. Tennis Center Consolidated Rental Fees – recommended changes consolidate and eliminate several Tennis Center rental fees and create new fees to better identify the rental service offered. These programs and services provide an opportunity for individuals to drop in and play tennis or enhance their skill level or knowledge through private lessons. The elimination and consolidation of these fees is consistent with other valley tennis centers fees for lighted court with ball machine rental and tennis pro quarterly rental passes. The new fees recommended will better identify what is included in a rental including tennis ball machine with court and lights, and tennis pro court rentals with lights.

Ms. Young clarified that the fees are for use of the Tennis Center at Tumbleweed Park.

R.J. ZEDER, Transportation and Development Director reviewed changes:

- **Transportation & Development – Development Services Fees** (p.30-32 SPF, p.14-20 CFS):
  a. Civil Plan Review Fees Related to Minor Land Divisions and Recording Documents – recommend increased fee to reflect additional staff time in processing plats and a new fee for minor land divisions, and recommend new recording fees which are charged by Maricopa County.

  b. Building Plan Review Fee Increases – recommend increases in hourly rates for special services to better reflect organizational costs to provide those services, and changing fire sprinkler fee from percentage of permit to hourly, no matter how many sprinkler heads. These changes will simplify fee calculations.

  c. Inspection Fee Increases – recommend increases in hourly rates for special services to better reflect organizational costs (after hours, re-inspections). Eliminating breathing air replenishment system permit fees, and hourly fees for solar (move to miscellaneous as a flat fee).

  d. Miscellaneous New, Modified and Eliminated Fees – recommend increases to demolition permit, electrical service, and administrative fee for standard plans to better reflect costs to provide these services; reducing annual facilities permit fee to reflect actual cost to provide this service; adding flat fees previously charged as hourly for solar (revenue neutral), appeal to the building official and changing miscellaneous low cost projects from value based to flat fee. Proposing new fee

for temporary occupancy permits to reflect costs incurred and to encourage timely project completion and a new flat fee for cases where no other fees apply.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER LOPEZ TO ADOPT RESOLUTION 4941 AMENDING THE CITYWIDE FEE SCHEDULE RELATING TO AIRPORT, PARKS AND RECREATION, AND TRANSPORTATION AND DEVELOPMENT, EFFECTIVE JULY 1, 2016. THE MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

None

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor extended the invitation to attend the dedication of the first phase of the Veteran's Memorial – Field of Honor on May 30, 2016.

The Mayor asked for continued support of the police community for those who are recently injured or fallen.

The Mayor noted the item he would place on the next agenda in support of placing a ballot argument regarding Proposition 493 – Chandler General Plan update.

B. Councilmembers' Announcements

COUNCILMEMBER LOPEZ gave the reminder to watch children around the pools. He wished his daughter, a happy 18th birthday.

COUNCILMEMBER HARTKE wished congratulations to all the graduates.

VICE MAYOR SELLERS said he recently returned from visiting Chandler's Sister City in Ireland. He said this is important as it is a reminder we are competing in a global economy and the importance of establishing relationships. He noted the City of Tainan, Taiwan has asked to establish a city sister with Chandler. He spoke of his recent tour of a local company in Chandler called Local Motors, and his participation at the Most Connected City event.

COUNCILMEMBER HEUMANN expressed his appreciation for the recent Relay of Life Event. He urged voters to educate and vote in the May 17 Special Statewide Election. He reported his recent keynote address to the National Honor Society students at Perry High School. He noted Councilmember Lopez's daughter was in attendance and he then presented Mr. Lopez with an "ASU Dad" shirt in recognition of his daughter soon attending ASU.

COUNCILMEMBER ROE recognized the interviewees in attendance for the Chandler Fire, Health and Medical Chief recruitment.

C. City Manager's Announcements

Ms. Reed recognized the assistance of city staff at the Most Connected City forum and noted that was one of the strategic goals of the City Council. She recognized the involvement of the business community too.

Adjournment: The meeting was adjourned at approximately 7:57 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: May 26, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 12th day of May 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 8 day of June 2016.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 12, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 7:58 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Kevin Hartke	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

The Mayor said there are enough funds available to do all the amendments as received. Items may be taken separately or in one motion.

MOTION BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEBER HARTKE TO APPROVE THE PROPOSED BUDGET AMENDMENTS FOR FY 2016-17.

The Mayor noted the amendments are outlined in a memo dated May 12, 2016 that includes 14 amendments.

THE MOTION CARRIED UNANIMOUSLY (7-0).

BACKGROUND:

These amendments as approved will be incorporated into the Tentative Budget that will be presented for adoption at the May 26, 2016, Council meeting. The State Auditor General Report forms (Budget forms) that are part of the Tentative Budget resolution will also be revised to incorporate any approved amendments. The Tentative Budget adoption memo will be posted and provided to Council on Thursday, May 19th as part of the agenda packet.

The following items have been submitted as possible budget amendments. Also included is a proposed motion that identifies the amount and specific account names and numbers to ensure that we have a clear record of the budget impact of the amendment:

USE OF ONE-TIME COUNCIL CONTINGENCY:

1. Provide $10,000 in seed money for the Chandler Education Coalition Early Literacy Campaign based on the receipt of matching funds from the School District and committee approval. (Councilmember Heumann)
Amends the proposed FY 2016-17 budget by transferring $10,000 from one-time General Fund Council Contingency (101.1290.5924) to the Non-Departmental cost center, Other Expense account (101.1290.5818) for the Chandler Education Coalition Early Literacy Campaign.

2. Provide $21,000 for cold water drinking fountains at Chuparosa, Folley, and Espee Parks. (Councilmember Heumann)
Amends the proposed FY 2016-17 budget by transferring $21,000 from one-time General Fund Council Contingency (101.1290.5924) to the Community and Neighborhood Services Department capital cost center, Improvements account, Community Park Improvements and Repairs program, (401.4580.6611.0000.6PR530) for purchase and installation of cold water drinking fountains at Chuparosa, Folley, and Espee Parks.

3. Provide $37,000 for artificial turf at the Chandler Tennis Center. The artificial turf will provide greater durability than regular turf used for the areas between the courts. (Mayor Tibshraeny)
Amends the proposed FY 2016-17 budget by transferring $37,000 from one-time General Fund Council Contingency (101.1290.5924) to the Community and Neighborhood Services Department capital cost center, Improvements account, Community Park Improvements and Repairs program, (401.4580.6611.0000.6PR530) for purchase and installation of artificial turf at the Chandler Tennis Center.

4. Provide $30,000 for the purchase of two (2) ballfield shade structures at Espee Park. These structures will provide shade for spectators at the games played on these fields. (Mayor Tibshraeny)
Amends the proposed FY 2016-17 budget by transferring $30,000 from one-time General Fund Council Contingency (101.1290.5924) to the Community and Neighborhood Services Department capital cost center, Improvements account, Community Park Improvements and Repairs program (401.4580.6611.0000.6PR530) for purchase and installation of ball field shade structures at Espee Park.

5. Provide $60,000 for the purchase of a ballfield shade structures at Nozomi Park. These structures will provide shade for spectators at the games played on these fields. (Mayor Tibshraeny)
Amends the proposed FY 2016-17 budget by transferring $60,000 from one-time General Fund Council Contingency (101.1290.5924) to the Community and Neighborhood Services Department capital cost center, Improvements account, Community Park Improvements and Repairs program (401.4580.6611.0000.6PR530) for purchase and installation of ball field shade structures at Nozomi Park.

6. Provide $70,000 for the purchase of a shade structures at the Chandler Tennis Center for seating area. These structures will provide shade for spectators at the matches played on these courts. (Mayor Tibshraeny)
Amends the proposed FY 2016-17 budget by transferring $70,000 from one-time General Fund Council Contingency (101.1290.5924) to the Community and Neighborhood Services Department capital cost center, Improvements account, Community Park Improvements and Repairs program (401.4580.6611.0000.6PR530) for purchase and installation of shade structures at the Chandler Tennis Center.

7. Provide $100,000 for the purchase of shade structures for Arrowhead Pool, Desert Oasis Aquatic Center, and Nozomi Pool. These structures will provide shade for those using these aquatic facilities. (Mayor Tibshraeny)
Amends the proposed FY 2016-17 budget by transferring $100,000 from one-time General Fund Council Contingency (101.1290.5924) to the Community and Neighborhood Services Department capital cost center, Improvements account, Aquatic Facility Safety Renovations program (401.4580.6611.0000.6PR047) for purchase and installation of shade structures at Arrowhead Pool, Desert Oasis Aquatic Center, and Nozomi Pool.

8. Provide $12,000 for a Social Media intern for two semesters in the Police Department (including employee benefits and taxes). (Councilmember Ellen)
Amends the proposed FY 2016-17 budget by transferring $12,000 from one-time General Fund Council Contingency (101.1290.5924) to the Police Administration cost center, Temporary employee account, (101.2010.5118) for an intern to assist with Social Media efforts for the Department for two semesters.

9. Provide $5,000 for two (2) "junior height" basketball hoops at Chuparosa Park. This would be viewed as a one year test to see if such hoops are feasible at additional parks in the future. (Councilmember Ellen)
Amends the proposed FY 2016-17 budget by transferring $5,000 from one-time General Fund Council Contingency (101.1290.5924) to the Community and Neighborhood Services Department capital cost center, Improvements account, Community Park Improvements and Repairs program (401.4580.6611.0000.6PR530) for purchase and installation of one "junior height" basketball hoop at Chuparosa Park.

10. Provide $25,000 for Police Department Cybercrime training. (Councilmember Lopez)
Amends the proposed FY 2016-17 budget by transferring $25,000 from one-time General Fund Council Contingency (101.1290.5924) to the Police Department, Criminal Investigations cost center, Education and Training account (101.2040.5814) for Cybercrime training.

11. Provide $1,000 for the Domestic Violence Commission Breakfast. (Councilmember Roe)
Amends the proposed FY 2016-17 budget by transferring $1,000 from one-time General Fund Council Contingency (101.1290.5924) to the Non-Departmental Cost Center, Other Expense account (101.1290.5818) for the Domestic Violence Commission Breakfast.

The proposed one-time amendments submitted total $371,000, which exceeds the $325,000 originally allocated. The amount of $46,000 will be moved from ongoing Council Contingency to support the one-time requests, leaving $29,000 for ongoing amendments.

USE OF ONGOING COUNCIL CONTINGENCY:

1. Provide $5,000 for Special Assignment Unit (SAU) training. (Councilmember Ellen)
Amends the proposed FY 2016-17 budget by transferring $5,000 from ongoing General Fund Council Contingency (101.1290.5924) to the Police Department, Criminal Investigations cost center, Education and Training account (101.2040.5814) for Special Assignment Unit (SAU) training.

2. Provide $8,000 for Social Media Archiving. (Councilmember Ellen)
Amends the proposed FY 2016-17 budget by transferring $8,000 from ongoing General Fund Council Contingency (101.1290.5924) to the Communications and Public Affairs Department, Other Professional Services account (101.1070.5219) for Social Media Archiving services.

3. Provide $5,000 for future opportunities for City to City connections. (Vice Mayor Sellers)
Amends the proposed FY 2016-17 budget by transferring $5,000 from ongoing General Fund Council Contingency (101.1290.5924) to the Non-Departmental Cost Center, Other Expense account (101.1290.5818) for future opportunities for City to City connections.

The three ongoing requests above total $18,000, leaving a balance of $11,000 in the ongoing Council Contingency.

Adjournment: The meeting was adjourned at approximately 8:00 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: May 26, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting of the City Council of Chandler, Arizona, held on the 12th day of May 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 8 day of June, 2016.

_____ City Clerk

MINUTES OF REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, May 26, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR TIBSHRAENY AT 7:02 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Jack Sellers	Vice-Mayor
Rick Heumann	Councilmember
René Lopez	Councilmember
Kevin Hartke	Councilmember
Terry Roe	Councilmember
Nora Ellen	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: The invocation was given by Pastor Lori Tapia – Alas de Salvacion

PLEDGE OF ALLEGIANCE: Boy Scout Troop 280 led the Pledge of Allegiance.

Mayor Tibshraeny also noted that Boy Scout Troop #7 was in attendance.

CONSENT:

MOVED BY COUNCILMEMBER LOPEZ, seconded by COUNCILMEMBER ELLEN, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

Mayor Tibshraeny stated he received a comment card from Evelyn Ellsworth, 254 N. Hartford St., Chandler, opposing item #31, the rezoning of the Planned Area Development (PDP) of the Alta San Marcos Golf Course to Multi-Family residential. He stated that item has been continued to the June 23, 2016 City Council meeting.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

1a. MINUTES of the Chandler City Council Special Meeting (Exec Session) of May 9, 2016
1b. MINUTES of the Chandler City Council Regular Meeting of May 12, 2016
1c. MINUTES of the Chandler City Council Study Session of May 9, 2016
1d. MINUTES of the Chandler City Council Special Meeting (Budget Amendments) of May 12, 2016

6. FY2016-17 BUDGET AND FY2017-2026 CAPTIAL IMPROVEMENT PROGRAM

ADOPT Resolution No. 4954 adopting the FY 2016-17 Tentative Budget and 2017-2026 Tentative Capital Improvement Program and giving notice of the dates and times for hearing taxpayers, for final adoption of the budget, and for setting the tax levies and tax rates.

BACKGROUND: Resolution No. 4954, adopting the FY 2016-17 Tentative Budget and the State Auditor General forms (Budget forms) is submitted as prescribed by Arizona Revised Statutes 42-17101 and 42-17102. The Resolution and Budget forms have been revised to incorporate the amendments approved at the May 12th Council meeting.

As required, the Budget forms will be published in the Arizona Republic newspaper, as will a notice that the City Council will meet on June 9, 2016, at 7:00 p.m. for the purpose of a public hearing and for final adoption of the 2016-17 Budget, and will further meet for the purpose of setting the tax levies on June 23, 2016, at 7:00 p.m.

In summary, the FY 2016-17 revised budget (with amendments approved on May 12th) totals $971,250,607 and includes funding for departmental operating budgets of $349,567,696; funding for debt service of $59,454,061; budget for equipment, technology, and vehicle replacement purchases of $8,858,918; and contingencies and reserves in the amount of $102,020,708 in various funds. The capital budget includes $139,328,539 in new appropriation, capital carry forward of $310,470,685 and contingency and reserve funding of $1,550,000.

Included in the projected operating revenues of $452,065,390 is a property tax levy of $29,165,484 based on a rate of $1.1600 per $100 assessed property, plus $460,536 for SRP's payment to the City in lieu of property tax for a total of $29,626,020.

The Tentative Budget and Resolution, including the Budget forms, as well as the 2017-2026 Tentative Capital Improvement Program will be available for public review and inspection May 27, 2016, on the City's official website www.chandleraz.gov and at the City of Chandler Libraries, City Clerk's office and the Management Services Administration office located in the Chandler City Hall.

As in past years, Section 4 of the Resolution includes certain delegations to the City Manager or designee to transfer funds for specific administrative purposes such as year-end encumbrances, capital project carry forward, and allocation of personnel budgets following final negotiation of memorandums of understanding (MOU).

7. AGREEMENT: Enhanced Municipal Services District Res. 4956

ADOPT Resolution No. 4956, authorizing the Enhanced Municipal Services District (EMSD) Agreement for Fiscal Year 2016-2017, between the City of Chandler and the Downtown Chandler Community Partnership, and the City's voluntary contribution to the EMSD in the amount of $118,804.

BACKGROUND: At the City Council meetings on March 17, 2016, and April 14, 2016, the Mayor and City Council took all actions necessary to renew the Downtown Chandler Enhanced Municipal Services District (District). Staff is requesting approval of an EMSD Agreement with

9. PROJECT AGREEMENT: Hillcrest Recovery Well Equipping

APPROVED award of a Project Agreement to Stantec Consulting, Inc., for construction management services, for the Hillcrest Recovery Well Equipping, pursuant to Annual Water and Wastewater Services Contract No. EN1521.101, Project No. WW1412.451, in an amount not to exceed $109,210.

The Hillcrest Recovery Well is located at 5899 S. Hillcrest Drive. The well was originally drilled in February 2005 for water production purposes, but was never equipped for potable use due to high arsenic levels. The well has been repurposed as a recovery well to supplement the reclaimed water system during peak demand periods. The recovery well will be connected to the existing reclaimed water distribution system. This project includes construction management services for the installation of well pumping equipment and associated site development.

The project scope of work consists of: project meetings, inspection services, schedule review, utility coordination, submittal and shop drawing reviews, contractor payment review, materials testing, instrumentation and controls programming, and record drawings.

10. No item

11. AGREEMENT: Right of Way Repairs

APPROVED Agreement No. MU6-745-3676, for Right-of-Way Repairs, to Vincon Engineering Construction, LLC, in an amount not to exceed $120,000, per year, with the option of four (4) additional one-year extensions. Repair and maintenance of water distribution mains, service connections, valves, and hydrants often require removal of existing concrete and asphalt within the right-of-way. The Water Distribution Division will use this Agreement to repair damage to City's right-of-way as a result of water main break repairs or maintenance of the water distribution system. Municipal Utilities is requesting approval of an amount not to exceed $120,000. This amount is based on historic usage of the services provided under this Agreement.

12. AGREEMENT AMENDMENT: Accela – Online Plan Review

APPROVED Amendment No. 1 to Master Services Agreement (MSA) No. 3547 for an electronic document review system with Accela for a revised not to exceed contract amount of $262,026 and authorize the transfer of General Fund appropriation from the Transportation & Development Department to the Information Technology Oversight Committee in the amount of $29,717. The City utilizes the Accela Civic Platform for processing permits and inspections as well as code enforcement. Currently, the City's plan review process is manual and requires multiple paper copies of construction plans. The existing process does not take advantage of today's electronic plan review technology and does not offer on-line plan submittal options for customers.

Providing an option for on-line plan submission and plan review will reduce the need for paper plans, lower overall submission costs, provide for receiving comments from City staff electronically, and help to streamline the overall plan review process. An electronic document

The website features essential Chandler tourism information including, but not limited to, hotel accommodations, attractions, a calendar of events, and a dining guide. It is a key marketing tool to reach potential visitors. VisitChandler.com is featured on all promotional materials and advertisements, and is also used to measure the success of advertisements and general promotions. The website is a key source of information for people researching travel to Chandler and continues to drive traffic. Year to date growth through March for FY16 has seen a total of 201,817 visits as compared to 170,580 for the same period last year, representing an 18% increase in web traffic.

In FY16, the website was moved to a responsive platform which will allow all VisitChandler.com content to be viewable either by desktop, tablet or mobile device. In addition, a Customer Relationship Management (CRM) program was integrated with the website to facilitate communications, data management and reporting mechanisms.

PPC ads are strategically placed website advertisements which appear on the right and on top of natural search engine results for specific keywords and phrases. PPC is typically a strong marketing strategy when trying to rank with highly competitive keywords and phrases with more immediate results. SEO is an organic method of increasing the likelihood that a website is found by a user when searching for a keyword or phrase through a search engine. Thereby connecting the user with the content that they are seeking. SEO is a strong, long-term strategy which requires a continual investment of time, but provides lasting website growth. It is anticipated that with additional website growth, more visitors will be drawn to Chandler thereby increasing revenue to Chandler businesses.

Simple Support is a basic, flat monthly support plan for routine maintenance and development of the site.

For the extension term, fees for PPC are $25,200 and PPC management fees are $4,800. SEO fees are $24,000. The responsive design license fees are $23,200. The CRM and data reporting annual hosting fees are $4,400. The Simple Support fees are $6,000.

14. AGREEMENT AMENDMENT: Lin-Cum, Inc.

APPROVED Amendment No.4 to Agreement No. TD2-915-3097 with Lin-Cum, Inc., for microfilming services, in an amount not to exceed $85,000, for a one-year term, May 1, 2016 through April 30, 2017. The City has an existing agreement with Lin-Cum, Inc., for microfilming services. This agreement is used on an as-needed basis, and quantities are estimated based on past history. The agreement amount was amended in December of 2015 to allow historical building permit records to be converted from existing microfiche to digital format, which will make retrieval of information for public records requests much more efficient. Once digitized, some records may be made accessible directly to the public over the Internet.

This item was originally discussed at the City Council Study Session of May 9, 2016. At that time, Councilmember Heumann asked for more information regarding the schedule and total cost of the microfilming and digitizing project.

17. CONTRACT: Mak Pro Services

APPROVED a Professional Services Contract to Mak Pro Services, LLC, for Public Outreach, Phase 1 for Arizona Avenue Improvements, Frye Road to Pecos Road, Contract No. ST1607.101, in an amount not to exceed $49,965.00. The Arizona Avenue Improvements, Frye Road to Pecos Road, is part of a comprehensive plan to improve Downtown Chandler streets and Infrastructure for further development and to improve traffic circulation in the downtown area. The project includes stakeholder coordination with the various high profile stakeholder groups within the project location.

The scope of services will include regular email updates to downtown businesses, including personal visits with businesses as appropriate to address concerns or issues related to design. Coordination will be necessary with all stakeholders, including the Design Consultant, City staff, Chamber of Commerce and Downtown Chandler Community Partnership (DCCP) to mitigate concerns and issues as they arise.

18. No Item

19. CONTRACT: Salt River Project / Ocotillo Water Reclamation Facility Expansion

APPROVED Design and Construction Contract to Salt River Project, for the Ocotillo Water Reclamation Facility Expansion, Project No. WW1301.504, in an amount not to exceed $60,470.16.

To accommodate the Ocotillo Water Reclamation Facility (OWRF) expansion for present and future services, Salt River Project (SRP) will install new electrical facilities to serve the OWRF. The construction will be located within the project site at 3333 S. Old Price Road.

On February 25, 2016, City Council awarded a Design and Construction Contract, Project No. WW1301.503, to SRP, in an amount not to exceed $80,914. That contract included the installation of two automatic transfer switches to provide automated switching between two primary metered non-dedicated distribution circuits. SRP required that this work be completed under a separate contract and is now requesting a new contract for additional work.

The project scope of work for this contract includes the installation of a three phase pad mounted transformer and underground primary conductor to replace an overhead power feed to an existing sewer pump station.

20. CONRACT AMENDMENT: Gavan and Barker, Inc.

APPROVED Contract Amendment No.1 to Gavan and Barker, Inc., pursuant to Annual Contract EN1511.101, to increase the annual limit of the contract from $150,000 to $350,000.

On September 11, 2014, City Council awarded an annual contract for Landscape Design Consulting Services to Gavin and Barker, Inc., in the amount of $150,000 per year for two years. Design projects included in the original annual contract were Valencia, Harris, Apache and Folley Parks. Staff anticipates needing additional services related to landscape design

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0011 FRY'S MARKETPLACE, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 9 Liquor Store License and Series 7 Beer and Wine Bar License only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. The Liquor Use Permit is non-transferable to other store locations.

3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

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

22. LIQUOR LICENSE: Fry's Marketplace – 2929 E. Ocotillo Road

APPROVED forwarding a recommendation for approval of State Liquor License No. 07070235, and further, that approval be given for the City of Chandler Series 7, Beer and Wine Bar Liquor License No. 161620 L7, for Lauren Kay Merrett, Agent, Smith's Food & Drug Centers Inc., dba Fry's Marketplace #681, located at 2929 E. Ocotillo Road.

The application for a liquor license was posted for hearing on May 12, 2016, at which time it was continued until May 26, 2016.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 7, Beer and Wine Bar Liquor License, the business may sell beer and wine only for on- or off-premise consumption.

23. LIQUOR LICENSE: Fry's Marketplace – 2929 E. Ocotillo Road

APPROVED forwarding a recommendation for approval of State Liquor License No. 09070120, and further, that approval be given for the City of Chandler Series 9, Liquor Store Liquor License No. 161620 L9, for Lauren Kay Merrett, Agent, Smith's Food & Drug Centers Inc., dba Fry's Marketplace #681, located at 2929 E. Ocotillo Road.

The application for a liquor license was posted for hearing on May 12, 2016, at which time it was continued until May 26, 2016.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 9, Liquor

residential collector street Galaxy Drive to the west, and the residential subdivision Stellar City Airpark, zoned SF-10, adjacent to the south. East of the subject site is the Stellar Airpark runway. In January 2008, the property was rezoned from Planned Commercial Office (PCO) and Agricultural District (AG-1) to Planned Area Development (PAD) along with a Preliminary Development Plan (PDP) for a 9 lot single-family custom home residential development.

The request is to modify the PDP increasing the number of lots from 9 to 14. The prior approved subdivision included lots greater than 20,000 square feet in size, at least 132-feet wide and 162-feet deep. The proposed 14-lot subdivision includes lots approximately 18,119 square feet in size, at least 111.5 feet wide and 162.5 feet deep. The request also includes modifications to minimum building setbacks allowing 20 foot front yard setbacks instead of 25 feet, and rear yard setbacks of 20 feet instead of 25 feet for one-story homes and 35 feet for two-story homes. The minimum livable ground floor area is proposed at 2,800 square feet which is 800 square feet less than previously approved. The custom home design standards remain unchanged.

Planning Staff finds the proposed PDP modifications continues to maintain a larger lot custom homes subdivision that is compatible with the surrounding residential and airport properties.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on March 22, 2016. Approximately six area property owners attended asking general questions.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 5 Opposed: 0 Absent: 2 (Baron, Wastchak)

RECOMMENDED ACTIONS

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

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

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

Preliminary Plat
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

0559337. It included an agreement for a sale and leaseback arrangement in order to allow the developer to receive certain GPLET benefits allowed under state statute, and it included exhibits showing the form of the special warranty deed to the City from the developer, and the form of the GPLET lease back to the developer, which were to be completed once a certificate of occupancy had issued.

The improvements are near completion and a certificate of occupancy is ready to be issued. While the resolution did approve the GPLET leaseback arrangement, the Chandler City Charter requires that the approval of or authorization to lease city property for three or more years must be done by ordinance. Thus, approval of Ordinance No. 4705 is necessary for the City to fulfill one of the commitments stated in the development agreement.

30. REZONING/PRELIMINARY DEVELOPMENT PLAN: Allred Park Place

CONTINUED Introduction and Tentative Adoption of Ordinance No. 4704 DVR15-0037 ALLRED PARK PLACE rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height, with Preliminary Development Plan (PDP) approval for site design and building architecture on property totaling approximately 62-acres located at the southwest and southeast corners of Price and Willis roads. Applicant: Stephen Earl - Earl, Curley & Lagarde P.C.

The MAYOR said there has been a request from the applicant to continue the case. The Mayor said the applicant may have asked for 30 days, but after meeting with staff and due to the amount of work that it may require, a 60 day continuance would be more appropriate.

MR. STEPHEN EARL, representing the applicant, said the applicant had offered 5 stipulations on Monday to address issues and offered them as a workable option as opposed to Stipulation No. 3 as part of the PDP. He stated it was by introducing this compromise they felt it would be better and allow the project to proceed while still addressing the concerns raised by the Council on maximizing intensity and building height along Price Road. He said he was surprised it created this much controversy. He felt if the added 5 stipulations caused that, it might be preferable to proceed without them. The Mayor asked if Mr. Earl would like the Council to hear the case tonight. Mr. Earl said he does not as the client is not present. He would like the opportunity to discuss this matter in the next couple of weeks if a compromise is agreed upon. He said the preference is a 30 day continuance.

COUNCILMEMBER HEUMANN stated that while he understands the importance of proceeding in an expeditious manner, staff does not believe a 30-day continuance provides them enough time to work through the issues.

MOVED BY COUNCILMEMBER LOPEZ, SECONDED BY COUNCILMEMBER ELLEN, FOR A 60-DAY CONTINUANCE OF ORDINANCE NO. 4704, DVR15-0037 ALLRED PARK PLACE, REZONING FROM PLANNED AREA DEVELOPMENT (PAD) AND AGRICULTURAL DISTRICT (AG-1), TO PLANNED AREA DEVELOPMENT (PAD) SETTING THE CONTINUANCE DATE TO JULY 28, 2016.

MOTION CARRIED UNANIMOUSLY (7-0).

B. Councilmembers' Announcements

COUNCILMEMBER LOPEZ mentioned a fundraising event sponsored by Von Hanson's Meats for the two officers that were shot at the Walmart on Arizona Avenue a few weeks ago. The event will be held May 27th through the 29th from 10:00a.m. to 5:00 p.m. There is also two donation fund accounts set up at Wells Fargo Bank: one for Officer Daniel Colwell and one for Officer Joshua Pueblo.

As a veteran himself, he thanked everyone involved in the Field of Honor Veterans Memorial.

COUNCILMEMBER HARTKE asked everyone to take time this Memorial weekend to reflect, remember and be grateful for those who have served and died to preserve the rights and freedoms we all enjoy.

COUNCILMEMBER HEUMANN sent out his sympathy to the family of Phoenix Officer David Glasser who was buried today.

He took a moment to recognize a member of the Chandler Education Coalition, Conrad Lindo, who is also the Community Outreach Coordinator at First Things First. Conrad was headed back to the valley from Tucson when he came across a car fire along I-10. He stopped to lend assistance and pulled a 15 day old baby from the car.

COUNCILMEMBER ELLEN congratulated Chandler's new Fire Chief. She announced she had 7 members in the armed services and wished everyone a save and happy Memorial weekend.

COUNCILMEMBER ROE congratulated Tom Dwiggins as Chandler's new Fire, Health & Medical Chief, and thanked Boy Scout troop 280 and #7 for being present.

He extended his condolences to Officer Glasser's family and the Phoenix Police department.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:24 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: June 9, 2016

CERTIFICATION

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 9, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Ken Endean – Tri City Baptist Church

PLEDGE OF ALLEGIANCE: Councilmember Lopez led the Pledge of Allegiance.

CONSENT:

MOVED BY VICE MAYOR SELLERS, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. MINUTES of the Chandler City Council Study Session of May 23, 2016.
1b. MINUTES of the Chandler City Council Regular Meeting of May 26, 2016.

2. DEVELOPMENT AGREEMENT Government Property Lease Excise Tax (GPLET)
Ord. #4705

ADOPTED Ordinance No. 4705 authorizing a Government Property Lease Excise Tax (GPLET) Lease with PR III/Wood Chandler Apartments, LLC, for improved real property located within the Chandler Central Business District for the use and operation of a multi-family residential development.

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BACKGROUND/DISCUSSION: On July 10, 2014, the Chandler City Council, by Resolution No. 4785, approved a development agreement with PR III/Wood Chandler Apartments, LLC to further a multi-family residential development within the City's Central Business District on property generally located at the southeast comer of Frye Road and Washington Street, the site of a former steel yard. The development agreement was recorded as Instrument No. 2014-0559337. It included an agreement for a sale and leaseback arrangement in order to allow the developer to receive certain GPLET benefits allowed under state statute, and it included exhibits showing the form of the special warranty deed to the City from the developer, and the form of the GPLET lease back to the developer, which were to be completed once a certificate of occupancy had issued.

The improvements are near completion and a certificate of occupancy is ready to be issued. While the resolution did approve the GPLET leaseback arrangement, the Chandler City Charter requires that the approval of or authorization to lease city property for three or more years must be done by ordinance. Thus, approval of Ordinance No. 4705 is necessary for the City to fulfill one of the commitments stated in the development agreement.

Approval of this ordinance is a routine matter, but the GPLET statutes do require that ordinance approval be done "without the use of a consent calendar." Therefore, this item is presented to you as an action item.

FINANCIAL IMPLICATIONS: There is no additional financial impact to the City beyond the impacts associated with the prior resolution approving the development agreement.

3. 2016-17 GENERAL FUND ALLOCATIONS:

ADOPTED Resolution No. 4958 authorizing the allocation of FY 2016-2017 General Fund dollars in the amount of $1,115,392.00 in accordance with the recommendations of the Chandler Housing and Human Services Commission (HHSC) and staff; separately approving the use of Council Contingency funds from FY 2015-2016, in the amount of $11,000.00 to be transferred to the Community Development Cost Center for appropriation beginning July 1, 2016, to be allocated to Chandler Christian Community Center for its Community Action Program assisting homeless persons for a total general fund allocation amount of $1,126,392.00; and authorizing the City Manager or designee to enter into agreements and suspend or terminate as needed pursuant to this Resolution.

BACKGROUND: The City of Chandler annually allocates General Fund dollars from the Social Services Fund (SSP) and the Youth Enhancement Program (YEP). In addition, funds from the utility bill donations are allocated from the Acts of Kindness (A-OK) program. These and Veterans Transportation Services funds are granted to qualifying nonprofit agencies and programs for the purpose of providing human services to Chandler residents.

In April, Council and staff learned that the U.S. Department of Housing and Urban Development (HUD) would be making funding cuts to programs that provide transitional housing to homeless individuals and families. The House of Refuge is one of the programs impacted by the HUD cuts and will be forced to evict all of their families in the next few weeks. The motion to approve funding includes $11,000 in one-time Council contingency funding to be allocated to Chandler Christian Community Center for the Community Action Program in order to assist homeless Chandler families impacted by the HUD cuts.

For FY 2016-2017, allocations are divided into four funding population groups. Funding from the General Fund is used for three of these groups: Families in Crisis, Special Populations, and Youth. The fourth group is comprised of Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) requests, which have already been approved.

DISCUSSION: The City received 63 applications totaling $1,773,248 for the FY 2016-2017 General Fund Allocations. Each application received through the Human Services Funding Allocations Process was assigned to a subcommittee review team of the HHSC.
Each team met at least twice to review and discuss the applications. Comments were captured during these review sessions that can be sent at a later date to the agencies along with the application scores.

Based on the stated funding amounts for FY 2016-2017 Human Services General Funding, initial allocations were made for each funding population and source. On May 5, 2016, the initial funding recommendations from HHSC were sent to the nonprofit organizations that applied for funding. These recommendations were then finalized by the HHSC on May 11, 2016, following a Public Hearing.

FINANCIAL IMPLICATIONS: All costs associated with the General Fund Human Services Allocations will be paid by the City of Chandler General Funds as part of the FY 2016-2017 Operating Budget and the City Manager or designee is authorized to enter into the agreements pursuant to this resolution.

4. TEMPORARY DRAINAGE EASEMENT: RES. # 4961

APPROVED Resolution No. 4961 authorizing the extinguishment of a temporary drainage easement no longer needed for public use located north of the northeast corner of Gilbert Road and the 202 Freeway and authorizing the Mayor to execute and deliver all documents necessary to effect the extinguishment of the drainage easement.

BACKGROUND/DISCUSSION: In 2014, the owner of the Rivulon - Phase I development ("Rivulon") granted a temporary drainage easement (the "Easement") to the City of Chandler. The Easement was granted as part of the Gilbert Road improvements constructed by Rivulon from the 202 Freeway to Pecos Road. Rivulon is incorporating permanent drainage facilities into their development. As a result, the Easement is no longer required and can be extinguished. Rivulon has requested that the City extinguish this Easement in order to clear up their title. Staff reviewed the request and concurs that the Easement can be extinguished.

5. AREA PLAN AMENDMENT / REZONING / PRELIMINARY DEVELOPMENT PLAN:

CONTINUED TO JUNE 23, 2016 ZONING, APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT, Area Plan Amendment to the Peterson Farms (Section 7) Area Plan from Low-Density Residential to Commercial.
ZONING, DVR16-0010 QUIKTRIP, rezoning from Agricultural to Planned Area Development for commercial uses including a fuel station.
PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture for a fuel station located at the NEC of Gilbert and Queen Creek roads.

6. PRELIMINARY DEVELOPMENT PLAN: FIRST CREDIT UNION PLAZA

APPROVED Preliminary Development Plan, PDP15-0017 First Credit Union Plaza, for building mounted signage located at 25 S. Arizona Place, east of the NEC of Arizona Avenue and Boston Street.

BACKGROUND:
The request was heard at February 17, 2016, Planning Commission hearing at which it was continued so the request could be reviewed by the Design Review Committee (DRC). The request has been continued a number of times as the design team has worked through modification stemming from the comments received from the DRC. Most recently, the request was continued from the May 12, 2016, City Council meeting in order to finalize design details and for the request to be reviewed by the Planning Commission.

The five-story, 102,700 square foot building received zoning and PDP approval in 1986, as part of the City's downtown redevelopment process. Criteria for building mounted signage was not included with the initial request and a comprehensive plan was not approved until May of 1998.

The existing sign plan provides sign parameters for major and minor tenants depending on square footage of the tenant. Major tenants that exceed 25,000 square feet were approved for a sign band with a maximum height of 24" with allowance for letter ascenders and descenders an additional 12" with a restriction that any letter or logo could not exceed 36". Square footage of the sign was limited to 50 square feet and allowed a maximum of one sign per 25,000 square feet, with a maximum of two signs per tenant. Minor tenants have similar band restrictions with approval for ascenders and descenders limited to 8" and an overall square footage of 60 feet, with one sign per tenant.

The request is to modify the building mounted signage by providing guidelines for major, minor, and retail tenants. The request maintains relative consistency with the approved plan with minor deviations. Square footage for defining major and minor tenants has been eliminated and left to the determination of the building owner, allowing for flexibility in those instances where a tenant may be just below the defining threshold. Major tenants will have a sign band limited to the fourth floor, with a general sign height of five feet and square footage of 100 feet within the designated sign band area and provide a sign copy of reverse pan channel lettering. Minor tenants will be limited to a sign band area on the third floor with a general sign height of three feet and square footage of 65 feet. Sign copy shall be limited to dark bronze reverse pan channel letters.

While currently the site does not have any retail tenants, provisions are provided for retail users in the event that users occupy space on the ground floor.
Retail tenants will be limited to a general sign height of two feet, and square footage area of 40 feet. Due to the potential of retail development to have frontage along Arizona Place and Commonwealth Avenue, consideration is provided for both signage on the colonnade and on the building.

Building mounted signage for the retail users will only be limited to the north side of the building along Commonwealth Avenue. To provide architectural interest, signage for the retail users will be located along the colonnade that runs the length of the building frontage. Historically, raceway signs have been restricted when attached to buildings, as it creates a design that is not integrated with the overall building; however, in this case, due to the colonnade, the raceway element will be hidden from view creating standing letters on the colonnade. Sign copy will carry

the reverse pan-channel consistent with the office tenants. Retail tenants are also allowed one under canopy non- illuminated blade sign.

Additionally, at the entry of the building along Arizona Place, the building name will be added. The design has changed from the original proposal to a more contemporary metal design. To establish a sense of place and a location easily identifiable, the property owner has opted to designate the building as Plaza 25. A tasteful addressing logo has designed and is located just above the main building entry that will be illuminated using reverse pan channel halo illumination. The building name is provided on top of the entry arch and will also utilize reverse pan channel halo illuminated lettering. Two tenant directory signs are provided on the columns that flank the entry. Tenant signs are routed out metal panels. The panels will not be illuminated.

7. PRELIMINARY DEVELOPMENT PLAN: Wildhorse

APPROVED Preliminary Development Plan PDP16-0002/PPT16-0005 WILDHORSE, for subdivision layout for a nine lot single-family custom subdivision on approximately five acres located north of the NWC of Willis Road and El Dorado Drive.

BACKGROUND:
The subject site is located north of the northwest comer of Willis Road and El Dorado Drive. North and west, adjacent to the site is the Allred Park Place development. East are developed residential lots zoned AG-1. South is the Vintage Villas single-family residential subdivision.

The subject site is located within the Dobson/Germann Area Plan that encompasses the area between the Loop 202 Santan Freeway, Germann, Dobson, and Price roads. The area plan designates the site for minimum 10,000 sq. ft. residential lots. The request is consistent with the area plan.

The subject site was zoned in late 2014, from Agricultural to PAD for a 15-lot single-family residential subdivision, with lot sizes exceeding the 10,000 sq. ft. requirement in the area plan.

At the time of approval, housing product was included. The property has since been sold, and was acquired by an adjacent property owner.

The request seeks to amend the site plan and number of residential lots reducing the lot count from 15 lots to 9 lots. At the time of approval in 2014, the density was approved 2.97 units per acre; the current request reduces the density to 1.7 units per acre. Setbacks remain consistent with the previous approval and the adjacent Vintage Villas subdivision to the south.

During the 2014 approval process, housing product was included. Product included one and two story homes; however, based on concerns expressed by an adjacent owner to the east, the developer restricted lots 2, 14, and 15 to single-story plans. The current owner is maintaining the restriction to the respective lot locations since the lots have now changed due to the reduction in count. Single-story homes will be restricted to the current lots of 2, 8 and 9 respectively. Lot sizes have been increased to between 15,000 up to 22,000 sq. ft. While the retention basin and entry landscaping maintains the same location as the initial approval, the areas have been increased in area.

Housing product is no longer proposed as the owner's intention is to develop a custom home subdivision. While housing product is not included, design criteria has been included in the

development booklet requiring deemphasized garage fronts, four-sided architecture, minimum home square footage, and restriction the amount of two-story homes.

Planning Staff finds the request maintains consistency with the General Plan and Dobson/Germann Area Plan. Furthermore, the reduction in lot count and density provides housing options in the area that are no longer common place, offering diversity in the area.

PUBLIC I NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on Thursday, April 7, 2016; eleven neighbors attended. As of the writing of this memo, Planning Staff is not aware opposition to the request; however, Planning Staff has received one email requesting that home along the southern end adjacent to the Vintage Villas subdivision be limited to single-story homes. Planning Staff has received one phone call in support of the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve:
In Favor: 6 Opposed: 0 Absent: 1 (Foley)

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "WILDHORSE" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0002, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

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

Preliminary Plat
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

8. BOARD AND COMMISSION APPOINTMENTS:

APPROVED the following Board and Commission appointments:

Domestic Violence Commission
Tiffany Jones

Neighborhood Advisory Committee

Ryan Kading

9. BROKER SERVICES: Arthur J Gallagher

APPROVED Agreement No. RM2-953-3096, Amendment No. 2, with Arthur J. Gallagher Risk Management Services for broker services for the term of July 1, 2016, through June 30, 2017, in an amount not to exceed $37,000.00, for one year.

BACKGROUND/DISCUSSION:
The City requires the services of an insurance broker for purchase of the City's liability and excess workers' compensation coverage's. Broker services include: meeting with the City Attorney staff and the Human Resources staff tri-annually to discuss loss control issues, changes in exposure, and general administrative issues; developing action plans on behalf of the City for each year of service; and submitting them for review and approval by the City Attorney and Human Resources no later than January 301 of each year.

On Apri112, 2012, City Council approved an agreement with Arthur J. Gallagher Risk Management Services for Broker Services for a three year period with the option of up to two one-year extensions. Arthur J. Gallagher Risk Management Services has agreed to extend for one additional year at the same terms, conditions and pricing. This is the second and final extension.

10. RISK MANAGEMENT SERVICES: Arthur J. Gallagher

APPROVED purchase of insurance contracts (policies) to protect the City against financial loss in an aggregate amount not to exceed $1,241,433.53.

BACKGROUND/DISCUSSION: The City has a contract with Arthur J. Gallagher Risk Management Services which acts as the Insurance Broker of Record for the City's public entity liability, property, and vehicle insurance coverage. The broker advises and coordinates with Human Resources and the Risk Management division about the types and coverage amounts the City should purchase to protect it. Earlier this calendar year, the broker obtained quotes from insurers and negotiated the best terms and coverage for the various exposure areas.

The City self-insures and usually keeps a $2,000,000 retention for public entity liability but this year with our broker's advice, the broker shopped other carriers and was able to not only provide very beneficial quotes but they were also low enough that the City could switch to a lower self-insurance retention of$1,750.000.00 for public entity liability rather than the normal $2,000,000.

We also carry excess coverage in other areas of liability and at the levels indicated below. We had been warned that premiums may increase by 10-20% for various coverage's so our broker's advice proved to be a very successful strategy. The aggregate premium cost of recommended coverage through commercial carriers for FY 2016-2017 is $1,241,433.53 compared to FY 2015- 16, which was $1,237,212.44. The difference between last fiscal year and this fiscal year is less than 0.35% overall even though the Worker Compensation excess liability coverage rose by 20%.

11. TRANSPORTATION CONSULTING SERVICES: Jeff Martin Consulting, LLC.

APPROVED Amendment No. 2 to Agreement No. 3387, with Jeff Martin Consulting, LLC, for transportation consulting services, in an amount not to exceed $45,000, for one year. This new term is as of June 16, 2016, through June 15, 2017. This is the second extension of the agreement.

BACKGROUND/DISCUSSION: The City first entered into an agreement with the consultant in 2009 and has continued each year for the purpose of representing the City of Chandler in various regional transportation issues. These issues included the Valley Metro Transit Life Cycle Program (TLCP), reviewing and coordinating the City's Five (5) Year Transit Operating and Capital Budget with the TLCP, representing the City on various transit committees at Valley Metro and the Maricopa Association of Governments (MAG), intergovernmental coordination on transit issues, and other transit functions as assigned by the Transportation & Development Director. The Consultant will assist and attend meetings for the City in the following:

- The completion of the Fiesta Downtown Chandler Transit Corridor Study
- The alternatives analysis for the Arizona Avenue high capacity transit corridor anticipated to begin in early 2017

The update to the MAG Transit Framework Study anticipated to begin in late 2016. The rebalancing of the MAG Freeway Program, including the acceleration of the Price Freeway general purpose lanes as well as the additional general purpose lanes on the Santan Freeway, Val Vista to Loop 202.

Safety crossing on improvements at the Western Canal bike/pedestrian crossing of the Union Pacific Railroad (UPRR).

Other transportation issues under consideration at Regional Public Transportation Authority (RPTA), MAG, Arizona Department of Transportation (ADOT) and Maricopa County Department of Transportation (MCDOT) including collaborating with other cities in the MAG region on such issues.

12. AGREEMENT AMENDMENT: Artistic Land Management, Inc.

APPROVED Amendment No. 1 to Agreement No. ST5-988-3510 with Artistic Land Management, Inc., for Landscaping Services of Maintenance Areas 1, 2, 3 and 4, in an amount not to exceed $1,468,044.14, for the term of June 1, 2016, through June 30, 2017.

13. AGREEMENT AMENDMENT: Balar Equipment Corporation

APPROVED Amendment No. 1 to Agreement No. FD5-060-3485, with Balar Equipment Corporation, for Schwarze street sweeper parts and service, in an amount not to exceed $100,000, for one year.

14. AGREEMENT AMENDMENT: Piper Jaffray & Co.

APPROVED Amendment No. 1 to Agreement No. MS4-946-3357, with Piper Jaffray & Co., for financial advisor services.

15. AGREEMENT: Calgon Carbon Corporation

APPROVED Agreement No. MU6-885-3693, with Calgon Carbon Corporation, for the sole source purchase of powdered activated carbon, for a two-year term, in an amount not to exceed $360,000.00 per year, with the option of two additional one-year extensions.

16. PROJECT AGREEMENT: Wilson Engineers, LLC.

APPROVED Project Agreement No. WW1504.451, with Wilson Engineers, LLC, for construction management services, for the Manganaro Lift Station Improvements, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $156,430.00.

17. CONSTRUCTION CONTRACT: Walsh Construction Group

APPROVED Construction Manager At Risk Contract No. WW1504.401, to Walsh Construction Group, an Illinois company dba Archer Western Construction, LLC, for the Manganaro Lift Station Improvements, in an amount not to exceed $1,734,570.00.

18. PURCHASE: Norcon Industries, Inc

APPROVED Purchase of modern fold partition doors from Norcon Industries, Inc., utilizing the Mohave Educational Services Cooperative contract, in an amount not to exceed $56,108.83.

19. PURCHASE: Veterans Oasis Park

APPROVED the purchase and installation of a pavilion structure for Veterans Oasis Park from Landscape Structures, Inc., utilizing The Cooperative Purchasing Network (TCPN) Contract No. R5202 in the amount of $67,935.25.

20. PURCHASE: Server Software Licenses

APPROVED Purchase of BizTalk Server software licenses, utilizing the National Association of State Procurement Officials (NASPO), formerly Western States Contracting Alliance (WSCA), Contract No. ADSPO11-007500, with SHI International, in the amount of $84,355.00.

21. PURCHASE: IBM Notes Annual Support and Maintenance Services

APPROVED Purchase of IBM Notes Annual Support and Maintenance Services from SHI International, utilizing the National Association of State Procurement Officials (NASPO) Contract No. ADSPO11-007500, in the amount of $92,311.00.

22. USE PERMIT: FIESTA MEXICANA

APPROVED LUP16-0006 FIESTA MEXICANA, Series 12 Restaurant License to sell and serve liquor as permitted for on-premise consumption indoors and within an outdoor patio with the addition of live music indoors at an existing restaurant located at 4949 S. Alma School Road, NEC of Alma School and Chandler Heights roads. (Applicant: Francisco Preciado)

BACKGROUND:
The subject site is located at the northeast corner of Alma School and Chandler Heights roads within the Fulton Ranch Promenade, fronting along Alma School Road. The Fulton Ranch Promenade is a mix of retail and restaurants with offices located north of the plaza. Fiesta Mexicana is an existing restaurant that's been serving authentic Mexican food since 2014, operating under a Series 12 Restaurant License. The current request is to add live music and entertainment to enhance the dining experience.

The 6,967 square foot restaurant seats 150 persons and includes an 864 square foot outdoor patio that seats 42 persons, located at the southeast corner of the building. The restaurant's hours of operation are 11 a.m. to 2 a.m. daily. Fiesta Mexicana represents live music with dancing will be added primarily Wednesday through Saturday until 2 a.m. and Sunday from 11 a.m. until early evenings. All live music and entertainment will be indoors and not on the outdoor patio. The patio area has speakers that will be kept at a reasonable level. The live music will be centered indoors along the north wall adjacent to the kitchen with the music facing to the south. Some dining room tables will be removed for dancing. The main entrance and patio doors are located along the south side of the building, which will be closed during times of live music.

Under a typical Series 12 License, the establishment must derive at least 40 percent of its gross revenue from the sale of food and non-alcoholic beverages.

Planning Staff supports the request, finding the restaurant with live music indoors is appropriate at this location if controlled so as to not unreasonably disturb the surrounding businesses and residents. The one-year time condition allows evaluation of the compatibility of the live entertainment.

PUBLIC / NEIGHBORHOOD NOTIFICATION:
This request was noticed in accordance with the requirements of the Chandler Zoning Code.
A neighborhood meeting was held on May 9, 2016. Four residents from Serenity Shores Condominiums at Fulton Ranch attended the meeting. Concerns included the hours of operation and security provided during evenings of live music. The applicant has represented additional security will be provided on nights live music occurs. The additional security will be placed within the restaurant, at the front door, and in the parking lot. As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT:
Motion to Approve.
In Favor: 6 Opposed: 0 Absent: 1 (Foley)

RECOMMENDED ACTION:
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0006 FIESTA MEXICANA, subject to the following conditions:

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 locations.

4. 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.

5. The site shall be maintained in a clean and orderly manner.

6. 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.

23. USE PERMIT: QuikTrip

CONTINUED TO JUNE 23, 2016 USE PERMIT, LUP16-0013 QUIKTRIP, Series 10 Beer and Wine Store License to sell beer and wine as permitted for off-premise consumption at a new convenience store located at the NEC of Gilbert and Queen Creek roads.

24. SPECIAL EVENT LIQUOR LICENSE: Chandler Lions Club Foundation

APPROVED application for a Special Event Liquor License has been submitted by Chandler Lions Club Foundation for the Chandler's 4th of July Fireworks Spectacular on Monday, July 4, 2016 at Tumbleweed Park, 2250 S. McQueen Road. A recommendation for approval will be forwarded to the State Department of Liquor Licenses and Control. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.
The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required

25. LIQUOR LICENSE: NISHIKAWA RAMEN

APPROVED a Series 12 Restaurant Liquor License (Chandler No. 163343 L12) for Tengxi Zhang, Agent, Nishikawa Inc., dba Nishikawa Ramen, located at 1909 E. Ray Road, Suite 10.
A recommendation for approval of State Liquor License No. 1207A645 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code. The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Taiko International Inc., dba Taiko Japanese restaurant

26. LIQUOR LICENSE: Zesty Zzeeks Pizza and Wings

CONTINUED TO JULY 28, 2016 a Series 12, for Jody Lynn Pectol, Agent, Boss Jax Pizza LLC, dba Zesty Zzeeks Pizza and Wings, located at 960 E. Warner Road, Suite 1.

27. LIQUOR LICENSE: Pieology Pizzeria

CONTINUED TO JULY 28, 2016 a Series 12, for Kristopher David Ora Olson, Agent, Arizona Front Stars LLC, dba Pieology Pizzeria, located at 3450 W. Chandler Boulevard, Suite 5.

28. TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE: Hangar 9 Bar and Grill

APPROVED a Temporary Extension Of Premises Liquor License (Chandler No. 156300 L18) for a Series 18, held by The Pink Gardenia LLC, dba Hangar 9 Bar and Grill, for a 1st Year Anniversary Party, on Saturday, June 25, 2016, located at 980 E. Pecos Road, Suite 5. A recommendation for approval of a temporary extension of premises for State Liquor License No. 1207A112 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department has no objections to this extension and the applicant has applied for a Temporary Sales and Promotional Event Permit through Neighborhood Resources.

29. WATER AND SEWER REVENUE REFUNDING BONDS: Res. #4962

ADOPTED Resolution No. 4962 authorizing the early redemption of the July 1, 2017, Maturity, Water and Sewer Revenue Refunding Bonds, Series 2005, in the amount of $5,725,000.00 and approval of the transfer of Non-Department Water Operating Fund contingency to the Water Fund Debt Service cost center in the amount of $2,070,000 and Non-Departmental Wastewater Operating Fund contingency appropriation to the Wastewater Fund Debt Service cost center in the amount of $3,655,000.

BACKGROUND:
The City of Chandler periodically issues various types of debt to support capital construction of infrastructure and other facilities.

City staff and the City's Financial Advisor regularly review outstanding bond issues for refunding or redemption opportunities that will result in saving to debt expense.
Among the existing debt issues is the Water and Sewer Revenue Refunding Bonds, Series 2005, which has been identified for potential early redemption.

Action:

PUBLIC HEARING:

PH1. FISCAL YEAR (FY) 2016-17 FINAL BUDGET, 2017-2026 CAPITAL IMPROVEMENT PROGRAM

Mayor Tibshraeny opened the public hearing at 7:03 p.m.

GREG WESTRUM, Budget Manager recapped the Tentative Budget. He stated there are three public hearings for the evening. The 2016-17 Budget, the 2017-2026 Capital Improvement Program, which Council tentatively adopted May 26, 2016 and the 2016-17 Property Tax Levy which will be on the agenda for action on June 23rd. The City has a balanced budget of $971,250,607.00.

Mr. Westrum stated there are several revenue resources for the City, but he would address only the four largest. These included:

1. Current Revenues – Revenues from Local taxes and licenses, State Shared Revenue, Enterprise Revenues, System Development fees, charges for services, miscellaneous revenues, property tax and interfund charges
2. Sale of Bonds
3. Grants – most are in Public Housing and Capital Programs; other Operating Grants within departments like Fire and Police and others with grants to support their programs

4. Fund Balances – the use of funds accumulated from previous years; these could include bonds sold in previous years, collected impact fees, and accumulated general fund dollars

He stated the City is on an every other year cycle to sell bonds, this year they are not planning on selling any bonds. They are monitoring the debt service of existing bonds and at this time they are expecting to refund some in the fall, this will save the City significant interest.

Capital Budget: for Capital Improvement projects:
The City has a 10-year CIP, but only funds for the first year can be appropriated by Council. The Fiscal Year 2016-17 has $451,349,224.00 for the budget. Mr. Westrum recapped a few of the notable Captial Improvement Projects. He stated there is a new appropriation for projects in the amount of $139,000,000.00, and there are more funds available in the Capital Carry Forward fund due to projects that have been started yet not completed.

Proposed Property Tax Rate Reduction for FY 2016-17:
Mr. Westrum stated the City is looking at decreasing the City's property tax rates from $1.1792 to $1.16 on every $100.00 of assessed value. He stated the primary and secondary property taxes have decreases in them. However because of the increase in property values and State legislation related to property taxes, there will be an increase overall for Chandler homeowner's around 3.3%. The vote to adopt the Property Tax Levy will take place at the June 23rd Council meeting.

Mayor Tibshraeny asked about the relationship between the Full Cash Value and Limited Property Value. Mr. Westrum said he would provide a follow-up.

Mr. Westrum gave the reminder that the City's share of the tax bill is about 10% of the total bill. He noted the majority goes to the school district and community colleges, and another sizable share to the County and its agencies.

BACKGROUND:
On May 26, 2016, Council adopted Resolution No. 4954 which approved the FY 2016-17 Tentative Budget in the amount of $971,250,607 and set June 9, 2016, as the date for a public hearing to allow taxpayers to comment and provide input on the budget, CIP and tax levy. A Notice of Public Hearing for "Adoption of the FY 2016-17 Annual Budget and 2017-2026 Capital Improvement Program and Setting of Property Tax Levies" has been posted on the official City website since June 1, 2016, and published in the Arizona Republic on June 1 and June 8, 2016, as required by State statute. The notice includes a summary of the Tentative Budget, with State Auditor General forms (Budget forms) attached, and provides a general description of the ten year CIP. Council action on the budget and CIP is scheduled immediately following tonight's Public Hearing on the Budget, CIP and Tax Levy. Action on the tax levy is scheduled for June 23, 2016.

FY 2016-17 BUDGET AND PROPERTY TAX LEVY:
Arizona Revised Statutes provide that the total amounts proposed to be spent in the final budget shall not exceed the total amounts that were proposed for expenditure in the published tentative estimates. The Tentative Budget of $971,250,607 includes funding for departmental operating budgets of $349,567,696; funding for debt service of $59,454,061; budget for equipment, technology, and vehicle replacement purchases of $8,858,918; and contingencies and reserves in the amount of $102,020,708 in various funds. The capital budget includes $139,328,539 in new appropriation; $310,470,685 in capital carry forward, and contingency and reserve funding of $1,550,000.

Included in the projected operating revenues of $452,065,390 is a property tax levy of $29,165,484 based on a rate of $1.1600 per $100 of assessed property value plus $460,536 for Salt River Project's payment to the City in lieu of property tax for a total of $29,626,020. Arizona Revised Statutes Truth in Taxation requirements do not apply for FY 2016-17 as the Primary Property Tax Rate is being reduced to at $0.2900 per $100 of assessed value, which is less than the Truth in Taxation maximum rate of $0.2978 per $100 of assessed value as determined by the Property Tax Oversight Commission.

2017-2026 CAPITAL IMPROVEMENT PROGRAM:
City Charter requires the City Manager to present a (minimum) 5-Year CIP for the City of Chandler to the City Council before June 15 of the current fiscal year. The proposed CIP is a 10-Year Program. Information regarding the various capital projects, cost estimates, methods of financing, recommended time schedules and estimated annual operating cost were distributed in the proposed budget which is posted on-line and discussed at the Budget Briefing on April 29, 2016. The 2017-2026 CIP totals $1,051,672,927.

Mayor Tibshraeny closed the Public Hearing at 7:27 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

Ms. Jennifer Alvey, 1154 E. Grand Canyon Dr., Chandler, stated she and her family have lived in Chandler for 13 years and their children attend Chandler schools. She requested the Council assure parents that existing City ordinances prohibit opposite biological sex anatomy individuals from sharing restrooms, locker rooms, and changing rooms, while providing accommodations for those needing them. If a policy does not exist she requested that a policy be enacted immediately.

Ms. Jody Corbett, 1193 E Zion Way, Chandler, stated she is a civil rights attorney and has four young children in Chandler schools. She also expressed concern over the recent Obama directive. She asked the Council to consider passing an ordinance prohibiting individuals with opposite biological sex anatomy from sharing restrooms and other facilities that children use, while providing accommodations for those needing them. She stated while it is a directive and not a Federal law, under Arizona law, it is a class 6 felony for indecent exposer to a child under 15.

Ms. Alison Lund, 4723 S Pearl Dr., Chandler, stated she too has children in the Chandler school district. She would like Chandler to pass an ordinance to protect the privacy of children. She also highlighted the world wide rise in human trafficking especially in children. She mentioned a local child rescue group called; "Angels Go to Work" that cited internet searches conducted in Arizona, over a 24 hour period had in excess of 10,000 people searching on how to buy a child in human trafficking or sex slavery. Human trafficking is just as prevalent here in the United States as it is in any other country.

Ms. Heather Hunter, 1354 E Grand Canyon Dr., Chandler, stated that within the Obama directive, it states that local laws will trump the directive of transgender facilities. She requested Chandler City Council adopt an ordinance prohibiting individuals with opposite biological sex anatomy from sharing restrooms, changing rooms, and other such facilities that are gender specific, while providing accommodations for those needing them. She addressed the email she sent each of the Council members regarding the discrimination that occurs. She stated this is not only unfair, it is a violation of her son's civil rights and those policies as outlined by the U.N. and UNICEF. She urged Council to adopt an ordinance to protect the children and their rights.

CURRENT EVENTS:

A. Mayor's Announcements

Mayor Tibshraeny stated the City recently received the results for Chandler's Volunteer Income Tax Assistance Program (VITA). There were five tax preparation sites in 2016 that generated refunds of approximately $2.5 million for 1,860 low- to moderate-income residents. There were 60 volunteers who invested more than 4,500 hours assisting residents with their returns. He thanked everyone who participates in this program

He stated a few weeks ago they held the dedication ceremony of the Veterans Memorial and had a significant turnout. The Veterans Memorial honors all who have served our country and is a great asset to the Southeast Valley. He thanked the Gila River Indian Community and everyone else who provided the financial support to make it happen; and all those who were involved in the event and its planning.

This morning he welcomed those attending the 96th annual Veterans of Foreign Wars Conference being held here in Chandler. He stated the group has been doing many great things for the Veterans over the decades and he was appreciative they chose Chandler for this event and enjoyed seeing so many in attendance.

B. Councilmembers' Announcements

COUNCILMEMBER HARTKE thanked the Chandler Chamber for sponsoring the Council candidate forum last night. He invited everyone out for an event this Friday. Members of the South Chandler Self Help Foundation are celebrating freedom through the joy of art at the East Valley Juneteenth Celebration at 7 p.m. Friday, June 13, at the Chandler Center for the Arts, 250 N. Arizona Ave., will include spoken-word and musical performances that encompass gospel, jazz, blues and rap artists.

He announced Chandler has launched its Water Drive this year and asked everyone to make cash donations so they can purchase and supply water to those in need this summer.

VICE MAYOR SELLERS stated he joined Fox 10 news for a publicity kick off. The fundraising event was for the Arizona Myeloma outrace cancer event taking place at Wild Horse Pass. There will be a free cancer care givers education program on June 18th at the Hampton Hilton Hotel in Chandler.

He announced his participation on the Intel Community Advisory Panel. Recently there was a presentation by Joanne Floth on "Read on Chandler". The program is designed to better prepare children for school and has significant community support. Ms. Floth recognized Councilmember Heumann for getting this program in Chandler and his help in acquiring the support it needed to get up and running.

Mr. Sellers said he attended the Chandler Chamber of Commerce Annual Awards dinner, and his past employer received the Mayor's Choice Award for the GM IT Innovations Center, right here in Chandler. It was a proud moment for him.

COUNCILMEMBER HEUMANN mentioned the reading program. It is for children up to age 5 and encouraged parents to read to their children regardless of age.

He highlighted the City's water drive, and mentioned that as summer temperatures increase, to watch kids around pools. It only takes a moment for a child or adult to drown. He wished all the fathers a happy Father's Day.

COUNCILMEMBER ELLEN wished Councilmember Lopez and Heumann Happy Birthdays. She attended the Council Candidate forum last night, and stated it was a good forum. She wished all the fathers a Happy Father's Day, and asked people to please watch children around water.

COUNCILMEMBER ROE reminded everyone to not only watch your children, but take care of your pets. He wished a Happy Birthday to Councilmember Heumann and Lopez.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 7:49 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: June 23, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 9th day of June 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 27 day of June, 2016.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, June 9, 2016 held in the Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 7:50 p.m.

The following members were present:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Kevin Hartke	Councilmember
	Terry Roe	Councilmember

Also in attendance:

Nachie Marquez	Assistant/Acting City Manager
Kay Bigelow	City Attorney
Marla Paddock	City Clerk

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER HARTKE TO APPROVE RESOLUTION NO. 4955 ADOPTING THE FISCAL YEAR 2016-17 BUDGET, AND THE CAPITAL IMPROVEMENT PROGRAM BUDGET.

MOTION CARRIED UNANIMOUSLY (7-0).

1. Resolution No. 4955 – Adoption of the Budget and Capital Improvement Program.

ADOPTED RESOLUTION NO. 4955 adopting the FY 2016-17 Budget of $971,250,607.00 and Capital Improvement Program of $1,051,672,927.00.

BACKGROUND:

On May 26, 2016, Council adopted Resolution No. 4954 which approved the FY 2016-17 Tentative Budget in the amount of $971,250,607 and set June 9, 2016, as the date for a public hearing to allow taxpayers to comment and provide input on the budget, CIP and tax levy. A Notice of Public Hearing for "Adoption of the FY 2016-17 Annual Budget and 2017-2026 Capital Improvement Program and Setting of Property Tax Levies" has been posted on the official City website since June 1, 2016, and published in the Arizona Republic on June 1 and June 8, 2016, as required by State statute. The notice includes a summary of the Tentative Budget, with State Auditor General forms (Budget forms) attached, and provides a general description of the ten year CIP. Council action on the budget and CIP is scheduled immediately following tonight's Public Hearing on the Budget, CIP and Tax Levy. Action on the tax levy is scheduled for June 23, 2016.

FY 2016-17 BUDGET AND PROPERTY TAX LEVY

Arizona Revised Statutes provide that the total amounts proposed to be spent in the final budget shall not exceed the total amounts that were proposed for expenditure in the published tentative estimates. The Tentative Budget of $971,250,607 includes funding for departmental operating budgets of $349,567,696; funding for debt service of $59,454,061;

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budget for equipment, technology, and vehicle replacement purchases of $8,858,918; and contingencies and reserves in the amount of $102,020,708 in various funds.
The capital budget includes $139,328,539 in new appropriation; $310,470,685 in capital carry forward, and contingency and reserve funding of $1,550,000.

Included in the projected operating revenues of $452,065,390 is a property tax levy of $29,165,484 based on a rate of $1.1600 per $100 of assessed property value (reduced from $1.1792) plus $460,536 for Salt River Project's payment to the City in lieu of property tax for a total of $29,626,020. Arizona Revised Statutes Truth in Taxation requirements do not apply for FY 2016-17 as the Primary Property Tax Rate is $0.2900 per $100 of assessed value (reduced from $0.2992), which is less than the Truth in Taxation maximum rate of $0.2978 per $100 of assessed value as determined by the Property Tax Oversight Commission.

2017-2026 CAPITAL IMPROVEMENT PROGRAM:
City Charter requires the City Manager to present a (minimum) 5-Year CIP for the City of Chandler to the City Council before June 15 of the current fiscal year. The proposed CIP is a 10- year Program. Information regarding the various capital projects, cost estimates, methods of financing, recommended time schedules and estimated annual operating cost were distributed in the proposed budget which is posted on-line and discussed at the Budget Briefing on April 29, 2016. The 2017-2026 CIP totals $1,051,672,927.

Adjournment: The Mayor adjourned the meeting at 7:52 p.m.

ATTEST:

City Clerk

Mayor

Approved: June 23, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on June 9, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 27 day of June 2016

City Clerk

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MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, June 23, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	*Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Councilmember Heumann participated via telephone.

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Luis Amaya – East Valley Alliance of Pastors

PLEDGE OF ALLEGIANCE: Councilmember Lopez led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER LOPEZ TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:
1a. Minutes of the Chandler City Council Study Session of June 6, 2016.
1b. Minutes of the Chandler City Council Special Meeting (Budget adoption) of June 9, 2016.
1c. Minutes of the Chandler City Council Regular Meeting of June 9, 2016.

2. WITHDRAWAL MASTER LICENSE AGREEMENT VERIZON Ord. #4693

STAFF REQUESTS WITHDRAWL of Ordinance No. 4693 for a Master License Agreement between Verizon Wireless (Verizon) and the City of Chandler for the use of City property in connection with the operation of a wireless network

3. PROPERTY TAX LEVY: Ord. #4703

ADOPTED ORDINANCE NO. 4703 adopting the FY2016-17 Property Tax Levy.

BACKGROUND
State law requires that the tax levy necessary for funding the adopted budget be established by ordinance and be adopted fourteen (14) days following the public hearing and the final adoption of the budget and not later than the third Monday in August (August 15, 2016). As this tax levy ordinance is an administrative method of setting apart funds necessary for use and maintenance, it does not require an extraordinary (3/4) vote to make it effective immediately. This determination is based on a Supreme Court decision and is fully explained in the Municipal Budget and Financial Manual provided by the Arizona League of Cities and Towns.

The City received notification of Chandler's 2016 Tax Values from the Maricopa County Assessor on February 10, 2016, as required by State law. The City's Net Assessed Value is $2,553,971,787, which is a 7.3% increase from the 2015 Net Assessed Valuation, and includes valuation changes to existing property as well as the value of new growth. Based on a legislative change implemented July 1, 2015, property owners are now assessed on the Limited Assessed Values versus Full Cash Value, and residential property values cannot increase more than 5% in a given year. In order to minimize the impact of the higher property values on taxpayers, the City Council has approved a reduction in the combined property tax rate from $1.1792 per $100 of Assessed Valuation to $1.16 per $100 of Assessed Valuation.

As part of the tax levy process, the County Assessor also establishes the maximum allowable primary tax rate, which allows a 2% increase in the maximum tax levy each year. Chandler's maximum primary tax rate for Tax Year 2016 is $0.6255 per $100 of assessed value. The FY 2016-17 Adopted Budget sets the rate at $0.29 per $100 of Assessed Valuation, which is significantly less than the maximum. In addition, the State Property Tax Oversight Commission establishes a maximum primary rate that would require a Truth in Taxation, which requires special notice to citizens and a roll call vote to levy the increased property taxes. The rate calculated for FY 2016-17 is .2978 per $100 of assessed valuation. Again, since the Chandler rate for the FY 2016-17 Budget is $0.29 per $100 of Assessed Valuation, the City is not subject to the Truth in Taxation provisions this year.

Ordinance No. 4703 follows the prescribed form recommended for adoption, and establishes a tax levy of an estimated $29,626,020, as set forth in the FY 2016-17 Budget. In this ordinance, the Chandler City Council directs the County of Maricopa to levy the amount allowed by law. The total tax rate will be $1.1600 per $100 of assessed valuation. The property value estimates received from the County Assessor's office are available for public inspection in the City of Chandler office of the City Clerk and in the Management Services Department.

4. CONTINUED REZONING: DVR16-0010 QUIKTRIP

CONTINUED TO THE JULY 28, 2016 CITY COUNCIL MEETING:
Resolution 4963 APL16-0002 Peterson Farms Area Plan Amendment, Introduction of Ordinance 4709, DVR16-0010 QUIKTRIP, Preliminary Development Plan DVR16-0010_QUIKTRIP.

5. REZONING/PRELIMINARY DEVELOPMENT PLAN: San Marcos Dr. Custom Home Ord.# 4708

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4708, approving DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME, Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, subject to the conditions as recommended by Planning Commission and Planning Staff.

BACKGROUND
The subject property is located within the San Marcos Fairways single-family development and zoned Agricultural District (AG-1). The property is bounded on the north by the San Marcos Golf Course and single-family residential homes to the west, east, and south.

The request is to rezone from AG-1 to Planned Area Development (PAD) for a custom single- family home with Preliminary Development Plan (PDP) for site layout and building design on approximately one-half acre. The PAD zoning with PDP for site layout and building design allows the parcel to develop with building setbacks consistent with the adjacent custom home lots. The parcel's current AG-1 zoning requires minimum building setbacks intended for rural agrarian use with a front yard of 20 feet, rear yard of 40 feet, side yards of 30 feet each, and a maximum lot coverage of 40%. The request is to allow building setbacks with a front yard of 20 feet, rear yard of 10 feet, side yards of 5 feet and 10 feet, and a maximum lot coverage of 45%.

The home is approximately 3,467 livable square feet with a four-car garage and a rear yard covered patio. The home is a one-story Santa Barbara Style design with a tile roof, white stucco, dark wood trim, window shutters, and varied window sizes. The home includes varied rooflines and wall planes. The property is within a homeowners association (HOA) and subject to the BOA's architectural review and approval.

Planning Staff finds the proposed rezoning for a single-family residential use and PDP for building setbacks, maximum lot coverage, and building design to be compatible with the adjacent custom home lot's site layout and architectural design.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 12, 2016. Two area property owners attended to meet the applicant and review the proposal.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 6-0.

RECOMMENDATIONS
Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibits A, B, C, and D as represented by the applicant and kept on file in the City of Chandler Planning Division, in File No. DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME, modified by such conditions included at the time the

Exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

4. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

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

2. Approval by the Director of Transportation & Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.

3. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or association.

4. Perimeter walls shall be designed to be compatible with adjacent walls.

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

6. RIGHT OF WAY: Ocotillo Road Improvements / Cooper Road to Gilbert Road Res. 4951

ADOPTED Resolution No. 4951 authorizing the acquisition of real property in fee or by easement as needed for the Ocotillo Road Improvements from Cooper Road to Gilbert Road, Project No. ST1602, at market value plus closing costs and escrow fees; authorizing the City's Real Estate Manager to sign, on behalf of the City, the purchase agreements and any other documents necessary to facilitate these acquisitions; authorizing eminent domain proceedings as needed to acquire said real property and

obtain immediate possession thereof, and authorizing relocation services as may be needed and required by law.

BACKGROUND/DISCUSSION: Transportation & Development plans to complete approximately a one-half mile portion along the south side of Ocotillo Road between Cooper Road and Gilbert Road that was not completed during the development of several subdivisions in this area. The project requires the partial acquisition of right-of-way in fee and by easement from three residential owners and two homeowners associations for a total of nine parcels of land along the south side of Ocotillo Road. The City will appraise the parcels and make offers at market value based upon the appraisal. A reasonable time will be provided to work with the property owners to negotiate the property purchases, after which condemnation proceedings will be initiated as needed to acquire the real property and to obtain immediate possession. While it is not anticipated that any relocation services will be required for this project, we are also requesting authority to provide those services should the need arise.

7. INFILL INCENTIVE PLAN AGREEMENT: Furniture & Mattress Discounters, LLC Res. 4965

ADOPTED Resolution No. 4965 authorizing an Infill Incentive Plan Agreement with Furniture & Mattress Discounters, LLC, in an amount not to exceed $11,000 for a portion of the SWC of Alma School and Elliott roads (Former Mervyn's); and authorizing the Mayor to sign all necessary documents.

This agreement provides financial assistance for renovations of a former Mervyn's building of approximately 76,000 square feet. The subject site is located at the southwest corner of Alma School and Elliot roads. This funding will assist the building owner and future tenant with renovating this building, in particular painting the building to match the remaining portion of the center.

The Infill Incentive Plan was implemented in 2009 to encourage private redevelopment or reinvestment in older existing retail centers within designated areas of the City that exhibit high vacancy rates and/or are facilities that were constructed at least 15 years ago.

The subject commercial site has been vacant for a number of years due to the bankruptcy of Mervyn's, and subsequent owners have not been able to find tenants for the building. Recently, the owner of Furniture & Mattress Discounters, LLC, purchased this building and has plans to expand his business significantly by utilizing this facility. As part of those plans, he intends to make approximately $98,000 in improvements to the building, including façade, storefront, and signage improvements.

The City participation only involves assisting with the painting of the building to match the remainder of the center. Economic Development staff believes this level of participation is consistent with the intent of the Infill Incentive Plan. The plan makes allowances for securing a new tenant and requires that façade improvements be consistent with the remainder of the center.

The basic terms of this Agreement provide funding to assist Furniture & Mattress Discounters, LLC, with renovations to enable expansion into this building and ensure consistency with the paint scheme of the rest of the shopping center.

The anticipated benefits to the City of Chandler by participating in this project include:

- Bringing additional retail activity to this intersection that currently has four corners of retail, through the expansion of the subject business,

- Removing an available "big box" retail building from the market, helping to lower vacancy rates, and
- Providing an improvement and consistency to the center's appearance, which may help spur further reinvestment in surrounding commercial properties.

8. REGIONAL EXPORT PROMOTION PROGRAM: Res. No. 4966

ADOPTED Resolution No. 4966 approving an agreement with the Export-Import Bank of the United States authorizing the City of Chandler as a participant in the Regional Export Promotion Program; and authorize the Mayor to sign all necessary documents.

Resolution No. 4966 authorizes the Mayor to execute a Regional Export Promotion Agreement between the City of Chandler and the Export-Import Bank of the United States to promote export growth by cooperatively marketing Export-Import Bank financial support programs.

International trade is a major driver of economic prosperity and access to export financing is necessary for companies to effectively compete in the global marketplace. Currently, there is evidence of a gap in export financing support services within the greater Phoenix region. A recent survey of small and medium-sized firms conducted for the Greater Phoenix Export Plan found that only 4 percent are exporting and that lack of financing is one of the top reasons for not exporting. To help companies in Chandler gain access to this crucial export financing, and in turn foster local export growth, Economic Development staff has been pursuing a partnership with the Export-Import Bank.

The Export-Import Bank is the official export credit agency of the United States. An independent, self-sustaining Executive Branch agency, its sole mission is to support American job growth by facilitating the export of United States goods and services. The Export-Import Bank accomplishes this by equipping American businesses with the financing tools necessary to compete for global sales when private sector lenders are unable or unwilling to provide financing. Solutions include export credit insurance, working capital, loan guarantees, project and structured finance, finance lease guarantees, and direct loans. With no minimum financing fees or minimum annual insurance premiums, the Export-Import Bank often represents the best starting point for small business exporters and companies new to international sales.

The Export-Import Bank's Regional Export Promotion Program is a cooperative marketing and training program designed specifically to make the Export-Import Bank's export finance products more accessible to small and medium-sized businesses by way of local, state, and regional economic development organizations. Each program member pledges to make financing assistance and entrepreneurial services available to local businesses in order to create, promote, and expand exports from their area. The Export-Import Bank provides members with free marketing and training materials, qualified finance experts to speak at members' local events, assistance with outreach and counseling, and access to a network of lenders, insurance brokers, and United States Government export resources.

Staff initiated discussions with the Export-Import Bank about becoming a Regional Export Promotion Program member in June 2015. Since that time, staff has also interviewed Chandler companies that have utilized the Export-Import Bank's financing solutions and presented on the Regional Export Promotion Program to the Community and Neighborhood Services and Economic Development Subcommittee (February 24, 2016), which directed staff to proceed with seeking membership. The City was invited to apply for Regional Export Promotion Program membership after staff participated in the Regional Export Promotion Program Annual Meeting and the Export-Import Bank Annual Conference

held in Washington D.C. in April 2016. In late May, the Export-Import Bank sent a formal letter of acceptance along with the Regional Export Promotion Agreement. Per the letter, Regional Export Promotion Program membership is contingent upon (1) signing the Regional Export Promotion Agreement between the City and the Export-Import Bank and (2) the City's designated staff member attending a Trade Finance Solutions for Exporters and Lenders training seminar.

The Regional Export Promotion Agreement would run through May 25, 2018, according to Section 4B of the Agreement. Either party can terminate the Agreement early by providing at least thirty days prior written notice to the other party. The Agreement can also be extended with written approval from the Export-Import Bank.

Staff has taken the steps necessary to ensure the City will be prepared to fulfill all responsibilities of Regional Export Promotion Program membership upon executing the Regional Export Promotion Agreement. These responsibilities include the following:

- Maintain at least one qualified, trained staff member
- Participate in the Export-Import Bank's Trade Finance Solutions training in Washington, D.C.
- Organize at least three Export-Import Bank seminars or make a minimum of three Export-Import Bank presentations per year
- Refer 10 small business exporters to the Export-Import Bank per year
- Ongoing reporting of seminars and referrals to the Export-Import Bank
- Regular attendance at the Regional Export Promotion Program Annual Meeting, the Export-Import Bank Annual Conference, and Regional Export Promotion Program quarterly webinars

9. GRANT AGREEMENT: Crive Victim Assistance Program Res. No. 4967

ADOPTED Resolution No. 4967 authorizing a Crime Victim Assistance Program Grant Agreement with the Arizona Criminal Justice Commission for the provision of crime victim services; authorizing the Mayor to sign the Agreement; authorizing the Chief of Police to administer, execute, and submit all documents and other necessary instruments in connection with such Agreement; and authorizing the City Manager or designee to approve and execute any future extensions to this contract.

The Police Department has been awarded a grant through the Arizona Criminal Justice Commission's Victim Assistance Grant Program. The Police Department has been the recipient of an award through this program since Fiscal Year 2006/07. The grant covers 20% of actual expenses for a Victim Services Specialist position. This position interacts with victims of actual or threatened crime in the Chandler community to assist in their recovery as quickly and fully as possible. This agreement is for $17,281 for the period July 1, 2016, through June 30, 2017.

10. PRELIMINARY DEVELOPMENT PLAN: Allred Park Place Business Park

APPROVED PDP16-0009 ALLRED PARK PLACE, Preliminary Development Plan amending the site plan and building architecture for a portion of the Allred Park Place business park, subject to the conditions as recommended by Planning Commission and Planning Staff.

BACKGROUND:
The request is for Preliminary Development Plan (PDP) approval amending the site plan and

building architecture for a portion of the Allred Park Place business park on approximately 20- acres bound by Price Road on the west, Spectrum Boulevard on the north, Willis Road on the south, and portions of the existing Park Place development to the east. The subject 20-acre site (known as Area 2) received zoning and PDP approval in May 2014 as part of the larger Allred Park Place mixed-use employment business park. The approved PDP for the site included 2 larger office buildings, each approximately 3 stories in height, located in angled landscaped settings at the intersection comers, with potential parking garages located along the eastern site boundary.

The PDP request involves a minor amendment to the approved site plan effectively adjusting the location of the northern multi-story office building further south to accommodate a single-story approximately 10,193 square-foot financial services building , currently identified for a Wells Fargo work group. The single-story building utilizes architectural queues and materials found on the existing retail building at the northeast corner of Price Road and Spectrum Boulevard. As well the proposed building is situated in a landscaped setting at 45 degrees to the intersection corner, mimicking the retail building to the north. The larger multi-story office building has been adjusted southerly, set at the same angle as the other larger office building. The parking garage is now centrally located to serve both office buildings. The amended site plan continues to maintain and reinforce the campus environment established by Park Place. The radial parking arrangements, angled building orientation, and deep landscaped areas continue to be utilized.

The South Price Road Employment Corridor has often been referred to as the City's premier employment corridor. Due to the renewed focus, all cases within the corridor shall be heard before the Design Review Committee prior to Public Hearings. Additionally, the design expectation along Price Road is set very high with a desire for a higher level of clarity of ultimately what will be constructed.

DESIGN REVIEW COMMITTEE

The PDP was reviewed by the Design Review Committee. The committee offered positive comments regarding the adjusted site plan and its further integration into the Park Place master plan. Comments included a preference for the proposed amendment finding it provides a more balanced and framed entrance statement along Spectrum Boulevard. Discussion occurred regarding the buildings clean yet simple architectural lines, ultimately leading to several compliments about the design. The committee did request photographs of the existing retail building to the north as well as the approved multi-story office building elevations be included in the Development Booklet for reference and context.

Planning Staff supports the request. The minor adjustment to the PDP maintains and enhances the extensive campus theme already established by Park Place. In a sense, the PDP request further intensifies the anticipated development within Area 2 through the addition of this building, as encouraged by the General Plan.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

This request was noticed according to the provisions of the City of Chandler Zoning Code. Due to the limited scale of the request, and the limited number of adjacent property owners, a neighborhood meeting was not held. Planning Staff did however contact the representative of the adjacent Delta Echelon (Ebay/Paypal building) advising them of the application. Staff is not aware of any formal opposition to this request.

PLANNING COMMISSION VOTE REPORT

The motion to approve passed unanimously 4-0 with Commissioner's Baron and Pridemore absent.

RECOMMENDATIONS

Preliminary Development Plan:
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "PARK PLACE SEC LOOP 101-202 & PRICE ROAD AREA 2" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0009, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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

3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

11. ROADWAY ALIGNMENT: Ocotillo Road Alignment – Cooper Road to Gilbert Road

APPROVED the roadway alignment and acquisition of necessary right-of-way for the Ocotillo Road Improvements (Cooper Road to Gilbert Road).

The Ocotillo Road Improvements consists of widening the roadway to include two thru lanes in each direction from Cooper Road to Gilbert Road. Over the last several years, most of the roadway has been constructed by development along this segment. This project will complete the remaining half-mile of eastbound thru lane from Redwood Drive to Norman Way and includes turn lanes, bike lanes, raised landscaped median, streetlights, traffic signal interconnect, drainage, and wet/dry utility improvements. The improvements require the purchase of right-of-way, drainage easements, utility easements, and temporary construction easements.

Per the 2010 City Transportation Master Plan Update, the roadway is classified as a phased major arterial (four inside thru lanes 1st stage). Typically, a phased major arterial requires 65-feet of right-of-way from roadway centerline. However, to avoid adversely affecting four adjacent Maricopa County parcels, staff is working with the property owners to only acquire 55-feet of right-of-way. If the City constructs six thru lanes sometime in the future, the additional right-of-way will be acquired at that time.

The attached exhibit shows the recommended alignment and needed property rights for the improvements. Roadway centerline coincides with monument line along the entire mile segment. Alignment approval is requested to establish the property right needs for an estimated nine parcels.
A public meeting was held on Tuesday, June 7, 2016, by City staff to present the proposed project to adjacent property owners. Staff presented project information, responded to questions and comments, and received additional input from business owners and residents. Construction is anticipated to begin late winter 2017.

The Transportation Commission reviewed the proposed alignment on June 8, 2016, and recommended unanimous approval.

12. MEMBERSHIP DUES: League of Arizona Cities and Towns
AUTHORIZED the payment of $93,295.00 to the League of Arizona Cities and Towns for the FY 2016-17 annual dues. The City of Chandler is an active member of the League of Arizona Cities and Towns.

Each year we are assessed annual dues that are based on a per capita formula and minimum base fee. For cities with populations over 200,000, the dues for FY 2016-17 are capped at $93,295.00.

13. MEMORANDUM OF UNDERSTANDING: Chandler Law Enforcement Association (CLEA)

APPROVED the Memorandum of Understanding between the City of Chandler and Chandler Law Enforcement Association (CLEA) for FY 2016/2017 through FY 2017/2018.

BACKGROUND: The City and CLEA commenced negotiations in late February. All articles in the Memorandum of Understanding (MOU) were open to negotiations. The City and CLEA were able to reach agreement on a two (2) year MOU that will be in effect from July 1, 2016 through June 30, 2018. The agreement does not include any areas to be reopened during the term.

Substantive changes to the MOU include:

Fund a merit increase of 5% for both FY 16117 and FY 17118 for all eligible Police Officers.
Beginning July 1, 2016 increase the longevity payment from 2% to 2.5%, paid two (2) times per year. Beginning July 1, 2017 this payment will be made one (1) time per year, making the payment non-pensionable and not considered compensation for the purposes of the Public Safety Personnel Retirement System (PSPRS).

Beginning July 1, 2016 the sick and vacation deferral program commonly referred to as "17/3" will become non-pensionable and not considered compensation for the purposes of the Public Safety Personnel Retirement System (PSPRS) for any Police Officer that enters the program after that date.

- Beginning July 1, 2016 a Police Officer must contribute a minimum of $60.00 per pay period (2% of the Police Officer base maximum annual salary) to their deferred compensation account to receive a 2% contribution from the City.

- Beginning December 25, 2016, there will be three contribution tiers in the deferred compensation program:

Employee Contribution per pay period	City Contribution per pay period
Minimum of $30	1% of gross wages
Minimum of $60	2% of gross wages
Officers with (8) or more years of service who contribute a minimum of $90	3% of gross wages

- Both employee and City contributions count toward the IRS yearly allowable maximum.
- Effective July 1, 2016 Police Officers required to wear civilian clothing as specified in the police general orders will receive a clothing allowance payment of $600.00 in July and $600.00 in February. This increase brings the officers' clothing allowances more in line with the allowances paid to Police Sergeants in similar positions. Effective July 1, 2016 Police Officers will have the ability to cash in up to 35 hours of vacation one time per year. This amount will increase to 50 hours on July 1, 2017. This change is equivalent to what Police Sergeants are able to cash in yearly.
- Effective July 1, 2016 Police Officers will have the ability to accrue up to 90 hours of compensatory time in lieu of overtime pay. This amount will increase to 100 hours on July 1,

2017. This change is equivalent to what Police Sergeants are able to accrue yearly.

14. MEMORANDUM OF UNDERSTANDING: International Association of Firefighters (IAFF)

APPROVED the Memorandum of Understanding between the City of Chandler and the International Association of Firefighters (IAFF) for FY 2016/2017 through FY 2017/2018.

BACKGROUND: The City and IAFF commenced negotiations in late February. All articles in the Memorandum of Understanding (MOU) were open to negotiations. The City and IAFF were able to reach agreement on a two (2) year MOU that will be in effect from July 1, 2016 through June 30, 2018. The agreement does not include any areas to be reopened during the term.

Substantive changes to the MOU include:

- Fund a merit increase of 5% for both FY 16117 and FY 17118 for all eligible unit members.
- Beginning July 1, 2016 the sick and vacation deferral program commonly referred to as "17/3" will become non-pensionable and not considered compensation for the purposes of the Public Safety Personnel Retirement System (PSPRS) for any unit member that enters the program after that date. In addition, unit members will be limited to participate in the program for three years versus six years.
- Effective July 1, 2016 unit members will have the ability to cash in up to 30 hours of vacation one time per year. This amount will increase to 40 hours on July 1, 2017.
- Effective July 1, 2016 unit members will accrue 10.5 hours of holiday pay per holiday. This will increase to 11.2 hours effective July 1, 2017.
- Effective July 1, 2016 unit members working a 40 hour work week schedule will accrue 2.0 hours of holiday time to be deposited into the employees' holiday banks.
- Beginning July 1, 2017 the special merit payment will be made one (1) time per year with no increase to the amount, making the payment non-pensionable and not considered compensation for the purposes of the Public Safety Personnel Retirement System (PSPRS).
- Beginning July 1, 2017 a unit member must contribute a minimum of$25.00 per pay period (1% of the Firefighter base maximum annual salary) to receive a 1% contribution from the City, a minimum of $50.00 or more to receive a 2% contribution, or a minimum of $75.00 or more to receive a 3% contribution into their deferred compensation account up to the IRS yearly allowable maximum.
- Vacation leave will increase each year of the contract as noted in the chart below. This change will bring IAFF equivalent with the vacation schedules for other employee groups in the City.

Years of Service	Effective July 1. 2016	Effective July 1 2017
5-9 Years	5.6	No change
10-14 Years	6.3	6.5
15-19 Years	7.0	7.4
20+ Years	8.0	8.3

15. MEMORANDUM OF UNDERSTANDING: Service Employees International Union (SEIU)

APPROVED the Memorandum of Understanding between the City of Chandler and Service Employees International Union (SEIU) for FY 2016/2017.

BACKGROUND:
The City and SEIU engaged in negotiations beginning late March of 2016. All articles in the Memorandum of Understanding (MOU) were open to negotiations. After one meeting, the City and SEIU were able to reach agreement on a one (1) year contract.

SEIU and the City negotiated the terms of up to a 3% merit for all merit eligible represented employees, as well as a 1.50% across the board wage and salary range adjustment for all SEIU represented employees for FY 2016/2017.

The agreement includes additional job titles added to the list of positions that may be posted externally immediately when a vacancy occurs in an SEIU covered position, as well as, housekeeping language changes were also agreed upon.

16. MEMORANDUM OF UNDERSTANDING: Chandler Lieutenants and Police Sergeants Association (CLASA)

APPROVED the Memorandum of Understanding between the City of Chandler and Chandler Lieutenants and Police Sergeants Association (CLASA) for FY 2016/2017 through FY 2017/2018.

BACKGROUND:
The City and CLASA commenced negotiations in late February. All articles in the Memorandum of Understanding (MOU) were open to negotiations. The City and CLASA were able to reach agreement on a two (2) year MOU that will be in effect from July 1, 2016 through June 30, 2018. The agreement does not include any areas to be reopened during the term.

Substantive changes to the MOU include:

- Fund a merit increase of 5% for both FY 16/17 and FY 17118 for all eligible Police Sergeants.
- Beginning July 1, 2016 increase the special merit payment from 2% to 2.5%, paid two (2) times per year. Beginning July 1, 2017 this payment will be made one (1) time per year, making the payment non-pensionable and not considered compensation for the purposes of the Public Safety Personnel Retirement System (PSPRS).
- Beginning July 1, 2016 the sick and vacation deferral program commonly referred to as "17/3" will become non-pensionable and not considered compensation for the purposes of the PSPRS for any Police Sergeant that enters the program after that date.
- Beginning July 1, 2016 a Police Sergeant must contribute a minimum of $40.00 per pay period (1% of the Police Sergeant base maximum annual salary) to their deferred compensation account to receive a 1% contribution from the City.
- Beginning December 25, 2016, there will be three contribution tiers in the deferred compensation program:

Employee Contribution per pay period	City Contribution per pay period
Minimum of $40	1% of gross wages
Minimum of $80	2% of gross wages
Minimum of $120	3% of gross wages

- Both employee and City contributions count toward the IRS yearly allowable max1mum.

17. AGREEMENT AMENDMENT: Cutler Repaving, Inc.

APPROVED Amendment No. 3 for $252,379.85 to Agreement No. ST4-745-3339, for hot-in-place asphalt recycling, with Cutler Repaving, Inc., in a revised total amount not to exceed $1,252,379.85, for the existing term through March 1, 2017.

The Hot-in-Place recycling project is in addition to the current Street Division's mill and inlay contract for sixty-six lane miles of asphalt rehabilitation. Streets have been selected using the pavement management program pavement quality index.

This work is done using hot-in-place recycling, a green technique used by Maricopa County and other valley agencies to reuse and restore asphalt pavement. The work consists of heater scarification to the top one and one-half inch of the existing asphalt, mixing recycling agents with the asphalt, adding an additional two inches of new asphalt and placing the material back on the street in one pass. The process is quick and provides the least inconvenience to the motoring public.

During routine milling operations, a material known as petromat was encountered on the section of Alma School, between Knox Road and Highland Street. Petromat, a product used to minimize reflective and fatigue cracking in asphalt pavement, is detrimental to the recycling process and consequently had to be removed with additional milling and supplemented with extra asphalt materials. Moreover, the pavement management program used to estimate quantities, had an incorrect value for the square yardage on the section of Alma School, between Park Avenue and Highland Street resulting in higher actual quantities. This error will be corrected on the Pavement Data Collection contract with Stantec Consulting Services, Inc., when the new database is uploaded in July.
In order to complete the project, additional work and materials were required resulting in an increase to staff's original estimated usage. Street Division funds from savings on other street projects will be used to offset this added cost. This authorization is for only the work that was required to complete the project.

18. AGREEMENT AMENDMENT: Skaggs Companies, Inc.

APPROVED Amendment No. 2 to Agreement No. PD5-200-3453 with Skaggs Companies, Inc., for police uniforms, in an amount not to exceed $150,000.00, for a one-year term from July 1, 2016, through June 30, 2017.

On December 11, 2014, City Council approved an agreement with Skaggs Companies, Inc., for police uniforms for a one-year period, with the option of up to four one-year extensions. On December 10, 2015, City Council approved Amendment No. 1 to this agreement, extending the term for six months to allow the Police Department to align the agreement term with the fiscal year at the same terms, conditions, and pricing.
Skaggs Companies, Inc., has agreed to extend for one additional year at the same terms, conditions, and pricing. Additional items have been added to the agreement as a result of newly approved uniform items and are listed in the Revised Exhibit B of the agreement.

Staff recommends extension of this agreement for a one-year term from July 1, 2016, through June 30, 2017. This is the second extension of the agreement.

19. AGREEMENT: Universal Police Supply and Curtis Blue Line

APPROVED Agreement No. PD6-680-3619 with Universal Police Supply and L. N. Curtis & Sons dba Curtis Blue Line for police supplies, in a total combined amount not to exceed $80,000.00, for a one-year term from July 1, 2016, through June 30, 2017, with the option of up to four one-year extensions.

This agreement provides for the Police Department's annual needs for supplies and duty gear for all patrol officers (including reserves), motor officers, park rangers, explorers, motorist assist volunteers, detention officers, and civilians.

20. AGREEMENT AMENDMENT: Kaplan Kirsch & Rockewell, LLP

APPROVED Amendment No. 2 to the Agreement with the law firm of Kaplan Kirsch & Rockwell, LLP, in the amount of $27,000 for a revised not to exceed amount of $127,000 for its continued provision of legal services regarding a Part 16 complaint filed by Chandler Air Service.

On September 12, 2013, City Council approved Agreement Amendment No. 1 with the law firm of Kaplan Kirsch & Rockwell, LLP, in the amount of $100,000 for legal services impacting the Chandler Municipal Ariport.

On February 9, 2016, the City received a very favorable determination from the FAA; however, the agency requested follow-up information to be provided within a short timeframe, specifically relating to the City's action plan on aviation fuel sales taxes. A final, conclusive ruling has not been made by the FAA and the legal process regarding this Complaint continues, although staff expects a favorable conclusion and minimal additional work.

To see this matter through to a final decision, a Second Amendment is required, with a new, not to exceed amount of $127,000. This includes $108,343.21 paid to date which is within the 10% allowance on the $100,000 contract, current invoices for legal services of $12,726.75, plus a contingency for additional services of $5,930.04.

21. AGREEMENT AMENDMENT: Aero Automatic Sprinkler Company / Western States Fire

APPROVED Amendment No. 3 to Agreement No. BF2-936-3118, with Aero Automatic Sprinkler Company and Signal One & Fire Communication, LLC, now known as Western States Fire Protection Co., for fire protection services, repair, and maintenance, for a one-year term of July 1, 2016, through June 30, 2017, in a total combined amount not to exceed $200,000.00. This is the third extension of the agreement. Both firms have agreed to extend for one additional year at the same terms, conditions, and pricing.

22. AGREEMENT AMENDMENT: ASSI Security of Arizona

APPROVED Amendment No. 1 to Agreement No. CM4-680-3355, with ASSI Security of Arizona, for Access Controls and Security Equipment; Maintenance, Repair & Purchase for a one-year term of July 1, 2016, through June 30, 2017, in an amount not to exceed $250,000. ASSI Security of Arizona has agreed to extend for one additional year at the same terms, conditions and pricing. This is the first extension of the agreement. This contract provides maintenance and repair on the existing infrastructure equipment as well as the purchase and installation of new hardware. Building and Facilities has budgeted $65,000 for the on-going repairs, licensing and hardware for all facilities maintained by them. They have also requested $85,000 for the addition of new access control at the Chandler Center for the Arts and the Chandler Boys and Girls Club. Municipal Utilities has budgeted

$75,000, the Police Department $20,000 and Courts $5,000 for the on-going repair and maintenance of the card access control system at all of their facilities.

23. AGREEMENT AMENDMENT: ASSI Security of Arizona

APPROVED Amendment No. 1 to Agreement No. CM4-840-3368, with ASSI Security of Arizona, for Closed Circuit Television (CCTV) and Video Camera's: Maintenance, Repair & Purchase, for a one-year term of July 1, 2016, through June 30, 2017, in an amount not to exceed $100,000. ASSI Security of Arizona has agreed to extend for one additional year at the same terms, conditions and pricing. This is the first extension of the agreement.

24. AGREEMENT: Pioneer Landscaping Materials, Inc. / MDI Rock

APPROVED Agreement No. PM6-595-3675, with Pioneer Landscaping Materials, Inc., and Material Delivery, Inc., dba MDI Rock, for rock, granite and miscellaneous supplies, in a total combined amount not to exceed $200,000, including all companion agreements, for one year, July 1, 2016, through June 30, 2017, with options to renew for up to four additional one-year periods.

25. AGREEMENT: Greater Phoenix Economic Council

APPROVED the FY2016-2017 agreement with the Greater Phoenix Economic Council (GPEC) for Regional economic development services in the amount of $112,156, and authorize the Mayor to sign all related documents as approved by the City Attorney.

The annual contract amount for GPEC is determined by the Arizona Department of Administration's 2015 population estimate for Chandler (255,073) multiplied by a fixed amount per capita ($.4397). The City of Chandler's proportionate share is thus $112,156.

26. AGREEMENT AMENDMENT: Municipal Emergency Services, Inc.

Staff recommends City Council approve Amendment No. 5 to Agreement No. FD3-340-3133 with Municipal Emergency Services, Inc. (MES) for fire protective clothing and uniforms, increasing the annual spending limit amount by $466,300, for a revised not to exceed amount of $821,300, for the term ending September 14, 2016.

27. AGREEMENT: Cleanview Sewer Inspections, LLC.

APPROVED Agreement No. MU6-962-3654, with Cleanview Sewer Inspections, LLC., for video inspection of sewer lines, for a two-year term, in an amount not to exceed $193,000 per year, with the option of two (2) two-year extensions, for a total amount not to exceed $386,000.

28. AGREEMENT: Water-Wastewater Infrastructure Sites 4,5,and 6

AWARDED a Project Agreement to Carollo Engineers, Inc., for construction management services, for the Downtown Sites 4, 5, and 6 Water-Wastewater Infrastructure, pursuant to Annual Water and Wastewater Services Contract No. EN1518.101, Project No. WW1506.453, in an amount not to exceed $78,080.

Recent assessments of the water and wastewater system in the Downtown area recommend improvements that are necessary to provide increased levels of service for proposed redevelopments.

Downtown redevelopment projects also require underground conversion of overhead utility lines on Site 6 and Oregon Street, between Boston and Chicago Streets. This project includes construction management services for the replacement of aged water lines and new sanitary sewer infrastructure to support the development of Downtown Sites 4, 5, and 6, as well as the trenching and conduit installation for underground conversions.

The project scope of work consists of: reviewing submittals, responding to requests for information, conducting site visits and field inspections, utility coordination, stake holder coordination, and preparing record drawings for Downtown Sites 4, 5, and 6.

29. CONSTRUCTION MANAGER AT RISK: Achen-Gardner

AWARDED a Construction Manager at Risk Contract to Achen-Gardner Construction, LLC, for the Downtown Sites 4, 5, and 6 Water-Wastewater Infrastructure, Project No. WW1506.403, in an amount not to exceed $2,017,038.68.

Recent assessments of the water and wastewater system in the Downtown area recommend improvements that are necessary to provide increased levels of service for proposed redevelopments. Downtown redevelopment projects also require underground conversion of overhead utility lines on Site 6 and Oregon Street, between Boston and Chicago Streets.

The project scope of work consists of the replacement of aged water lines and new sanitary sewer infrastructure to support the development of Downtown Sites 4, 5, and 6, as well as the trenching and conduit installation for underground conversions.

A Project Agreement for construction management services, Project No. WW1506.453, with Carollo Engineers, Inc., for the Downtown Sites 4, 5, and 6 Water-Wastewater Infrastructure, is also scheduled for this City Council meeting.

30. CONTRACT: Midway Chevrolet – Graffiti Abatement Vehicle

AUTHORIZED the utilization of the State of Arizona Contract No. ADSPO14-063239, with Midway Chevrolet, for the purchase of a graffiti abatement vehicle, in the amount of $92,437.39.

Chandler has prioritized a 24-hour response time to reports of graffiti. The graffiti abatement program is largely staff driven with one full time employee responsible for close to 2,000 annual graffiti abatements. To approach our goal of being a graffiti free community, the Graffiti Abatement Technician strives to: (1) proactively identify the majority of graffiti; (2) respond and abate reports of graffiti within 24 hours; and (3) leave little evidence that graffiti ever existed in abated locations.

The new graffiti abatement vehicle will provide for a more efficient response by having a centralized unit with multiple paint sprayers, a power washer, and steamer all in one unit. The graffiti abatement vehicle will allow the Graffiti Abatement Technician to respond and abate graffiti in one trip using the most effective tools for the job. In addition, the primary goal will be to move from primarily painting over the graffiti to the actual removal of the graffiti through washing and steaming.

Funds for this purchase were approved by the City Council as a decision package during the FY 2015-16 budget process.

31. PURCHASE: Landscape Structures, Inc.

APPROVED the purchase of spray pad equipment for Desert Breeze Park from Landscape Structures, Inc., utilizing The Cooperative Purchasing Network (TCPN) Contract No. R5202, in the amount of $69,345.40.

Desert Breeze Park is a forty-seven (47) acre Community Park originally developed in 1990 and is one of Chandler's most popular parks. In addition to the variety of amenities offered at this park, one of the most popular amenities is the water spray pad. Since its construction more than 25 years ago, the spray pad equipment has deteriorated and is unfortunately no longer serviceable. During the FY 15-16 budget process, funding was allocated to renovate and improve the entire spray pad. This equipment will be installed under a separate contract which will improve access, surfacing, and landscaping associated with the spray pad. As to not interfere with the use of this popular amenity, construction will begin on November 1st after the spray pad is closed for the season and will be completed prior to its re-opening on April 1, 2017.

A contract for the installation of the spray pad equipment is anticipated to be brought before the City Council for approval during the fall of 2016.

32. No Item.

33. UTILIZATION OF STATE CONTRACT: Dimension Data North America, Inc.

APPROVED the utilization of the State of Arizona Contract No. ADSPO16-117850, with Dimension Data North America, Inc., for the purchase of Cisco equipment and services, in an amount not to exceed $467,000, and approve the transfer of General Fund appropriation from the Human Resources Division to Information Technology Capital Projects in the amount of $42,600.

The City's current Private Branch Exchange (PBX) phone system is based on old technology voice services and is being phased out by the manufacturer. The current system is based on several separate systems from multiple providers that are used to provide functionality that have compatibility issues with the older phone system. The current system needs to be upgraded with newer technology that will continue to provide the City with communication services. The City has recently been moving toward providing a converged network that will allow Voice over Internet Protocol (VoIP) and data to travel the same infrastructure. The City has reviewed the option of upgrading the current system to a newer system from the same manufacturer, but that option does not resolve the underlying issues of future vendor support, limited capabilities, and multiple product interoperability.

The Cisco VoIP solution provides the City with a technology that has been designed from the ground up to provide a converged solution for call center applications, voice, data, video, and other services through products provided by a single vendor. The City already utilizes Cisco products for data networking and servers which will allow the City to leverage existing staff knowledge to support and maintain this additional functionality. The Cisco solution allows the City to have access to more resources that support the newer system. Cisco has a local presence in the Valley and there are numerous vendors who are Cisco partners. Rather than continuing to invest in the current PBX system which has become difficult to maintain and has limited integration capabilities, the City needs to move to a more modern system that will meet its future technology growth.

The goal for the replacement is to be complete within the next 2 years in order to have the same technology throughout the city network and reduce the incompatibilities that may arise from spreading

the deployment across 3 to 5 years. Both the current and new phone systems will need to be maintained during the multi-year transition.

City staff reviewed other phone system solutions from other vendors and is recommending the Cisco solution due to the City's familiarity with Cisco products, the seamless interoperability with existing Cisco equipment, and the single vendor approach to the solution. This solution was presented to the Communications and Public Affairs, Information Technology, and Management Services Council Subcommittee on April 7, 2016, for their review and to address any questions, comments, or concerns. This purchase includes the underlying infrastructure and software licensing necessary to set up the new converged voice and data environment as well as the initial components necessary for video conferencing and communications. The video equipment and software necessary to set up 3 rooms for video recording and conferencing will also be purchased and implemented as part of this project. The rooms included are the City Hall 2nd Floor Training Room that was part of a Human Resources FY2015-16 decision package, the IT Training Room, and an IT conference room.

34. SOLE SOURCE PURCHASE: Enterprise Asset Management

APPROVED the sole source purchase of annual maintenance for the Enterprise Asset Management system from Lucity, Inc., in the amount of $87,303.

Lucity's EAM application is the system that manages the City's service and work requests, coordinates preventative maintenance programs, and tracks City asset maintenance throughout the asset's life cycle. The City continues to expand the use of the application for other city work management functions.
This system also handles citizen service requests and includes a web based service request system. The mobile device application from Public Stuff for citizen service requests has also been integrated into this system.

Lucity support provides access to technical assistance resources to resolve application issues as well as providing software fixes. The maintenance provides application upgrades necessary to operate and keep the systems current.

The annual maintenance renewal last year was $85,174. This year's renewal represents an approximate 2.5% inflationary adjustment increase. The effective term is July 1, 2016, through June 30, 2017.

35. SUPPORT AND MAINTENANCE SERVICES AGREEMENT: Oracle

APPROVED the utilization of the National Association of State Procurement Officials (NASPO), formerly Western States Contracting Alliance (WSCA) Contract No. ADSPO11-007500, with SHI International, for the purchase of Oracle annual support and maintenance services, in the amount of $299,990.

The City utilizes Oracle database products to store data for the following major systems: Financial, Payroll/HR, Sales Tax, Work Order Management, Permits and Inspections, Utility Billing, Geographic Information and numerous other departmental systems. The City utilizes Oracle Applications, which include Self Service Human Resources, Financial, Project Billing, iExpense, User Productivity Kit Developer, and iProcurement application modules.

Oracle support provides access to technical assistance resources to resolve system issues as well as providing software fixes. The maintenance provides system and application upgrades necessary to operate keeping the systems current.

The City purchases maintenance and support based on the number of servers and processors on which the software is running on an annual basis. City staff regularly reviews the number of licenses to ensure compliance and verify that only required licenses are being maintained.
Oracle Corporation sets the cost of ongoing support and maintenance as a fixed percentage of the software license cost at the time of initial purchase. The annual maintenance renewal last year was $291,253. The 3% increase in cost for this renewal period is based on an Adjustment Rate built into the original software license purchase contract. The effective term is August 1, 2016, through July 31, 2017.

36. CONTINUED USE PERMIT: QUICKTRIP

CONTINUED Liquor Use Permit LUP16-0013 QUIKTRIP, located at the northeast corner of Gilbert and Queen Creek roads, to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption to the July 28, 2016, City Council meeting.

37. USE PERMIT: PINNACLE CROSSFIT

APPROVED USE PERMIT for a personal trainer/fitness center within a Planned Industrial District with a Planned Area Development overlay (I-1/PAD) that allows for industrial, retail show room, and motorcycle sales with accessory repair uses at 3245 N. Arizona Avenue, Suite 10, Pollack Business Park North, southeast corner of Arizona Avenue and Chilton Drive. Applicant: Jeremy Gwizdalski, Business Owner.

BACKGROUND
The subject site is located at the southeast corner of Arizona Avenue and Chilton Drive in North Chandler. Suite 10 is the northern end cap within Building E of the Pollack Business Park North mixed-use business park with frontage along Arizona Avenue. The adjacent suite is vacant. The site is surrounded by Arizona Avenue to the west and Chilton Drive to the north. Other light industrial buildings/uses as part of the business park are adjacent to the south and east.

The business park's zoning history dates back to 1981, when the property was zoned Planned Industrial District (I-1) with a Planned Area Development Plan (PAD) Overlay. Over the years a series of amendments to the zoning were granted for uses such as retail showroom and motorcycle sales with accessory repair uses.

The request is for Use Permit approval for a personal trainer/fitness center within Suite 10 of Building E. The suite is approximately 4,200 square feet will include personal trainer classes of 20 persons consisting of crossfit, yoga, conditioning, and cardio within an open floor concept. Classes with be instructed by one or two certified trainers. Pinnacle Crossfit has represented hours of operation will be Monday through Friday 5 a.m. to noon and 4 p.m. to 8 p.m., Saturday 9 a.m. to noon, and closed on Sundays. Pollack Business Park North's parking provides for a mix of office, warehouse, and retail showroom uses with 357 parking spaces provided. Per code, the use requires 1 space per 300 square feet of building area, which equates to 15 parking spaces.

Planning Staff supports the Use Permit. Personal trainer/fitness centers have proven compatible within industrial business parks when sufficient direct-access parking is available. The proposed site has

sufficient parking provided directly adjacent, as well as frontage along Arizona Avenue. Planning Staff is recommending a two (2) year timing condition to provide sufficient time to evaluate the anticipated compatibility.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice letter was mailed in lieu of a meeting due to limited residential within the notification area.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

PLANNING COMMISSION approved the project 6 to 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve Use Permit ZUP16-0007 PINNACLE CROSSFIT, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

2. The site shall be maintained in a clean and orderly manner.

3. The Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

38. LIQUOR USE PERMIT: THE CASUAL PINT

APPROVED Liquor Use Permit approval to sell and serve beer and wine for on-premise consumption indoors and within a new outdoor patio and to sell liquor "to-go" in original, unopened containers as permitted under a Series 7 Beer and Wine Bar License, including indoor live music at 1095 West Queen Creek Road, Suite 8, west of the southwest corner of Alma School and Queen Creek roads.
Applicant: Theresa J. Morse, Avant Garde Alcohol Training and Education

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

The property is located at 1095 West Queen Creek Road, Suite 8, west of the southwest corner of Alma School and Queen Creek roads, within The Falls at Ocotillo shopping center. The suite formerly was a Christian bookstore. Kinderbugs and Keegan's Grill are adjacent tenants. The nearest single-family residential subdivision is Stillwater Cove, located to the south.

The request is for Liquor Use Permit approval to sell and serve beer and wine for on-premise consumption indoors and within a new outdoor patio and to sell liquor "to-go" in original, unopened containers as permitted under a Series 7 Beer and Wine Bar License, including indoor live music.

This location is the first Casual Pint franchise located west of the Mississippi River. A craft beer market is a key element of the business's operation. The suite is approximately 2,182 square feet and the new

outdoor patio contains approximately 720 square feet. Indoor seating provides approximately 42 seats and 10 bar stools. A pedestrian walkway is proposed to access Jacaranda Parkway from the patio. Indoor live music, such as an acoustical guitar and/or a vocalist, may be scheduled up to four times a month. Business hours are 11 a.m. to 10 p.m. on Monday through Thursday, 11 a.m. until midnight on Friday and Saturday, and 1 p.m. to 8 p.m. on Sunday.

Planning Staff contacted the Police Department to check if there were any noise disturbance service calls for existing businesses located in the Falls at Ocotillo and within Ocotillo Plaza, who currently provide live entertainment and/or music, and have outdoor patios. No complaints have been filed with the Police Department in the past two years.

Planning Staff is including conditions to address any potential noise from the indoor live music due to the proximity of the suite to the single-family subdivision. Planning Staff also recommends a one-year time limit to allow evaluation of the compatibility of the indoor live music with the surrounding residential and business developments.

Subsequent to Planning Commission, Planning Staff is recommending an additional stipulation listed as Condition No. 9 regarding a contact phone number be available to resolve noise complaints quickly and directly.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 9, 2016. Several residents attended. One resident is concerned about the location near the single family homes, noise coming from the indoor live music, and proximity to a pre-school. The other residents voiced their support.
- Planning Staff is aware of opposition to the request as noted in the following section.

PLANNING COMMISSION voted to approve 6-0.

The item was moved from the consent agenda to action for Planning Commission discussion. Planning Commissioners commented about parking in the center which is shared among the tenants of the center.

Two speakers stated their opposition to the request. The same resident of Stillwater Cover who attended the neighborhood meeting spoke and provided the attached document. The owner of Kinderbugs attended and stated their opposition and concerns. The resident's concerns are as follows: opposed to the location due to its proximity to the neighborhood and noise from the live music indoors would be heard outside. The business owner leases the adjacent suite to the proposed Casual Pint. The concerns included: the pre-school has a common wall with the proposed tenant and noise will affect their classrooms; parents use parking spaces to drop off their children and there is limited parking; and they are licensed to have kindergarten, but do not have any kindergarten classes at the present time but could in the future.

Under the State's Liquor License regulations, the Assistant City Attorney responded that kindergarten classes must be ongoing at the time the liquor license request was made to the State. The Applicant also noted that the property management company does not permit a kindergarten within this development. The Casual Pint owner addressed the concerns stating: a cooler will be located along the common wall and acoustical tiles will be installed; the business is a craft beer market with limited dining and live music, not a typical bar atmosphere; and the anticipated opening is mid-August.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0008 THE CASUAL PINT, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.
5. The patio shall be maintained in a clean and orderly manner.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. Music shall occur indoors only.
8. Liquor Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Liquor Use Permit shall apply.
9. The 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.
10. 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.

39. LIQUOR LICENSE: The Casual Pint

APPROVED forwarding a recommendation for approval of State Liquor License and further, approved a City of Chandler Series 7, Beer and Wine Bar Liquor License No. 162580 L7, for Theresa June Morse, Agent, E-Z Enterprises Ocotillo LLC, dba The Casual Pint, located at 1095 W. Queen Creek Road, Suite 8.

New License, Series 7, Beer and Wine Bar Liquor License for Theresa June Morse, Agent, E-Z Enterprises Ocotillo LLC, dba The Casual Pint, located at 1095 W. Queen Creek Road, Suite 8.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 7, Beer and Wine Bar Liquor License, the business may sell beer and wine only for on- or off-premise consumption.

40. USE PERMIT: COCONUTS FISH CAFE

APPROVED Liquor Use Permit LUP16-0009 COCONUTS FISH CAFE, to sell and serve spirituous liquor for on-premise consumption indoors as permitted with a Series 12 Restaurant License, subject to the conditions as recommended by Planning Commission and Planning Staff.

BACKGROUND:
The property is located at 1155 West Ocotillo Road, Suite 1, the southwest comer of Alma School and Ocotillo roads. The Ocotillo Village Health Center is south of the restaurant and the remainder of the development is under construction. The nearest single-family residential subdivisions are Embarcadero at Ocotillo to the west, across the lake, and Echelon at Ocotillo to the east, across Alma School Road.

The request is for Liquor Use Permit approval to sell and serve spirituous liquor for on-premise consumption indoors and within a new outdoor patio as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows an establishment the on-site sale and serving of all types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food.

Suite 1 is approximately 2,450 square feet with an outdoor patio of approximately 650 square feet. Indoor seating provides 62 seats and 58 outdoor seats. A house speaker system provides recorded island themed music and television monitors show surf videos for both indoor and outdoor customers. Business hours are 11 a.m. until 9 p.m., seven days a week. Twenty staff members will be employed.

PUBLIC I NEIGHBORHOOD NOTIFICATION:
This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on May 5, 2016. The attendees included Ocotillo Community Association staff, the owner, and the applicant. Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT:
The motion to approve passed unanimously 6-0.

RECOMMENDED ACTION:
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0009 COCONUTS FISH CAFE, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

2. The Liquor Use Permit is granted for a Series 12 Restaurant license, and any change of license shall require reapplication and new Liquor Use Permit approval.

3. The Liquor Use Permit is non-transferable to any other location.

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

5. The patio shall be maintained in a clean and orderly manner.

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

41. LIQUOR LICENSE: Coconuts Fish Cafe

APPROVED forwarding a recommendation for approval of State Liquor License No. 1207A563, and further, that approval is given for the City of Chandler Series 12, Restaurant Liquor License No. 162065 L12, for Andrea Lewkowitz, Agent, Desert Mana Enterprises LLC, dba Coconuts Fish Café, located at 1155 W. Ocotillo Road, Suite 1.

New License, Series 12, Restaurant Liquor License for Andrea Lewkowitz, Agent, Desert Mana Enterprises LLC, dba Coconuts Fish Café, located at 1155 W. Ocotillo Road, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

42. USE PERMIT: LUP16-0010 FIRED PIE

APPROVED Liquor Use Permit LUP16-0010 FIRED PIE, subject to the conditions as recommended by Planning Commission and Planning Staff.

BACKGROUND:
The property is located at 1155 West Ocotillo Road, Suite 8, the southwest comer of Alma School and Ocotillo roads. The Ocotillo Village Health Center is south of the restaurant and the remainder of the development is under construction. The nearest single-family residential subdivisions are Embarcadero at Ocotillo to the west, across the lake, and Echelon at Ocotillo to the east, across Alma School Road.

The request is for Liquor Use Permit approval to sell and serve spirituous liquor for on-premise consumption indoors and within a new outdoor patio as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows an establishment the on-site sale and serving of all types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food.

Suite 8 is approximately 2,126 square feet with an outdoor patio of approximately 792 square feet. Indoor seating provides 58 seats and 48 outdoor seats. Hours of operation are Sunday through Thursday from 11 a.m. until 9 p.m., and 11 a.m. until 10 p.m. on Friday and Saturday.

At the neighborhood meeting, a resident voiced a concern related to noise traveling across the lake into their backyard from customers seated in the outdoor patio. Planning Staff recommends a one-year time limit to address any potential noise from the outdoor patio due to the proximity of the suite to the single-family subdivision.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

This request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood meeting was held on May 12, 2016. The attendees included two residents, Ocotillo Community Association staff, two owners of the development, the owners of Fired Pie, and the applicant. The residents' concerns include: noise from the patio traveling across the lake to their backyard, serving alcohol on the patio, light reflection from the windows, and hours of trash collection. As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT:
The motion to Approve passed 6-0.

RECOMMENDED ACTION:

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0010 FIRED PIE, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

2. The Liquor Use Permit is granted for a Series 12 Restaurant license, and any change of license shall require reapplication and new Liquor Use Permit approval.

3. The Liquor Use Permit is non-transferable to any other location.

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

5. The patio shall be maintained in a clean and orderly manner.

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

7. No noise shall be emitted from the patios so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.

8. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.

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

43. LIQUOR LICENSE: Fired Pie

APPROVED forwarding a recommendation for approval of State Liquor License No. 1207A523, and further, that approval is given for the City of Chandler Series 12, Restaurant Liquor License No. 162596 L12, for Jesus Manuel Altamirano, Agent, FPOT LLC, dba Fired Pie, located at 1155 W. Ocotillo Road, Suite 8.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

44. USE PERMIT: GOOD TIME CHARLI'S

RECOMMENDATION:
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND:
The subject site is located at the southwest corner of Chandler Boulevard and Kyrene Road within Kyrene Village, with frontage along Kyrene Road. The commercial shopping center is surrounded by commercial and industrial uses, including the Paloma Kyrene Business Park to the south, Kyrene Crossing to the east, and Chandler Business Center to the north. The nearest residential neighborhood is the Sorrento Subdivision located to the southeast of the shopping center, east of Kyrene Road. The subject site has been serving liquor since 1988, previous liquor licenses have been for Series 12 Restaurant Licenses and a Series 6 Bar License. Suite 7 was previously occupied by Beef O'Brady's and Regal Beagle. In the past under previous owners, noise disturbances had been a problem at this site for surrounding neighbors.

Good Time Charli' s, a new neighborhood gastro pub restaurant, request Use Permit approval to sell and serve liquor as permitted under a Series 12 Restaurant License indoors and within an outdoor patio. The request also includes approval for live music indoors and on the outdoor patio. Good Time Charli's has represented live music can occur up to four nights a week with either a classic rock, jazz or acoustic band. Live music on the patio will be limited to Friday through Sunday until 7 p.m. and only acoustic bands with a small amplifier. The patio will also have two televisions with four, eight inch speakers for sporting events. Future plans include adding a shade structure over the patio and planting trees along the boundary of the patio to help mitigate sound. The new business owners have worked with residents within the Sorrento Subdivision and want the opportunity to prove they will be good neighbors. Sound proofing material has been added to interior windows to help absorb noise from live music indoors. Music indoors may go until 2 a.m.

The 3,980 square foot restaurant seats 135 persons, 25 bar seats, and the 489 square foot outdoor patio seats 24 persons. The regular hours of operation are 10 a.m. to 2 a.m., seven days a week. The restaurant will employ three full time employees and 20 part time employees.

Planning Staff supports the request, finding the restaurant with live music is appropriate at this location if controlled so as to not unreasonably disturb the surrounding residents and businesses. The one-year timing condition allows evaluation of the compatibility of the live entertainment.

PUBLIC / NEIGHBORHOOD NOTIFICATION:
This request was noticed in accordance with the requirements of the Chandler Zoning Code.
A neighborhood meeting was held on May 4, 2016. The applicant, the three business owners, and five residents including the Sorrento HOA's President were in attendance. Residents had concerns about the new business being another Regal Beagle, and the live music on the outdoor patio. Residents were not concerned about the Liquor Use Permit or the live music indoors. The business owners were very clear they wanted to prove Good Time Charli' s was a restaurant with great food and live music. Being musicians themselves, they understand how to mitigate the sound. The business owners have offered a sound test to residents at the neighborhood meeting. One resident, who has been active in all previous cases pertaining to this property, attended and afterwards stated "I support their desire to have music on the patio."

As of the writing of this memo, Planning Staff is not aware of any opposition against the request. Residents have stated they have reservations, but are comfortable with the stipulations recommended per the request. The one-year timing stipulation allows them to address any issues in a year.

PLANNING COMMISSION VOTE REPORT:
The motion to approve passed 6-0.

RECOMMENDED ACTION:
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0012 GOOD TIME CHARLI'S, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

2. The Liquor Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.

3. The Liquor Use Permit is non-transferable to other store locations.

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

5. No noise shall be emitted from outdoor speakers or acoustical musicians on the patios so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.

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

7. The establishment shall provide a contact phone number of a responsible person (restaurant owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.

8. Live music on the patio can occur Friday through Sunday, no later than 7 p.m., and limited to acoustic bands only.

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

45. LIQUOR LICENSE: Good Time Charli's

APPROVED forwarding a recommendation for approval of State Liquor License No. 120714591, and further, that approval is given for the City of Chandler Series 12, Restaurant Liquor License No. 162966 L12, for Randy D. Nations, Agent, GTC Works LLC, dba Good Time Charli's, located at 6045 W. Chandler Boulevard, Suite 7.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

46. LIQUOR LICENSE: Los Taquitos

APPROVED forwarding a recommendation for approval of State Liquor License No. 1207A651, and further, that approval is given for the City of Chandler Series 12, Restaurant Liquor License No. 163294

L12, for Adriana Ochoa, Agent, Los Taquitos III LLC, dba Los Taquitos, located at 2855 W. Ray Road, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as JDJD LLC, dba Burger 21.

47. LIQUOR LICENSE: Incognitos

APPROVED forwarding a recommendation for approval of State Liquor License No. 1207A653, and further, that approval is given for the City of Chandler Series 12, Restaurant Liquor License No. 163376 L12, for Linda Sue Hollenbeck, Agent, Incognitos Corp., dba Incognitos, located at 2050 N. Alma School Road, Suite 23.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Gallagher's Inc., dba Gallagher's Food and Fun.

48. LIQUOR LICENSE: New India Gate

APPROVED forwarding a recommendation for approval of State Liquor License No. 1207A646, and further, that approval is given for the City of Chandler Series 12, Restaurant Liquor License No. 161417 L12, for Sarwan Singh, Agent, Cheema and Sons LLC, dba New India Gate, located at 4939 W. Ray Road, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as YJN Restaurant LLC, dba I Sushi.

49. CONTINUED LIQUOR LICENSE: Corner Store #1064

CONTINUED the Series 10, Beer and Wine Store Liquor License, for Andrea Dahlman Lewkowitz, Agent, CST Arizona LLC, dba Corner Store #1604, located at 1015 S. Cooper Road, until July 28, 2016.

50. CONTINUED LIQUOR LICENSE: Home2 Suites by Hilton

CONTINUED the Series 10, Beer and Wine Store Liquor License, for Trent Charles Johnson, Agent, North Central Management Inc., dba Home2 Suites By Hilton, located at 2490 W. Queen Creek Road, until July 28, 2016.

51. CONTINUED LIQUOR LICENSE: UVB Lounge and Restaurant

Staff recommends that a continuance be given for the Series 12, Restaurant Liquor License, for Dragana Cosic, Agent, SCDC Properties LLC, dba VB Lounge & Restaurant, located at 81 W. Boston Street, until July 28, 2016.

52. PERMANENT EXTENSION OF PREMISES: Starbucks Coffee

APPROVED forwarding a recommendation for approval of a permanent extension of premises for State Liquor License No. 1207A423, a Series 12, Restaurant Bar Liquor License , held by Coffee House Holdings Inc., dba Starbucks Coffee #15746, located at 4985 W. Ray Road, and further, that approval is given for the permanent extension to the City of Chandler Liquor License No. 160618 L12.

Coffee House Holdings Inc., dba Starbucks Coffee #15746, located at 4985 W. Ray Road, has requested a permanent extension of their alcohol serving area to include outside seating.

The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

The applicant's Use Permit through the Planning Division was approved on February 25, 2016.

53. FINAL PLAT: Shoppes at Chandler Heights

APPROVED Final Plant FPT16-0011 for a commercial retail development located at the NEC of Arizona Avenue and Chandler Heights.

BACKGROUND:
This Final Plat is for a commercial development that was approved by Council in March 2008. The development was partially constructed and then remained vacant for the last eight years. The site is currently under construction to include a Basis charter school and Alamo Drafthouse Cinema. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

RECOMMENDED ACTION:
Upon finding consistency with the General Plan, Planning Staff recommends City Council approve Final Plat, FPT16-001 SHOPPES AT CHANDLER HEIGHTS.

ACTION:

54. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: Alta San Marcos

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4706, DVR16-0003 Alta San Marcos, rezoning from Planned Area Development (PAD) Golf Course to PAD (Multi-Family residential including

a Mid-Rise Overlay for buildings up to 55 feet in height for a multi-family residential development, subject to the conditions as recommended by Planning Commission and Planning Staff.

Preliminary Development Plan
APPROVED Preliminary Development Plan DVR16-0003 ALTA SAN MARCOS for a multi-family residential development, subject to the conditions as recommended by Planning Commission and Planning Staff.

Preliminary Plat
APPROVED Preliminary Plat PPT16-0006 ALTA SAN MARCOS, subject to the condition recommended by Planning Commission and Planning Staff.

RECOMMENDATION:

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Rezoning with Preliminary Development Plan (PDP), and Preliminary Plat (PPT) subject to conditions.

BACKGROUND:

In response to traffic questions, Staff supplied the traffic statement submitted in March, 2016 and was prepared by the applicant and reviewed by City Staff to address trip generation and driveway locations as well as right-of-way improvements. The city's Transportation Staff determined a traffic impact study was not necessary due to the parcel's size and number of residential units. City Staff and the applicant determined appropriate driveway and right-of way improvements, those exhibits are included in the Development Booklet.

The subject site is comprised of two parcels totaling approximately 5.4 acres. The site is bordered by Chandler Boulevard to the north, Dakota Street to the east, the San Marcos Golf Course to the south, and Focus Corporate Plaza office condominiums to the west. To the north are single-family residential homes some having Use Permits for residential conversions and a Chandler High School parking lot and ball fields. To the east is City of Chandler property planned for commercial within the San Marcos Commons development. To the south is an existing golf course maintenance yard and clubhouse. The subject site is the former driving range for the San Marcos Golf Course.

The request is to rezone the property from Planned Area Development (PAD) Golf Course to PAD (Multi-Family Residential) including a Mid-Rise Overlay for buildings up to 55 feet in height with Preliminary Development Plan (PDP) and Preliminary Plat approval for site layout and building architecture. The project is a 273-unit luxury multi-family residential development at approximately 50.55 dwelling units per acre (du/ac).

GENERAL PLAN CONFORMANCE:
The General Plan designates the property as Residential, bordering the Downtown Area and Revitalization/Infill Growth Area, and along a High Capacity Transit Corridor. Residential areas allow a range of densities from Rural Residential to Urban Residential exceeding 18 du/ac. Urban Residential densities can be considered in the Downtown Area and Revitalization/Infill Growth Area, and along a High Capacity Transit Corridor. Recent Council Policy targets the Downtown Chandler Growth Area for revitalization encouraging high-density residential, mixed- uses, and transit-oriented development. Chandler Boulevard is a High Capacity Transit Corridor which is intended to develop with mixed uses

and encourages densities greater than 18 du/ac are permitted. The subject rezoning request is consistent with the General Plan.

SITE DESIGN:
The site design responds to the urban strategies desired in the Downtown Chandler area by encouraging high density residential development by engaging the 4-story residential buildings right up against the street frontages.

The inclusion of a new 6-foot sidewalk along Chandler Boulevard creates the inviting pedestrian-friendly environment encouraged in Downtown Chandler's revitalization. The primary gated entrance and exit is located along Chandler Boulevard. Secondary exiting is provided along Dakota Street. Building placement creates areas for internalized on-site parking.

A total of 273 residential units are provided. The 184 studio and one-bedroom units range in size from 686 sq. ft. to 968 sq. ft. The 83 two-bedroom units range in size from 1,072 sq. ft. to 1,174 sq. ft. The 6 three-bedroom 'penthouse' units are 1,495 sq. ft. The units are located within three 4-story buildings. A total of 392 parking spaces are provided through a combination of 185 carport spaces, 85 garage spaces, 85 tandem spaces, and 37 open stall spaces.

ARCHITECTURE:
The request includes a Mid-Rise Overlay for buildings up to 55-feet in height.

The buildings are approximately 46 feet in height to top of parapet. The additional height up to 55 feet is requested to accommodate the penthouse units.

The building's architecture is influenced by east coast brownstone housing also referred to a townhouse clad. The look and feel of the building represents elements of residential urban blocks in New York City, an urban streetscape through the use of architectural massing changes, metal and masonry elements, prominent cornice and fenestration detailing, and paint color arrangement. The first floor private courtyards are brought right out to the property lines engaging the residents with the street experience, while creating a pedestrian scale to the 4-story buildings.

A comprehensive sign package is included in the Development Booklet. Project signage includes urban, brownstone style signage providing a sense of arrival to Downtown Chandler and a streetscape presence along Chandler Boulevard. The Chandler Boulevard buildings include custom designed blade signs, perpendicular on the buildings, cast bronze plaques, and lifestyle banners.

Planning Staff supports the request finding it to be consistent with the General Plan and designated Downtown Chandler Growth Area. The General Plan identifies the subject site specifically for this type of development. The 50.55 du/ac is indeed the level of residential density encouraged by the guiding land use plan. Furthermore, the development's design team has presented a quality project that is consistent with the urban design objectives desired in the downtown area. The building architecture represents a unique design approach that characterizes brownstones/townhouses in lieu of a traditional apartment building. The public right-of-way building relationship, internalized on-site parking, and 6-foot sidewalk along Chandler Boulevard all promote the desired urban sense of place in the downtown area.

PUBLIC / NEIGHBORHOOD NOTIFICATION:
This request was noticed in accordance with the requirements of the Chandler Zoning Code.
Two neighborhood meetings were held; one on March 29, 2016, and one on March 31, 2016.

Approximately 10-12 attended each meeting primarily representing property owners north of Chandler Boulevard, the Focus Group Office condominium development to the west, and townhouse owners to the east. The applicant has corresponded with some attendees after the meetings and Planning received a couple of phone calls about the neighborhood meeting notice and traffic concerns. Support and concern was raised at both neighborhood meetings.

In addition the applicant's community outreach consultant went door-to-door in the surrounding area to meet with residents. Over 170 letters in support were submitted to Planning Staff. In addition, the applicant and Planning Staff have received support from downtown merchants.

Planning Staff is aware of property owner concerns regarding traffic and circulation along Chandler Boulevard, a dislike for redevelopment occurring in the downtown area, and not liking the proposed land use and density. Some longtime homeowners north of Chandler Boulevard expressed their concern for not wanting any more growth and change in the downtown area stating it is already congested with vehicles and people. They also oppose the proposed development and its building height. Some individuals have conveyed their homes are rental properties and do not want to compete with a new multi-family development. Others stated they are opposed to elimination of their golf course view and feel their property values will be affected.

Following the Planning Commission meeting, the applicant continued to meet with concerned property owners. The applicant has submitted a parking study to address traffic impacts from the development. See attachment.

As of the writing of this memo, Planning Staff has received correspondence indicating opposition and support for this request. The opposition triggers a legal protest. See attached citizen correspondence.

PLANNING COMMISSION VOTE REPORT:
The motion to Approve passed with a 3-2 vote with Commissioner Baron and Wastchak absent.

Planning Commission discussed their likes and dislikes for the project. The majority of Commission supports the density, architectural design, and building height stating they would like to see this project develop now versus later. Commissioners conveyed their support for the project's location and benefit to the downtown area. One Commissioner opposed the project due to its building architecture and preferred an Alta Steelyard style design. Another Commissioner opposed the project stating they did not support the primary entrance and exit off of Chandler Boulevard and felt the building architecture did not fit with or compliment the historic San Marcos Hotel property.

Four area property owners spoke in opposition to the development. Their comments included not wanting buildings over two-stories in height, no entrance and exit off of Chandler Boulevard, no high density on this small parcel, do not block the golf course view, concerns for increased traffic and car accidents on Chandler Boulevard, and the San Marcos golf course is historic and should be preserved.

RECOMMENDED ACTIONS:
Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning from Planned Area Development (PAD) Golf Course to PAD (Multi-Family Residential) including a Mid-Rise Overlay for buildings up to 55 feet in height for a multi-family residential development subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALTA SAN MARCOS" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0003, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Right-of-way dedications to achieve full half-widths, including tum lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of- ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

7. Building heights shall be limited to a maximum of fifty-five (55) feet in height.

8. 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:
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALTA SAN MARCOS" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0003, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of- way) and perimeter walls and the Director of Transportation & Development for arterial street median landscaping.

3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

5. The site shall be maintained in a clean and orderly manner.

6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

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

Stipulation 8 as added by the City Council at their June 23, 2106 meeting:

8. The development includes multifamily dwelling units represented as eligible to be owned as individual condominium units. The development shall include, as evidence of a good faith effort to develop the property as a condominium development, a recoded Horizontal Property Regime, (HPR) subdivision plat together with the necessary Condominium Declarations and CC&Rs and an irrevocable obligation to preserve and not vacate the subdivision plat. Commencing upon the date that the zoning hereunder becomes effective, until the second anniversary thereof, the developer shall provide a semi-annual certified statement that the developer has been marketing the project as a condominium development.

Preliminary Plat:
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

DISCUSSION:
MS. JODIE NOVAK, Senior Planner, summarized the background for this case. She noted a legal protest has been triggered by surrounding residents and a ¾ vote by Council would be required to approve moving forward with the project.

There are 273 units in the overall project, with approximately 184 one bedroom units, 83 two bedroom units, and 6 three bedroom suites. The development is consistent with the 2008 General Plan. The applicant has held multiple neighborhood meetings and has had ongoing communications with surrounding property owners. Included in the documentation are several emails in support and opposition of the project. The City's Planning and Zoning Commission, a seven member board, held a public hearing on the project and reviewed the request and are recommending approval of the project, with stipulations, with a 3-2 vote; two members were absent that evening. The recommended stipulations are listed in the Council memo.

MR. NICK WOOD, attorney representing the applicant, stated the project should have a measureable benefit for a City. He reported Wood Partners is the largest condominium developer in the state. He provided an overview of the area and said Wood Partners, upon approval of this project, could probably be the largest private investor in Downtown Chandler, not counting the resort.

Mr. Woods then addressed the 2008 General Plan's desired development for the downtown area, what type of construction was desired for the area, and transportation issues. The primary goal is looking for more residential accommodations in the downtown area with a high disposable income to support the downtown commercial businesses. He stated the average income in the Alta Steel Yard development is $85,000.00 and the average income overall in Chandler is $75,000.00. People create retail sales, not more retail businesses. Mr. Woods addressed past economic studies done, and excerpts from an economic impact report by Elliott Pollack, he quoted: "the projected median household income for new residents at the Alta San Marcos project is around $90,000.00 per year, the average median income of the current downtown residential area is $41,000.00." Because the development is within walking distance of the downtown area, if it captures even 75% of that income; that would be $900,000.00 of additional revenue.

Mr. Wood said the site was originally designed for 300 units, but due to the site and concerns about increased traffic, they reduced the number of units to 273. There will be no studio units. There are 184 one-bedrooms, 83 two-bedrooms, and 6 3-bedroom town houses. He noted the parking analysis provided.

Mr. Wood noted the extensive public outreach and noted there are three property owners across the street who no longer live there as the residences are businesses, but they are still opposed to the project, and one gentleman who lives one block to the north of the project who is opposed. He recognized how gracious the neighbors have been in meeting with them as they tried to work through the differences.

He noted he and the mayor had worked on a stipulation. Mr. Wood said a sales facility will be put on site. There will be a designer to help layout all the interior elements for the new owners, who will then be able to see a computerized model of their finished product based on their design selections. He said a third party expert would be hired to market and sell of these units. He said client would like to begin construction in January 2017. He said unlike a subdivision whereby homes are built as purchased, a condo project is built in its entirety at one time. He said the model works that at some point it may become necessary for the developer to lease some units if all of the units do not sell.

Mr. Wood said the developer has agreed to file a condominium plat, record the plat, and will agree that plat will never be vacated or terminated. He said the condominium plat does not go through the city's plat process. He said the declarations for the condominiums will also be recorded.

In response to the Mayor's questions, Mr. Woods stated the development will have a dog park and a spa, which are not normal for condo projects. The club house offers an 8,000 s.f. fitness center, pool, and many other amenities. The development is to be more of a resort style living environment. Mr. Wood said the purchase price range has not been established yet, but it is estimated that the cost per square foot will be around $300.00, but they will hire an industry specialist to do the formal appraisal. Mayor Tibshraeny said the intent for working on a proposed stipulation was that there were some concerns that came about when the project moved toward condominium for ownership. He wanted to have a comfort factor in what was being represented was facilitated by a good faith effort to do these things without crossing any legal bounds.

COUNCILMEMBER LOPEZ commented on maintaining the balance between growth, sustainability, and keeping the atmosphere Chandler is looking to maintain. He said he believed this project would be a net positive. He expressed concern of having another apartment complex. He stated he understood the need for flexibility, but expressed support in the referenced suggested stipulation. They delivered on the Alta Steelyard project and he believes the developer will deliver a quality product.

MR. WOODS then addressed in great detail the entrance and exits for the property emergency vehicle access, and the traffic engineering counts. He stated Chandler Boulevard was designed to handle 45,000 cars a day. Currently, traffic studies show use is about 27,500 cars per day. Their impact would be about 2% of capacity. He stated times have changed significantly and now days there are a significant amount of people who work from home. He went into great detail of the traffic along Chandler Blvd. studies for various times of day, he accounted for the high school traffic, morning and afternoon, the resort traffic and several other scenarios. He stated he purchased a drone just to study the traffic patterns so he had factual data to report on. He had the drone hover around 38 feet (4th floor height) to see how traffic and the traffic lights flowed. He stated the belief the traffic signal cycle seems to be fine at this time. The traffic issue seems to be such a non-issue that the traffic engineering department did not even require a full blown traffic study. The traffic impact statement is part of the development package.

COUNCILMEMBER HARTKE inquired when the project would be open for sales. Mr. Woods stated they do not have the legal right to put a sales trailer on site yet, and they will be hiring the broker and designer within the next 30 days. He believes it will be within the next few months, with a date in the fall to open up sales. He wanted to thank the Planning staff because they have been so helpful and always available for meetings on short notice.

COUNCILMEMBER ELLEN recalled the phone conversation she had with Mr. Woods when the developer decided to transition from apartments to condominiums and she asked if they would be single level units because of such a high demand for single level condos, not multi-level. She said buyers love pre-sales and recent trends show buyers love the ability to walk for shopping and dining out and is looking forward to the project.

MAYOR TIBSHRAENY stated there were several comment cards, and request to speak cards in support and opposition, related to the project.

Speakers in Favor:

TERRI KIMBLE, CEO OF CHANDLER CHAMBER of Commerce, 25 S. Arizona Ave., stated she is a resident of Chandler as well, and reported the Chamber supports the project whole heartedly. Her team surveyed 95% of the downtown business owners who stated they are in desperate need of more traffic and higher residential density in hopes they would shop local. This is a project desperately needed in the downtown Chandler area. She reported as of last week, only four condos were available in the downtown area.

TYLER WILSON, DIRECTOR OF DEVELOPMENT FOR RYAN COMPANIES, 3900 E. Camelback Rd. Phoenix, stated they support the Wood Partner's development project. Ryan Company recently presented a development agreement to the City of Chandler for an office project across the street of City Hall. Mr. Wilson said the condo project will not only help support the downtown area, but they believe will help their project as well and overall reinforce the economy of Chandler's downtown businesses.

SHERYL WILLIS, 5353 W. Fairview St. Chandler, said she too is a licensed real estate agent, and former part owner and operator of Murphy's Law Irish Pub. She stated the need for smart growth development. While Chandler has great businesses and shopping, they need foot traffic. Chandler needs higher residential density in the downtown area, and more parking.

SHANNON GOLDBERG, 4684 W Tyson St. Chandler, stated she works in real estate as well and she hears how much people love the Chandler downtown, but how hard it is to find homes in the downtown area within a walkable access to the downtown merchants. She offered her support of the project.

KAMI NUNEZ, 58 S. San Marcos Place– Murphy's Law Irish Pub, stated the owners are in full support of the San Marcos condo project.

MARTIN SEPULVEDA, 891 N. Madrid Lane, Chandler, commented on the opposition statements. He served on the Chandler Council back in the 1990's and 2000, and Chandler heard the same opposition back then when they approved an office complex. If Chandler wants a vibrant and successful downtown, Chandler must move forward with these types of projects. More business will come when you have the people to support them.

CHERYL TISLAND, 141 W Boston St., Chandler, commented that she has an office in downtown Chandler and is excited for the opportunity to buy a residence in the downtown area. She walks most everywhere she goes and living downtown will make this easier.

JOE GEIS, 325 E. Tremaine Dr., Chandler, stated he and his wife have been residents of Chandler for 25 years. They are retired and currently live on acreage property. They are excited for this development, for the opportunity it affords them to downsize and live so close to shopping and eating, and all the amenities this development offers.

LORI RETTEN, owner of both Dos Gringos, 1361 N. Alma School Rd, Chandler and Bourbon Jacks Bar and Grill, 11 W. Boston St., Chandler, stated she met with Wood Partners and supports the project. It will be an enhancement for the downtown area and the increase of community support to the local businesses will be significant.

RANDY WALTERS, owner of Wimpy's Paradise - Pittsburgh Willy, 92 S. Willow Creek St. Chandler, stated his best business was when Arizona hosted the 2015 Super Bowl. Guests filled the San Marcos hotel and they loved being able to walk for shopping and eating from their hotel. He said the businesses need pedestrian traffic. He noted that parking is one of the largest complaints he gets from patrons.

KRISTA BILSTEN, 3021 S. Big Horn Dr., Chandler, stated she is a residential real estate agent specializing in corporate relocation. She said that factors that play into a relocation are schools and areas with hip and well developed downtown areas. This project will serve Chandler well and help attract new corporate talent to live and work in Chandler.

TOM BILSTEN, 3021 S Big Horn Dr., Chandler, said the direction Chandler is moving brought him and his family to move to Chandler. He just acquired an office space near The Perch restaurant and 55 Chicago and is excited his office is so close to the downtown area. He voiced his support for the project in an effort to support the downtown businesses.

ANTHONY PETHERS, General Manager of Modern Margarita, 1 E. Boston St., Chandler, stated they are in the process of opening two new businesses in downtown Chandler. They are excited about the Alta San Marcos project as it will bring a great customer base to the area. They believe adding residential units to a downtown area is critical for these businesses to continue and succeed.

ANTHONEY CANECCHIA, 8 San Marcos Place, San Tan Brewing Co. Chandler, they are already seeing the increase of customers from the Alta Steelyard development and believe this new development is a great project. He felt the high density projects would help set Chandler apart.

PEGGY BILSTEN, 3021 S. Big Horn Dr., Chandler, stated she is in favor of the project and she and her family are excited about the uniqueness of the downtown area. It was the first place her son and daughter-in-law took them when they visited. She noted the many small businesses that are unique to the Chandler community. As a former councilmember of Phoenix, she commended the work of the Council in developing this and asked the Council approve the project.

JEFF WENINGER, 1360 S. Camellia Court, Chandler, he asked Council to support the project as part of Chandler's vision for the community. He said many Councils have worked to get to this point. The ability for people to walk from their home to restaurants and for shopping is a great and unique ability. He said he voted on a previous Wood Partners project and it has exceeded his expectations.

Comment Cards in Favor:
The following are individuals who filled out comment cards in favor of the Alta San Marcos project but did not wish to speak:

Ray Markley, Kyle Klein, John Radice, Everett Pleasant, Lona Little, Sara Sivley, Joan Holaway, George Yogurtian, Roy Holaway, Peter Sciacca, Sigrid Sciacca, Tracey Savaiano, Andrew Biskind, Jessica Carter, Cindy Geis, Konner Klein, Mark Voyles, Joyce Voyles, Brady Fish, Mark Sobol, Donna Chiappini, Chelsea McCan Jessica Hines, Safia Kerr, Rachael Anderson, Jeremy Gwizdalski, Tom Bilsten Sr., Michael Wolf, Mark Stewart, Klint McInturff, Errol Berry, Sarah Berry, Tim Dumbrell,

Speakers in Opposition:
The Mayor noted he had several Comment Cards in opposition of the project and two Request to Speak cards on the development.

WARD RAND, 82 S. Quarty Circle, Chandler, stated he and his wife recently moved from Dobson and Elliot area to the San Marcos Country Club Estates at quite a financial investment for them. The attraction was a quiet golf community. He stated for a golf course setting, this project should be less dense and lower in height. He stated privacy and security concerns for the southern-most elevation. He expressed concern that the new residents may view the golf course as a park and a place to walk their dog.

He is also concerned that his property value will decrease because of this development. He urged Council to reject the proposed development and ask the developer to come back with a less dense and lower structure for the development. He supports increasing housing in the downtown area to help sustain the businesses, but felt this was too much for the location.

FRED BORNS, 6 S. Stellar Parkway, Chandler, thanked the Wood Partners for their reciprocity concerning the development. He owns property at Chandler Boulevard and Nebraska. He said it is exciting to see the investment in this property; however he does has concerns. The height of the building is a concern. He felt the architecture would represent a dormitory. He expressed concern with access on Nebraska Street which he noted becomes a one way street because of no limitations on the street parking. He felt the traffic analysis does not represent the Nebraska street traffic or the Chandler Boulevard traffic on a typical Fall evening. He referred to the General Plan and inquired if this project was a "compatible infill project". Additionally, he referred to the Plan's direction to "transition development intensity to reduce the potential impact to single family neighborhoods through techniques

such as "stepping-down" intensity as it gets closer to the residential areas." He said it was difficult for him to see how this project was a "step down" feature. He felt this project does not represent what was crafted in the Plan. He stated while is property is a residential conversion, 95% of the homes are single family. Mr. Borns said the the $900,000 potential revenue increase mentioned by Mr. Woods for the merchant's, breaks down to $150.00 per day for these businesses. That is not a lot of money when you consider the type of development being proposed.

Comment Cards Opposed:
The following are individuals who filled out comment cards in opposition of the Alta San Marcos project but did not wish to speak:

Dewanda Sims, Elaine Rand, Abigail Overholser, Milford Sims, Albert Ayala, David Christensen, Marie Thompson, Margaret Borns, Don Thompson, Bryan Ellsworth, Tom Borns.

MR. NICK WOOD responded to Mr. Rand's comments and said a neighborhood meeting was held in his subdivision which is 500' away from the property. Mr. Woods said he doesn't believe there will be privacy issues at that distance. In regards to Mr. Born's reference to Mark Taylor products in his visuals, Mr. Wood said that those projects aren't found in urban areas. That particular project he refers to is on 22 acres. There are 368 dwelling units. He said he appreciates the comments received.

He asked Council to support the project as he believes it is a great project and the City will benefit greatly from it.

COUNCILMEMBER HEUMANN stated considerable thought and discussion has been given on the project. Concerns city staff had have been addressed and he believes the developer has worked with the neighboring residents and worked hard at addressing their concerns and believes it to be a good project for the downtown area.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER ELLEN, TO APPROVE THE INTRODUCTION OF ORDINANCE NO. 4706, DVR16-0003 ALTA SAN MARCOS, REZONING FROM PLANNED AREA DEVELOPMENT (PAD) GOLF COURSE TO PAD (MULTI-FAMILY RESIDENTIAL) INCLUDING A MID-RISE OVERLAY FOR BUILDINGS UP TO 55 FEET IN HEIGHT AND THE PRELIMINARY DEVELOPMENT PLAN (PDP) FOR SITE LAYOUT AND BUILDING ARCHITECTURE. PRELIMINARY PLAT PPT16-0006 FOR APPROXIMATELY 5.4 ACRES LOCATED AT THE SWC OF CHANDLER BOULEVARD AND DAKOTA STREET, WEST OF ARIZONA AVENUE WITH THE ADDITION OF STIPULATION 8 ON THE PRELIMINARY DEVELOPMENT PLAN.

COUNCILMEMBER HARTKE said the addition of this project will help set the stage for other projects that will help the downtown area prosper.

COUNCILMEMBER LOPEZ thanked those in opposition for voicing their concerns and remaining involved.

COUNCILMEMBER ROE voiced his support for this type of project.

THE MAYOR said he did have concerns regarding the traffic and the ownership element of the project. He said while he understood the concern, and the change involved; he referenced the residential conversions that have occurred on Chandler Boulevard across from this project. He felt this project could be an asset to this area while improving values in the surrounding neighborhoods.
THE MOTION CARRIED UNANIMOUSLY (7-0).

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor invited everyone out to Chandler's annual Independence Day event on the 4th at Tumbleweed Park, the event opens at 4 p.m. with Fireworks going off about 9 p.m. The event is free, though there is a charge for parking ($5).

He reminded everyone to be careful as we battle high temperatures.

B. Councilmembers' Announcements

COUNCILMEMBER HARTKE asked all to be mindful of the meaning of Independence Day. He announced the City is having its annual water drive, so please donate to the drive.

VICE MAYOR SELLERS announce a delegation from the Flying Tigers Museum in China toured City Hall. He attended the State Transportation Board meeting where they approved the 5 year spending plan for ADOT. He is participating in the Arizona Mexico Commission Plenary session currently going on in Scottsdale.

C. City Manager's Announcements

Ms. Marsha Reed announced the promotion of Ms. Deb Stapleton to Administrative Services Director. Ms. Stapleton has worked for the city for 17 years and will continue to serve as the HR Director, oversee IT, Fleet services and Building and Facilities.

Adjournment: The meeting was adjourned at approximately 9:00 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: August 8, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 23rd day of June 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 15 day of August, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, July 25, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:01 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Ted Huntington from the Trinity Christian Fellowship gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Terry Roe led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Budget Briefing of April 29, 2016.
1b. Special Meeting (Exec Session) of June 20, 2016.
1c. Study Session of June 20, 2016.

2. REZONING: San Marcos Drive Custom Home Ord. #4708

ADOPTED Ordinance No. 4708, DVR16-0002 SAN MARCOS DRIVE CUSTOM HOME, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential.

3. REZONING: Alta San Marcos Ord. #4706

ADOPTED Ordinance No. 4706, DVR16-0003 Alta San Marcos, rezoning from Planned Area Development (PAD) Golf Course to PAD (Multi-Family Residential) including a Mid-Rise Overlay for buildings up to 55 feet in height.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

The Mayor stated current events will be heard on Thursday, July 28, 2016.

ADJOURN: The meeting was adjourned at approximately 7:07 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: August 11, 2016.

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 25th day of July 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 15 day of August, 2016.

_____ City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, July 28, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:01 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kay Bigelow	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke led the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Heumann led the Pledge of Allegiance

CONSENT:

MOVED BY COUNCILMEMBER LOPEZ, SECONDED BY COUNCILMEMBER HEUMANN TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

COUNCILMEMBER HEUMANN recognized Doug Toy, retired City employee, who was very instrumental in working on the negotiations for agenda item 3.

COUNCILMEMBER HARTKE thanked Dawn Lang, Management Services Director, and her staff for so diligently reviewing the financials regarding their bonds and recommending the refinancing of some in order to save the City quite a bit of money.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

1. REZONING/PRELIMINARY DEVELOPMENT PLAN/PRELIMINARY PLAT: SANTAN CROSSING PLAZA/VALERO-CORNER STORE Ord. # 4711

   INTRODUCED AND TEMTATIVELY APPROVED Ordinance No. 4711 DVR15-0042 Santan Crossing Plaza/Valero-Corner Store, rezoning from Planned Area Development (PAD) for Community Commercial to
   PAD (Community Commercial and Gas Service).
   APPROVED a Preliminary Development Plan (PDP) for site layout and building design.
   APPROVED a Preliminary Plat (PPT), PPT16-0003, for a commercial development including a gas station, convenience store, inline shops building, and drive-through restaurant located at the southeast corner of Pecos and Cooper roads.

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Rezoning, Preliminary Development Plan, and Preliminary Plat subject to conditions.

BACKGROUND:
The subject site is located at the southeast corner of Cooper and Pecos roads. The property is bounded on the east by office condominiums and a single-family residential subdivision to the south. West of Cooper Road is a single-family residential subdivision and north of Pecos Road is an undeveloped neighborhood commercial parcel and a single-family residential subdivision under construction. The request is to rezone the property from PAD for Community Commercial (C-2) to PAD for Community Commercial (C-2) and gas service with a Preliminary Development Plan (PDP) for site layout and building design, and Preliminary Plat.

In 1997, an approximately 11 acre parcel at the southeast corner of Cooper and Pecos roads was zoned Planned Area Development (PAD) for future retail commercial uses, as permitted in the Community Commercial District (C-2) zoning, as part of the adjacent Rio del Verde single-family residential subdivision. In 2006, the eastern 6 acres was approved a PAD zoning amendment to allow medical and general offices in conjunction with planned retail on the site's remaining 5 acres. The offices developed in 2007. In October 2007, a Preliminary Development Plan (PDP) was approved for a commercial retail development which included two, single-story retail shop buildings and a freestanding bank pad with a drive-through. In 2008, a PDP was approved amending the development's phasing and building square footage requirements for construction allowing one 13,320 square foot retail shops building to construct first. The property has not developed.

The proposed commercial development has approximately 25,837 square feet of building area which includes a 5,730 square foot convenience store, a 3,600 square foot gas canopy, a 2,502 square foot drive-through restaurant, and a 14,005 square foot inline shops building. The gas canopy and convenience store are located at the intersection corner and oriented facing Cooper Road along with the inline shops building. The drive-through restaurant pad is along Pecos Road.

While the development includes three individual pad buildings, they are integrated through pedestrian pathways and seating areas as the site's small size, driveway locations, and on-site circulation inhibit pad clustering. Further unifying elements include a landscape design feature at the intersection corner, street frontage landscaping, a dissimilar land use buffer, perimeter landscaping, interior landscape features, and decorative driveway and crosswalk pavement elements.

The proposed development maintains the intended compatibility with the adjacent office component. The commercial development is in compliance with the Commercial Design Standards and incorporates many of the architectural design elements within the offices with the use of building materials, forms, paint colors, placement of design elements, varied rooflines, roof tiles, extended roof overhangs with corbels, cornice detailing, and steel post columns.

The gas canopy design has a lower profile with a metal deck roof, steel beams, and columns. The roofline projects and recesses horizontally into three sections with an undulating beam. The canopy's form reduces massing and provides a low profile scale at the intersection corner. The convenience store building includes a front elevation wall plane that provides screening of goods such as an ice chest. The drive-through restaurant pad and inline shops buildings are designed to match the architectural form, materials, and paint colors on the convenience store building.

Vehicular access is provided from both arterial streets with cross-access to and from the office development. A full-movement access median break is planned along Cooper Road with a right-in and right-out access along both streets. Parking is provided at 1 space per 250 square feet of building area throughout the site with additional parking spaces provided for the convenience store and drive-through restaurant. The inline shops

building is placed in a landscape setting on the south and east side which eliminates vehicular access to the office development adjacent to existing residential.

A comprehensive sign package is included in the Development Booklet. Project signage includes creative building sign locations for the gas canopy and convenience store. Gas canopy signs project above the roofline and the convenience store includes a sign atop a cantilevered metal awning. Signage criteria for the drive-through restaurant and inline shops building will conform to Sign Code. The sign package includes four freestanding monument signs. Two signs are for the gas service and convenience store and two for future tenants of the drive-through restaurant and inline shops buildings.

A 14-foot high tenant sign with four tenant panels and a 10-foot high gas service sign are proposed along Cooper Road. An 8-foot high sign for the drive-through restaurant pad and a 10-foot high gas service sign are proposed along Pecos Road. All tenant panels, including the two on the gas service signs, will have three-quarter inch (¾) routed-out push-through lettering.

The development proposes a waiver from Zoning Code's site development standards to allow the gas service and convenience store pad to develop first without additional building square footage in the commercial center. For pads 25,000 square feet or less in building area located within a commercial site less than 10 acres in size, the pad shall be constructed concurrently or subsequently with at least 12,000 square feet of additional building area in the commercial center. The proposed first phase will include a total of 9,330 of building area; a 5,730 square foot convenience store and a 3,600 square foot gas canopy.

As part of the request to build the gas service component first, the development will complete the commercial center's street frontage and perimeter landscaping, all driveways and associated drive aisles, Cooper Road median break, and cross-access drives with associated drive aisles to and from the office condominiums.

Planning Staff finds the proposed commercial development with a gas service use appropriate due to its proximity to the Loop 202 Santan freeway, Chandler Municipal Airport area, and surrounding residential areas. The applicant worked with Planning Staff on the project's site design and architecture to ensure integration with the adjacent office condominiums and residential. The overall streetscape design, architecture, and site design amongst the three pads completes this commercial intersection corner.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- Following the applicant's first neighborhood meeting notice mailing, Planning Staff received phone calls from area property owners concerned with the gas station and car wash use. Residents whose properties abut the southern property line expressed concerns for noise emitted by a car wash.
- The first neighborhood meeting was held on March 7, 2016, eleven area property owners attended. Residents expressed concerns about a gas station use with a car wash and need for a convenience store at this location as well as increased vehicular and pedestrian traffic in the area. Residents asked questions and had comments about buffering the development from nearby residential. After this meeting, Planning Staff received a phone call from an area property owner who expressed concerns with the number of gas stations in the surrounding area, felt there was little buffer from homes on the west side of Cooper Road, prefers a softer land use and one that is not a 24-hour use, and conveyed that residents at the neighborhood meeting were not excited about this project.
- A second neighborhood meeting was held on April 27, 2016, three area property owners attended. Two of the attendees also attended the first meeting. The meeting notice advised that the car wash was eliminated from the proposal. The applicant presented the revised site plan and building elevations. One attendee asked about site lighting, if there was any outdoor music, any odor emissions, and increased traffic. Following the second meeting, Planning Staff received a phone call from a resident who was initially concerned about the development specifically the car wash use. The resident now supports the development stating the developer did a nice job and seems to be conscientious of neighbor concerns. She wants the gas station use to remain at the intersection corner and not be changed later.

- As of the writing of this memo, Planning Staff is aware of a resident concerned about a gas station use while other residents support the development.

PLANNING COMMISSION VOTE REPORT: Motion to Approve. In Favor: 4 Opposed: 0
Absent: 2 (Baron, Pridemore)

RECOMMENDED ACTIONS:
Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning from PAD for Community Commercial (C-2) to PAD for Community Commercial (C-2) and gas service for a commercial development, subject to the following conditions:

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

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

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

2. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

3. Raceway signage shall be prohibited within the development.

4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. The site shall be maintained in a clean and orderly manner.
6. Landscaping shall be in compliance with current Commercial Design Standards.

7. Dissimilar land use buffer trees adjacent to residential shall be a minimum of 12 feet in height at time of planting and planted at a maximum 20 feet on center and shrubs planted at a rate of 4 per 20 lineal feet.

8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

10. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

11. Gasoline tank vent piping shall be internalized within the gas canopy columns.

12. Gas canopy lights shall be flush with the bottom of the canopy.

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

Preliminary Plat
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

2. ZONING: Innovation Square Ord. 4714

INTRODUCED AND TENTATIVELY APPROVAL OF ORDINANCE NO. 4714, DVR16-0004 INNOVATION SQUARE, rezoning from Planned Area Development (PAD) for office and data center uses to PAD for an employment business park campus with employment, office, service retail and hotel uses including a Mid-Rise Overlay for buildings up to 150 feet in height under an Innovation Zone, on approximately 15.6 acres located north of the northwest corner of Price and Queen Creek roads. The Public Hearing for case DVR05-0036 TSYS Western Operations Center is cancelled upon approval of DVR16-0004 Innovation Square. (Applicant: Wendy Riddell, Berry Riddell LLC)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Rezoning subject to conditions.

BACKGROUND

The subject site previously known as TSYS is located approximately ½ mile north of the northwest corner of Price and Queen Creek roads. The property is bordered on the west by the Gila River Indian Community, on the south by the Wells Fargo office campus, and on the north by a vacant parcel zoned for SPREC uses, the Price Road Commerce Center. East, across Price Road, is the former Motorola campus known as Continuum. The subject 15.6-acre site received zoning approval from Agricultural District (AG-1) to Planned Area Development (PAD) in November 2005 under Ordinance No. 3740. The current PAD zoning and subsequent Preliminary Development Plan (PDP) permits a single-user campus that includes an approximate 102,000 sq. ft. data center, and an approximate 60,000 sq. ft. 2-story office building. The PAD zoning received two zoning time extensions, with the most recent extension expiring in January 2015.

The General Plan designates the subject site as Employment allowing major employers, knowledge-intensive employers, industrial/business parks, and industrial support uses. Additionally, the General Plan identifies the subject site as falling within the South Price Road Employment Corridor (SPREC). This corridor, recognized as the City of Chandler's premier employment corridor, generally encompasses the property located on the west and east sides of Price Road, starting at Willis Road at the north, ending at the Chandler Heights Road alignment just north of Sun Lakes.

The request is for rezoning from Planned Area Development (PAD) for office and data center uses, to PAD for an employment business park campus with employment, office, service retail and hotel uses including a Mid-Rise Overlay for buildings up to 150-feet in height under an Innovation Zone. The request takes a unique approach to the Innovation Zone concept as the proposed zoning and future Preliminary Development Plan(s) (PDP) are not contemplated or intended in isolation, rather as a unifying concept that anchors the three adjacent existing and proposed corporate campus. Permitted land uses are organized in two districts, the Innovation Zone Employment District, and the Innovation Zone Core District. The Employment District boundary extends from the western property line to the site's approximate midpoint. The Core District extends from the arterial road greenbelt through the majority of the site. There is an area within the site where both districts overlap. Permitted uses within the Employment District include all traditional South Price Road Employment Corridor uses including but not limited to office, hi-tech manufacturing and assembly, research and development, advanced business services, and ancillary service retail, as well as excludes data centers. Permitted uses within the Core District include but are not limited to the same uses within the Employment District, however a further emphasis is placed on the knowledge-intensive industries such as biomedical, biotechnology, nanotechnology, aerospace and the like. Additionally, the Core District permits a higher concentration of service retail uses and a hotel to further serve the surrounding campuses. Both districts include provisions permitting future buildings to allow multi-tenancy. Additional land use details can be found within the attached Development Booklet.

The request does not include a Preliminary Development Plan. As such, a separate and future PDP will be required to assess the ultimate site design, landscape design, building height, building architecture and signage. Included within the attached Development Booklet are graphic representations that provide a visual description of the intent for Innovation Square. A consistent theme described in the narrative and reinforced in the concept site plans, is the centralized common open space, known as The Square. The various uses permitted within the Employment and Core districts will be organized around The Square, effectively activating this open space. As well, the graphic representations include the expectation that both pedestrian and vehicular connections are provided to all surrounding properties, reinforcing the unifying concept. The concept site plans also serve to set the intent of building and intensity hierarchical order, locating parking garages along the west, intense employment buildings located centrally, and hospitality and service retail uses along the east. It is important to note, that although the graphic imagery does depict freestanding retail pad buildings including drive-throughs, the ultimate design and layout for the permitted uses such as the service retail will be determined through the separate and future PDP process.

Planning Staff supports the request. Price Road remains the subject of much recent discussion. The requested rezoning includes land uses consistent with the General Plan while taking a unique approach to the Innovation Zone concept. The request removes the less desirable data center use while providing the environment to effectively interconnect the three presently isolated adjacent employment campuses. Planning Staff supports the deferment of design approval to a future Preliminary Development Plan finding the presently unidentified future users will ultimately have an impact on the employment campus final design.

PUBLIC / NEIGHBORHOOD NOTIFICATION
This request was noticed according to the provisions of the City of Chandler Zoning Code.
Neighborhood meetings were held on Tuesday May 31, 2016 and Thursday June 2, 2016 at the Downtown Chandler Community Center. No neighboring property owners attended either meeting.
At the time of this writing, Planning Staff is not aware of any formal opposition to this request.

PLANNING COMMISSION VOTE REPORT: Motion to Approve. In Favor: 5 Opposed: 0 Absent: 1 (Wastchak)

Discussion occurred during the Study Session regarding various exhibits contained within the attached Development Booklet. Planning Commission identified certain exhibits that indicating a level of detail consistent with PDP documents even though the request does not include a Preliminary Development Plan at this time. Commissioners commented that it could be viewed as confusing. As such, the applicant worked with Planning following the Commission hearing to remove any information both within the narrative and exhibits that could be construed as representing PDP level of detail.

RECOMMENDED ACTION
Rezoning:
Upon finding consistency with the General Plan and South Price Road Employment Corridor, Planning Commission and Planning Staff recommend City Council approve the Rezoning from Planned Area Development (PAD) for office and data center uses, to PAD for an employment business park campus with employment, office, service retail and hotel uses including a Mid-Rise Overlay for buildings up to 150-feet in height under an Innovation Zone, subject to the conditions listed in the ordinance.

3. LEASE AGREEMENT: GILA River Indian Community Reclaimed Water Exchange Res. 4957

APPROVED RESOLUTION NO. 4957, authorizing execution of a Lease Agreement for CAP Water with the Gila River Indian Community, a Reclaimed Water Exchange Agreement with the Gila River Indian Community, a Contributed Funds Agreement with the Gila River Indian Community, and an Agreement with Gila River Water Supply, LLC, for Purchase and Sale of Long-Term Storage Credits for the purchase of 622,000 acre-feet of CAP Water, for a total cost of $42,860,000.

BACKGROUND AND DISCUSSION: The Municipal Utilities Department carefully tracks water requirements to ensure a sustainable water supply is available for current and future users. A long-term sustainable water supply is a strategic resource necessary to encourage new development that meets the build-out vision of the City and to meet the demands of residents and businesses during normal supply conditions and surface water shortages due to drought. Additional water is needed based on the City's water demand projections at build-out.

The Gila River Indian Community (Community) and Salt River Project (SRP) have entered a joint venture, Gila River Water Storage, LLC (GRWS), to offer renewable water supplies to water providers in Central Arizona. The City, Community, and GRWS have reached an agreement for four inter-related water transactions: 1) the lease of Central Arizona Project (CAP) water from the Community, 2) an

exchange of Chandler reclaimed water for direct delivery of Community CAP water, 3) the purchase of Long Term Storage Credits (LTSC) in the Phoenix and Pinal Active Management Area (AMA) from GRWS, and 4) a Contributed Funds Agreement to assist with recovery of related LTSC. An acre-foot of surface water that was previously recharged and stored in the aquifer is considered a LTSC. The Pinal AMA LTSC will be used as a payment mechanism for a portion of the lease agreement and recovered by the Community in Pinal County. The Phoenix AMA LTSC, stored locally, will be recovered from City wells. Final approval of the lease and the exchange will be effective after completion of the environmental assessment by the United States Bureau of Reclamation.
Under this agreement, Chandler would acquire 5.55 million gallons per day of water over a 100-year period (622,000 Acre Feet). Water deliveries will begin in calendar year 2019. The water purchased with this agreement will be delivered to Santan Vista and Pecos Surface Water Treatment Plants and recovered through City wells.

4. RIGHT OF WAY TRANSFER: Gilbert Road Res. 4960

APPROVED RESOLUTION NO. 4960 authorizing the transfer of certain County right-of-way on Gilbert Road between Queen Creek Road and Riggs Road contingent upon the approval of the Maricopa County Board of Supervisors.

Council previously adopted Resolution No. 4583, an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation, for cost sharing for improvements to Gilbert Road from Queen Creek Road and Riggs Road. In conformance with the IGA approval, the City is required to annex (transfer) the portion of Gilbert Road that is currently under the jurisdiction of Maricopa County.

The Annexation Map, attached to the Resolution, depicts the entire area to be annexed, approximately 3.86 acres of right-of-way. A.R.S. 9-471(N) allows for an alternate annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is adjacent to the receiving city, and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

No direct cost for annexation; however, the City will be responsible for ongoing maintenance of annexed roadways.

5. CONTINUED ZONING/AREA PLAN AMENDMENT: Peterson Farms/QuikTrip

CONTINUED RESOLUTION NO. 4963, APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT, Area Plan Amendment to the Peterson Farms (Section 7) Area Plan from Low Density Residential to Commercial.
INTRODUCTION OF ORDINANCE NO. 4709, DVR16-0010 QUIKTRIP, rezoning from Agricultural to Planned Area Development for commercial uses including a fuel station for 24-hour uses under the Late Hour Business Policy.
PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture for a fuel station located at the northeast corner of Gilbert and Queen Creek roads. (STAFF REQUEST CONTINUANCE TO THE SEPTEMBER 15, 2016, CITY COUNCIL MEETING)

6 SALE OF BONDS:

ADOPTED RESOLUTION NO. 4969, prepared by the City's bond counsel firm of Gust Rosenfeld, authorizing the issuance and sale of, not to exceed, $50,000,000.00 in General Obligation Refunding Bonds, Series 2016.

Current low interest rates offer an opportunity to refinance a portion of the City's General Obligation debt by refunding bonds previously issued and outstanding; specifically General Obligation Bonds, Series 2007 and 2009, allowing the City to realize debt service savings. If completed, the refunding will reduce the amount of debt service expenses paid from the secondary property tax supported Debt Service Fund. This savings will lower the tax rate required to pay such debt or allow for additional tax rate capacity for new projects.

The final interest rates, which will be determined at the time of the bond sale, will also determine the final principal amount that can/should be refunded. Therefore, to provide flexibility under varying market conditions, the resolution authorizes a maximum principal amount that may be sold.

The resolution authorizes the refunding of a portion of the City's outstanding General Obligation Bonds if the savings are at least 3% of the principal amount of the bonds being refunded and results in present value savings of at least $1,000,000. Depending upon the final issue size, this refunding is expected to generate debt service savings to the City of approximately $3,000,000-$4,000,000 in present value dollars. The savings are net of all costs of issuance.

7. SALE OF BONDS:

ADOPTED RESOLUTION NO. 4970, prepared by the City's bond counsel firm of Gust Rosenfeld, authorizing the issuance and sale of, not to exceed, $40,000,000.00 in Excise Tax Revenue Refunding Obligations, Series 2016.

Current low interest rates offer an opportunity to refinance a portion of the City's Excise Tax Revenue Obligations debt by refunding bonds previously issued and outstanding; specifically ETROs, Series 2009, allowing the City to realize debt service savings. If completed, the refunding will reduce the amount of debt service expenses paid by the Water and Wastewater Operating Funds. This savings will help hold user fees down.

The final interest rates, which will be determined at the time of the sale, will also determine the final principal amount that can/should be refunded. Therefore, to provide flexibility under varying market conditions, the resolution authorizes a maximum principal amount that may be sold.

The refunding obligations will be backed by the City's excise taxes which include local sales tax, state shared revenues, franchise fees, licenses and permits and fines and forfeitures. Although the obligations first pledge is excise taxes, the debt service on the obligations will be paid from water and wastewater operating funds. This is part of the reason for the recent wastewater rate increase that will ensure water and wastewater revenues are sufficient to meet the repayment schedules. The City's Excise Taxes are pledged to ensure payment of the debt in the unlikely situation that the water and wastewater revenues are insufficient to make those payments.

8. PROJECT AGREEMENT: COOPER ROAD

ADOPTED RESOLUTION NO. 4972 authorizing the first amendment to Project Agreement 15-COP-10-03-A between the Maricopa Association of Governments and the City of Chandler which will combine the design improvements to Cooper Road; south of Queen Creek to Chandler Heights Road and Cooper Road; Chandler Heights to Riggs Road to create a new Design Agreement No. ACI-COP-10-03-C.

This first amendment to the Project Agreement is to combine the design phase of Cooper Road; South of Queen Creek to Chandler Heights Road with the design phase of Cooper Road: Chandler Heights

Road to Riggs Road. We are bringing forward this first amendment for council approval per the request of Maricopa Association of Governments to reflect the combined design phase.

In August of 2015, the MAG region had available federal funding that needed to be programmed and obligated before the end of the 2015 federal fiscal year. The design phase of the improvements on Cooper Road from South of Queen Creek to Chandler Heights Road and on Cooper Road from Chandler Heights to Riggs Road met the required criteria and was submitted and approval was granted to advance Proposition 400 funding from 2016 and 2017 to Federal Fiscal Year 2015 funding for a combined design phase of the improvements on Cooper Road from South of Queen Creek to Riggs Road in the amount of $1,037,300. The design phase for the Cooper Road Improvement project is underway and 20% complete.

These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life.

9. PROJECT AGREEMENT: COOPER ROAD

ADOPTED RESOLUTION NO. 4973 authorizing the first amendment to Project Agreement 15-COP-10-03-B between the Maricopa Association of Governments and the City of Chandler which will combine the design improvements to Cooper Road; Chandler Heights Road to Riggs Road and Cooper Road; south of Queen Creek to Chandler Heights Road to create a new Design Agreement No. ACI-COP-10-03-C.
This first amendment to the Project Agreement is to combine the design phase of Cooper Road; Chandler Heights Road to Riggs Road with the design phase of Cooper Road; South of Queen Creek to Chandler Heights Road. We are bringing forward this first amendment for council approval per the request of Maricopa Association of Governments to reflect the combined design phase.

In August of 2015, the MAG region had available federal funding that needed to be programmed and obligated before the end of the 2015 federal fiscal year. The design phase of the improvements on Cooper Road from Chandler Heights Road to Riggs Road and on Cooper Road from South of Queen Creek to Chandler Heights Road met the required criteria and was submitted and approval was granted to advance Proposition 400 funding from 2016 and 2017 to Federal Fiscal Year 2015 funding for a combined design phase of the improvements on Cooper Road from South of Queen Creek to Riggs Road in the amount of $1,037,300. The design phase for the Cooper Road Improvement project is underway and 20% complete.

These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life.

10. EXTINGUISHMENT OF EASEMENT:

ADOPTED RESOLUTION NO. 4976 authorizing the extinguishment of a temporary construction easement no longer needed for public use located at the northwest corner of Chandler Boulevard and McClintock Drive.

In 2003, the City acquired a temporary construction easement (the "Easement") from the Mobil Oil Corporation. The Easement was acquired as part of the McClintock Road Improvements. The Easement is no longer required and can be extinguished. Circle K, who is the current owner of the property, has requested that the City extinguish this Easement in order to clear up their title. Staff reviewed the request and concurs that the Easement can be extinguished.

11. IGA: Arizona Department of Revenue Res. 4977

ADOPTED RESOLUTION NO. 4977 authorizing the modification to the Intergovernmental Agreement (IGA) with the Arizona Department of Revenue (ADOR) related to the collection of Chandler Transaction Privilege Tax (TPT).

The modification to the IGA between the ADOR and the City of Chandler incorporates five agreed upon changes into the existing IGA between the City of Chandler and the ADOR related to the collection of Chandler TPT.

12. BUDGET TRANSFER: Fleet Services/Community Services/Neighborhood Resources

ADOPTED RESOLUTION NO. 4980 authorizing the budget appropriation transfer of the Fleet Services Division from the Fire, Health and Medical Department to the City Manager Department, and separates the Community and Neighborhood Services Department, by reestablishing the Community Services Department and the Neighborhood Resources Division.

The Fiscal Year (FY) 2016-17 budget was adopted by Resolution No. 4955 on the June 9, 2016, and since that time the City Manager has introduced a new City of Chandler organizational structure on June 21, 2016 (Exhibit A). This new structure requires budget appropriation transfers between Departments, and Resolution No. 4955 requires City Council approval to transfer part or all of any unencumbered appropriation balance from one department to another.

13. CLAIMS REPORT:

ACCEPTED CLAIMS REPORT for the Accounts Payable payments for the quarter ended June 30, 2016.

14. SETTLEMENT:

AUTHORIZED SETTLEMENT with HNP Holdings, LLC, an Arizona limited liability company, in the amount of $69,000.00.
The acquisition of these property rights from HNP are material to the Project. The trash facility easement is required to replace the trash facility location on the adjoining site formerly occupied by Circle K. If we are unable to provide a trash facility location for the old Circle K site, we could be required to pay a significant severance damage or even need to purchase the entire property at a cost that would be much more than the proposed additional settlement amount. The temporary construction easement covers the entire property due to the requirement to construct a larger retention area for water flows, construct the larger trash facilities (for both properties), relocation of the bus stop and structure, provide an entrance and exit just east of the bus stop, and restripe the parking area once work has been completed. ADOT has agreed that the settlement is fair and reasonable.

15. APPEAL OF TAX COURT DECISION:

AUTHORIZE the City of Chandler joining an appeal of the Tax Court opinion in the matter of City of Phoenix, et.al. v. Orbitz Worldwide Inc. et. al.

Chandler joined 12 other cities in Arizona in challenging the Municipal Tax Hearing Officer's Ruling that various taxpayers which operate websites and telephone call centers allowing taxpayers to use the Internet to book reservations with hotels in the cities in the lawsuit are taxable under various theories (that the taxpayers are operating as hotels or as Brokers for the hotels). The amount that Chandler has at issue including taxes, penalties, interest and license fees is $271,005.62 through July of 2016. The Municipal Tax Hearing Officer found in favor of the taxpayers. The Cities hired outside counsel to challenge this finding. The period at issue was from June 2001 through April 2009. The Arizona Tax

Court ruled for the Cities but that the Cities were only authorized to collect such taxes prospectively as of August 31, 2015. There is no legal basis for the Tax Court's ruling. It is the opinion of outside counsel, and the City Attorney's office concurs with this view, that the Court does not have the authority to rule that the Cities are entitled to the taxes as a matter of law but are only entitled to collect them prospectively. The Court has effectively created 3 time periods: the audited period which was actually before the Court (June 2001 through April 2009), the prospective period (prospectively from August 31, 2015, and the middle period. Outside counsel is operating under an agreement of a contingency fee of 27%.

16. APPROPRIATION: Fire and Emergency Medical Dispatch Services

AUTHORIZE the appropriation for fire and emergency medical dispatch services in accordance with the current Intergovernmental Agreement (IGA) with the City of Phoenix, in an amount of $1,025,108.42.

17. APPROPRIATION: Firefighter Physical Exams

AUTHORIZE the appropriation for firefighter physical examinations in accordance with the Intergovernmental Agreement (IGA) with the City of Phoenix, in an amount of $166,773.00.

18. AGREEMENT: Detention Services

AUTHORIZE use of Maricopa County's detention services, for the booking and housing of inmates, in an amount not to exceed an aggregate of $1,705,573.00, for one year, July 1, 2016, through June 30, 2017. The Maricopa County Sheriff's Office (MCSO) is tasked with the housing and booking of inmates, Pre and Post-IA (Initial Appearance), as well as post-conviction, in accordance with the A.R.S. § 11-441 governing the housing of inmates by law enforcement jurisdictions within each county.

The MCSO is the sole source for detention services for individuals detained by the Chandler Police Department. The City remits payment on a monthly basis to the Maricopa County Sheriff's Office for the actual costs for detention services for inmate housing and prisoner care.

19. No item.

20. MEMBERSHIP DUES: Arizona Municipal Water Users Association

AUTHORIZED PAYMENT of fiscal year 2016-2017 membership dues to the Arizona Municipal Water Users Association in the amount of $94,495.00.

The method to allocate each city's membership dues changed in fiscal year 2016-17. In previous years, each city's membership dues were a prorated share (based on population) of AMWUA's water operating budget. The new allocation method applies one-half of the water operating budget evenly among all the members, and the other half is applied based on the prorated share (based on population). This new allocation process increased Chandler's membership dues from $73,982 in fiscal year 2015-16, to $94,495 in fiscal year 2016-17.

21. PURCHASE AGREEMENT: Water Meters

APPROVED AGREEMENT NO. MU6-890-3686, with HD Supply Waterworks LTD., for the sole source purchase of water meters, in an amount not to exceed $2,500,000.00, for a two-year term, September 1, 2016, through August 31, 2018, with the option of one additional two-year extension. The City has

standardized its new and replacement water meters to the Neptune brand. HD Supply Waterworks, LTD., is the sole authorized distributor of Neptune water meters.

The pricing of this new agreement represents an increase of 7.28% over the previous agreement. Staff considers the price reasonable as the previous agreement prices have not changed since 2008. Staff also compared pricing to the City of Goodyear contract. The pricing on the recommended agreement is about 6% less than the City of Goodyear contract.

22. PROJECT AGREEMENT: Wilson Engineers

APPROVED PROJECT AGREEMENT NO. WW1610.201 with Wilson Engineers, LLC, for design services, for the Tumbleweed Aquifier Storage and Recovery Well Sand Separator System, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $213,320.00. Staff has identified a sand separator system as a means to eliminate the retreatment of purged water and the deposition of sand in the sewer collection system. The purged water from all wells will be re-piped into the proposed Tumbleweed ASR Wells sand separator system, and the reclaimed water will be pumped back to the reclaimed water system for irrigation use. Separated solids will be hauled away for landfill disposal. The location of the facility and construction activities will be coordinated with the Parks Division.

The project scope of work consists of: development of preliminary design, final design, geotechnical, and drainage reports, preparation of construction documents, permitting assistance, and bid services.

23. AGREEMENT: Tempe Tourism Office

APPROVED AGREEMENT with the Tempe Tourism Office (TTO) for a joint marketing agreement to continue the Sunny Arizona marketing campaign to promote the City of Chandler and the City of Tempe as a single destination and to be largely funded by the Proposition 302 Maricopa County Grant; and authorize the City Manager to sign the Agreement and related documents as approved by the City Attorney.

24. AGREEMENT: E-Direct LLC

APPROVED AGREEMENT NO. CS6-966-3671 with E-Direct LLC, dba Essential Direct, for overflow photo copying and printing services, in an amount not to exceed $95,000.00, for one year, with the option of four one-year extensions. An agreement is recommended for overflow printing services to ensure that printing and copying will be provided in a timely manner to meet schedules requested by City staff. Overflow printing is defined as any printing or bindery work that is beyond the capabilities, volume and/or turnaround time frame that the Print, Mail and Graphics Division can handle. Services include printing of business cards, letterhead, envelopes, door hangers, flyers, postcards, pamphlets, booklets, brochures, high-speed duplicating and binding and other services normally provided by a full service printing company. The printing and folding of the City Scope and printing of the Phone Directory and Six Month Calendar are also included. Over the past year, staff has worked to reduce the need for overflow printing services, and feels that another year of historical usage data is needed in order to consider reducing the not to exceed amount.

25. AGREEMENT: National Research Center

APPROVED AGREEMENT NO. 3670 with National Research Center, Inc., for a citizen survey, in the amount of $41,890.00.

To further the Council goal of being the Most Connected City, staff discussed before the Communications and Public Affair, Information Technology and Management Services Subcommittee

on April 7, 2016, the plan to hire a consultant to conduct a survey of Chandler residents and businesses. The survey will address communication tools in use, discover the information respondents seek from the City and identify how the City can best communicate with them. The survey will address online and social media capabilities to determine how best to use the Web and social media tools to communicate with people. The survey will be sent to 3,000 Chandler residents, 3,000 Chandler businesses, and published on the City's website and promoted through social media to encourage community participation. The survey results will provide insight for the use of communication tools, enhancements to communication practices, and prioritize information to be communicated.

26. AGREEMENT: W&J Schafer Enterprises

APPROVED AGREEMENT NO. PM6-910-3573 Amendment No. 1 with W&J Schafer Enterprises, Inc., dba J&J Janitor Service, for cleaning of City park restroom facilities, in an amount not to exceed $106,277.00 for the term of September 1, 2016, through August 31, 2017. The Park Development and Operations Division contracts out the cleaning of twenty-three restrooms located at fifteen parks throughout the City. The cleaning of these restrooms is performed daily between the hours of 10:30pm and 6:00am. This contract also includes additional afternoon cleanings of 10 restrooms on Saturdays during the heavy use months of March through May and September through November. Also included in this contract are the cleaning services for the restrooms located at the Chandler Fashion Transit Station and the Tumbleweed Park & Ride facility.

27. AGREEMENT: Dennis Lopez & Associates

APPROVED PROFESSIONAL SERVICES AGREEMENT NO. ST1306 with Dennis Lopez & Associates, LLC, to provide professional appraisal services for Queen Creek Road Improvement from McQueen Road to Gilbert Road, and for a portion of Cooper Road from Queen Creek Road south approximately one-quarter mile, for a total not to exceed amount of $44,775.00.

On August 13, 2015, Council authorized the acquisition of property rights required for the Queen Creek Road Improvement Project (CIP ST1306) from McQueen Road to Gilbert Road and for a portion of Cooper Road from Queen Creek Road south for approximately ¼ mile. Bids for appraisal services were requested from five appraisers that are listed on the ADOT list of approved appraisers. Their bids ranged from $900 to $1,651 per appraisal. Dennis Lopez & Associates, LLC, was the successful low bidder at $900 per appraisal.

28. AGREEMENT: Vincon Engineering Construction

APPROVED AGREEMENT NO. ST5-745-3433, Amendment No. 2, with Vincon Engineering Construction, LLC, for asphalt rubber crack sealing increasing the existing annual spending limit amount by $250,000.00, for a revised not to exceed amount of $750,000.00, for the current term ending November 30, 2016. On October 23, 2014, City Council approved an agreement with Vincon Engineering Construction, LLC, for asphalt rubber crack sealing for a one year period with the option of four one year extensions. The current term of this agreement is still in effect, however, staff is requesting an increase to the annual spending limit that was previously approved by Council. The preceding fiscal year funds have been exhausted and to meet the maintenance requirements for Spring 2017 slurry seal projects, it is necessary to continue the crack sealing until the current agreement terminates in November. The terms of the original agreement remain unchanged.

29. AGREEMENT: Arizona Materials, LLC and Arizona Metro Mix

APPROVED AGREEMENT NO. ST3-750-3270, Amendment No. 2, for Ready Mix Concrete Materials with Arizona Materials, LLC, and Arizona Metro Mix, in a total combined amount not to exceed $80,000.00, for a one-year period, July 24, 2016, through July 23, 2017. Ready Mix Concrete Materials

are used by the Streets Division for sidewalk construction and repair, curb and gutter repair, and miscellaneous concrete repairs. Aggregate concrete slurry mix is used for sub-grade replacement and road base stabilization. For the extension term, staff is estimating 600 cubic yards of concrete and 125 cubic yards of aggregate slurry for the new agreement term for an estimated cost of $80,000. The proposed agreement amount reflects anticipated usage and includes some funding for unanticipated needs.

30. AGREEMENT:

APPROVED AGREEMENT NO. ST5-745-3435, Amendment No. 3, with Vincon Engineering Construction, LLC, for concrete repair and maintenance increasing the existing annual spending limit amount by $1,600,000.00, an amount not to exceed $5,200,000.00 for the term ending November 30, 2016. This agreement is necessary to cover essential concrete work performed prior to any required street rehabilitation projects within the City of Chandler. Street rehabilitation projects are selected based on a pavement rating system and are typically a minimum of 20 years old. Necessary concrete work includes standard maintenance and repair of damaged existing concrete sidewalks, curb and gutters, valley gutters, and the upgrading of existing handicap ramps, and driveways, to satisfy the Americans with Disability Act Accessibility Guidelines (ADAAG). Additionally, current ADAAG requirements mandate two-directional handicap ramps at all intersections and various crossing locations, increasing the construction cost of each intersection corner exponentially.

31. AGREEMENT:

APPROVED AGREEMENT NO. ST6-988-3685 with Desert Classic Landscaping for revegetation storm repair and maintenance, in an amount not to exceed $457,635.69, for one year, August 1, 2016, through July 31, 2018, with options to renew for up to two additional two-year periods. The City's existing landscaped medians and right-of-ways are in need of maintenance due to plants that have died or have been damaged, irrigation that has failed, and aggregate material that has worn down or been displaced. This agreement allows the City to replace landscape material and provides for revitalizing and maintenance of the landscape areas within our City. The maintenance may include diseased tree removal, storm damaged tree removal, or various tree replacements. The timely replacement of this material is an integral part of keeping the City-owned landscape areas properly maintained.

32. No item.

33. CONSTRUCTION CONTRACT: ELS Construction

APPROVED CONSTRUCTION CONTRACT NO. PR1603.401 to ELS Construction, Inc., for Amberwood Park Improvements, in an amount not to exceed $57,408.00. Amberwood Park is a neighborhood park located at 2327 West Calle Del Norte, within the square mile bounded by Warner, Ray, Dobson and Price Roads. Constructed in 1986, the playground is located on an elevated area which does not have an accessible route according to current standards. This project will improve the access to the playground area as well as the addition of a picnic ramada, new picnic tables and landscape improvements. Additionally, the project will bring the playground area to be compliant with the Americans with Disabilities Act.

34. PURCHASE: Police Motorcycles

APPROVED PURCHASE of eight BMW police motorcycles from LZ Delta, LLC, dba GoAZ, utilizing State of Arizona Contract No. ADSPO13-038704, in the amount of $216,011.92.

35. PURCHASE: Crafco, Inc.

APPROVED PURCHASE of asphalt rubber crack sealant material from Crafco, Inc., utilizing State of Arizona Procurement Office Contract No. ADSPO13-035060, in an amount not to exceed $200,000 for one year, June 6, 2016, through June 5, 2017.

The Streets Division is requiring the purchase of approximately 448,631 pounds of asphalt rubber crack sealant material for the City's upcoming crack sealing and maintenance projects. The Poly Flex III material manufactured by Crafco, Inc., a Chandler-based company, is an approved material for crack sealing work on City streets and has been used for more than 20 years. Poly Flex III crack seal material is specially formulated to withstand the high temperatures of the Arizona heat. The product does not track on the streets and does not pick up or get carried into driveways, therefore reducing the amount of complaints the City receives when this work is performed. Poly Flex III crack seal material is a very stable and durable product that is widely used in Arizona because of its flexibility and resiliency. The City has been using a cooperative contract available to us through ADOT, which was awarded to Crafco, Inc.

36. PURCHASE: Waxie Sanitary Supply

APPROVED PURCHASE of janitorial and sanitation supplies from Waxie Sanitary Supply, utilizing the City of Tucson contract, in an amount not to exceed $250,000.00, for one year from August 2, 2016, through August 1, 2017. The City of Chandler requires a diverse and extensive supply of janitorial and sanitation supplies for delivery to Central Supply and various other City locations as well as a representative to provide onsite product and service consultations, demonstrations, and cleaning direction and training. The City of Tucson contract provides a broad supply of products and services to ensure the support of daily maintenance operations. It includes such items as carpet and hard floor care cleaners, brooms and buckets, restroom care cleaning supplies as well as toilet paper, paper towels, and plastic can liners.

37. PURCHASE: Bibliotheca

APPROVED PURCHASE of electronic library materials from Bibliotheca, LLC (formerly 3M Library Systems), in an amount not to exceed $300,000.00. In October 2014, the Chandler Public Library transitioned to the 3M Cloud Library for the provision of electronic books and electronic audio books. In 2015, Bibliotheca purchased the 3M Library division and is now doing business as the Bibliotheca Cloud Library. The Bibliotheca Cloud Library allows staff to select materials expressly for Chandler cardholders and reduce the wait time for popular titles. Customers can download eBooks or eAudio Books directly from the Library's catalog or via the Bibliotheca Cloud Library application.
Having the eBooks in the catalog shows that we are responsive to the needs of our customers by having multiple formats. All digital checkouts, via the library's catalog or the Bibliotheca Cloud Library application, can be accessed through one customer library account without having to go to a separate website or use a separate account name and password.

38. PURCHASE: Verizon Wireless

APPROVED PURCHASE of mobile communication services for FY 2016-17, from Verizon Wireless, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) contract No. ADSPO13-034099, in the amount of $128,524.00.

39. PURCHASE: Versaterm, Inc.

APPROVED PURCHASE of annual maintenance and support services from Versaterm, Inc., for the Police Records Management System for the period of September 1, 2016, to August 31, 2017; and the

Computer-Aided Dispatch System for the period of August 1, 2016, to July 31, 2017, in an amount not to exceed $395,000.00.

40. CONTRACT: Weddle Gilmore Architects, LLC

APPROVED DESIGN CONTRACT NO. CS1505.201 to Weddle Gilmore Architects LLC, for Chandler Museum, Contract, in an amount not to exceed $609,105.00. The Chandler Museum will be at the existing McCullough Price House, located at 300 South Chandler Village Drive. The 10,000 square foot expansion will include classroom, lobby, exhibition, collection storage, and support staff spaces. The design shall respect the exterior historical integrity of the existing facility, which is on the National Register of Historic Places. The design shall allow the existing building to maintain its identity while providing a cohesive and functional new space that has direct indoor access to the existing facility. Redesign of the existing interior spaces is also included.

The scope of work consists of architectural, civil, mechanical, plumbing, electrical, fire protection, special systems, cost estimating, and special services design for programming, schematic design, design development, construction documents with permitting, and bidding assistance. Special services design includes historic preservation, exhibit design, and interior design.

41. CONTINUED USE PERMIT: QUIKTRIP

CONTINUED USE PERMIT, LUP16-0013 QUIKTRIP, TO THE SEPTEMBER 15, 2016 MEETING, A Series 10 Beer and Wine Store License to sell beer and wine as permitted for off-premise consumption at a new convenience store located at the northeast corner of Gilbert and Queen Creek roads.

42 USE PERMIT: Premium Coach Group

CONTINUED USE PERMIT, ZUP16-0009 PREMIUM COACH GROUP, TO THE SEPTEMBER 15, 2016 MEETING for a recreational vehicle sales, service, and storage business within a Planned Area Development zoned district that allows for business park uses located at 1825 E. Germann Road, within Metro Chandler Airport Center, west of the southwest corner of Germann and Cooper roads.

43. USE PERMIT: North Price Stables

APPROVED USE PERMIT, ZUP16-0005 NORTH PRICE STABLES, time extension approval to continue horse boarding for up to 22 horses on approximately 4 acres in the Agricultural (AG-1) zoning district located at 2885 N. Price Road, south of Elliot Road and on the east side of the Loop 101 Price Freeway. Applicants: Marshall E. Field and J. Irene Pinefield

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Use Permit subject to conditions.

BACKGROUND
The subject site is one of two remaining large lot rural properties located south of Elliot Road and on the east side of the Loop 101 Price Freeway. Marlborough Estates single-family subdivision is located to the north and one-acre single-family lots located in unincorporated Maricopa County are to the east. To the south of the adjacent agriculturally zoned property are the Tre Allagio condominiums.

The request is for Use Permit time extension approval to continue horse boarding for up to 22 horses on an approximately 4-acre site in the Agricultural (AG-1) zoning district. The AG-1 zoning district allows up to two horses to be kept by right per 35,000 square feet of lot area (equivalent to nine horses on the subject site). Additionally, the AG-1 district permits riding stables on properties containing a minimum of 10 acres. A Use

Permit is required to both exceed the maximum number of horses and to allow riding stables on less than 10-acre sites.

In 2009, a Use Permit for horse boarding was approved for up to 22 horses and extended in 2010 and in 2013 for 3-year time periods. The horse boarding facility currently accommodates up to 22 horses and provides equine assisted psychotherapy sessions. The property is rented out to residents who operate the horse boarding along with the equine assisted psychotherapy business.
The 2010 Use Permit placed conditions on the property relating to dust and odor control to address concerns from the adjacent property owners to the south. A water system was installed in the arena area and machinery is on site to properly distribute the manure into the pasture and arena areas. Decomposed granite was also added to the driveway and parking areas as a dustproofing measure.

The site contains a single-family home, a yard, stables, a lighted riding arena east of the stables, and approximately two acres of grass pasture. Pick-ups and drop-offs occur in the driveway adjacent to the stables and the house. Horses are primarily kept in the stables or within the pasture area. During psychotherapy sessions, the horses are usually in the riding arena and are not mounted or ridden. The therapy sessions are conducted on the ground. The equine assisted psychotherapy program is a considered a low impact use which only does ground work. The use does not generate large amounts of vehicular traffic as the sessions are by appointment only and relatively short in duration. This type of program is done in conjunction with a boarding facility with a higher number of horses to avoid any stress to the animals.

Planning Staff finds horse boarding up to 22 horses and riding stables to be appropriate at this location provided that it is managed well, as it apparently has been over the past few years. The implementation of the dust and odor control measures appear to address past concerns. Planning Staff contacted the Maricopa County Air Quality Department to verify if any complaints have been made since the previous Use Permit and there have been no complaints. Planning Staff is recommending a five (5) year time condition to allow for continued monitoring of proper dust, odor, and traffic management.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on May 17, 2016. One resident from the adjacent condos attended and commented that he walks to the site to watch the horses. The other attendee was the land renter.
- Planning Staff is not aware of any opposition to the request. Three letters and several phone calls were received indicating support of the request. See attached.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 4 Opposed: 0 Absent: 2 (Pridemore, Baron)

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Use Permit, ZUP16-0005 NORTH PRICE STABLES, subject to the following conditions:

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

9. The Use Permit shall remain in effect for five (5) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

44. USE PERMIT: ZESTY ZZEEKS PIZZA & WINGS

APPROVED USE PERMIT, LUP16-0016 ZESTY ZZEEKS PIZZA & WINGS, Series 12 Restaurant License to sell and serve spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted at a new business located at 960 E. Warner Road, Suite 1, the northwest corner of Warner and McQueen roads. Applicant: Jody Pectol, Business Owner

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND

The subject site is located at the northwest corner of Warner and McQueen roads within the Corcovado Village, at the eastern border of the City of Chandler. The commercial shopping center is bordered to the north and west by the Madeline Court single-family residential subdivision. Adjacent to the south, across Warner Road, is Legacy Traditional School, and east, across McQueen Road is the Town of Gilbert. Within Corcovado Village, there exist a CVS Pharmacy, Weinerschnitzel, two inline retail buildings, and four vacant lots.

Zesty Zzeeks Pizza & Wings is a casual pizzeria that currently have two locations within the east Valley and the newest location will be located within an inline retail building in Corcovado Village with frontage along Warner Road. The 2,500 square foot suite, which seats 33 persons, is located at an end cap adjacent to the arched entry way to Madeline Court. Zesty Zzeeks will also have a 480 square foot patio, which seats 20 persons, along the west side of the suite. The outdoor patio will have one 50" television with small speakers, which will be played at low volume. The applicant has represented they will not have live music and will play music from speakers at low volume. The indoor will have four large televisions. Zesty Zzeeks' hours of operation will be Sunday through Thursday 11 a.m. to 10:30 p.m., Friday and Saturday 11 a.m. to 11:30 p.m. The new restaurant will employ 12 employees.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows an establishment the on-site sale and serving of all types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food.

PUBLIC / NEIGHBORHOOD NOTIFICATION

This request was noticed in accordance with the requirements of the Chandler Zoning Code.
A neighborhood meeting was held on June 23, 2016. No one attended other than the applicant.
As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 5 Opposed: 0 Absent: 1 (Wastchak)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0016 ZESTY ZZEEKS PIZZA & WINGS, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 12 Restaurant license only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

3. The Liquor Use Permit is non-transferable to other locations.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

5. The site shall be maintained in a clean and orderly manner.

45. LIQUOR LICENSE: Zesty Zzeeks Pizza and Wings

APPROVED LIQUOR LICENSE, Series 12, for Jody Lynn Pectol, Agent, Boss Jax Pizza LLC, dba Zesty Zzeeks Pizza and Wings, located at 960 E. Warner Road, Suite 1. Staff recommends Council forward a recommendation for approval of State Liquor License No. 1207A619, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 163157 L12, for Jody Lynn Pectol, Agent, Boss Jax Pizza LLC, dba Zesty Zzeeks Pizza and Wings, located at 960 E. Warner Road, Suite 1.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

46. USE PERMIT: Streets of New York

APPROVED USE PERMIT, LUP16-0017 STREETS OF NEW YORK, Series 12 Restaurant License to sell and serve spirituous liquor for on-premise consumption indoors as permitted at an existing restaurant located at 5965 W. Ray Road, Suite 22, the southeast corner of Ray and Kyrene roads.
Applicant: Lorraine Glaeser

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

BACKGROUND
The existing restaurant is located at 5965 West Ray Road, Suite 22, at the southeast corner of Ray and Kyrene roads, within the Laguna Village shopping center. The nearest single-family residential subdivisions are Viewcrest, located to the south, and Village Court at Gila Springs, located to the west, across Kyrene Road. The restaurant currently operates under a Series 7 Beer and Wine Bar license, approved in 1997. A condition of the approval stated if there is a change in license type, a new liquor use permit application would be required.

Suite 22 is approximately 4,410 square feet and provides 140 indoor seats. Hours of operation are Monday through Thursday from 10:30 a.m. until 9:30 p.m., 9:30 a.m. until 10:30 p.m. on Friday and Saturday, and 11 a.m. until 9:30 a.m. on Sunday.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows an establishment the on-site sale and serving of all types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 21, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of opposition to the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 5 Opposed: 0 Absent: 1 (Wastchak)

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0017 STREETS OF NEW YORK, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

47. LIQUOR LICENSE: Streets of New York

APPROVED LIQUOR LICENSE, Series 12, for Lorraine Glaeser, Agent, Streets of New York Inc., dba Streets of New York #16, located at 5965 W. Ray Road. Staff recommends Council forward a recommendation for approval of State Liquor License No. 1207A559, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 29390 L12, for Lorraine Glaeser, Agent, Streets of New York Inc., dba Streets of New York #16, located at 5965 W. Ray Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

48. USE PERMIT: Home2 Suites by Hilton

APPROVED USE PERMIT, LUP16-0018 HOME2 SUITES BY HILTON, Series 10 Beer and Wine Store License to sell beer and wine for off-premise consumption as permitted at a new hotel located at 2490 W. Queen Creek Road, west of the northwest corner of Dobson and Queen Creek roads. Applicant:Andrea Lewkowitz, Lewkowitz Law Office, PLC

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

BACKGROUND

The new hotel is located at 2490 West Queen Creek Road, west of the northwest corner of Dobson and Queen Creek roads. The hotel is under construction with an anticipated opening in July, 2016. Clemente Ranch is the nearest single-family subdivision. The Cays at Ocotillo condominiums are within Downtown Ocotillo, located to the south, across Queen Creek Road. Kindercare and Ocotillo Bay apartments are located at the southeast corner of Dobson and Queen Creek roads. Undeveloped land located within Continuum at Ocotillo surrounds the site and Ocotillo Corporate Center is west, across Ellis Street.

The request is for Liquor Use Permit approval to sell beer and wine for off-premise consumption as permitted under a Series 10 Beer and Wine Store License. The beer and wine will be sold from the hotel's pantry for off-premise consumption, including guest rooms and designated outdoor areas. The sales will be made through the hotel's front desk agent. No on-premise alcohol service will be provided. Hours of alcohol sales will occur according to legal service hours of 6 a.m. until 2 a.m.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 20, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of opposition to the request.

PLANNING COMMISSION VOTE REPORT

Motion to Approve.

In Favor: 5 Opposed: 0 Absent: 1 (Wastchak)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0018 HOME2 SUITES BY HILTON, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 10 Beer and Wine Store license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

49. LIQUOR LICENSE: Home2 Suites by Hilton

APPROVED LIQUOR LICENSE, Series 10, for Trent Charles Johnson, Agent, North Central Management Inc., dba Home2 Suites By Hilton, located at 2490 W. Queen Creek Road.

Staff recommends Council forward a recommendation for approval of State Liquor License No. 10076774, and further, that approval be given for the City of Chandler Series 10, Beer and Wine Store Liquor License No. 163275 L10, for Trent Charles Johnson, Agent, North Central Management Inc., dba Home2 Suites By Hilton, located at 2490 W. Queen Creek Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 10, Beer and Wine Store Liquor License, the business may sell beer and wine only for off-premise consumption.

50. USE PERMIT: SANTAN CROSSING PLAZA/VALERO-CORNER STORE

APPROVED USE PERMIT, LUP16-0019 SANTAN CROSSING PLAZA/VALERO-CORNER STORE, Series 10 Beer and Wine Store License to sell beer and wine for off-premise consumption as permitted within a new fuel station convenience store located at 1015 S. Cooper Road, the southeast corner of Cooper and Pecos roads. Applicant: Andrea D. Lewkowitz; Lewkowitz Law Office, PLC

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND
The subject site is located at the southeast corner of Cooper and Pecos roads. The property is bounded on the east by office condominiums and a single-family residential subdivision to the south. West of Cooper Road is a single-family residential subdivision and north of Pecos Road is an undeveloped neighborhood commercial parcel and a single-family residential subdivision under construction. The property is currently undeveloped, however the companion rezoning and preliminary development plan application is scheduled for July 28, 2016, City Council Meeting.

The request is for a Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store. The Series 10 Beer and Wine Store license allows for the sale of beer and wine only. The subject site has yet to be constructed, but upon approval anticipates being fully constructed and open within one-year of Council approval. The approximately 5,730 square foot convenience store will sell beer and wine seven days a week, during the hours allowed by state law.
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PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 19, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 5 Opposed: 0 Absent: 1 (Wastchak)

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0019 SANTAN CROSSING PLAZA/VALERO-CORNER STORE, subject to the following conditions:
1. The Liquor Use Permit is granted for a Series 10 Beer and Wine Store License only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. The Liquor Use Permit is non-transferable to other locations.

3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

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

51. LIQUOR LICENSE: Valero Corner Store #1604

APPROVED a Series 10, Beer and Wine Liquor License (Chandler #161767 L10) for Andrea Dahlman Lewkowitz, Agent, CST Arizona LLC, dba Valero Corner Store #1604, located at 1015 S. Cooper Road. A recommendation for approval of State Liquor License #10076732, will be forwarded to the State Department of Liquor Licenses and Control.
The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

52. USE PERMIT: PIEOLOGY PIZZERIA

APPROVED Use Permit LUP16-0021 PIEOLOGY PIZZERIA, Series 12 Restaurant License to sell and serve spirituous liquor for on-premise consumption indoors and within a new outdoor patio as permitted at a restaurant located at 3450 W. Chandler Boulevard, Suite 5, the northwest corner of Chandler and Metro boulevards. (Applicant: Kristopher Olson.)

BACKGROUND
The subject site is located at the northwest corner of Chandler and Metro boulevards within the Chandler Gateway Shops, and located within the inline shops adjacent to Hobby Lobby and Walmart. The suite occupies the most southern end of the inline shops.

Pieology Pizzeria offers individual, artisan style pizzas and have operated at this location for a year. The pizzeria would like to add the option to add a cold beer or glass of wine with their custom made pizzas. The 2,800 square foot suite seats 76 persons indoors, and plan to add a detached outdoor 500 square foot patio, which will seat 20 persons, adjacent to the west side of the building. The applicant will work with Planning Staff to architecturally integrate the patio proposal with the surrounding shopping plaza. Pieology Pizzeria hours of operation are Monday through Thursday 11 a.m. to 9:30 p.m., Friday and Saturday 11 a.m. to 10:30 p.m., and Sunday 11 a.m. to 9 p.m. The restaurant employs 22 employees. The restaurant has represented they will not have live music and will use speakers to play music at a low volume indoors and on the proposed detached patio.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within a new outdoor patio as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows an establishment the on-site sale and serving of all types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food.

PUBLIC / NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code and a neighborhood meeting was held on June 23, 2016. No one attended other than the applicant.
Planning Staff is not aware of any opposition or concerns with the request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioner Wastchak absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0021 PIEOLOGY PIZZERIA, subject to the following conditions:

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

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
5. The site shall be maintained in a clean and orderly manner.

53. LIQUOR LICENSE: Pieology Pizzeria

APPROVED a Series 12, Restaurant Liquor License (Chandler # 163344 L12) for Kristopher David Ora Olson, Agent, Arizona Front Stars LLC, dba Pieology Pizzeria, located at 3450 W. Chandler Boulevard, Suite 5. A recommendation for approval of State Liquor License #1207A631, will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

54. USE PERMIT: Fry's Fuel Center

APPROVED Use Permit LUP16-0023 FRY'S FUEL CENTER, Series 10 Beer and Wine Store License to sell beer and wine for off-premise consumption as permitted within a new fuel station convenience store located at 2955 E. Ocotillo Road, the southwest corner of Ocotillo and Gilbert roads. (Applicant: Lauren Merrett; Mereco Inc.)

BACKGROUND
The subject site is located at the southwest corner of Ocotillo and Gilbert roads within the new Artesian Marketplace commercial development with frontage along Ocotillo Road. Artesian Marketplace is bordered on the west by Norman Way and Fonte Al Sol, a single family residential subdivision. South of the property is a new Fry's Marketplace and to the east is Gilbert Road with the Plant commercial development beyond.

The request is for Liquor Use Permit approval to sell beer and wine for off-premise consumption only as permitted under a Series 10 Beer and Wine Store License. The approximately 800 square foot walk-in kiosk convenience store will sell beer and wine seven days a week, during the hours allowed by state law. Fry's Marketplace recently received Liquor Use Permit approval for the grocery store within Artesian Marketplace.

PUBLIC / NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code with a neighborhood meeting was held on June 29, 2016. No one attended other than the applicant and Planning Staff is not aware of any opposition to this request.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed 5-0 with Commissioner Wastchak absent.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0023 FRY'S FUEL CENTER, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 10 License only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. The Liquor Use Permit is non-transferable to other locations.

3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

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

55. LIQUOR LICENSE: Fry's Fuel Center #681

APPROVED a Series 10, Beer and Wine Store License (Chandler #163824 L10) for Lauren Kay Merrett, Agent, Smith's Food & Drug Centers Inc., dba Fry's Fuel Center #681, located at 2955 E. Ocotillo Road. A recommendation for approval of State Liquor License #10076782 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

56. LIQUOR LICENSE: Black Bear Diner

APPROVED a Series 12, Restaurant Liquor License (Chandler #161647 L12) for Andrea Dahlman Lewkowitz, Agent, Bear Tracks Holdings LLC, dba Black Bear Diner, located at 2805 S. Alma School Road. A recommendation for approval of State Liquor License #1207A662, will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

57. LIQUOR LICENSE: Teakwoods Tavern

APPROVED a Series 12, Restaurant Liquor License (Chandler #162989 L12) for Aubrey Jean Sturdivant, Agent, PTY5 Investments LLC, dba Teakwoods Tavern, located at 5965 W. Ray Road, Suite 20. A recommendation for approval of State Liquor License # 1207A589 will be forwarded to the State Department of Liquor Licenses and Control. The Police Department reports no objections to the issuance of this license and no written protests have been received. All licenses, permits and fees have been paid and the applicant is in compliance with the City's Tax Code.

58. CONTINUED LIQUOR LICENSE: VB Lounge & Restaurant

CONTINUED TO SEPTEMBER 15, 2016, a Series 12 Restaurant Liquor License (Chandler # L12) for Dragana Cosic, Agent, SCDC Properties LLC, dba VB Lounge & Restaurant, located at 81 W. Boston Street to allow the applicant time to complete the requirements for a new Use Permit.

59. PRELIMINARY PLAT: THE ENCLAVE

APPROVED Preliminary Plat PPT16-0013 THE ENCLAVE, for a multi-family residential development on approximately 12 acres located at the southeast corner of Arizona Avenue and Chandler Heights Road.

60. FINAL PLAT: AVALON AT CHANDLER AIRPARK

APPROVED Final Plat FPT16-0001 AVALON AT CHANDLER AIRPARK, for a 14-lot custom home subdivision on approximately 12.23 acres located approximately one-quarter mile south of the southeast corner of McQueen and Germann roads.

61. FINAL PLAT: TOWER STORAGE LLC

APPROVED Final Plant FPT16-0005 TOWER STORAGE LLC, for a self-storage facility on an approximate 11.5 acre lot located south of the southeast corner of Arizona Avenue and Chandler Heights Road, which was annexed and zoned in October 2015. (Applicant: Craig Baker; SBL Engineering) The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

62. FINAL PLAT: ROCKEFELLER – CHANDLER CROSSROADS

APPROVED Final Plat FPT16-0009 ROCKEFELLER – CHANDLER CROSSROADS for the replat of Lot 2 located at the northwest corner of Gilbert and Queen Creek roads. Lot 2 is sub-divided to create two individual lots. . (Applicant: Rock-Queen Creek, LLC) The plat creates the lots, establishes the necessary easements, and dedicates the required rights-of-way.

63. FINAL PLAT: ENCLAVE AT HAMILTON RANCH

APPROVED Final Plat FPT16-0010 ENCLAVE AT HAMILTON RANCH, for a single-family residential subdivision located south and east of the southeast corner of Arizona Avenue and Queen Creek Road. (Applicant: Mattamy Homes Arizona, LLC)

64. FINAL PLAT: TOWNEPLACE AT THE MET

APPROVED Final Plat FPT16-0012 TOWNEPLACE AT THE MET, for a commercial center located at the southeast corner of Chandler Boulevard and Hearthstone Way.

65. FINAL PLAT: WILDHORSE

APPROVED Final Plat FPT16-0013 WILDHORSE, for a nine lot single-family custom subdivision on approximately five acres located north of the northwest corner of Willis Road and El Dorado Drive. .

66. FINAL PLAT: MDI CHANDLER PAVILIONS

APPROVED Final Plat FPT16-0015 MDI CHANDLER PAVILIONS, for a commercial center located at the northeast corner of 54th and Harrison streets. This Final Plat is for a replat, within an approximate 7 acre existing commercial center, from one lot to five lots, located at the northeast corner of 54th and Harrison streets. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

67. FINAL PLAT: MAINSTREET TRANSITIONAL CARE FACILITY

APPROVED Final Plat FPT16-0017 MAINSTREET TRANSITIONAL CARE FACILITY, for a post-acute transitional health care facility and office buildings located at the southeast corner of Arizona Avenue and Queen Creek Road.

68. On action.

69. APPOINTMENT: Acting City Attorney

APPROVED appointment of Glenn Brockman as Acting City Attorney, effective at 5 p.m., July 29, 2016, at an annual salary of $164,796.00, to be prorated during the period served as Acting City Attorney.

ACTION:

68. ZONING/PRELIMINARY DEVELOPMENT PLAN: ALLRED PARK PLACE

INTRODUCTION OF ORDINANCE NO. 4704, DVR15-0037 ALLRED PARK PLACE, rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height.
PRELIMINARY DEVELOPMENT PLAN (PDP) for site design and building architecture on property totaling approximately 62 acres located at the southwest and southeast corners of Price and Willis roads.

BACKGROUND:
This request was continued from the May 26, 2016, Council meeting to allow additional time for continued dialogue and evaluation of 5 additional stipulations proposed by the applicant. The stipulations were intended as an alternative compromise addressing the building intensity and height issue identified in PDP stipulation no. 3. The proposed stipulations included building height requirements for both the west and east sides of Price Road, phasing requirements, and a deed restriction limiting a parcel to conference center hotel use only. Following the May 26, 2016, meeting, the applicant has worked with the City refining the stipulation language as well as identifying an expeditious path to Council for a determination of conformance with the PDP, outlined in a forthcoming Development Agreement. Planning Staff has located the proposed additional stipulations within the appropriate locations of the Recommended Actions, new conditions 11-12 of the Rezoning, and new conditions 5-7 of the Preliminary Development Plan (condition no. 3 would be deleted), outlined below in the Alternative Recommended Actions. Additionally, the applicant has updated the attached Development Booklet to bring the narrative and architectural exhibits into conformance with the 5 additional proposed stipulations. In the event the request is approved by Council with the additional conditions, the approval would cause the new Rezoning conditions to be added to Ordinance No. 4704, with Ordinance No. 4704 being placed on the August 8, 2016, Council agenda for re-introduction.

PLANNING COMMISSION RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission recommends City Council approve the request subject to conditions; with the deletion of Preliminary Development Plan condition no. 3, requiring Employment buildings along the Price Road frontage to be consistent with Mid-Rise Development, as defined in the Zoning Code.

PLANNING STAFF RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Staff recommends City Council approve the request subject to conditions.

This request was continued from the April 20, 2016, Planning Commission meeting to allow Planning Staff an opportunity to assess the relevance of discussion that occurred at the April 14, 2016, City Council meeting regarding the South Price Road Employment Corridor. The corridor discussion related to strategic policies derived in part from the 2013 South Price Road Employment Corridor Study (Maguire Report). The strategic policies were included in the 'Chandler General Plan 2016' which on April 14, 2016, was approved and referred to the voters.
Contained within the 2013 Study were recommended guiding principles provided to preserve, enhance, and maximize the Corridor's utilization of diminishing remaining land. Planning Staff wrote an implementation memo for the 2013 study outlining various short-term practices pertaining to the guiding principles recommendations. One such short-term practice was to 'identify how the application establishes minimum rather than maximum allowed development requirements that force greater employment densities intensifying the utilization of land and buildings'. The most recent policy discussion echoed the short-term practice indicating an objective to develop the corridor with Mid-Rise Developments (buildings taller than 45-feet), concentrating the increased building height along the Price Road frontage. In response to these discussions,

Planning Staff has included a PDP condition requiring buildings along the arterial frontage to be consistent with Mid-Rise Development, as defined in the Zoning Code. It is the intention that the condition apply to employment buildings, and not the incidental service-retail buildings included in the attached Development Booklet.

BACKGROUND

The subject site, comprised of two properties totaling approximately 62 acres, is located at the southwest and southeast corners of Price and Willis roads, south of the Santan Loop 202 and Price 101 freeways interchange. The eastern property, often referred to as the former dairy site, is located east of Price Road between Willis Road and the Armstrong Place alignment, currently zoned Agricultural District (AG-1). The eastern property extends all the way to Ellis Street; however a 10-acre site just west of the southwest corner of Willis Road and Ellis Street is not included in this request. The western property is located west of Price Road, between Willis Road and Armstrong Place. The western property received PAD zoning in April 2013, for business park uses as identified within the South Price Road Employment Corridor (SPREC) accommodating a wide range of uses including corporate office headquarters, high-tech manufacturing, and knowledge intensive employers. The western property's PAD zoning was amended in 2014 to include a Conference Center Hotel with the two single-user buildings permitting building heights up to 150 feet in height.

The General Plan designates the subject site as Employment allowing major employers, knowledge-intensive employers, industrial/business parks, and industrial support uses. Additionally, the General Plan identifies the subject site as falling within the South Price Road Employment Corridor (SPREC). This corridor, recognized as the City of Chandler's premier employment corridor, generally encompasses the property located on the west and east sides of Price Road, starting at Willis Road at the north, ending at the Chandler Heights Road alignment just north of Sun Lakes. Visually, the corridor starts at the southern edge of the Loop 101/202 freeway interchange, however historically the City has recognized Willis Road as the northern border as the property located north of Willis Road received zoning approval prior to the General Plan's SPREC designation.

The request is to rezone the 2 properties bringing them under a single PAD district, effectively amending the zoning from AG-1 and PAD for commercial, office, conference center hotel, and business park uses including a Mid-Rise Overlay for buildings up to 150-feet in height, to PAD for an employment business park campus with commercial, office, conference center hotel, and business park uses including a Mid-Rise Overlay for buildings up to 150-feet in height under an Innovation Zone, as contemplated by the General Plan. Additionally, the request includes Preliminary Development Plan (PDP) approval for site design, building architecture, and a comprehensive sign package. The rezoning request is consistent with the General Plan.

The requested PAD zoning and Innovation Zone utilizes the currently permitted Conference Center Hotel as the campus 'hub' containing amenities that, in conjunction with the incidental support retail, directly support the Park Place campus and balance of the South Price Road Employment Corridor. The hub has been integrated into the campus through an extensive network of vehicular and pedestrian linkages set out in a hierarchical order. Secondary pedestrian hubs and landscape focal features further enforce the connectivity of the campus to the hub. The Innovation Zone allows consideration of multi-tenant buildings permitting tenants to locate both vertically and horizontally. As part of this request, the applicant has indicated a restriction that the minimum size for the initial tenant in any employment building be not less than 20,000 square feet, providing a sense of scale encouraged for Price Road.

The request continues and furthers the cohesive business park high-quality campus atmosphere established in the previous zoning approvals for the western property and northeast corner of Price and Willis roads, through the use of strong landscape theming and a high level of required architectural quality. The site provides multiple access points from Price Road and two of the three adjacent collector streets as well as strong boulevard entrances off Price Road. It is important to note, that in response to neighborhood feedback, no vehicular connections are proposed for Ellis Street. The landscape theme includes a 'radial' design at major intersection points that is carried through the campus with terraced landscaped treatments that include a

layering effect of backdrop trees including date palms. Even the ultimate building and parking layouts will include a relationship to the radial theme at the boulevard entrances furthering the campus concept.

The architectural exhibits, imagery and representations contained within the attached Development Booklet establish the 'bar' or level of quality and intensity expected for the future campus. While the final ultimate design and location of buildings may necessitate minor alterations, the exhibits depict a close representation of how the campus will develop. Additional exhibits provide more detailed architectural imagery that further defines the level of quality and intensity expected within the Allred Park Place campus.

The request includes a comprehensive sign package that includes building mounted signage, campus identification monumentation and freestanding single-tenant and multi-tenant monument signage. Building mounted signage can include pan channel, reverse pan channel or flat cut out pin mounted lettering at the discretion of the end user. The campus identification monument signage design includes opposing triangular 20-foot tall elements clad in 18-inch travertine tiles providing 5 tenant panels per side, including both halo and grown illumination. These campus identification/multi-tenant monument signs are set at the intersection corners and main boulevard entrance points placed within a circular flower bed backed by the radial terraced landscaped features. The signage represents a very high level of quality that provides a strong statement for the Price Corridor as well as creates a unified image for the campus.

Planning Staff supports the request. Price Road continues to remain the subject of much recent discussion. This request represents an evolutionary strong example of the implementation of the desire to preserve and actively enhance the campus-like environment of the Corridor. The exhibits establish a campus environment that continues throughout the site design, building architecture, landscaped theming, and ultimately to the comprehensive sign package. The attached Development Booklet including the building elevations, architectural imagery, and narrative, as well as this memo establish the intent for the Allred Park Place campus plan, effectively setting the 'bar' in terms of intensity, quality and design. This rezoning request, the Design Review Committee hearing, and public hearing going forward will served to more clearly define Planning Staff's administrative authority while narrowing the degree of final development plan malleability.

The Conference Center Hotel 'hub' remains a critical component to the Innovation Zone concept, as it contains common amenities that directly supports the businesses within the Allred Park Place campus. As such the applicant has indicated the Conference Center Hotel parcel will be set aside and deed restricted for only this use. Additionally, as part of Phase One, all infrastructure necessary to support the Conference Center Hotel will be installed including related right-of-way improvements, utilities and landscaping.

PUBLIC / NEIGHBORHOOD NOTIFICATION

This request was noticed according to the provisions of the City of Chandler Zoning Code.

Neighborhood meetings were held on Monday, February 22, 2016, at 6:00 PM and Wednesday, February 24, 2016, at 6:00 PM, at the Hampton Inn & Suites hotel. 5 neighboring property owners attended the first meeting, and an additional 5 attended the second. Many questions were asked in terms of specific development aspects like uses, timing, lighting, and signals. A series of neighbors commented on the current traffic and speeds along Willis Road. The applicant indicated that the traffic study identified the majority of trips generated from the proposed business park would ultimately utilize Price Road, and that to further mitigate future issues, no vehicular connections were proposed for Ellis Street, that abuts the adjacent residential subdivision. No formal opposition was offered at the either meeting.

A separate meeting was held with the property owner of the Ebay/PayPal building and their legal representative. Comments and concerns offered included the lack of PDP specificity, timing of the Conference Center Hotel, and a desire for more intensity.

Planning Staff was copied on email correspondence with the applicant and a nearby residential property owner. The discussion continued around traffic on Willis Road.

At the time of this writing, Planning Staff is not aware of any formal opposition to this request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve.
In Favor: 5 Opposed: 0 Absent: 2 (Baron, Wastchak)

ALTERNATIVE RECOMMENDED ACTIONS
Rezoning
Approve the Rezoning from AG-1 and PAD for commercial, office, conference center hotel, and business park uses including a Mid-Rise Overlay for buildings up to 150-feet in height, to PAD for an employment business park campus with commercial, office, conference center hotel, and business park uses including a Mid-Rise Overlay for buildings up to 150-feet in height under an Innovation Zone, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALLRED PARK PLACE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0037, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals or as otherwise approved in a development agreement.

5. Unless otherwise included as part of the City's Capital Improvement Program, the developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

8. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

9. Notwithstanding any provision of the Development Booklet or of any other conditions of the Rezoning, no data center use of any type, unless ancillary and secondary to a primary use, shall be a use permitted for the property that is the subject of this Rezoning.

10. Maximum building height shall be limited to 150-feet.

11. The infrastructure plans (streets and utilities) for Phase 1, must be submitted for plan review within 9 months of City Council approval of this PAD and thereafter in a timely manner be resubmitted until securing plan approval. Construction shall commence on said infrastructure within 3 months of the City's approval of the infrastructure plans.

12. The hotel conference center parcel in Park Place shall include a deed restriction limiting the parcel's use to a conference center hotel.

Preliminary Development Plan
Approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "ALLRED PARK PLACE" and kept on file in the City of Chandler Planning Division, in File No. DVR15-0037, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

3. Deleted.

4. As represented in the attached Development Booklet narrative, the initial tenant in any employment building shall be a minimum of 20,000 square feet in size.

5. All buildings located on the west side of Price Road, in the Park Place PAD, shall be at least 3 stories and 45 feet in height. These buildings may have more than one tenant per building.

6. Phase 1 for Park Place shall be on the west side of Price Road, which phase shall include the installation of all infrastructure (streets and utilities) on the west side of Price Road from Willis to Armstrong, including the frontage landscaping. No building may be commenced on the east side of Price Road until at least one building has been completed on the west side of Price Road, unless pursuant to the Development Agreement a "build to suit" is authorized on the east side of Price Road prior to or during Phase 1. The term "completion of the building" is not intended to include tenant improvements.

7. Employment buildings (i.e. excluding retail buildings) along the frontage of the east side of Price Road shall be a minimum height of 45 feet and 3 stories, unless the City Council, pursuant to the Development Agreement, authorizes a shorter building. The building height requirement for a minimum 45 feet and 3 stories shall not preclude innovative interior designs for open lobby/building elements or back portions of a building less than 3 stories and 45 feet to accommodate specific tenant requirements (such as product assembly, research and development.)

DISCUSSION:
Mr. KEVIN MAYO, PLANNING MANAGER, provided a brief summary and update regarding the project. He stated the request is for rezoning a collection of parcels that currently have various zonings affiliated with them, to a comprehensive Planned Area Development (PAD) for an employment park campus.

Since the May 26, 2016 Council meeting, the applicant met with Staff and have had many discussions on the project and stipulations the Planning Commission and Planning Staff recommended. A premier concept the Council favors is to utilize the Price Road Corridor when it comes to development and type of development along Price Road. He stated the stipulations are updated in the Council Memo and the development booklet has been updated with the stipulations as presented.

COUNCILMEMBER HEUMANN addressed the stipulations listed. He stated they are more consistent with the General Plan that the residents will be voting on this August. He asked Mr. Mayo to address the assurances outlined in the development plan to make sure the site is developed and almost shovel ready for the hotel and conference center.

Mr. MAYO stated the applicant updated the development booklets with updated architectural features of the buildings so they are more of the quality that the stipulations require. Therefore the book becomes the minimum standard.

COUNCILMEMBER LOPEZ inquired about the deed restriction stating it is permanent. The property owner must get approval from the City of Chandler before anything is changed and must be voted on by the City Council for any Deed restriction changes.

STEVEN EARL, Earl, Curley & LaGarde, 3101 N Central Ave. Phoenix, representing the applicant on both this project and the other development that is underway just north of this area also known as Park Place. He talked about the various tenants currently in the development site and how they have grown. These buildings are not for small tenants, there is no space less than 40,000 square feet with most spaces at 100,000 square feet. The Douglas Allred company does not build for small businesses.

He addressed the concern that has been raised regarding the conference center and hotel that is slated to be built on the property. It was approved two years ago, and while they have not broken ground for its development, it is still a priority for the Allred company to build it as soon as possible. The hotel parcel is 8 acres with an estimate value between $5-6 million. He is making it shovel ready, and one of the stipulations requires him to submit construction plans for the infrastructure on the west side of Price Road that includes the infrastructure for the hotel within nine months of the approval by the Council. The infrastructure design plans are already underway, because permits and start construction within three months of Council's approval. So they are committed to a fast track construction plan.

The owner and developer of the hotel and conference center, Winegardner and Hammons Hotel group, wanted confirmation in writing the Allred interest in developing the hotel project, while giving their confirmation they still want to build a Marriott brand hotel on the property.

He then referred to various items on the architectural renderings:

- Red Dots – Enhanced pedestrian linkages that link all the structures together and to the hotel. They are wide and lined with trees.
- Parking structure on the east of Ellis – are completely surrounded by three buildings, making it almost invisible from price road and once development happens on the Kovach parcel to the east, the parking structure will be completely invisible and can be 2-4 stories in height, depending on the height of the surrounding buildings. The parking structure is more than 400 feet away from the residential area.
- The hotel is slated for a 7-8 story hotel. It has a proposed Ballroom of 8-10,000 square feet with other conference rooms on the first floor.
- They held two public outreach meetings for the surrounding residents, noticing 1,300 residents, of which only 6-8 persons attended those meetings. Since the attendance was so low, they personally went out to visit 203 homes to the east. They only found 8 people not supportive of the project.
- They are estimating around 10,000 new jobs in the tech industry alone when this is built, let alone the construction jobs and tax revenue when completed.

COUNCILMEMBER LOPEZ inquired what they might foresee as a reason to delay the hotel development in phase 1.

MR. EARL stated they cannot control when the hotel gets built, but they can incentivize the build to occur as soon as possible by the developer. He noted the letter confirming the commitment from Marriott. He noted that Mr. Allred is investing the $6-7 million for the infrastructure to be shovel ready. Councilmember Lopez

asked if it would be acceptable to add to the stipulation to put in the hotel as part of Phase 1. Mr. Earl stated he understands everyone would like to see the hotel built sooner than later. Phase 1 to the developer includes the hotel, but they were not going to build anything on the east side until the first building is done on the west side. There is the ability in the stipulations for them to ask for Council's approval if they can build on the east side while still building on the west side in the event a tenant would like to be on the east side. Upon concern from Mr. Earl stating they had crafted the language specific to Chandler's request, Councilmember Lopez said they would leave it as is for now. Councilmember Lopez asked about increasing the minimum square feet to 40,000 s.f. per tenant. Mr. Earl said when there is limitation on leasing, that sometimes prevents the financing capabilities. He stated Mr. Allred's desire is to build with the largest tenant as possible. Mr. Earl stated he has brokers present to answer questions regarding the financing aspect of the development. Councilmember Lopez said he appreciates the commitment that Mr. Allred has made to Chandler. It is important to validate in writing to ensure maintaining the integrity of the Price Corridor for employment.

COUNCILMEMBER HEUMANN stated there has been a lot of give and take on this project and development agreement and believes there is ample protection for the City. The developer has significant accountability financially in the project and their history supports the type of development that is expected for this project.

A motion was made by COUNCILMEMBER HEUMANN and SECONDED BY COUNCILMEMBER ROE TO APPROVE DVR15-0037 ALLRED PARK PLACE, REZONING FROM AG-1 AND PAD FOR COMMERCIAL, OFFICE, CONFERENCE CENTER HOTEL, AND BUSINESS PARK USES INCLUDING A MID-RISE OVERLAY FOR BUILDINGS UP TO 150-FEET IN HEIGHT, TO PAD FOR AN EMPLOYMENT BUSINESS PARK CAMPUS WITH COMMERCIAL, OFFICE, CONFERENCE CENTER HOTEL, AND BUSINESS PARK USES INCLUDING A MID-RISE OVERLAY FOR BUILDINGS UP TO 150-FEET IN HEIGHT UNDER AN INNOVATION ZONE, SUBJECT TO THE CONDITIONS OUTLINED IN THE ALTERNATIVE RECOMMENDED ACTION, CAUSING THE ADDITIONAL CONDITIONS TO BE ADDED TO ORDINANCE NO. 4704, WITH ORDINANCE NO. 4704 TO BE RE-INTRODUCED AT THE NEXT AVAILABLE MEETING OF THE CITY COUNCIL: AND MOVED THE CITY COUNCIL APPROVE DVR15-0037 ALLRED PARK PLACE, PRELIMINARY DEVELOPMENT PLAN FOR SITE DESIGN AND BUILDING ARCHITECTURE, SUBJECT TO THE CONDITIONS AS OUTLINED IN THE ALTERNATIVE RECOMMENDED ACTION.

Mayor Tibshraeny noted he had cards indicating support on the Preliminary Development Plan from Danny Court.

Upon request from MAYOR TIBSHRAENY, Mr. Balmer, 2425 E. Camelback Road, Phoenix, addressed the architectural changes on the project. He added that the hotel has been waiting to move forward and they have released the engineers to begin development on the project.

MARK KRISON, 2415 E Camelback, Phoenix, AZ stated he is a broker and is the leasing agent for the Park Place project. He has been involved with David Allred since 1993. He reviewed a few of the other center developments he has been involved in. Mr. Krison provided a brief summary of the leasing and financing of the project.

MOTION CARRIED UNANIMOUSLY (7-0).

PUBLIC HEARING:

The Public Hearing was not held on this item upon the approval of Item 2 on Consent agenda.

PH1. PUBLIC HEARING TO TAKE ADMINISTRATIVE ACTION ON DVR05-0036 T-SYS WESTERN OPERATIONS CENTER 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

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

- Mayor Jay Tibshraeny announced that Chandler residents have saved a total of $556,000 through the City's discount prescription drug card saving program since its inception four years ago. The City partners with Coast2Coast Rx to allow all Chandler residents – regardless of income, age or health status – to participate in the program and save on the cost of their medications. The free prescription drug card can be printed online.
  He invited the public to attend the free Verano Sano pool event at Chandler's Arrowhead Pool from noon to 5 p.m., on Saturday, Aug. 6. The event promotes water safety awareness in a series of fun, family-friendly activities including music, refreshments and raffle prizes.

- Mayor Tibshraeny and members of the City Council congratulated City Attorney Kay Bigelow on her upcoming retirement. They thanked her for her service to the Council, and for this community, and presented her with a Key to the City plaque.

B. Councilmembers' Announcements

- Vice Mayor Sellers announced the City will be hosting the businessmen from Dansu China in partnership with the Chamber of Commerce. A reception will be held in the Vision Gallery on August 8th at 5:00 p.m.

- Councilmember Rick Heumann thanked City staff for their work on the ground breaking water agreement with the Gila River Indian Community. He then noted that students have returned to school and asked residents to be careful driving through school zones. Councilmember Heumann concluded his remarks by inviting the public to the Google Self Driving Car Open House on Saturday, Aug. 13, in downtown Chandler. He reminded everyone the Olympics start in approximately one week.

- Councilmember René Lopez stated August is Drowning Impact Awareness Month and asked everyone to watch children around water.

- Councilmember Kevin Hartke thanked all of the volunteers and the 50-60 organizations that worked together on the Operation Back to School event on Aug. 23. More than 2,500 children received backpacks, uniforms, shoes and other items to help them succeed in school. Councilmember Hartke also praised the "collaborative consciousness" that exists in Chandler among the business community, nonprofit organizations and the public.

- Councilmember Terry Roe asked everyone to remember the sacrifice of Chandler Police Detective Carlos Ledesma who was killed in the line of duty six years ago.

C. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:07 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: August 11, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 28th day of July 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 15 day of August, 2016.

_____ City Clerk

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on August 8, 2016

THE MEETING WAS CALLED TO ORDER BY VICE MAYOR JACK SELLERS AT 6:05 p.m.

The following members were present:

Jack Sellers	Vice Mayor
Kevin Hartke	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Nora Ellen	Councilmember (arrived at 6:10 p.m.)
Jay Tibshraeny	Mayor (arrived at 6:21 p.m.)

Also in attendance: Marsha Reed, City Manager; Nachie Marquez, Assistant City Manager; Marla Paddock, City Clerk; Glenn Brockman, Acting City Attorney, Matt Burdick, CAPA Director; Micah Miranda, Economic Development Director; David Bigos, Mayor & Council Asst.,

Most Connected City Event Update

CITY MANAGER MARSHA REED discussed the Most Connected City Event held on May 11, 2016 and how staff has been working on the feedback and information from that event. She then introduced Matt Burdick, Communications and Public Affairs Director who presented the update.

Mr. Burdick discussed the Most Connected Community Forum on May 11 at the ASU/Chandler Innovation Center and that the goal was to solicit feedback on how the City and community stakeholders could best work together toward realizing one of the City Council's strategic goals:

"Make our City an even better place to visit, work, play and live by being the "most connected city" in Arizona."

Mr. Burdick indicated that there were nearly 100 people in attendance with two-thirds from within the community and one-third from within the City of Chandler as either a council member or staff member. He said that opening remarks were provided by Sethuraman "Panch" Panchanathan, the ASU Executive Vice President and Chief Research and Innovation Officer of Knowledge Enterprise Development, the welcome by Vice Mayor Jack Sellers, the convening question was posed by Annette Zinky, President/CEO, NAU Center for Entrepreneurship and Technology, Chandler Innovations Incubator and finally the forum process was introduced by Derek Neighbors, Founding Member, Gangplank Chandler.

Mr. Burdick said that there were 25 session topics generated by participants and numerous sessions were held during the day. At the end of the day, community ideas were prioritized and more than 30 people volunteered to join discussion to address the top ranked ideas.

The topics that came up several times during the event were:

- Promote Chandler as an Innovation Hub
- Show the world how we are unique
- Support a create economy to fuel innovation

- Connect businesses with technology
- Have Chandler in your back pocket through mobile apps
- Enhance the city website to better connect and inform the community
- Consider the benefits of a citywide wireless broadband network
- Introduce more tech into Park and Recreation
- Se social media and tech to build bridges between youth and adults
- Connect those with limited resources to technology, including senior adults
- Bring cultures together and also expose other to those cultures
- Leverage tech to promote and coordinate volunteerism
- Connect people with problems with available solutions
- Extract our residents" gifts to build community
- Promote civic engagement and increase voter turnout
- Modernize Neighborhood Watch programs

Mr. Burdick then discussed the closing session and that participants were asked what they felt was the best idea that they heard that day. They then compared the answers and the ideas were scored and there were five central themes that were realized:

- Art Community
- Central Fun Connectivity
- Cross Cultural Sharing
- Neighborhood Liaisons
- Central Website

Mr. Burdick explained how the feedback from the forum aligned in three specific areas to the City Council's Strategic Policy Goals:

GOAL - Be the Most Connected City – What will we do?

Involved: CAPA, Community Services, IT, Library, Management Services and Volunteer Group

- Survey Chandler residents and businesses to identify information topics and communication preferences.
    - *Consultant Contract approved at July 28th City Council Meeting.*

- Meet with Central Website volunteer group to further discuss their ideas about the City's website.

- Refresh technology and design of City website to connect people with information and services.
    - *RFP advertised, Consultant proposals due August 23.*

Deliverables: provide a survey report and an updated City website. Mr. Burdick said the report should be available after the first of the year.

Councilmember Heumann asked if the design/update of the website will be done in house or through a contractor. Mr. Burdick said that they have left that decision open at this point as the current City platform is Microsoft platform, so there are some platforms that will work well with our system and if there is a proposal a solution that we don't have in house or the expertise to handle

then there would be additional ongoing support and cost associated with that. He said that issue will be evaluated through the proposal process.

Councilmember Ellen asked who are the people and what are the services referred to in the bullet "connected with information and services" on our website. How do we keep people from feeling left out or overlooked? Mr. Burdick said that there will be a wide variety from businesses to non-profit groups. He added that volunteerism was a common theme at the forum. He said that other ideas were more informational in nature as far as what is happening in the City and having knowledge of those things as well as take part in some way. It is very diverse in terms of the types of topics and that is part of the reason that conducting the survey is a logical next step to better refine that statement. He added that, specifically to the website, have continued discussions on how we use the City's website to help people connect.

Mr. Burdick discussed additional areas that address the goal, known as the "digital divide," in the case of seniors and those that don't have the resources to connect and use the technology available.

- Use programs and classes through the Chandler Senior Center to assist seniors to enter the world of technology
    - Currently the City provides a dozen classes available now targeted to seniors.

- Evaluate programs and partnerships that could provide access to technology for youth and families with limited resources.
    - Expand the programs available at the library and seek partnerships that can provide technology resources to the community that does not have the financial means to obtain them.

Deliverables: Break Time magazine and Active Adult class enrollment, Library programs and partnerships.

GOAL – Attract a Range of Private Sector Businesses – What will we do?

This discussion was specific to the downtown and the other was more about telling people about Chandler.

Involved: Community Services, Cultural Affairs, Downtown Redevelopment, Economic Development, Fire, Planning, Police, DCCP, Chamber of Commerce and Volunteer Group.

- Combine volunteers from Art Community and Central Fun Connectivity into one group discussion

- Refine ideas about public space for fun, connectivity, art and culture into action items that could be incorporated with the redevelopment plan of Downtown Chandler
- Promote Chandler and our brand

Deliverables: Action Plan, Economic Development marketing materials

GOAL – Possess a Contemporary Culture – What will we do?

There was a lot of discussion in how to use technology and the website to connect people with different languages. Regarding events, there was discussion about how to have different people and cultures highlighted to engage diversity.

Involvement: CAPA, Community Services, Cultural Affairs, Economic Development, IT, Neighborhood Resources and Volunteer Group

- Meet with volunteers from the Cross Cultural Sharing group for further discussions
- Refine ideas for cross cultural exchanges into action items that could be incorporated into cultural programs, diversity programs, special events and the City's website.

Deliverables: Action Plan to adapt existing cultural and diversity programs, events and City website.

Other Forum Ideas

Refer ideas for neighborhood liaisons and ambassadors to Neighborhood Resources and Police for consideration.

- Create network of people that build relationships and knowledge of community resources
- Develop neighborhood touch points that connect people with services
- Identify volunteer opportunities and extract residents' gifts for the betterment of the community.

Deliverables: Adapt ideas to programs provided by Neighborhood Resources and Police departments.

Mr. Burdick said that referring these action items to the listed departments will allow them to look at them, have more discussion with those interested and looking for ways to build ideas to be adapted to the things that these departments are currently doing.

Refer ideas for ways to connect with businesses to the Chandler Chamber of Commerce for consideration.

- Match businesses with volunteer opportunities for the betterment of the community
    - This effort has already been realized; the action item would be to build on it.
- Connect local businesses with Chandler companies, entrepreneurs and makers
- Create online platform to link buyers and sellers (i.e., LinkedIn and Angie's List offered as examples).

Mr. Burdick said that the City would have a supporting role, but the Chamber would take the lead in these efforts.

Councilmember Heumann said that there is a liability in recommending people, but with the connectivity to the Chamber and the appropriate warning signs it would work.

Mr. Burdick said that the City has not engaged the Chamber with these action items as staff wanted to discuss with Council first for guidance. If agreeable, staff with contact the Chamber. He added that the Chamber was active in the forum and provided ideas as well.

Councilmember Heumann said that the overall connectivity of the City is that it is another element - connecting faith-based, chamber groups, cultural groups, but you have to be careful how your fingers are on them. Connecting people is great, but there has to be concern about the liability side. You don't want to come across that you are endorsing one over the other.

Councilmember Ellen agreed about not appearing to provide favoritism.

Vice Mayor Sellers and Councilmember Hartke noted several neighborhood groups that have formed and connect to provide information such as being discussed.

Councilmember Heumann said that letting the private sector do some of these things is good, but we also do not want to get into the crosshairs.

Mr. Burdick explained the remaining topic:

Refer ideas for using education to the Chandler Unified, Kyrene and Mesa school districts for consideration.

- Portal to share educational resources available at the City, non-profits and private companies with youth and adults
- Connect seniors and young generation to learn about technology and education
- Expose non-parents of all ages to what is happening in schools
- Bridge youth and adults by developing partnerships and using technology – bring subject matter experts into schools to expose students to the creative/maker possibilities.
    - This is a technology version of a Junior Achievement program, bring entrepreneurs, makers, into the school room where they can expose students to the different possibilities and industries that are out there.

Vice Mayor Sellers said that the goal of the digital divide is having a system that is easy to use as possible for everyone. That means that you need to have as good a system as you possibly can. He added that, although well covered, being the most well-connected city means physical as well as digital. So infrastructure, transit, etc., become a critical part of that equation.

Councilmember Ellen asked if the idea was that people would interact on the City's website and Mr. Burdick said that if you asked the IT department, they would say no. There was some discussion about ways that you could incorporate feeds. For example, on a number of City pages we have the City's Twitter feed. So there are feeds that you can get that would essentially provide content that isn't City generated, but is available on a page. There are ways that you can do it without them touching our information technology infrastructure or creating any security risks. There were a lot of ideas/comments about the City's website being all that is Chandler. From a content standpoint, that would be challenging, we would have to tap into other resources in the community in the non-profit and the private sector to be able to do something like that.

Councilmember Ellen said she wasn't saying that she wants to; she wishes that it was a nice world and people would be considerate of one another, she just wants to make sure that was not a plan.

Councilmember Heumann said he agrees with Councilmember Ellen that we need to be very sensitive that we don't support a forum where people are going at each other. We want to be connected so that people can get information on the schools, businesses or services, given the availability so that when someone wants to move to Chandler they go on our website and there is the one stop shop with links to different places, but there has to be criteria for those links and the information.

Councilmember Ellen asked how we manage how people contact other people. Mr. Burdick said that Next Door is a perfect example. This application is not managed by the City but we make people aware that this forum exists for their use. It is a tool that the City can use to communicate with particular neighborhoods or groups, but we are not in control of the discussion. So, it would probably entail something like that; it would not be an official City platform that people can utilize to make those kinds of connections. The business to business one at the Chamber is also an example. It wouldn't be a City forum, but we could link to that forum.

Councilmember Lopez said that you can have a disclaimer that says, "You are now leaving the City's website and are now going to the other site, etc."

Mr. Burdick said that these were all things that can be decided as we move forward and it was indicated at the forum that some ideas may be pursued by the City or another organization and we are certainly within our means to decide what boundaries we want to establish.

Councilmember Ellen asked how we make sure we don't leave any non-profits out and make sure that everyone is aware of this opportunity. Mr. Burdick said that they are contacted all the time, many are outside marketing, that want to be listed on our site. Many for business reasons or for search engines optimization reasons. That is evaluated.

Councilmember Ellen asked if they have to be physically based in Chandler and Mr. Burdick said that they have groups that are outside of Chandler that are linked it just depends on who they serve.

Mr. Burdick said that there are a number of groups that we have listed that provide services that are not City services and we let them know that this isn't an endorsement of that particular group, but if you want to have links to these types of services, we provide the links. Mr. Burdick reiterated that they may decide that some of these ideas were good ideas in concept but in practice will not work for the City to be the provider; there may be others that would fit better. That is definitely the guidance I was looking for and that we will follow through on.

Adjournment: The meeting was adjourned at approximately 6:42 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: January 12, 2017

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting/Micro Retreat of the City Council of Chandler, Arizona, held on the 8th day of August 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 17 day of January, 2017.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, August 8, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:02 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Jack Sellers	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Kevin Hartke	Councilmember

Also in attendance:

Marsha Reed	City Manager
Nachie Marquez	Assistant City Manager
Glenn Brockman	Acting City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Mike Sproul from the Tri City Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Kevin Hartke led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

1. REZONING: SANTAN CROSSING PLAZA/VALERO-CORNER STORE Ord. # 4711

ADOPTED Ordinance No. 4711 DVR15-0042 Santan Crossing Plaza/Valero-Corner Store, rezoning from Planned Area Development (PAD) for Community Commercial to PAD (Community Commercial and Gas Service).

2. REZONING: Innovation Square Ord. # 4714

ADOPTED Ordinance No. 4714, DVR16-0004 Innovation Square, rezoning from Planned Area Development (PAD) for office and data center uses to PAD for an employment business park campus with employment, office, service retail and hotel uses including a Mid-Rise Overlay for buildings up to 150 feet in height under an Innovation Zone, on approximately 15.6 acres located north of the northwest corner of Price and Queen Creek roads. The Public Hearing for case DVR05-0036 TSYS Western Operations Center is cancelled upon approval of DVR16-0004 Innovation Square.

3. REZONING: Allred Park Place Ord. # 4704

INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4704, DVR15-0037 Allred Park Place, rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height.

The request was approved by City Council at the July 28, 2016, Council meeting. The approval included the addition of Rezoning conditions 11-12 regarding infrastructure phasing requirements and the requirement of a deed restriction for the conference center hotel parcel. The motion for approval included the necessary language to cause the two additional Rezoning conditions to be added to Ordinance No. 4704, with Ordinance No. 4704 being placed on the August 8, 2016, Council agenda for re-introduction.

INFORMATIONAL:

1. Minutes of the July 20, 2016, Planning and Zoning Commission.

UNSCHEDULED PUBLIC APPEARANCES:

Christine Ellis, 610 N. Alma School Road, Chandler AZ, representing the leadership team at Desert Springs Church, stated her organization is working on a program called Fresh Start. They work with children and the homeless to provide services such as food and showers. She inquired on what the most urgent need the city may need help in partnering with. She also asked how they could pray for the leadership of the City.

Mayor asked Staff will follow up with Ms. Ellis to provide information on how to assist.

CURRENT EVENTS:

The Mayor announced Current Events would be addressed at the August 11th, City Council meeting.

Adjournment: The meeting was adjourned at approximately 7:07 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: September 12, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 8th day of August 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 13 day of September, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, August 11, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:04 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Jack Sellers	Vice-Mayor
Nora Ellen	Councilmember
Kevin Hartke	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Glenn Brockman	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Councilmember Hartke provided the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Ellen led the Pledge of Allegiance.

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER HEUMANN, TO APPROVE THE CONSENT AGENDA AS SUBMITTED.

COUNCILMEMBER HEUMANN thanked staff and the applicant for working diligently on Item No. 2 Allred Park Place.

Mayor Tibshraeny noted a Request to Speak on Item No. 12. Discussion is listed under that item.

COUNCILMEMBER LOPEZ commented on item No. 2 and the positive impact the Allred Park Place development will have along the Price Road corridor. He wanted to thank those involved for the hard work in finalizing the project.

THE MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

1. MINUTES:

1a. Regular Meeting of June 23, 2016.
1b. Regular Meeting of July 25, 2016.
1c. Special Meeting of July 25, 2016.
1d. Study Session of July 25, 2016.
1e. Regular Meeting of July 28, 2016.

2. REZONING: Allred Park Place Ord. #4704

ADOPTED Ordinance No. 4704, DVR15-0037 ALLRED PARK PLACE, rezoning from Planned Area Development (PAD) and Agricultural District (AG-1), to Planned Area Development (PAD) for an employment business park campus, including a Mid-Rise Overlay for buildings up to 150-feet in height.

3. POWER DISTRIBUTION EASEMENT: Salt River Project Ord. #4712

INTRODUCED Ordinance No. 4712, granting a power distribution easement, at no cost, to Salt River Project (SRP) on City property located on 142nd Street, north of Riggs Road, Chandler, Arizona, for equipping a well site.

BACKGROUND/DISCUSSION: The Municipal Utilities Department requires power facilities on the property located on 142nd Street, just north of Riggs Road, to equip a well site at this location. In order to provide the power services, SRP is requesting an easement on the City-owned property. The easement is to be granted to SRP, at no cost, as it is for a City project that benefits the citizens of Chandler.

4. REZONING: SALAD and GO Ord. #4716

INTRODUCED Ordinance No. 4716, DVR16-0012 SALAD AND GO, rezoning from Planned Area Development (PAD) to PAD to remove a zoning condition limiting drive-thrus, subject to the conditions as recommended by Planning Commission and Planning Staff.
APPROVED PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building architecture for a new restaurant and drive-thru located south of the SEC of Chandler Boulevard and Kyrene Road.

BACKGROUND:
The approximate one acre site is located south of the southeast corner of Chandler Boulevard and Kyrene Road, within the partially developed Kyrene Crossings commercial retail and office development. The vacant parcel is located between a CVS pharmacy to the north and a veterinary clinic to the south. East, within the development, are an existing Wendy's with a drive-thru, Chase Bank with drive-thru, an inline shops space at the northeast corner, and a partially developed garden office complex in the site's southeast portion. The Sorrento single-family residential subdivision surrounds the development on the south and east.

With the initial zoning of the site in 2001, a condition of approval was added restricting fast food/drive-thru uses to only be allowed on the Wendy's parcel. In 2004, a rezoning was approved allowing for a drive-thru for the Chase Bank. The current request is to allow for an additional drive-thru use for the subject site.

In addition to the rezoning, the request includes a PDP for site layout and building architecture. The one acre site is an oddly shaped narrow and long parcel with a street frontage width of 100' that narrows down to a width of 70' at the east end. The user is unique in the sense that the restaurant does not provide any indoor dining, significantly reducing the footprint of the building, allowing for the user to take advantage of the site constraints. The restaurant is 677 square feet, with a covered outdoor dining area of 570 square feet that wraps the front and side of the building, visibly reducing the impact of the drive-thru lane. An outdoor pedestrian area within a landscape setting is provided east of the building. The design team has incorporated the architectural style and elements of the surrounding development to include stacked stone columns, tile roofing, parapet roof design, and arched elements along longer wall planes.

Planning Staff supports the request finding that the proposed development capitalizes on a unique site to fit its building model while also incorporating the design of the building to the remainder of the development. Additionally, Planning Staff is supportive of an additional drive-thru within the center as the subject site's location within the overall development is removed from the other drive-thrus, visibly reducing the impact that can occur when too many drive-thrus are provided in one development.

PUBLIC / NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code.
A neighborhood meeting was held on Tuesday, June 21, 2016. No neighbors attended the meeting. As of the writing of this memo, Planning Staff is not aware of any concerns or opposition to the request.

PLANNING COMMISSION VOTE REPORT
The motion to Approve passed 6-0.

RECOMMENDATIONS
Rezoning
Planning Commission and Planning Staff recommend City Council approve the rezoning, subject to the following conditions:

Development shall be in substantial conformance with the Development Booklet, entitled "SALAD AND GO" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0012, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

1. Completion of the construction, where applicable, of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

2. The developer shall be required to install landscaping in the arterial street median adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

3. Hours of delivery/trash pick-up shall be prohibited between 11:00 pm and 6:00 am.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "SALAD AND GO" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0012, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Landscaping shall be in compliance with current Commercial Design Standards.

3. The site shall be maintained in a clean and orderly manner.

4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

6. Electrical service entrance section (SES) shall be located inside the building.

7. All ground-mounted equipment shall be screened from public view by landscaping or a concrete or masonry wall equal to or greater in height than the mechanical equipment.

8. All transformer boxes, meter panels and electric equipment, back-flow valves and any other utility equipment shall be painted to match the building color.

9. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. handicap shall have direct access to all indoor and outdoor pedestrian spaces).

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

11. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

12. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. EASEMENT: Parkview Place Development — Ord. #4680

INTRODUCED Ordinance No. 4680, granting an Easement, Maintenance, and Access Agreement to Ashton Woods Arizona, LLC, and the Parkview Place Homeowners Association for the Parkview Place Development, located on Basha Road, across from the Snedigar Sports Complex.

BACKGROUND/DISCUSSION: The City owns property for the Basha Road Water Production Facility at 4501 S. Basha Road, located on the east side of Basha Road, across from the Snedigar Sports Complex. Ashton Woods Arizona, LLC, is developing a residential subdivision on the north side of the City's property to be known as Parkview Place. The construction of Parkview Place will leave a long narrow area between their southern wall and the City's northern wall that could become difficult to maintain. Ashton Woods Arizona, LLC, and its successor in interest, the Parkview Place Homeowners Association, are willing to maintain this strip of land at no cost to the City. However, in order to proceed, they will require an easement granting access and authorizing them to do the maintenance. In consideration for doing the maintenance, the easement is being granted at no cost.

Working with Ashton Woods Arizona, LLC, staff has prepared the Easement, Maintenance, and Access Agreement, reviewed and approved the legal descriptions, and believes that granting the easement and approving the agreement is in the best interests of the citizens of Chandler.

6. CERTIFICATION ACCEPTANCE AGREEMENT: — Res. #4959

ADOPTED Resolution No. 4959 authorizing the City Manager to enter into a Certification Acceptance Agreement with the State of Arizona through the Arizona Department of Transportation to administer design and construction of Federal-Aid Highway Program projects.

BACKGROUND/DISCUSSION: Title 23 Code of Federal Regulations (C.F.R.) 635.105, grants the Arizona Department of Transportation (ADOT) the ability to delegate responsibilities to local public agencies to administer Federal-Aid Highway Program (FAHP) projects. Currently, ADOT has granted these responsibilities to eight local public agencies in Arizona including the City of Chandler. Since December 2007, the City has certification acceptance to administer design and construction of FAHP projects. Since each local public agency agreement differs and varies in age, format, and renewal requirements, the Federal Highway Administration (FHWA) and ADOT is requiring recertification under a new uniform agreement. Additionally, FHWA and ADOT wanted to re-determine the fitness of each agency's abilities to administer these projects.

As part of the Certification Acceptance Agreement, the City responsibilities include the Following:

- Design and construction administration of FAHP projects.
- Compliance with federal and state laws and regulations; procedures; and responsibilities set forth by FHWA and ADOT to administer FAHP projects.
- Maintaining adequate, suitably equipped, and knowledgeable staff to administer FAHP projects.
- Obtaining required federal and state reviews, concurrences, and approvals as needed.
- Obtain, keep, and maintain required project documentation.

State responsibilities include the following:

- Delegation of design and construction administration of FAHP projects to the City.
- Provide communication with FHWA and dissemination of information to the City.
- Compliance with federal and state laws and regulations, and responsibilities set forth by FHWA.
- Provide on-going guidance, training, reviews, and other related tools to the City for administering FAHP projects.
- Cooperate with the City in the adoption of processes, procedures, and guidelines for administering FAHP projects.
- Maintaining adequate, suitably equipped, and knowledgeable staff on FAHP projects.
- Provide reviews, concurrences, and approvals on the City's FAHP projects.
- Provide continuous oversight on City FAHP projects to ensure compliance.

7. INTERNATIONAL EXCHANGE PROGRAM: Tainan, Taiwan Res. #4975

VICE MAYOR SELLERS stated the City established a Sister City with Tullamore Ireland eight years ago. In October of 2015 the Chandler Little League All Star team went to Tainan, Taiwan for their tournament. Because of the connection both personally and in business these two cities share, Chandler began steps to create a Sister City with Tainan. Vice Mayor Sellers recognized those involved in the program and provided details on the Sister City program.

ADOPTED Resolution No. 4975 supporting a declaration to create a Sister Cities International program exchange with Tainan, Taiwan.

8. INDIAN GAMING GRANT: Gila River Indian Community Res. #4978

ADOPTED Resolution No. 4978 authorizing the submittal of a $75,000.00, Pass-Through Indian Gaming Grant application from VisionQuest 20/20, to the Gila River Indian Community.

BACKGROUND/DISCUSSION: In 2002, a coalition of Arizona Indian tribes successfully obtained passage of Proposition 202, whereby the State was authorized to enter into gaming compacts with individual tribes. The new compacts allowed for expanded tribal use of games and gaming devices as well as pari-mutuel wagering. In exchange, tribes agreed to share a portion of gaming revenues with the State and its counties, cities and towns.

Specifically, among other things, the law provides that: 12 percent of tribal contributions pursuant to the new compacts shall be contributed by Indian tribes to cities, towns and counties for government services that benefit the general public, including public safety, mitigation of impacts of gaming, and promotion of commerce and economic development. The Indian Tribes have some discretion over how these contributions will be made and each tribe has different application procedures that need to be observed to obtain funding. Additionally, it has become a relatively common practice for cities to submit applications for such contributions on behalf of 501(c)(3) nonprofit organizations that are deemed to be providing government related services that benefit the general public.

The City of Chandler for many years has submitted Pass-Through Grant Applications for numerous nonprofit organizations based on the interests of the City and its residents. The Pass-Through Grant Applicant must be a 501(c)(3) nonprofit organization with some nexus with the City and its residents.

VisionQuest 20/20, an Arizona nonprofit, provides free vision screening for children in Chandler and is seeking support from the Gila River Indian Community to expand its services in order to serve more Chandler children. The grant funding sought by VisionQuest 20/20 is intended to provide vision screening for young students in local elementary schools. The attached Tribal application provides additional information related to their request.

9. MUNICIPAL BILL-CREDITING AGREEMENT: Salt River Project Res. #4982

ADOPTED Resolution No. 4982, authorizing the City to enter into a Municipal Bill-Crediting Agreement with Salt River Project Agricultural Improvement and Power District for transmission of the City's power allocations from the Arizona Power Authority, and authorizing execution of the agreement by the Chandler City Manager.

The Hoover Power Act of 2011 expanded the pool of potential recipients of at-cost power from the Hoover Dam to include municipalities. Existing power allocations were realigned, and a new class of power, Schedule D, was created. The Municipal Utilities Department (MUD) applied for Schedule D power from the United States Department of Energy, Western Area Power Administration and was allocated an annual allotment of 1,475,854 kilowatt-hour of Hoover Schedule D Power, which is approximately 2% of MUD's annual power usage. It is estimated that MUD will benefit from a power cost savings of over $50,000 per year by participating in this program. The Arizona Power Authority administers all non-tribal federal energy contracts in Arizona. All power contracts resulting from the Hoover Power Act of 2011 have 50-year terms, from October 1, 2017, to September 30, 2067.

The effects of a drought on Lake Mead water levels should not interrupt the flow of water through the Hoover Dam, due to the multiple downstream delivery obligations along the Colorado River. As such, MUD will continue to receive a supply of Hoover power throughout the life of the contract. The volume of water passing through the dam and the resultant power generation may decrease during extreme drought, but staff analysis indicates that MUD will still realize significant savings even during lake level fluctuations due to drought.

Resolution No. 4982, authorizing execution of a Municipal Bill-Crediting Agreement with Salt River Project Agricultural Improvement and Power District for transmission of the City's power allocations from the Arizona Power Authority, is also scheduled for this City Council meeting. Resolution No. 4982 authorizes the City Manager to sign the Municipal Bill-Crediting Agreement with the Salt River Project to facilitate the transmission of the power from the Hoover Dam to Chandler. The term for the Municipal Bill-Crediting Agreement is five-years with provisions for renewal.

FINANCIAL IMPLICATIONS: Operation of the Hoover Dam is paid for by the users of Hoover Dam electrical power. The total cost to buy-in to Chandler's share of the bonded debt from existing improvements and upgrades is $49,000 to be paid in 60 equal payments over the first five years of the agreement. The estimated annual savings from utilizing Chandler's allocation of Hoover Schedule D Power will exceed $50,000. The first year savings will pay off the buy-in and subsequent years saving will reduce the cost to provide water service to Chandler's citizens.

10. POWER SALES AGREEMENT: Arizona Power Authority Res. #4983

ADOPTED Resolution No. 4983 authorizing the City to enter into a 50-year Power Sales Contract with the Arizona Power Authority; authorizing 60 equal monthly buy-in payments of $816.67 during the first five years of the contract totaling $49,000.00; and authorizing execution of the agreement by the Chandler City Manager.
Resolution No. 4983 authorizes the City Manager to sign the Arizona Power Authority Contract to obtain the power allocation.

11. MEMORANDUM OF UNDERSTANDING: Veterans Affairs/Phoenix Health Care System
Res. #4985

ADOPTED Resolution No. 4985 authorizing the Memorandum of Understanding (MOU) and Telehealth Services Agreement (TSA) with the Veterans Affairs/Phoenix Health Care System (PVAHCS) providing for an 18-month extension to the pilot program that allows the Chandler Fire, Health & Medical Department (CFHM) to better manage the delivery of healthcare and follow up medical services for Chandler Veterans and that the Mayor is hereby authorized to execute that Memorandum of Understanding and accompanying Telehealth Services Agreement on behalf of the City of Chandler.

The PVAHCS and CFHM are entering into this MOU and TSA to extend a pilot program to help ensure Veterans are receiving appropriate healthcare and follow up medical services. CFHM provides emergency medical responses to Veterans on a daily basis. These calls vary from serious medical issues and behavior related issues to calls less serious in nature. This pilot program will allow for CFHM paramedics to identify Veterans and connect them to PVAHCS services in a proactive manner. If stay at home treatment is appropriate, they can be referred to CFHM's Community Paramedic program for paramedic facilitated PVAHCS telehealth appointments.

CFHM staff will present the results of the pilot program and any recommendations relating to the pilot program to the City Council in the spring of 2018.

12. TERMINATION OF OFFICE LEASE: CCMVWP San Tan Tech, LLC Res. #4986

Gary Linhart, Via West Group, 5110 N 40th St. Phoenix, AZ commented on the City's desire for an early termination of its lease at 145 S. 79th Street in Chandler of the Innovations Center. When they recently bought the property, the original lease was already in place and they could not make any changes. They immediately noted that the Incubator center was not being professionally staffed at the appropriate level. He said despite many proposals from their ownership group to help subsidize the center until a professionally managed solution could be found. He said the facility is a great asset. He expressed his disappointment in the termination of lease with the City, and hopes the City will recognize the importance in such a program and eventually will reconsider partnering with them.

ADOPTED Resolution No. 4986 authorizing the termination of the office lease by and between the City of Chandler and CCMVWP San Tan Tech, LLC, for the premises at 145 South 79th Street; authorizing the lease termination payment of $302,317.45 and a final loan payment of $216,668.37; and authorizing the City Manager or designee to deliver a notice of termination, termination fee, and final loan payment to CCMVWP San Tan Tech, LLC.

The City of Chandler is in the seventh year of a fourteen-year office lease with CCMVWP San Tan Tech, LLC for the premises at 145 South 79th Street in Chandler, Arizona, commonly known as the "San Tan Tech Center". The lease ends March 31, 2024. Pursuant to Section 3.5 of the lease dated March 18, 2010 ("Original Lease"), the City has the option to terminate the lease early on the last day of the 84th month of the lease with at least six months prior written notice. The City will provide a notice to terminate the lease to CCMVWP San Tan Tech, LLC, no later than September 30, 2016, upon which the lease will have a new effective termination date of March 31, 2017. The cost to terminate the lease early is $302,317.45.

Pursuant to Section 3.2 of the first amendment to the lease dated December 15, 2011, the landlord provided the City with an Additional Improvement Allowance ("Loan") of $306,016.68 for costs associated with tenant improvements at the premises to be amortized over the lease term. The Loan is scheduled to have a remaining balance of $216,668.37 on March 31, 2017. The City will make a final payment of $216,668.37 to CCMVWP San Tan Tech, LLC, no later than said date.

Staff has begun executing steps that need to be accomplished to exit the leased premises by March 31, 2017. Most notably, written notice has been provided to all current tenant companies to inform them of the City's plans to exercise its early termination option, the date they will be required to have exited the facility by (should they not be retained by the landlord), and transition assistance available, including help with identifying other office and lab space in Chandler that meets their business needs.

13. CONTINUED PRELIMINARY DEVELOPMENT PLAN: STELLAR BUSINESS PARK

CONTINUED TO THE SEPTEMBER 15, 2016, CITY COUNCIL MEETING, PRELIMINARY DEVELOPMENT PLAN (PDP), PDP16-0006 STELLAR BUSINESS PARK LOTS 2 & 3, for site layout and building architecture for a new office and warehouse building on approximately 4.3 acres located at the NWC of Chandler Boulevard and Juniper Drive.

14. BOARD AND COMMISSION APPOINTMENT

APPROVED APPOINTMENT of Anika Joshi to the Mayor's Youth Commission.

15. REGIONAL WIRELESS COOPERATIVE: City of Phoenix

AUTHORIZE the payment of operations and maintenance costs, system upgrade agreement, and narrow banding for Fiscal Year 2016/17 to the City of Phoenix for participation in the Regional Wireless Cooperative, in an amount not to exceed $510,756.00.

The agreement provides for an annual operations and maintenance (O&M) fee for the maintenance of approximately 1,000 City of Chandler portable and vehicle radios used by Police; Fire, Health, and Medical; and other City departments. Payments will be made to the City of Phoenix in the amount of $369,421.47. The agreement also includes an annual system upgrade assessment (SUAII) of $141,334.26 to provide ongoing software updates to ensure system compatibility. The total for O&M and SUAII is $510,755.73

16. PROJECT AGREEMENT: Wilson Engineers, LLC

APPROVED Project Agreement No. WW1609.201, to Wilson Engineers, LLC, for design services, for the Lone Butte Wastewater Treatment Plant Screen Replacement, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $49,550.00.

The plant is operated by the City under a lease agreement with the Gila River Indian Community. The screen unit at the Lone Butte WWTP removes large debris from the wastewater before it enters the treatment process. Staff identified the need to replace the screen unit as it is in poor condition, and there is no redundant screen unit.

This project includes design services for the replacement of the existing screen and any accessories associated with the screen system such as the washer compactor, the discharge chute, and the control panel.

The project scope of work consists of: preparing a preliminary design report and construction documents, permitting assistance, and bid services.

17. GENERATOR MAINTENANCE AGREEMENT: Valleywide Generator Service, LLC

APPROVED Agreement No. MU6-936-3653, with Valleywide Generator Service, LLC, for generator maintenance, in an amount not to exceed $458,320.00, for a two-year term, with the option of two additional two-year extensions.

Standby generators are located at facilities throughout the City and require on-going maintenance and repair. Agreement No. MU6-936-3653 provides for periodic maintenance, inspection, and load bank testing. As part of this Agreement, the Contractor will ensure the generators are performing at a rated kilowatt capacity. The additional contingency funding covers any unforeseen repairs that may be necessary during the term on this Agreement.

18. AGREEMENT AMENDMENT: GE Betz, Inc.

APPROVED Agreement No. MU5-885-3431, Amendment No. 2, with GE Betz, Inc., for GE Chemicals, in an amount not to exceed $120,000.00, for a one-year term, September 17, 2016, through September 16, 2017.

The Ocotillo Brine Reduction Facility, located at 3737 S. Price Road, requires the use of specific chemicals for its lime softening process and brine concentrator. GE Betz, Inc., has been supplying these proprietary chemicals that the facility requires. Using other types of chemicals will damage the facility's equipment.

The cost for this purchase will be reimbursed by Intel.

19. AGREEMENT: Roto Rooter Service and Plumbing

APPROVED Agreement No. MU6-914-3663, with Cartright's Drain Service, Inc., Hoffman Southwest Corp., dba Roto Rooter Service and Plumbing, RKS Plumbing and Mechanical, Inc., and Talis Construction Corporation, for plumbing service, in a total combined amount not to exceed $800,000.00, for a two-year term, with the option of one additional two-year extension.
As a result of liability for confined space and landscaping restoration, it was determined the most cost-effective way to repair lateral and main lines is to engage a plumbing contractor. Within 48-hours of notification, the plumbing contractor excavates the area, repairs the damaged line, and restores the landscaping to its original state.

20. AGREEMENT: Wesco Distribution

APPROVED Agreement No. WH6-914-3674 with Wesco Distribution for the purchase of electrical supplies, for the period of August 1, 2016, through July 31, 2017, in an amount not to exceed $175,000.00, with the option of four additional one-year extensions.

The agreement is for the supply of a variety of electrical supplies that are stocked in Central Supply and used by Municipal Utilities, Community Services, Neighborhood Resources, Building & Facilities, and Traffic Engineering. These divisions can also purchase items directly from the recommended supplier. Items available under this agreement include electrical wire, connectors, conduits, ballasts, traffic equipment, and much more.

21. AGREEMENT: Sky Blues

APPROVED Agreement No. CS6-961-3687 with MC Sales & Associates, Inc., dba Sky Blues, for professional softball umpire services, in an amount not to exceed $62,000.00, for one year, September 1, 2016, through August 31, 2017, with the option of four additional one-year extensions.

22. AGREEMENT:

APPROVED Agreement No. MU5-910-3538, Amendment No. 1, with The Shannon S. Martin Company for janitorial services in an amount not to exceed $196,240.00, for the term of August 1, 2016, through July 31, 2017.

23. AGREEMENT:

APPROVED Agreement No. CS3-910-3208, Amendment No. 2, with TD Industries and United Technologies, Inc., dba Uni-Tech, for HVAC repairs, maintenance & service in a total combined amount not to exceed $470,000.00, for a one-year period, July 1, 2016, through June 30, 2017.

24. AGREEMENT: Motorola Solutions, Inc.

APPROVED Annual Agreement with Motorola Solutions, Inc., to support the City of Chandler radio system infrastructure, for Fiscal Year 2016/17, in the amount of $91,350.00.

25. AGREEMENT:

APPROVED AGREEMENT NO. ST6-745-3696, for alley rehabilitation and dust control, with Grey Mountain Construction, LLC, in an amount not to exceed $895,270.00.

The work will consist of lowering the alley grades and replacing removed material with crushed then compacted asphalt millings. The alleys will be sprayed with an asphalt sealer to rejuvenate the binder in the millings. This process will significantly reduce dust emissions in the alleys. Work is scheduled to begin in late summer of 2016 and will be completed within 120 calendar days.

26. CONSTRUCTION CONTRACT: Salt River Project

APPROVED Construction Contract No. ST1602-501, to SRP to accommodate the Ocotillo Road Improvements, Cooper Road to Gilbert Road, for conversion of overhead electric facilities and electric for streetlights, in an amount not to exceed $200,100.00.

This project will complete the roadway widening of Ocotillo Road from Cooper Road to Gilbert Road from two thru lanes to four thru lanes. The improvements will also include bike lanes, curb and gutter, sidewalk, raised landscape median, traffic signals, street lighting, and storm drainage.

Salt River Project will perform the following work: overhead conductor and pole removal; install underground conductor; install streetlight conductor; and all other work incidental to the aforementioned improvements.

The Ocotillo Road project is included in the Maricopa Association of Governments (MAG) FY 2017 Arterial Life Cycle Program for regional reimbursement through Proposition 400. The utility work is scheduled for reimbursement in FY 2018.

27. CONSTRUCTION CONTRACT:

APPROVED Construction Contract No. BF1508.401, to DNG Construction LLC, for the Police Department Forensics and Housing Renovations, in an amount not to exceed $291,497.99.

This project is architectural, structural, mechanical, and electrical site improvements at the existing Police Property and Evidence facility located at 576 W. Pecos Road. The current facility is used by the Special Assignment Unit (SAU) and Forensics divisions of the Police Department. With the relocation of SAU to the renovated PD Hamilton facility, the building will be renovated to allow for expanded use by Forensics and Housing Maintenance Divisions.

The scope of work consists of additional parking spaces, new manual sliding gates, and new masonry walls and fencing to match existing exterior facilities. Interior improvements include minor demolition to construct new walls and finishes to provide designated and separate areas for Police - Forensics and Neighborhood Resources – Housing & Redevelopment.

28. PURCHASE:

APROVED the purchase of flooring services-carpet and vinyl from Continental Flooring, utilizing the Maricopa County Contract No. 16089-C, in the amount of $150,000.00.

The Building and Facilities Division currently has three projects requiring new carpet. The City buildings requiring new carpet are the Tumbleweed Recreation Center Multi-Purpose Room, Desert Breeze Substation and the Police Hamilton Facility. All three buildings have worn or torn carpet and are in need of replacement.

29. PURCHASE:

APPROVED the purchase of unarmed library security services from Surveillance Security, Inc., for the Basha, Downtown, Hamilton, and Sunset library locations in an amount not to exceed $76,840.00.

As part of the FY 16/17 budget process, City Council approved a Decision Package for the Cultural Affairs Division in the amount of $59,500 for security services for the Downtown and Sunset Library locations. Both locations are experiencing an increase in thefts, fighting and other threatening behavior. This has a direct impact on the Library's ability to provide a safe, approachable and inviting environment. Currently, both the Basha and Hamilton Library locations use unarmed security personnel after school and funding for security services at both of those locations is already part of the Library Division's annual budget. This request would combine the existing security services with the approved decision package request and provide funding for all four library locations.

30. PURCHASE:

APPROVED the purchase of annual maintenance for the Tax Mantra system from Tata Consultancy Services, Ltd., sole source, in an amount not to exceed $184,743.00.

The Tax Mantra system is the City's transaction privilege (sales) tax (TPT) collection and licensing software system, providing the administration and processing functionality necessary for collection of almost 50% of the City's General Fund revenues. This maintenance and support provides resolution of technical issues, software fixes, and system upgrades necessary to operate and keep this system current, until the State of Arizona is ready to begin collection of TPT on the City's behalf based on Arizona Revised Statue.

The original five-year maintenance agreement ended July 31, 2010. Because the City's client-based version is approaching obsolescence, in light of the vendor's current web-based platform for this system, the vendor will not enter into long-term maintenance agreements. Therefore ongoing maintenance agreements will only be renewed on an annual basis until the system is upgraded or discontinued.

31. PURCHASE:

APPROVED the purchase of three fully-equipped dispatch consoles, to include hardware and software, utilizing State of Arizona Contract No. ADSPO14-079525, with West Safety Solutions Corp., in the amount of $85,305.55.

The purchase of three fully-equipped dispatch consoles was approved as part of the first and second phases of a three-year expansion to the Police Department's dispatch center. The Police Department's 911 infrastructure is part of a countywide network, supported and maintained by Maricopa Region 911. West Safety Solutions Corp. hardware and software are currently used for 911 phone systems by all police departments in Maricopa County, and it is not recommended that an additional 911 phone vendor be introduced into Chandler's dispatch center.

32. USE PERMIT: ICEV PARKING LOT

APPROVED Use Permit, ZUP16-0006 ICEV PARKING LOT, request Use Permit time extension approval to continue to allow a temporary parking lot on two parcels located north of the northeast corner of Alma School Road and Erie Street and at the northwest corner of Erie Street and Pleasant Drive. Applicant: Syed Huda, Finance Director, ICEV

RECOMMENDATION

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Use Permit subject to conditions.

BACKGROUND

The request is for Use Permit time extension approval to continue to allow a temporary parking lot on two parcels. The larger parking lot is located north of the northeast corner of Alma School Road and Erie Street and the smaller lot is located at the northwest corner of Erie Street and Pleasant Drive. A church, the Islamic Center of the East Valley (ICEV), and single-family homes are directly north of the subject sites. Single-family homes are located east, across Pleasant Drive. South are a commercial complex and a small apartment complex. St. Matthew's Episcopal Church is south of Erie Street. The ICEV and St. Matthew's Episcopal both utilize the parking lots.

This Use Permit addresses the two-year time condition of the June, 2014 Council approved Use Permit which included both parking lots. The two parking lots were initially approved separately. In 2013, the applicant requested to combine the Use Permits for efficiency. The larger parking lot located adjacent to Alma School Road was initially approved in 2011 and the second parking lot, at the northwest corner of Erie Street and Pleasant Drive, was approved in early 2012, both Use Permits had a two-year time condition.

The parking lots are primarily used during the Friday services at ICEV and during the holiday season, but also allow for overflow parking of St. Matthew's Episcopal Church on Sundays. The larger parking lot is designed to provide 148 parking stalls with the smaller parking lot provides 54 spaces. Asphalt milling was recently installed on both lots as a dustproofing measure to address dust associated with the decomposed granite overlay. Striping was added to define drive aisles and parking spaces.

Planning Staff is recommending a two-year time condition to allow for continued monitoring of proper dust management.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.

- A neighborhood meeting was held on May 25, 2016. Attendees included neighbors and members of ICEV and St. Matthew's Church. Questions related to the life-span of the dust control measure and water drainage. The applicant responded that by proper maintenance the overlay should last five years and the milling is porous which should not change drainage patterns.

- Planning Staff received one email indicating support of the request and several phone calls with general inquiries. There is no known opposition to the request. See attached.

The Planning Commission approved the project 6 to 0.

At Study Session, Commissioners discussed the number of time extensions and what is a typical time condition for temporary use permits. Two years is the standard for temporary use permits. The time condition for this request is to continue review of dust abatement, ongoing compatibility, and to confirm movement toward development of the lots. Additional questions related to the long-term use of the property, and the status of the rezoning for office in 2011. Subsequent to the 2011 rezoning, the larger parking lot changed to ICEV ownership, with the intention to master plan the properties.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve Use Permit, ZUP16-0006 ICEV PARKING LOT subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

2. The site shall be maintained in a clean and orderly manner.

3. The Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

33. USE PERMIT: LIVING ROOM WINE CAFÉ & LOUNGE

APPROVED Use Permit, LUP16-0025 LIVING ROOM WINE CAFÉ & LOUNGE, Series 6 Bar License to expand the floor area and continue to sell and serve all types of spirituous liquors as permitted, and continue live entertainment at an existing business located at 2475 West Queen Creek Road, Suite 1, west of the SWC of Queen Creek and Dobson roads.

BACKGROUND

The Living Room Wine Café & Lounge is an existing business located at 2475 West Queen Creek Road, Suite 1, west of the southwest corner of Queen Creek and Dobson roads, in Downtown Ocotillo. The expansion will occupy Suite 5, the former location of Marreel Slater Insurance. Clemente Ranch is the nearest single-family subdivision located to the northeast. The new Cays at Ocotillo condominiums are within Downtown Ocotillo, located to the south. Kindercare and Ocotillo Bay apartments are located at the southeast corner of Dobson and Queen Creek roads. The newly constructed Home2 Suites by Hilton is located north, across Queen Creek Road.

The café and lounge currently operates under a Series 6 Bar license, approved in September, 2011. A condition of the approval stated if expansion to the floor plan is proposed, a new liquor use permit application would be required. The request is for Liquor Use Permit approval to expand the floor area and continue to sell and serve all types of spirituous liquors as permitted under a Series 6 Bar License, and continue live entertainment.

The expansion is approximately 2,676 square feet and provides approximately 80 additional seats. Hours of operation are from 11 a.m. until 10 p.m. Sunday through Thursday, and 11 a.m. until Midnight on Friday and Saturday. Live acoustical performances may occur on Sunday, from 3 p.m. until 7 p.m. and on Monday and Tuesday, from 6 p.m. until 10 p.m. A DJ is scheduled from 7 p.m. until 11 p.m. on Thursday, Friday, and Saturday. An additional menu, featuring Latin fusion and modern Mexican cuisine, is proposed.

Planning Staff is including conditions to address any potential noise from the live entertainment due to the proximity to the new residential condominiums.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 11, 2016. No one other than the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of opposition to the request.

The Planning Commission voted to approve the project 6 to 0.

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0025 THE LIVING ROOM WINE CAFÉ & LOUNGE, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 6 Bar license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

6. No noise shall be emitted from televisions, speakers, or live entertainment so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
7. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
8. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.

34. USE PERMIT: DESERT CIDER HOUSE

APPROVED Use Permit, LUP16-0024 DESERT CIDER HOUSE, Series 13 In-state Farm Winery License to produce and distribute hard cider/apple wine to wholesalers as permitted located at 284 East Chilton Drive, Suite 8, north and west of the NWC of Arizona Avenue and Elliot Road.

BACKGROUND
Desert Cider House is a new business located at 284 East Chilton Drive, Suite 8, north and west of the northwest corner of Arizona Avenue and Elliot Road. Discovery at Daybreak condominiums are the nearest residential development, located to the north. Light industrial uses surround the site.

The request is for Liquor Use Permit approval to produce and distribute hard cider/apple wine to wholesalers as permitted under a Series 13 In-state Farm Winery License. This type of license privileges are based on the quantity of wine produced in a calendar year including, but not limited to, wine production of 200 to 40,000 gallons per year allows producers to sell and deliver their own wine produced on site to Arizona-licensed wholesalers. Initially, the owners anticipate producing about 300 to 500 gallons a month with potential increases of 50 gallons a month for the first few months. The market will drive production quantity of the hard cider/apple wine.

The suite is approximately 902 square feet. The co-owners are the only employees. Production and distribution are dependent on the demand; thus the operators may be on-site a minimum of four hours a day, and from two to three times a week, as needed. Hours of operation are not set or posted on the business as there are no sales to the general public.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notification letter was mailed on June 28, 2016, in lieu of a neighborhood meeting.
- As of the writing of this memo, Planning Staff is not aware of opposition to the request.

The Planning Commission voted to approve the project 6-0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0024 DESERT CIDER HOUSE, subject to the following conditions:
1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 13 In-state Farm Winery license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.

35. LIQUOR LICENSE: Desert Cider House

APPROVED Liquor License, Series 13, for Gregory Steven Asplin, Agent, Desert Cider House LLC, dba Desert Cider House, located at 284 E. Chilton, Suite 8., and a recommendation for approval of State Liquor License No. 13073026, and further, that approval be given for the City of Chandler Series 13, Domestic Farm Winery License No. 163828 L13, for Gregory Steven Asplin, Agent, Desert Cider House LLC, dba Desert Cider House, located at 284 E. Chilton, Suite 8.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 13, Domestic Farm Winery License, the business may serve wine samples and sell wine produced or manufactured on the premises for consumption on or off the premises.

36. USE PERMIT: GINGER MONKEY

APPROVED Use Permit, LUP16-0022 GINGER MONKEY, Series 12 Restaurant License to sell and serve spirituous liquor for on-premise consumption indoors and within an expanded outdoor patio as permitted including live entertainment located at 135 West Ocotillo Road, at the SWC of Arizona Avenue and Ocotillo Road. Applicant: Jackson Armstrong, Ginger Monkey, LLC

BACKGROUND

Ginger Monkey is a new restaurant located at 135 West Ocotillo Road, at the southwest corner of Arizona Avenue and Ocotillo Road. The building is the former Whiskey Rose Saloon, located in Fulton Ranch Towne Center. Hamilton High School is to the north, across Ocotillo Road. Fox Crossing and Fulton Ranch are the nearest single-family subdivisions located to the west and northwest. Commercial retail developments are located to the northeast and southeast.

The building is approximately 6,651 square feet and the outdoor patio is approximately 3,000 square feet, including the expansion. Indoor seating provides approximately 104 dining seats and 61 bar stools. The outdoor patio provides approximately 72 seats. Hours of operation are 11 a.m. to 2 a.m. on Monday through Friday and from 9 a.m. to 2 a.m. on Saturday and Sunday. Live entertainment may include live music on weekends, holidays, and anniversaries. Televisions and a house speaker system provide background music both indoors and outdoors. Showings of children's movies may occur weekly on a portable projection screen placed within the outdoor patio. Planning Staff is including conditions to address any potential noise from the live entertainment due to the proximity of the restaurant to surrounding developments including the high school and single-family subdivisions. Planning Staff also recommends a one-year time limit to allow evaluation of the compatibility of the live entertainment with the surrounding residential and business developments.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an expanded outdoor patio as permitted under a Series 12 Restaurant License, including live entertainment. A Series 12 Restaurant License allows an establishment the on-site sale and serving of all types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 11, 2016. Two residents from Fulton Ranch attended and stated their strong support of the request.

- Planning Staff received a phone call from a representative of Lowe's Home Improvement headquarters who inquired on the percentage of alcohol sales. As of the writing of this memo, Planning Staff is not aware of opposition to the request.

The Planning Commission voted to approve the project 6-0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0022 GINGER MONKEY, subject to the following conditions:
1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
6. No noise shall be emitted from outdoor speakers, televisions, or live entertainment so that it exceeds the general level of noise emitted by uses outside the premises of the business and further will not disturb adjacent businesses and residential areas.
7. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
8. The establishment shall provide a contact phone number of a responsible person (bar owner and/or manager) to interested neighbors to resolve noise complaints quickly and direct.
9. The Liquor Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of the Liquor Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

37. LIQUOR LICENSE: Ginger Monkey LLC

APPROVED LIQUOR LICENSE, Series 12, for Randy Nations, Agent, Ginger Monkey LLC, dba Ginger Monkey, located at 135 W. Ocotillo Road and forward a recommendation for approval of State Liquor License No. 1207A676, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 163857 L12, for Randy Nations, Agent, Ginger Monkey LLC, dba Ginger Monkey, located at 135 W. Ocotillo Road.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

38. SPECIAL EVENT LIQUOR LICENSE: Downtown Chandler Community Foundation

APPROVED Special Event Liquor License for Downtown Chandler Community Foundation for the El Palacio Rockin' Taco Street Fest on Saturday, September 17, 2016, located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

39. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED Special Event Liquor License for Chandler Cultural Foundation for the Get the Led Out event on Sunday, September 25, 2016, located at Chandler Center for the Arts, 250 N. Arizona Avenue. With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

40. SPECIAL EVENT LIQUOR LICENSE: St. Joseph the Worker

APPROVED Special Event Liquor License for St. Joseph the Worker for the Santan Oktoberfest on Saturday, October 1, 2016, located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

41. LIQUOR LICENSE: The Living Room Wine Cafe #1

APPROVED a Permanent Extension Of Premises, Liquor License, Series 6, held by The Living Room Wine Cafe #1 LLC, dba The Living Room Wine Cafe & Lounge, located at 2475 W. Queen Creek Road, Suite 1 and forward a recommendation for approval of a permanent extension of premises for State Liquor License No. 06070581, a Series 6, Bar Liquor License, held by The Living Room Wine Cafe #1 LLC, dba The Living Room Wine Cafe & Lounge, located at 2475 W. Queen Creek Road, Suite 1, and further, that approval be given for the permanent extension to the City of Chandler Liquor License No. 129060 L6.

The Police Department has no objections to the permanent extension of premises. All fees have been paid and the business is in compliance with the City's Tax Code.

42. PRELIMINARY PLAT: Take off Center

APPROVED Preliminary Plat, PPT16-0009 Take Off Center, for a commercial development located at the southeast corner of McQueen and Queen Creek roads. Applicant: Steve Bowser, Helix Engineering

This Preliminary Plat is for a commercial development located at the southeast corner of McQueen and Queen Creek roads that was approved by Council on May 13, 2010, and approved a three-year zoning time extension on September 12, 2013. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve Preliminary Plat PPT16-0009 TAKE OFF CENTER.

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

43. FINAL PLAT: SWC of Arizona Avenue and Pecos Road

APPROVED Final Plat, FPT16-0003 AZ 202, for a retail, office, and hotel development located at the SWC of Arizona Avenue and Pecos Road. Applicant: Adrian Burcham, Hubbard Engineering

It received Preliminary Development Plan approval by City Council in late 2012. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

44. FINAL PLAT: Parkview Place

APPROVED Final Plat, FPT16-0006 Parkview Place, for a 50-lot single-family subdivision located approximately one-half mile south of the SEC of Ocotillo and Basha roads.

It was approved by City Council in January of this year. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

45. FINAL PLAT: Avilla Grace

APPROVED Final Plat, FPT16-0024 AVILLA GRACE, for multi-family residential located west and north of the NWC of Arizona Avenue and Warner Road.

46. DEVELOPMENT AGREEMENT: CAZ 5 Res. #4987

ADOPTED Resolution No. 4987 authorizing the execution of a Development Agreement with CAZ 5 LLC, and CAZ 7 LLC, and authorize the Mayor to sign the Development Agreement.

Douglas Allred Companies is in the process of developing a multiple phase project on property located at Price and Willis Roads named Allred Park Place.

Concurrent with zoning case DVR15-0037 and Ordinance 4704 a Development Agreement is proposed to further the development requirements. The Development Agreement between the City and the Developer will serve to implement the stipulation requirements of the property's PAD Zoning and the Preliminary Development Plan. The Development Agreement restates the development's building height and phasing alternatives that can be determined to be in substantial conformance with the property's PAD Zoning together with the process to reach the determination. Additionally, provisions are included addressing the deed restricted hotel use, the public infrastructure construction phasing, and the building design minimums being consistent with the PAD Zoning Development Booklet representations.

PUBLIC HEARING:

PH1. CHANDLER CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FISCAL YEAR 2015-2016

The Mayor opened the public hearing at 7:16 p.m.

Ms. Amy Jacobson, Housing and Redevelopment Manager reported on the efforts of the Housing Division to provide services to low and moderate income families. Ms. Leah Powell, Director of Community Resources reviewed more specifics on funding and programming.

BACKGROUND: Each year, the City of Chandler is required to publish a Consolidated Annual Performance and Evaluation Report (CAPER) for public comment and submit the final document to the U.S. Department of Housing and Urban Development (HUD). The CAPER report is a required performance report that meets three basic purposes:

- Provides HUD with necessary information for the Department to meet its statutory requirements to carry out Community Planning and Development Programs;
- Provides information necessary for HUD's Annual Report to Congress; and
- Provides the City of Chandler an opportunity to describe to its Citizens the successes in meeting objectives stipulated in the Federal Fiscal Years 2015-2019 Consolidated Plan for its community development programs.

As part of the process for creating the CAPER, the City is required to conduct a 15-day public comment period and a public hearing at a Chandler City Council Meeting. The public comment period for the fiscal year 2015-2016 CAPER runs from August 5, 2016, through August 19, 2016. The public hearing is August 11, 2016. The draft report will be available for review online at www.chandleraz.gov/communitydev during the comment period. In addition, the public is invited to review the draft document at the City of Chandler's Neighborhood Resources Department office or at the Chandler Main Library. The final report will be reviewed by the City Council on September 15, 2016, for approval and will be submitted to HUD on September 30, 2016.

The fiscal year 2015-2016 CAPER has been prepared to meet HUD's requirements for an annual performance evaluation. This report summarizes the City's accomplishments for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs. In addition, the CAPER describes accomplishments of General-Funded human service programs, including activities funded with Acts of Kindness, Social Services Funding (SSF), Youth Enhancement Program (YEP) and Veteran's Transportation funds.

The City strives to holistically address the needs of its neighborhood residents through the provision of a combination of general and federally funded programs. The goal to do so is driven by an ongoing commitment to neighborhoods by the Mayor and City Council. This year, the Mayor hosted two Listening Tour meetings as well as a Homeowner's Association (HOA) Summit. Residents continued to be enthusiastic in their attendance of the Traditional Neighborhood and HOA Academies, which resulted in improved connectivity between the City, the neighborhood and the neighbors. The CDBG funded Chandler Blight Elimination Program continued to address indicators of decline through enhanced code enforcement in the City's low- to moderate-income neighborhoods. The program worked to identify neighborhood blight and benefited a total of 1,700 households. This year 200 households were cited for having code violation and of those cited, 197 homeowners worked to remedy their violation and restore compliance.

Other CDBG projects that are underway are the Gazelle Meadows Park's lighting and fence replacement and Navarette Park restroom replacement. Such improvements helped to maintain focus on improving Chandler's neighborhoods. Also, the construction of playground shade structures at Chandler's public housing sites are in the bid phase for necessary shade for children's play areas.

Housing programs were also an area of emphasis in fiscal year 2015-2016. Programs focused on providing first time homebuyer assistance, assisting existing homeowners with housing rehabilitation and emergency repairs. Sixty low- to moderate-income homeowners were assisted through housing rehabilitation programs, including emergency home repair to improve the housing stock and 5 homebuyer assistance opportunities. The provision of these programs serves to improve the living conditions of residents, while stabilizing neighborhoods. The City continued the Tenant Based Rental Assistance (TBRA) program for homeless individuals and families funded by the HOME program. Twenty-four formally homeless households received rental assistance, supported by case management services with our community partners, Chandler Christian Community Center and Labor Community Service Agency.

In fiscal year 2015-2016, Chandler continued to grow programs and partnerships to assist the homeless. Being the only homeless and family shelter in the East Valley, A New Leaf East Valley Men's Shelter and La Mesita Family Shelter served a total of 60 Chandler individuals and families. Save the Family has also served 55 Chandler families with case management service. For Our City-Chandler Interfaith Homeless Emergency Lodging Program (I-HELP) provided overnight emergency shelter for 324 individuals at faith communities throughout Chandler, which resulted in 7,137 bed nights of shelter. Case management was provided to 225 homeless individuals resulting in the employment of 196 individuals, and the housing of 86. The collaboration with our partners continues to result in enhanced services for Chandler's homeless.

In many areas, the City far exceeded its first year of the Five-Year Plan goals to meet the needs of Chandler's low- and moderate-income residents. During fiscal year 2015-2016, the City allocated $1,120,392 of General Fund resources leveraged federal funds to significantly address additional needs and support 52 programs, including six programs providing 298 victims of domestic violence with shelter and support services, four programs providing 1,077 disabled youth and adults with various services, other programs providing 1,235 seniors with assistance to meet their basic needs, and 6,560 individuals were referred to support services. Through SSF $419,235 was allocated to 22 programs that served 37,927 low- and moderate-income residents.

Chandler continues to be a leader in support of youth services and youth activities. The purpose of the YEP is to provide a catalyst for the development and operation of programs for Chandler youth ages 0-18. The Mayor and City Council are aware of the problems facing today's youth and are committed to funding a variety of programs that provide positive activities. YEP funding is granted to a diverse group of nonprofit organizations located throughout the community. During fiscal year 2015-2016, the City allocated $634,491 to 25 programs that served 42,337 youth and their families.

As there were no comments from the public or the City Council members, the Mayor closed the public hearing at 7:23 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

None.

CURRENT EVENTS:

A. Mayor's Announcements

Rogers Corporation announced they will move their corporate headquarters to Chandler from Rogers, Connecticut.

The Google self-driving car public event in Chandler on Saturday, August 13.

Chandler was among the lowest of the Valley cities in the most recent Cost of Service Study as completed by the City of Tempe.

A reminder of the upcoming August 30th election that includes Proposition No. 493, the Chandler General Plan update.

B. Councilmembers' Announcements

Councilmember Hartke encouraged voters to cast their ballot in the August 30 election.
He announced the next For Our City breakfast will be held September 1, 2016.

Councilmember Sellers commented on the recent visit from Gansu China Chamber of Commerce.

Councilmember Heumann reminded drivers to watch out for children returning to school.

Councilmember Roe extended compliments to the staff for all the daily operations that occur.

C. City Manager's Announcements

Ms. Reed noted the recent refunding of General Obligations Bonds and Excise Tax Revenue Bonds and announced that Fitch, and Moody's has reaffirmed the AAA bond rating for the City. Standard and Poors has confirmed verbally it will also reaffirm. She complimented the leadership of the Mayor and Council and Dawn Lang, Management Services Director in keeping the financial condition high.

Adjournment: The meeting was adjourned at approximately 7:32 p.m.

ATTEST: _____ City Clerk _____ Mayor

Approved: September 12, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 11th day of August 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 12 day of September, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, September 12, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:10 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Glenn Brockman	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Shea Ferguson – Freedom Life Church gave the invocation.

PLEDGE OF ALLEGIANCE: Cub Scout Pack #132 led the Pledge of Allegiance.

CONSENT:

MOVED BY VICE MAYOR SELLERS, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED. MOTION CARRIED UNANIMOUSLY (7-0).

1. MINUTES:

APPROVED:
1a. MINUTES of the Chandler City Council Regular Meeting of August 8, 2016.
1b. MINUTES of the Chandler City Council Study Session of August 8, 2016.
1c. MINUTES of the Chandler City Council Special Meeting of August 11, 2016.
1d. MINUTES of the Chandler City Council Regular Meeting of August 11, 2016.

2. POWER EASEMENT: Well Site on 142nd Street — Ord. # 4712

ADOPTED ORDINANCE NO. 4712, granting a power distribution easement, at no cost, to Salt River Project (SRP) on City property located on 142nd Street, north of Riggs Road, Chandler, Arizona, for equipping a well site.

3. REZONING: Salad and Go — Ord. # 4716

ADOPTED ORDINANCE NO. 4716, DVR16-0012 SALAD AND GO, rezoning from Planned Area Development (PAD) to PAD to remove a zoning condition limiting drive-thrus.

4. EASEMENT: Maintenance and Access Parkview Place Development Ord. #4680

ADOPTED ORDINANCE NO. 4680, granting an Easement, Maintenance, and Access Agreement to Ashton Woods Arizona, LLC, and the Parkview Place Homeowners Association for the Parkview Place Development, located on Basha Road, across from the Snedigar Sports Complex.

INFORMATIONAL:

1. Minutes of the August 17, 2016, Planning and Zoning Commission.

UNSCHEDULED PUBLIC APPEARANCES:

CURRENT EVENTS:

The Mayor announced Current Events would be addressed at the September 15th, City Council meeting.

Adjournment: The meeting was adjourned at approximately 7:14 p.m.

ATTEST: _____ City Clerk _____ Mayor

Approved: October 10, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 12th day of September, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 20 day of October, 2016.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on September 15, 2016

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 5:30 P.M.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Councilmember
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
The following members were absent:	Jack Sellers	Vice-Mayor

Also in attendance: Marsha Reed, City Manager; Nachie Marquez, Assistant City Manager; Marla Paddock, City Clerk; Glenn Brockman, Acting City Attorney, Dawn Lang, Management Services Director; Matt Burdick, CAPA Director; Micah Miranda, Economic Development Director; David Bigos, Mayor & Council Asst.,

2016 Utility Rates and Cost of Service (COS) Study

City Manager Marsha Reed said that in May of 2015 the Council attended a briefing regarding the Cost of Service (COS) and the result was to update the Cost of Service again and come back with a presentation on how to move forward.

Ms. Dawn Lang introduced Rick Giardina, Rafetelis Financial Consultants, who facilitated the preparation of the Cost of Service Analysis.

Ms. Lang reviewed the COS and noted it focused on developing the rates based on FY 16/17 through FY 21/22 financial plan revenue projections.

Background

Mr. Giardina said the cost of providing service changes over time. The last time a cost of service was analyzed was 10 years ago; therefore, it should not be a surprise that there is not alignment. Mr. Giardina noted that in the past the City has done an across the board increase, which is not unusual, but the cost of service from an industry perspective should be reviewed more frequently particularly in a growing community.

He highlighted the changes that affect cost of service include:

- Changes in overall customer class's usage characteristics
- Costs associated with capital projects and expansion. The expansions are then borne by customers who place the average, peak and max hour demands on the system. Hence, the cost for peak demand is borne by those customers who use at peak times.
- Investments in technology, such as the meters and billing system, provide more accurate information to assist in the development of rates.

Mr. Giardina noted that a year ago, the Council decided not to move to COS, but instead there was an across the board increase with the understanding that the COS increase would be revisited a year later in order to see how the customer classes would be impacted and to reach out to those customer classes.

Mr. Giardina noted that the water rate structure was changed from seasonal to a year round rate and that produced great benefits regarding customer understanding and acceptance. Complaint calls about the rate structure have dropped considerably.

Ms. Lang then discussed the revenue requirements and the rate model. She said that increases are proposed in FY 17/18 across water and wastewater, reclaimed and solid waste and in FY 19/20. She also noted that there has been a savings in capital projects, which will have a positive impact on the projected rates.

Councilmember Heumann asked how much CAP water is used and what the increase is. MR. GREGG CAPPS replied this year it is about 23,000 per feet, but rate increases have been projected in the 10 year financial plan - a 10% increase this year and something less than 35% next year. In response to a question from Councilmember Heumann, Mr. Capps said the percentage of CAP water used is about 25%. Ms. Lang noted that future changes like these are incorporated in the rates.

Ms. Lang indicated that the following are rate drivers:

1. Debt service related to growth – as impact fees are not currently available to fund that, utility rates are used and the plan would be that when the impact fees are available they will level out future rate changes. The new capital for Ocotillo and San Tan Vista are the two big joint water projects
2. Debt service related to non-growth are for aging infrastructure
3. Operations and Maintenance

Mr. Giardina that there are three steps in the rate study process:

1. Financial plan – how much do we need?
2. What customer classes should bear responsibility for that cost based on how they use the system?
3. How do they pay?

The intent is to distribute our revenue requirements across the customer classes based on the proportional units of service.

Mr. Giardina reviewed the revenue at existing rates versus the COS results. Primarily due to the length of time between each COS study and much better data, there are two misalignments: single family class is paying too much and landscape service too little. He clarified landscape incudes potable water and where irrigation use is separately metered. He said a much better job has been done in identifying the landscape only accounts. In the past, they were within the single family class and multifamily class.

Mayor Tibshraeny asked what Mr. Giardina was defining as "nonresidential". Mr. Giardina said it is essentially commercial, schools, institutions. Industrial is separate and about 42 customers who are large water users. Councilmember Hartke asked if the landscaping is city parks, school yards and common areas in North Chandler HOAs and Mr. Giardina said yes, essentially, as well

as multi-family that have separate irrigation for green areas including City parks that are not on the reclaim system.

Councilmember Lopez asked if the potable water source is the same for the five classes and Mr. Giardina said yes. Councilmember Lopez asked why there is a difference between single family and landscape service if they are using the same water source. Mr. Giardina said when we design a water system, if everyone used the same amount of water, we would have a system that produces the same water January through December, but no city does. We have customers that have high peak use and that occurs in the summer. That use is predominantly from the single family and irrigation customers, so we have to have a system that has the capacity to handle that increase use. So, if one person uses that same amount each month, that person should not have to pay what the person who irrigates each summer pays. It is the peak requirements that change the rates. Mr. Giardina said the relationships that we have found in the study are similar for most water utilities. The most expensive class to serve is the landscape class and the least expensive class is the industrial.

Mr. Giardina then discussed the reasons for the COS results, compared the alignment to the continued misalignment of the single family and multi-family class and staff's recommendation for alignment.

Councilmember Heumann mentioned the political aspect of this study and asked if jobs and economic development are factored into the data for the increase. Ms. Lang said it could be policy developments. Mr. Giardina said that there is a comparison under the total utility bill (water, sewer, solid waste) that will be shown later in the presentation that can help with that. Councilmember Heumann confirmed the commercial side does not pay the solid waste. Ms. Lang said that they pay a separate bill.

Councilmember Heumann asked if we know the number of HOAs in the north that are on the landscape rate, because although single family will not see the rate increase in their bill, the HOAs will pass the increase down to homeowners by raising fees. Ms. Lang said that there are 622 HOA accounts, but she is not sure how many are in the north and she will look into that. Councilmember Heumann said that it is important to look at that and have a balance as residents may want to plan for landscape changes. He also asked how the department will educate those who incur these increases. Mr. Giardina said that the increase happens over five years and the public outreach and education will occur before the rate change occurs in October 2017. We should reach cost of service alignment in FY2022.

Mr. Giardina then reviewed the five customer classes and the difference between a cost of service increase versus an across the board 4% increase. Ms. Lang noted that even though FY 17/18 would be the first increase, Chandler is still in a very positive position as a city over other municipalities in the Valley.

Mr. Giardina then discussed wastewater misalignment and realignment. He noted that the City does not meter wastewater discharges into the system; estimates are made as to how much water is returned to the system, but there are techniques in estimating this return. Some of those techniques are accepted industry that are tailored to Chandler and working with department staff to ensure that the most accurate data is obtained for each customer class. He also stated that the City does measure the discharges from the few Industrial customers it has and there is data on the flow at the wastewater treatment plants.

Mr. Giardina noted that there is a 9% cost of service increase for FY 17/18, with multi-family being the most misaligned for two reasons. The first is due to pulling landscape customers out of the multi-family class. The second is that almost all of the water used by the multi-family class goes back into the sewer system; whereas ten years ago there was much more irrigation use, thus accounting for the misalignment in the most recent COS.

Mayor Tibshraeny asked if the 9% increase was every year and Mr. Giardina said that there would be a 9% increase in FY 17/18, a 9% in 2020/21 and a 12% assumption in 2021/22. He noted that the multi-family increase is significant, so the department has some considerations over time as the rates increase: a slow impact of COS implementation; additional research of data to determine inside vs. outside usage using new metering technologies; and the update COS after 5 years with necessary adjustments.

Mr. Giardina then reviewed the recommendation to transition COS wastewater rates at a slow pace, which would be 50% of the calculated COS over a 5 years period to minimize impacts; however, even after 5 years, the multi-family class would only be 50% realigned. He added that this transition would be accompanied by outreach and education efforts to stakeholders.

Councilmember Heumann asked how the other 50% would be made up in that 5 years and Mr. Giardina said that the single family class would continue to pay more than they should. Councilmember Heumann said that then decision becomes whether, as more multi-families comes online they pay their actual COS or do we continue to put the cost on the single family class. Mr. Giardina said that is the reason the department is providing the recommendation and options to Council.

Mr. Giardina remarked that the Councilmember made a comment regarding the water bill and what percent of a business's operating budget is that and does it really adversely influence the business. Mr. Giardina noted that he was involved in a study regarding why businesses relocate and of all the factors, (e.g., tax incentives, workforce education and development), water and wastewater were not considerations.

Councilmember Heumann asked if utilities in the Chandler comparison were at the top or bottom of business consideration and Mr. Giardina said the bottom, and they are only at the top if the business is a large water user and those considerations are based on reliability and quantity, not price.

Councilmember Heumann noted that during the discussion of water, the landscape impact did not have a transition like multi-family wastewater; have they researched a similar transition. Mr. Giardina said that they didn't do a comparable transition because that increase was not as severe as the multi-family, but they could go back and provide an alternative for landscape.

Mr. Giardina then discussed reclaimed water rate analysis. Key drivers include: Transition to reclaimed rates that better reflect the cost of service, new reclaimed water fund established beginning FY2016-17; more operating costs have been identified as part of reclaimed water operations; decision to reflect O&M costs in reclaimed rates; capital costs and debt service remain in water/wastewater funds. Projected rate increases include 18% in FY20165-16, 15% in FY2017-18, and 15% in FY2019-20.

Mr. Giardina displayed rate comparisons for reclaimed water vs. landscape. He noted that over time the capital costs will be shifted over to reclaimed, but it is not in the current 5-year plan. Councilmember Heumann indicated that when you look at the math on the reclaimed for a cost to

an Association, the increase over time is not that large per unit. Mr. Giardina said yes, the percentages seem large, but the increase is really only .19 cents over 5 years.

Ms. Lang then discussed solid waste analysis. The key driver is the solid waste collections contract CPI and O&M increases. A 6% increase was implemented in FY2015-16 with a proposed rate increase of 6% in FY2017-18 and 6% in FY2019-20. The recommendation is to keep the existing structure – a flat monthly rate for all covered residences.

Ms. Lang then discussed the utility combined impacts for each class and comparisons with valley cities.

Councilmember Roe asked if comparisons were ever made with similar municipalities in other states and Ms. Lang said occasionally, but they haven't done that recently.

Ms. Lang then discussed the strategy and timeline for the implementation of the COS. She noted the ordinance would be presented to Council in March 2017.

Councilmember Heumann asked why the single family class was missing from the public outreach. Ms. Lang said they are planning on doing larger meetings that may include speaking at neighborhood association meetings.

Ms. Lang then asked the Council for feedback regarding the presentation and the proposal of implementing cost of service, with 50% on the wastewater side and 100% over a 5-year transition on the water side. Mayor Tibshraeny indicated that he liked that people would be charged by what water they use and it was a step in the right direction. Ms. Lang said that the department would continue to look for opportunities to save and try to minimize what their projections are.

Councilmember Heumann stated that the challenge will be on the education component. He suggested that the department look at the landscape component that affects HOA's to make comparisons to really see what the affect is to their residents. He added that the City does not want to have a situation where an HOA cuts back due to the increases so far that the landscape of the HOA is undesirable. It may not be a large increase per home, but it's important to have the data when presenting the information.

Mayor Tibshraeny noted there have been older non HOA neighborhoods that have subsidized those that don't have an HOA or there are HOAs that are receiving reclaimed water that are also subsidizing those landscape uses.

Adjournment: The meeting was adjourned at approximately 6:57 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: December 5, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting/Micro Retreat of the City Council of Chandler, Arizona, held on the 15th day of September 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7 day of December, 2016.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, September 15, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:04 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

Absent and Excused: Vice Mayor Jack Sellers

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Glenn Brockman	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor J.C. Baysinger – Desert Palms Church

PLEDGE OF ALLEGIANCE: Councilmember Hartke led the Pledge.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER ROE TO APPROVE THE CONSENT AGENDA. THE MOTION CARRIED UNANIMOUSLY (6-0).

1. EXCHANGE OF PROPERTY:

INTRODUCED ORDINANCE NO. 4707 authorizing the exchange of a portion of Ellis Street within the Continuum Project, for a parcel owned by the United States of America, in order to relocate an existing irrigation ditch; and, accepting a no cost land use license from Salt River Project over those portions of Ellis Street.

As part of the development of the Continuum Project and the future construction of Mockingbird Drive, it has become necessary to relocate an existing irrigation facility owned by the United States of America (USA). To accomplish this, an exchange of a parcel of land owned by the USA for a parcel of land owned by the City of Chandler (City) is necessary. The City will be receiving approximately 38,725 square feet of USA land in exchange for approximately 900 square feet of City land. Additionally, SRP will grant a land use license to the City over those portions of Ellis Street. Even though the parcels are not of equal size, due to their nature and current use, Staff has determined that they are of the same value for purposes of this exchange.

2. CITY CODE AMENDMENT: E-Cigarette Ord. # 4710

INTRODUCED ORDINANCE NO. 4710 amending City Code Sections 11-7.1, 11-7.2, 11-7.5, 11-7.6 and 11-7.7 of Chapter 11 prohibiting the use of electronic cigarettes inside City owned or occupied buildings and fully authorizing the prohibition against smoking in the exterior areas of the City Hall campus located at Arizona Avenue and Chicago Street.

Chandler City Code currently prohibits smoking within enclosed buildings owned by the City. The proposed amendment would include a ban on the use of electronic cigarettes inside the buildings. Additionally, the proposed amendment fully authorizes the prohibition against any form of smoking in the exterior areas of the City Hall campus located at Arizona Avenue and Chicago Street.

3. CABLE TELEVISION LICENSE: Qwest / CenturyLink Ord. # 4715

INTRODUCED ORDINANCE No. 4715 granting Qwest Broadband Services, Inc. (QBSI), d/b/a/ CenturyLink, a Cable Television License Agreement and Class 6 Cable Television and Related Services License for the City of Chandler.

City Council adopted Ordinance No. 2890 granting US West Communications, Inc., subsequently acquired by Qwest Broadband Services, Inc. (QBSI), a non-exclusive 15-year cable television License Agreement effective November 7, 1998. In 2000, US West Communications, Inc., merged with Qwest Communications, and in 2011, Qwest Communications merged with CenturyLink. Despite the most recent merger, the operating entity for the cable television license remains Qwest Broadband Services, Inc.

During 2014, QBSI upgraded the cables and electronic equipment in their network to launch "Prism TV" - a cable television service that is designed to provide a better experience for the customers. The number of Chandler households subscribing to Prism TV has grown from 500 customers in December 2013, to more than 6,600 customers as of March 2016.

The most recent cable license expired on November 6, 2013, but a provision in the license allowed QBSI to continue to operate under the existing license while the City and QBSI finalized the negotiation of the renewal license. During that time the City updated Chapter 46 of the City Code related to Cable Television Licenses in order to reflect new State Statutes related to such licenses. The City also finalized an audit of the construction compliance of the system's aerial plant. This cable television license renewal, if approved, will be effective as of November 7, 2013, and will expire on November 6, 2028.

The new license incorporates all the changes made in the Chandler Code related to cable television licenses. It establishes a non-exclusive 15-year Cable Television License Agreement between the City of Chandler and QBSI for the continuation of the operation of a system to provide cable television-related services to the City of Chandler and satisfies the license requirements of a Class 6 Cable Television and Related Services License according to Chapter 46 of the Chandler City Code. Of note is that it provides customer service provisions that are more detailed and designed to set the highest levels and standards of service to subscribers within the State of Arizona. The Construction Standards in the Agreement also reflect City Code and Utility Development Manual changes that have occurred over the past 15 years.

4. EASEMENT: Salt River Project Ord. #4717

INTRODUCED ORDINANCE NO. 4717 granting an Irrigation Easement, at no cost, to Salt River Project Agricultural Improvement and Power Distribution District (SRP) within the northern right-of-way of Chandler Boulevard from Alma School Road west to just past Chippewa Place.

5. FACILITY RELOCATION AGREEMENT: SRP Res. 4974

ADOPTED RESOLUTION No. 4974 authorizing a Facility Relocation Agreement with the Salt River Project Agricultural Improvement and Power District (SRP) at the southwest corner of Old Price and

Queen Creek roads. In order to accommodate the development of the Ocotillo Water Reclamation Facility (OWRF) located at the southwest corner of Old Price and Queen Creek roads, it is necessary to relocate power facilities owned by SRP. Staff has confirmed that SRP has prior rights for these facilities. The Facility Relocation Agreement preserves SRP's prior rights and would require the City of Chandler to pay for future relocations of SRP's facilities should that become necessary.

6. HOUSING: Consolidated Annual Performance and Evaluation Report Res. 4984

ADOPTED RESOLUTION NO. 4984 approving the Consolidated Annual Performance and Evaluation Report (CAPER) for the fiscal year 2015-2016 and authorizing the City Manager or her designee to execute and submit the CAPER to the United States Department of Housing and Urban Development.

7. GRANT AGREEMENT: High Intensity Drug Trafficking Area Res. 4988

ADOPTED RESOLUTION NO. 4988 authorizing a High Intensity Drug Trafficking Area (HIDTA) Grant Agreement with the City of Tucson for the provision of investigative services, and authorizing the Chief of Police to sign the Agreement and administer, execute, and submit all documents and other necessary instruments in connection with such Agreement.

8. LICENSE AGREEMENT: SRP Res. 4989

ADOPTED RESOLUTION NO. 4989 accepting a Land Use License from Salt River Project (SRP), on behalf of the United States of America, for a portion of the north side of Chandler Boulevard from Alma School Road East to Evergreen Street that is required for the construction of the City's Alma School Road and Chandler Boulevard Intersection Improvement Project.

In 1909, the Consolidated Canal Company sold a strip of land to the United States of America (USA) for an irrigation canal that runs along the north side of Chandler Boulevard east of Alma School Road. To accommodate the construction of the Alma School Road and Chandler Boulevard Intersection Improvement Project (the "Project"), and because that relocation of the USA irrigation facilities that is currently piped underground in this area is not necessary, SRP has agreed to provide a Land Use License to the City of Chandler, on behalf of the USA that will allow Chandler Boulevard to continue to be used over the USA irrigation pipe. The acceptance by the City of the Land Use License will save the City a great deal of time and money on the Project.

9. COUNCIL MEETING SCHEDULE CY 2017: Res. 4991

ADOPTED Resolution No. 4991 setting the 2017 City Council meeting schedule.

10. BENEFITS: Employee Eligibility Res. 4995

ADOPTED RESOLUTION NO. 4995 adopting a statement of Employee Eligibility to be included as part of the City's Employee Benefits Program and Plans.

11. DEVELOPMENT PLAN: STELLAR BUSINESS PARK LOTS 2 & 3,

APPROVED Preliminary Development Plan approval for site layout and building architecture for a new office and warehouse building on an approximate 4.3-acre site at the northwest corner of Chandler Boulevard and Juniper Drive. Applicant: Robert Winton, Winton Architects

The request was continued from the August 11, 2016, City Council meeting in order to update the building elevations based on comments provided by the Planning Commission during their study session of the July 20, 2016, Planning Commission meeting. The elevations have been updated according to the provided comments.

Upon finding the request to be consistent with the General Plan and Planned Area Development zoning, Planning Commission and Planning Staff recommend approval subject to conditions.

BACKGROUND
The 4.3-acre site is located at the northwest corner of Chandler Boulevard and Juniper Drive within the larger 30-acre Stellar Business Park. West is a five building development and north is vacant land that is part of the Stellar Business Park. East is vacant land zoned for office, warehouse, and retail uses as part of the Chandler Corporate Center. The site received zoning in 2001, with an amendment clarifying the permitted uses in 2005.

The request is for PDP approval for site layout and building architecture for a new office and warehouse building. The building is set on the west side of the property, as an over flight clear zone covers the entire east side of the site. Due to this, effectively development can only occur on the west side of the site resulting in a design that places the front of the building facing west. While buildings are not allowed within the clear zone, any parking and retention areas can be located within the area.

The building mimics the architecture of the five original buildings in the Stellar Business Park to the west, utilizing concrete tilt-up construction. Architectural interest is provided by using the same color palette and scoring patterns of the buildings to the west. Additionally, aluminum band elements wrap the corners of the front side of the building. The aluminum band elements are further carried over the entrances. A large floor to roof glass wall is provided central to the front elevation, an element consistent with the original buildings. Lastly, the main entry drive off of Chandler Boulevard is shared with the buildings to the west, effectively making this site phase two.

Planning Staff supports the request citing that the design team has provided an attractive development that corresponds with the adjacent development but also provides a solution to the difficult development constraints placed on the site due to the clear zone area. Furthermore, the design team has provided a design consistent with the adjacent buildings and larger business park development in the area.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- Due to the location of the site and development proposed, a neighborhood meeting was not held; however, letters were sent to all property owners and registered neighborhood organizations consistent with notification requirements. Additionally, the development team met with the Stellar Airpark Manager to discuss the request.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition to the request.

The Planning Commission voted 6-0 to approve the project.

Two Commissioners recommended modifications to the eastern elevation due to visibility from Chandler Boulevard; the current design represents the updated elevations.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:
1. Development shall be in substantial conformance with the Development Booklet, entitled "STELLAR BUSINESS PARK LOTS 2 & 3" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0006, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Landscaping shall be in compliance with current Commercial Design Standards.

3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

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

7. The outdoor storage of materials shall be prohibited.

12. ELECTION RESULTS:

ACCEPTED the canvass of the results of the City of Chandler Primary Election on August 30, 2016.

13. MEMBERSHIP FEE: Valley Metro Rail, Inc.

AUTHORIZED payment of the Fiscal Year 2016/17 annual membership fee for Valley Metro Rail, Inc., (METRO), in the amount of $50,000. In 2007, the City of Chandler joined METRO. This enables the City to participate in the planning and design of the regional light rail system and future light rail extensions that could serve Chandler. The annual fees are for membership in the organization, administrative costs, and approximately 50% have been used for studies.

14. CITY BENEFIT PROGRAMS:

AUTHORIZED the administration of statutorily and self-administered City benefit programs to include cancer insurance, retirement for civilian, public safety and elected officials, an long term disability for benefit plan year 2017, effective January 1, 2017.

15. BOARD AND COMMISSION APPOINTMENTS:

APPROVED the appointment of: Renee Levin to the Chandler Cultural Foundation Management Board; Terry Locke and David Moss to the Economic Development Advisory Board; Maxine Proctor-Hammond to the Library Board; and Romina Ryals to the Neighborhood Advisory Committee.

16. AGREEMENT: Utility Construction Company, Inc.

APPROVED Amendment No. 3 to Agreement No. TD4-968-3404, with Utility Construction Company, Inc., for streetlight pole replacement, in an amount not to exceed $225,000, for one year.

17. AGREEMENT: Arizona Water Works Supply

APPROVED Amendment No. 1 to Amendment No. 1 to Agreement No. WH6-890-3568, with Arizona Water Works Supply, for non-pop valve lids, in an amount not to exceed $100,000, for the term of September 1, 2016, through August 31, 2017.

18. EMPLOYEE MEDICAL BENEFITS: Blue Cross Blue Shield of Arizona

APPROVED Amendment No. 1 to Agreement No. HR5-948-3502, with Blue Cross Blue Shield of Arizona (BCBS), for group medical benefits, group pharmacy benefits, and stop loss insurance, in an amount not to exceed $900,000, for one year, January 1, 2017, through December 31, 2017.

The City's medical benefit is reviewed throughout the year by staff with collaboration and input from the Citywide Healthcare Task Force (HCTF) and the City's benefit consultant. As part of the ongoing efforts to manage the increasing cost of healthcare, staff and the HCTF reviewed the City's utilization of pharmaceutical benefits. As a result, there are proposed changes to the prescription drug portion of the plan. There are slight increases in copayments for tiers two (2) and three (3). In addition, a fourth tier for the prescription drug plan will be added, which will include high cost drugs that have a lower cost equivalent in one of the lower tiers. The copayment for prescription drugs will change from $10/$20/$40, to the proposed structure of $10/$30/$50/$100. The specialty drug component of the plan currently includes only injectable drugs. This component will be expanded to include other specialty drugs. This expansion will also result in improved safety and compliance measures with additional clinical resources working with each patient to ensure proper dosage, and monitoring of possible interactions with other prescriptions. Staff recommends the City continue to contract with BCBS to provide the administration of the City's group medical and pharmacy program to include customer service support, administrative services, network contracts, clinical programs, pharmacy benefit management services, and stop loss coverage. With the incorporation of the proposed pharmacy changes, there will be no increase in premiums for the 2017 plan year.

19. EMPLOYEE DENTAL BENEFIT: Delta Dental of Arizona

APPROVED CY 2017 Amendment to the Agreement with Delta Dental Plan of Arizona, Inc., for the dental insurance benefit, in an amount not to exceed $105,000, for one year, January 1, 2017, through December 31, 2017.

20. LONG TERM DISABILITY INSURANCE: Anthem Life Insurance Company

APPROVED CY 2017 Amendment to the Agreement with Anthem Life Insurance Company, for the long-term disability insurance benefit for public safety personnel, in an amount not to exceed $145,000, for one year, January 1, 2017, through December 31, 2017.

21. LIFE INSURANCE: Voya Financial

APPROVED CY 2017 Amendment to the Agreement with Voya Financial, for life insurance, in an amount not to exceed $775,000, for one year, January 1, 2017, through December 31, 2017.

22. INSURANCE: Liberty Mutual

APPROVED CY 2017 Amendment to the Agreement with Liberty Mutual Insurance Company, Inc., for discounted group coverage for home and auto insurance, for one year, January 1, 2017, through December 31, 2017.

23. FLEXIBLE SPENDING ACCOUNT AGREEMENT: Flexible Benefit Administrators, Inc.

APPROVED CY 2017 Amendment to Agreement No. HR5-953-3517, with Flexible Benefit Administrators, Inc., for flexible spending account administration, in an amount not to exceed $12,000, for one year, January 1, 2017, through December 31, 2017.

24. SHORT TERM DISABILITY PROGRAM: Matrix Absence Management, Inc.

APPROVED CY 2017 Amendment to the Agreement with Matrix Absence Management, Inc., for administration of the short-term disability income benefit plan and Family Medical Leave Act administration services, in an amount not to exceed $75,000, for one year, January 1, 2017, through December 31, 2017.

25. VISION INSURANCE: Vision Service Plan Insurance Company

APPROVED CY 2017 Amendment to the Agreement with Vision Service Plan Insurance Company, for the vision insurance benefit, in an amount not to exceed $410,000, for one year, January 1, 2017, through December 31, 2017.

26. AGREEMENT: Innovations Incubator Management

APPROVED Amendment No. 1 to Agreement No. CM5-918-3561, with the Northern Arizona Technology and Business Incubator Inc., dba Northern Arizona Center for Entrepreneurship and Technology (NACET), for Innovations Incubator management services in a not to exceed amount of $250,000 for a one-year period, October 1, 2016, to September 30, 2017.

27. EMPLOYEE ASSISTANCE PROGRAM: E4 Health

APPROVED CY 2017 Amendment 1 to Agreement No. HR5-948-3528, with E4 Health, Inc., for the employee assistance program, in an amount not to exceed $38,000, for one year, January 1, 2017, through December 31, 2017.

28. BMW POLICE MOTORCYCLE PARTS/REPAIR: GO AZ Motorcycles

APPROVED Agreement No. FD6-071-3688, with LZ Delta LLC., dba GO AZ Motorcycles, for Police BMW motorcycle parts, maintenance and repair, in an amount not to exceed $100,000, for a two-year term, December 1, 2016, through November 30, 2018, with the option of one two-year extension.

29. VEHICLES:

APPROVED Agreement No. AS7-071-3712, for the purchase of light duty trucks and Sport Utility Vehicles (SUVs), with PFVT Motors in an amount of $130,966.79, San Tan Auto Partners; LLC, dba

San Tan Ford in an amount of $442,941, and Courtesy Chevrolet in an amount of $55,513.21, for a total amount of $629,421.00. This request is for 26 light duty trucks and SUVs.

30. AGREEMENT: Dick Fritsche Design

APPROVED a Project Agreement to Dick & Fritsche Design Group, for design services, for Center for the Arts Bathroom Renovations, Project No. BF1703.201, pursuant to Annual Architectural Services Contract, No. EN1503.101, in an amount not to exceed $47,160.00.

The Chandler Center for the Arts is located at 250 N. Arizona Avenue and was built in 1989. In 2010, portions of the building were renovated but the public restrooms have not had any significant upgrades since the opening. Renovations to the existing two sets of public restrooms totaling approximately 2,200 square feet are proposed to ensure accessibility in compliance with the Americans with Disabilities Act, while enhancing aesthetics with new toilet partitions, finishes, tile, mirrors, and hand dryers. Upgrades and improvements also include new low water use plumbing fixtures, addition of isolation valves to allow for current and future work, and low energy light fixtures.

The scope of work consists of design development documents, site and coordination meetings, construction documents, and bidding assistance.

31. AGREEMENT: Dibble & Associates

APPROVED A Project Agreement to Dibble & Associates Consulting Engineers, Inc., an Arizona corporation dba Dibble Engineering, Inc., for design services, for the North Alma School Water Production Facility Abandonment, pursuant to Annual Water and Wastewater Services Contract No. EN1520.101, Project No. WA1607.201, in an amount not to exceed $51,365.

The North Alma School Water Production Facility (WPF) is located at 3202 N. Alma School Road and was taken out of service in 2004 after the onsite well was abandoned and structural issues were discovered with the small onsite reservoir. Several months ago, City staff began working with Salt River Project (SRP) to drill a new well on this site and abandon the existing SRP well site located at the northwest corner of Alma School and Elliot Roads.

A new well site located at the North Alma School WPF site will be vital in providing the future water supply for increased population densities in north Chandler. The new well will be shared with SRP under the existing Water Delivery Use Agreement. A Design and Construction Agreement with SRP will be brought forward for City Council approval of the well drilling and equipping costs and to exchange ownership of the North Alma School WPF site with SRP.

32. AGREEMENT: Dibble & Associates

APPROVED a Project Agreement to Dibble & Associates Consulting Engineers, Inc., an Arizona corporation dba Dibble Engineering, Inc., for Sewer Assessment Services, pursuant to Annual Water and Wastewater Services Contract No. EN1520.101, Project No. WW1611.201, in an amount not to exceed $455,535.

The 2008 Wastewater Master Plan identified an ongoing need to evaluate, prioritize, and repair sewer lines and manholes within the City's collection system. This project will evaluate the structural condition of the sewer collection system. The findings will help prioritize rehabilitation or replacement of wastewater sewer lines and manholes. Sewer infrastructure will be inspected through closed circuit television, 3D optic scanner, and manned entry. This work will focus on arterial streets and other critical sewer facilities. As a result of this study, wastewater facility rehabilitation projects will be brought forward in the future for City Council consideration.

33. AGREEMENT AMENDMENT: Environmental Earthscapes / The Groundskeeper

APPROVED Amendment No. One to Agreement No. PM6-988-3565, with Environmental Earthscapes, dba The Groundskeeper, for park mowing services, in an amount not to exceed $376,000 for the term of September 1, 2016, through August 31, 2017.

34. AGREEMENT AMENDMENT: Municipal Emergency Services, Inc.

APPROVED Amendment No. 6 to Agreement No. FD3-340-3133 with Municipal Emergency Services, Inc., (MES) for fire protective clothing and uniforms, for a not to exceed amount of $593,300, for the term of September 15, 2016, through September 14, 2017.

35. TOWING CONTRACT AMENDMENT: ACT Towing

APPROVED Amendment No. 2 extending Agreement No. PD3-968-3140, for police towing service, with ACT Towing, LLC, dba All City Towing, for a two-year term, January 1, 2017, through December 31, 2018.

36. CONSTRUCTION CONTRACT: DNG LLC

APPROVED Construction Contract to DNG LLC, for Fire Station No. 3 Bathroom Remodel, Project No. BF1602.401 in an amount not to exceed $258,225.29; and authorize a budget transfer in the amount of $108,225.29 from the General Government Capital Project Fund, Fire Capital Other Equipment Fire Station #1 Relocation Project to the General Government Capital Project Fund, Buildings & Facilities Capital Construction Building & Facilities Existing City Building Repair and Maintenance Account.

37. CONTRACT: Green & Baker, LTD

APPROVED contract with Green & Baker, Ltd., to provide legal services related to Merit System Board appeal hearings for the period of September 16, 2016, through September 15, 2018. It has been determined to be in the City's best interest to employ outside counsel to represent the Department in certain Merit System Board hearings when the disciplinary matters, employees, or issues involved raise potential conflicts for the attorneys in the City Attorney's Office.

38. CONTRACT: Dibble Engineering

APPROVED Annual Contract for Airport Design and Construction Management Services, Contract. EN1701.101, with Dibble Engineering, in an amount not to exceed $500,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Design and Construction Management Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

39. CONTRACT: Armstrong Consultants, Inc.

APPROVED Annual Contract for Airport Design and Construction Management Services, Contract. EN1702.101, with Armstrong Consultants, Inc., in an amount not to exceed $500,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Design and Construction Management Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will

rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

40. CONTRACT: Coffman Associates, Inc.

APPROVED Annual Contract for Airport Planning Services, Contract. EN1703.101, with Coffman Associates, Inc., in an amount not to exceed $300,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Planning Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

41. CONTRACT: Mead & Hunt, Inc.

APPROVED Annual Contract for Airport Planning Services, Contract. EN1704.101, with Mead & Hunt, Inc., in an amount not to exceed $300,000 per year, for a two (2) year term; with the option of one (1) additional two (2) year term extension.

Staff anticipates needing services related to Airport Planning Services in support of the Capital Improvement Program. Dependent upon the Airport project needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

42. CONTRACT: Crescent Electric Supply Company

APPROVED Agreement No. TD6-285-3639, with Crescent Electric Supply Company, for the one-time purchase of LED luminaires, for a total amount not to exceed $362,119.

Traffic Engineering has a program to retrofit, on a Citywide basis, street lights with LED units that are more energy efficient, require less maintenance, and provide a pleasing white color rendition. For FY16-17, we will be retrofitting street light luminaires at all traffic signals in the City for a total of 746 units. Given the large quantity pricing, we will purchase an additional 30 units for spot replacements elsewhere in the City to ensure consistency with other LED installations done through development projects. This project is anticipated to save the City $59,000 per year in energy costs, with a Return on Investment of less than five years. The LED street lights have a five year warranty, and rated life of 15 years.

43. PROJECT AGREEMENT: DNG Construction, LLC

APPROVED Staff a Project Agreement with DNG Construction, LLC, for Dakota Street Improvements Phase I, San Marcos Place Landscape, Project No. ST1511.401, pursuant to Job Order Contracting (JOC) General Construction Services Contract No. JOC1602.401, in an amount not to exceed $145,515.

The City of Chandler entered into an improvement agreement with San Marcos Hotel, LLC, that was fully executed on July 7, 2015, regarding the extension of Dakota Street from Buffalo Street to Commonwealth Avenue through the hotel property. As consideration for the dedication of the Dakota Street right of way by the hotel, the City agreed to construct improvements along the west side of San

Marcos Place adjacent to the hotel. The right of way to be dedicated for the Dakota Street extension was valued at $208,000 by an independent appraiser at that time.

The proposed improvements include the removal of eight parking spaces which will be replaced with hardscape and landscape improvements and required ADA accessibility upgrades.

The design of this project was coordinated with the stakeholders including San Marcos staff and the Downtown Chandler Community Partnership (DCCP).

44. CONTRACT: Wright Engineering Corporation

APPROVED a Professional Services Contract to Wright Engineering Corporation, for a traffic signal on Gilbert Road at Powell Place, Project No. ST1615.201, in an amount not to exceed $38,820.00.

The project scope includes the design of the traffic signal, the American with Disabilities Act (ADA) improvements, ADA analysis of the approaching sidewalks, and realignment of the onsite driveway to Powell Place.

45. CONTRACT: APS

APPROVED a design-construction contract to APS for Downtown Infrastructure Improvements, Contract No. WW1506.501, in an amount not to exceed $458,622.33.
Downtown redevelopment projects require underground conversion of overhead utility lines on Site 6, Oregon Street, Oregon Alley, Boston Alley, and Chicago Streets. .

46. CONTRACT: CenturyLink, Inc.

APPROVED a design-construction contract to CenturyLink, Inc. for Downtown Infrastructure Improvements, Contract No. WW1506.503, in an amount not to exceed $49,799.05.

Downtown redevelopment projects require underground conversion of overhead utility lines on Site 6, Oregon Street, Oregon Alley, Boston Alley, and Chicago Streets. The project scope of work consists of the design-construction for the conversion of the CenturyLink overhead communications lines.

47. CONTRACT: Cox Communications

APPROVED a design-construction contract to Cox Communications for Downtown Infrastructure Improvements, Contract No. WW1506.502, in an amount not to exceed $45,000.00.

Downtown redevelopment projects require underground conversion of overhead utility lines on Site 6, Oregon Street, Oregon Alley, Boston Alley, and Chicago Streets. The project scope of work consists of the design-construction for the conversion of the Cox Communications overhead communications lines.

48. CONTRACT AMENDMENT: Dieterich Architectural Group, Inc.

APPROVED Contract Amendment No. 1 extending Annual Architecture Services, Contract No. EN1502.101, with Dieterich Architectural Group, Inc., in an amount not to exceed $150,000 per year, for a two (2) year term.

Staff anticipates needing services related to Architecture Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the option to renew for a single two (2) year term. Dependent upon the project architecture needs, work will rotate among three (3) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

49. CONTRACT AMENDMENT: Dick & Fritsche Design Group

APPROVED Contract Amendment No. 1 extending Annual Architecture Services, Contract No. EN1503.101, with Dick & Fritsche Design Group, in an amount not to exceed $150,000 per year, for a two (2) year term.

Staff anticipates needing services related to Architecture Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the option to renew for a single two (2) year term. Dependent upon the project architecture needs, work will rotate among three (3) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

50. CONTRACT AMENDMENT: Taylor Rymar Corporation

APPROVED Contract Amendment No. 1 extending Annual Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services, Contract No. EN1514.101, with Taylor Rymar Corporation, in an amount not to exceed $200,000 per year, for a two (2) year term.

Staff anticipates needing services related to Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the option to renew for a single two (2) year term. Dependent upon the project facilities engineering and mechanical, plumbing, and electrical engineering needs, work will rotate among three (3) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

51. CONTRACT AMENDMENT: MSA Engineering Consultants

APPROVED Contract Amendment No. 1 extending Annual Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services, Contract No. EN1515.101, with Melroy Engineering, Inc., dba MSA Engineering Consultants, in an amount not to exceed $200,000 per year, for a two (2) year term.

52. CONTRACT AMENDMENT: Spectrum Engineers, Inc.

APPROVED Contract Amendment No. 1 extending Annual Facilities Engineering and Mechanical, Plumbing, and Electrical Engineering Services, Contract No. EN1516.101, with Spectrum Engineers, Inc., dba Spectrum Engineers and Total Building Commissioning, in an amount not to exceed $200,000 per year, for a two (2) year term.

53. CONTRACT AMENDMENT: Ninyo and Moore

APPROVED Contract Amendment No. 1 extending Annual Environmental Services, Contract No. EN1507.101, with Ninyo and Moore, in an amount not to exceed $100,000 per year, for a two (2) year term.

54. CONTRACT AMENDMENT: AMEC Foster Wheeler Environment Infrastructure, Inc.

APPROVED Contract Amendment No. 2 extending Annual Environmental Services, Contract No. EN1509.101, with AMEC Foster Wheeler Environment Infrastructure, Inc., in an amount not to exceed $100,000 per year, for a two (2) year term.

55. CONTRACT AMENDMENT: Aztec Engineering Group, Inc.

APPROVED Contract Amendment No. 1 extending Annual Civil Engineering Services, Contract No. EN1505.101, with Aztec Engineering Group, Inc., in an amount not to exceed $300,000 per year, for a two (2) year term.

56. CONTRACT AMENDMENT: Southwest Ground-water Consultant

APPROVED Contract Amendment No. 4 extending Annual Hydrogeological Services, Contract No. EN1203.101, with Southwest Ground-water Consultant in an amount not to exceed $500,000.

57. CONTRACT AMENDMENT: J2 Engineering & Environmental Design, LLCD

APPROVED Contract Amendment No.1 extending Annual Landscape Services, Contract No. EN1510.101, with J2 Engineering & Environmental Design, LLC, in an amount not to exceed $300,000 per year, for a two (2) year term.

58. CONTRACT AMENDMENT: Gavan & Barker, Inc.

APPROVED Contract Amendment No. 2 extending Annual Landscape Services, Contract No. EN1511.101, with Gavan & Barker, Inc., in an amount not to exceed $350,000 per year, for a two (2) year term.

59. CONTRACT AMENDMENT: Environmental Planning Group, LLC

APPROVED Contract Amendment No. 1 extending Annual Landscape Services, Contract No. EN1512.101, with Environmental Planning Group, LLC, in an amount not to exceed $150,000 per year, for a two (2) year term.

60. CONTRACT AMENDMENT: Olsson Associates, Inc.

APPROVED Contract Amendment No. 1 extending Annual Landscape Services, Contract No. EN1513.101, with Olsson Associates, Inc., in an amount not to exceed $100,000 per year, for a two (2) year term.

61. CONTRACT AMENDMENT: Wilson Engineers, LLC

APPROVED Contract Amendment No.1 extending Annual Water/Wastewater Services, Contract No. EN1517.101, with Wilson Engineers, LLC, in an amount not to exceed $1,500,000 per year, for a two (2) year term.

62. CONTRACT AMENDMENT: Carollo Engineers, Inc.

APPROVED Contract Amendment No.1 extending Annual Water/Wastewater Services, Contract No. EN1518.101, with Carollo Engineers, Inc., in an amount not to exceed $1,500,000 per year, for a two (2) year term.

63. CONTRACT AMENDMENT: CH2M Hill Engineers, Inc.

Contract Amendment No.1 extending Annual Water/Wastewater Services, Contract No. EN1519.101, with CH2M Hill Engineers, Inc., in an amount not to exceed $1,500,000 per year, for a two (2) year term.

64. CONTRACT AMENDMENT: Stantec Consulting Services, Inc.

APPROVED Contract Amendment No. 1 extending Annual Water/Wastewater Services, Contract No. EN1521.101, with Stantec Consulting Services, Inc., in an amount not to exceed $750,000 per year, for a two (2) year term.

65. CONTRACT AMENDMENT: AZTEC Engineering Group, Inc.

APPROVED Contract Amendment No. 1 extending Annual Water/Wastewater Services, Contract No. EN1523.101, with AZTEC Engineering Group, Inc., in an amount not to exceed $750,000 per year, for a two (2) year term.

66. EQUIPMENT PURCHASE: TYMCO, Inc.

APPROVED approve the utilization of the Houston-Galveston Area Council of Governments (HGAC) contract with TYMCO, Inc., for purchase of a regenerative air street sweeper, in the amount of $229,723.47.

67. EQUIPMENT PURCHASE: Sanderson Ford

APPROVED the utilization of Arizona State Contract No. ADSPO14-063240, with Sanderson Ford, for the purchase of a cab and chassis with aerial device, in the amount of $119,039.18.

68. EQUIPMENT PURCHASE: Creative Bus Sales, Inc.

APPROVED the utilization of the State of Arizona Contract ADSPO16-1022778, with Creative Bus Sales, Inc., for the purchase of one (1) 14-passenger wheelchair accessible bus in the amount of $60,658.

69. PURCHASE OF VEHICLES: Police

APPROVED the use of the State of Arizona Contract ADSPO12-001167, for the purchase of undercover vehicles, from Chapman Ford in an amount of $23,141.92, Courtesy Chevrolet in an amount of $52,767.70, Larry Miller Dodge in an amount of $25,964.32, Larry Miller Toyota in an amount of $78,673.97, Midway Nissan in an amount of $70,458.84, and Sanderson Ford in an amount of $21,345.87, for a total amount of $272,352.62.

70. PURCHASE OF VEHICLES: Citywide

APPROVED use of the State of Arizona Contract No. ADSPO12-001167 and ADSPO14-063420, for the purchase of medium duty trucks and vans, from Larry Miller Dodge, in the amount of $26,656.40, and Sanderson Ford, in the amount of $465,730.64, for a total amount of $492,387.04; and authorize the transfer of $1,440 from the Vehicle Replacement Fund, Non-Departmental Contingency Account) to the Vehicle Replacement Fund, Print, Mail, and Graphics Motor Vehicle Account .

71. CONTRACT FOR SERVICES: Level 3

APPROVED the utilization of the State of Arizona Contract No. ADSPO15-096675, with Level 3, for DDoS protection services, in the amount of $60,000.

Distributed Denial of Service (DDoS) attacks are computer based hacking attacks over the Internet that flood Internet connections with traffic and cause service availability outages to external facing web services and systems. The City of Chandler was subjected to one of these attacks in March of 2015,

which brought down our external facing web services and employee access to the Internet for about 2.5 hours. There are technology providers who provide services to protect the City's Internet connections from these attacks and allow for City services to continue uninterrupted. These DDoS protection services capture and scrub away the bad attack traffic before reaching City routers and firewalls and then sends Chandler clean and wanted traffic destined for our external facing web servers.

This need was identified in the FY16-17 budget process jointly between Law and Information Technology and a decision package was submitted, approved, and adopted utilizing ongoing funding in the Insured Liability Self Insurance Fund.

City staff has spent considerable time reviewing options for this service and recommend utilizing the services of Level 3. They provide the most robust solution and best value for the cost. The City currently utilizes Level 3 for Internet connectivity. This service is renewable annually.

72. EQUIPMENT PURCHASE: vCore

APPROVED the utilization of the State of Arizona Contract No. ADSPO16-100284, with vCore, for the purchase of servers and network storage equipment, in the amount of $603,316.

The City of Chandler Police Department originally began implementation of their Records Management System (RMS) and Computer Aided Dispatch System (CAD) in FY 10/11. The server and storage equipment has reached end of life and capacity and is due for replacement.

The City has standardized on EMC Storage technologies coupled with VMWare server and desktop virtualization in order to provide the most efficient and supportable solutions for City services. These technologies are used to support critical Citywide services including the Police Department's Versaterm CAD/RMS suite of products.

The recommended solution design is comparable to the current implementation with increases in performance and capacity to meet future needs while supporting today's requirements.

73. PURCHASE: Dell Marketing LP

APPROVED the utilization of the State of Arizona Contract No. ADSPO16-098163, with Dell Marketing L.P., for laptop computers and peripherals, in the amount of $263,068.

The City of Chandler annually reviews the reliability and need for replacement of laptop computers after five years of use and monitors after seven years of use. As part of this review, several laptop computers and associated peripherals have been identified for replacement during FY 16/17. Departments are already experiencing outages and slowdowns due to equipment limitations/failures. These units have reached the end of their usable life and are no longer serviceable.
Dell Computers have been the standard for desktop and laptop computers for the City since 2007 when they were selected after comparing their offerings to other competitors. Using a single provider for these devices allows for better support and management in several ways: a single software image can be applied to all devices; technicians only need to become experts at limited number of different devices; lower quantities of different replacement parts need to be stocked; and devices can easily be swapped or moved as required.
By aggregating annual purchases into a single order, the City was able to negotiate a much larger discount than would normally be provided. This purchase includes the following items:

13 dispatch computers for Police Department
108 Monitors
10 External DVD drives
84 laptops (44 standard, 33 rugged, 7 semi-rugged)
15 laptop docking stations

74. WITHDRAWN - USE PERMIT: Premium Coach Group

WITHDRAWN – ZUP16-0009 Use Permit approval for a recreational vehicle sales, service, and storage business within a Planned Area Development (PAD) zoned district that allows for business park uses at 1825 E. German Road, west of the southwest corner of Germann and Cooper roads

The applicant requests withdrawal of the Use Permit request as they no longer plan to operate at this location. Accordingly, Planning Commission and Planning Staff recommend a withdrawal.

75. LIQUOR USE PERMIT: Dirty Blonde Tavern

APPROVED Liquor Use Permit, LUP16-0015 DIRTY BLONDE TAVERN approval to continue to sell and serve all types of spirituous liquors for on-premise consumption indoors and within an outdoor patio, as permitted under a Series 6 Bar License. The request includes continuing live entertainment indoors at 4929 W. Chandler Boulevard, Suite 12, the southeast corner of Chandler Boulevard and Rural Road. (Applicant: Amy Nations, Arizona Liquor Industry Consultants for Stapleton Entertainment LLC)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND
Dirty Blonde Tavern is an existing business located at 4929 W. Chandler Boulevard, Suite 12, the southeast corner of Chandler Boulevard and Rural Road. The bar currently operates under a Series 6 Bar license and received Liquor Use Permit approval on April 30, 2015, with a time condition of one year.

The request is for Liquor Use Permit approval to continue to sell and serve all types of spirituous liquors for on-premise consumption indoors and within an outdoor patio, as permitted under a Series 6 Bar License, without any further time condition. The request includes continuing live entertainment indoors.

Dirty Blonde Tavern's operational plan remains the same. The suite is approximately 4,000 square feet with an existing outdoor patio that is approximately 872 square feet. Hours of operation are from 11 a.m. to 11 p.m. Monday through Thursday, 11 a.m. to 2 a.m. Friday and Saturday, and 11 a.m. to 10 p.m. Sunday. The business wants to maintain approval for live entertainment indoors only. Zoning conditions per the prior Liquor Use Permit, regarding live entertainment and associated noise, will remain. No opposition or concerns were voiced during the neighborhood meeting notification and public hearing notification processes. Planning Staff is not recommending any additional time condition due to the success of the business's operation.

PUBLIC / NEIGHBORHOOD NOTIFICATION
This request was noticed in accordance with the requirements of the Chandler Zoning Code.
A neighborhood meeting was held on July 7, 2016. No one other than the applicant attended.
As of the writing of this memo, Planning Staff is not aware of opposition to the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve (5-0)

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0015 DIRTY BLONDE TAVERN, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 6 Bar license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to other locations.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
6. Music shall occur indoors only.
7. Music shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.

76. LIQUOR USE PERMIT: VB Lounge

APPROVED Liquor Use Permit LUP16-0014 VB LOUNGE to sell and serve all types of spirituous liquor for on-premise consumption indoors along with an extension of premises within a new outdoor patio as permitted under a Series 12 Restaurant License. The request includes live entertainment indoors at 81 W. Boston Street, the southwest corner of Arizona Avenue and Boston Street (Applicant:Dragana Cosic, SCDC LLC)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND
The property is located at 81 W. Boston Street, at the southwest corner of Arizona Avenue and Boston Street. The building was the former diSciacca Glass gallery and prior was the Rowena Theater. Concurrent with this request, permits are in review for tenant improvements and forthcoming review by the Architectural Review Committee for exterior modifications.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors along with an extension of premises within a new outdoor patio as permitted under a Series 12 Restaurant License. The request includes live entertainment indoors.

The new restaurant is approximately 5,334 square feet. A new outdoor patio, approximately 245 square feet, is designed to meet the CCD zoning standards including location, distance from public infrastructure, pedestrian passing space, and fence height. Hours of operation are from 11 a.m. to 11 p.m., seven days a week. Staffing includes approximately 20 total full time and part time employees. Indoor live entertainment may occur on Friday and Saturday nights until midnight. Live music may include acoustical three-person bands playing cover songs in the genres of jazz, light or classic hits. Planning Staff is including conditions to address any potential noise from the live entertainment indoors.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food and non-alcoholic beverages. A menu is attached.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 26, 2016. No one other than the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve 5-0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0014 VB LOUNGE, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.
6. Music shall be controlled so as to not unreasonably disturb area residents and businesses and shall not exceed the ambient noise level as measured at the commercial property line.
7. Music shall occur indoors only.

77. LIQUOR LICENSE: VB Lounge

APPROVED a recommendation for approval of State Liquor License No. 1207A649, and approved the City of Chandler Series 12, Restaurant Liquor License No. 163277 L12, for Dragana Cosic, Agent, SCDC Properties LLC, dba VB Lounge & Restaurant, located at 81 W. Boston Street.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

78. LIQUOR USE PERMIT: Mambo's Dominican Kitchen

APPROVED Liquor Use Permit LUP16-0027 MAMBO'S DOMINICAN KITCHEN to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. The request includes occasional live music indoors and within an outdoor patio at 1950 N. Arizona Avenue, Suite 8, the southwest corner of Arizona Avenue and Warner Road. (Applicant: Cesar Perez)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND
The subject site is located at the southwest corner of Arizona Avenue and Warner Road, within the Fair Lanes Chandler Plaza. South of the site is AMF bowling alley, the John Deer sales and repair facility is located to the west, and adjacent to the east is a Domino's freestanding pad. The other three corners of the intersection are commercially zoned and developed. This location has had multiple approvals to serve alcohol since 1984, a new Liquor Use Permit is required since the business expanded the patio. The previous restaurant was Mimita's Cuban Café.

Mambo's Dominican Kitchen is a family-owned restaurant that opened in July and specializes in Dominican/Caribbean cuisine. The approximately 2,782 square foot suite, which seats 93 persons, is located at the northern end cap of the inline shops, and includes a 615 square foot patio that seats 20 persons. Mambo's worked with Planning Staff to add an additional 200 square feet to the existing patio adjacent to the front door along the east and replace the entire patio's railing before they open. There are televisions and

speakers throughout the restaurant and speakers on the patio. Mambo's has represented they will have occasional live music and dancing throughout the year for special events both indoors and within the outdoor patio. The hours of operation are Tuesday through Thursday 11 a.m. to 9 p.m., Friday and Saturday from 11 a.m. to 10 p.m., and Sundays 11 a.m. to 7 p.m. The restaurant employs 11 employees.

This request is for a Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows an establishment the on-site sale and serving of types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food and non-alcoholic beverages.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 18, 2016. One resident attended to greet the new business owners.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve. 5-0

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0027 MAMBO'S DOMINICAN KITCHEN, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 12 Restaurant license only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

3. The Liquor Use Permit is non-transferable to other locations.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

5. The site shall be maintained in a clean and orderly manner.

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

79. <u>LIQUOR LICENSE:</u> Mambo's

APPROVED a recommendation for approval of State Liquor License No. 1207A715, and approved the City of Chandler Series 12, Restaurant Liquor License No. 163516 L12, for Cesar O. Perez, Agent, Mambo's LLC, dba Mambo's Dominican Kitchen, located at 1950 N. Arizona Avenue, Suite 8.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

80. LIQUOR USE PERMIT: Element Hotel

APPROVED Liquor Use Permit, LUP16-0030 ELEMENT HOTEL approval to sell and serve beer and wine for on-premise consumption indoors and within an outdoor patio/pool area, and off-premise consumption at a new hotel as permitted under a Series 7 Beer and Wine Bar License at 44 S. Chandler Village Drive, south of the southwest corner of Chandler Boulevard and Chandler Village Drive. (Applicant: Amy Nations; Arizona Liquor Industry Consultants)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

BACKGROUND
The new hotel is located south of the southwest corner of Chandler Boulevard and Chandler Village Drive. The site is bordered to the north and west by The Met Apartments, adjacent to the east is commercial development currently under construction, and south of the site is a residential treatment facility and single-family homes.

Element Hotel is a new 107-room, four story hotel totaling approximately 72,207 square feet and includes a restaurant, lounge, and pool area with adjacent patio seating. The indoor area seats 58 persons and 66 for patio/pool area. Televisions and speakers are placed throughout the lobby, lounge area, and outdoor areas. The request is for Liquor Use Permit approval to sell and serve beer and wine within the restaurant, lounge, outdoor patio/pool area and also sell beer and wine for off-premise consumption for hotel guest as permitted under a Series 7 Beer and Wine Bar License. Element Hotel will sell and serve beer and wine seven days a week, during the hours allowed by state law.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 23, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns to the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve. 5 to 0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0030 ELEMENT HOTEL, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

3. The Liquor Use Permit is non-transferable to other locations.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

5. The site shall be maintained in a clean and orderly manner.

81. LIQUOR LICENSE: Element Hotel

APPROVED a recommendation for approval of State Liquor License No. 07070274, and approved the City of Chandler Series 7, Beer and Wine Bar Liquor License No. 164666 L7, for Randy D. Nations, Agent, Days Scottsdale Beverage LLC, dba Element Hotel, located at 44 S. Chandler Village Drive.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 7, Beer and Wine Bar Liquor License, the business may sell beer and wine only for on- or off-premise consumption.

82. LIQUOR LICENSE: Crowne Plaza San Marcos Resort

APPROVED a recommendation for approval of State Liquor License No. 06070352, and approve the City of Chandler Series 6, Bar Liquor License No. 164788 L6, for Andrea Lewkowitz, Agent, Solana Beverage Concessions LLC, dba Crowne Plaza San Marcos Golf Resort, located at 1 San Marcos Place.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as HRI Lodging LLC, dba Crowne Plaza San Marcos Golf Resort.

83. LIQUOR LICENSE: Twisted Cactus Brewing Co.

APPROVED a recommendation for approval of State Liquor License No. 1207A728, and approved the City of Chandler Series 12, Restaurant Liquor License No. 164771 L12, for Jeffrey Lee Stefl, Agent, Corked LLC, dba Twisted Cactus Brewing Co., located at 4080 W. Ray Road, Suite 26.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Hugo Vino Inc., dba Nosh.

84. LIQUOR LICENSE: Rick's Pub & Grub

APPROVED a recommendation for approval of State Liquor License No. 1207A706, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 164491 L12, for Jessica Lee Walker, Agent, Max James Investments, dba Rick's Pub & Grub, located at 4910 W. Ray Road, Suite 3.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as RS & RM Investments LLC, dba Rick's Pub & Grub.

85. SPECIAL EVENT LIQUOR LICENSE: Ryan Thomas Foundation

APPROVED a recommendation for approval of a Special Event Liquor License for Ryan Thomas Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Ryan Thomas Foundation for the 1st Annual Ryan Thomas Foundation Cornhole Tournament on Saturday, September 24, 2016, from 5:00 p.m. until 11:59 p.m., located at HD Trucking, 221 E. Willis Road, Suite 24.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department has no objections to this event, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community Services.

86. SPECIAL EVENT LIQUOR LICENSE: Mariachi Festival

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Cultural Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Cultural Foundation for the Mariachi Festival on Saturday, October 1, 2016, from 5:30p.m. until 9:00p.m., located at Chandler Center for the Arts, 250 N. Arizona Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

87. SPECIAL EVENT LIQUOR LICENSE: Praise & Worship Center/Casino Night

APPROVED a recommendation for approval of a Special Event Liquor License for Praise & Worship Center, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Praise & Worship Center for Casino Night on Saturday, October 8, 2016, from 4:00 p.m. until 11:00 p.m., located at Praise and Worship Center, 2551 N. Arizona Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department has no objections to this event, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community Services.

88. SPECIAL EVENT LIQUOR LICENSE:

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Education Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Education Foundation for the Taste of Solera event on Thursday, October 13, 2016, from 5:00 p.m. until 8:00 p.m., located at Solera, 6360 S. Mountain Boulevard.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

89. SPECIAL EVENT LIQUOR LICENSE: Chandler Christian Community Center

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Christian Community Center, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Christian Community Center for the 50th Anniversary Gala on Friday, October 14, 2016, from 6:00 p.m. until 9:00 p.m., located at Noah's Event Venue, 2100 E. Yeager Drive.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

90. SPECIAL EVENT LIQUOR LICENSE: Chandler Chamber of Commerce / Chandler 100

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Chamber of Commerce, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Chamber of Commerce for the Chandler 100 Event on Wednesday, October 26, 2016, from 5:30 p.m. until 8:00 p.m., located at Quantum Helicopters, 2401 S. Heliport Way.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

91. SPECIAL EVENT LIQUOR LICENSE: Chandler Cultural Foundation

APPROVED a recommendation for approval of a Special Event Liquor License for Chandler Cultural Foundation, and approved the City of Chandler Special Event Liquor License.

An application for a Special Event Liquor License has been submitted by Chandler Cultural Foundation for the Center Stage event on Saturday, October 29, 2016, from 5:00 p.m. until 9:00 p.m., located at Chandler Center for the Arts, 250 N. Arizona Avenue.

With a Special Event Liquor License, the organization can sell all alcoholic beverages within the confines of the event during the designated event periods.

The Police Department reports no objections to the issuance of this license. The special event liquor fee has been paid; however, as this applicant is a non-profit organization, no sales tax license is required.

92. TEMPORARY EXTENSION OF PREMISES: Hangar 9 Bar and Grill

APPROVED a recommendation of approval for the temporary extension of premises for State Liquor License No. 1207A112, a Series 15, Special Event Liquor License, held by The Pink Gardenia LLC, dba Hangar 9 Bar & Grill, located at 980 E. Pecos Road, Suite 5 and approved the temporary extension for the City of Chandler Liquor License No. 156300 L15.

The Pink Gardenia LLC, dba Hangar 9 Bar & Grill, located at 980 E. Pecos Road, has requested a temporary extension of the alcohol serving area for a Breast Cancer Awareness Charity Event. The period of the extension is Saturday, October 15, 2016, from 11:00 a.m. until 10:00 p.m.

The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community Services.

93. FINAL PLAT: Spectrum Assisted Living Community

APPROVED Final Plat, FPT16-0008 SPECTRUM ASSISTED LIVING COMMUNITY for an approximate 6.3-acre assisted living facility located at the northeast corner of Chandler Boulevard and Rural Road that was approved by Council in October of 2015. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way. (Applicant: R. Reece Henry, Olsson Associates)

94. FINAL PLAT: SEVRAR Chandler Airport Center

APPROVED Final Plat, FPT16-0014 SEVRAR CHANDLER AIRPORT CENTER for a replat of an approximate 12-acre business park located at the northeast corner of Northrup Boulevard and Germann Road. The request is to split the 12-acre parcel into an approximate 3-acre parcel and an approximate 9-acre parcel. Development of the sites will require Preliminary Development Plan approval. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way. (Applicant: Joel Saurey; EPS Group)

97. EMPLOYMENT CONTRACT: City Clerk

APPROVED employment contract for City Clerk Marla Paddock with an annual base salary of $130,178.00.

98. EMPLOYMENT CONTRACT: Presiding City Magistrate

APPROVED employment contract for Presiding City Magistrate R. Michael Traynor with an annual base salary of $189,157.00, during fiscal years 2016-17 and 2017-18.

ACTION:

95. ZONING/AREA PLAN AMENDMENT: QuikTrip / Peterson Farms Area Plan Ord. 4709

INTRODUCTION AND TENTATIVE ADOPTION OF ORDINANCE NO. 4709 /DVR16-0010 QUIKTRIP RESOLUTION NO. 4963 APL16-0002 PETERSON FARMS AREA PLAN AMENDMENT

Area Plan Amendment to the Peterson Farms (Section 7) Area Plan from Low Density Residential to Commercial, along with rezoning from Agricultural to Planned Area Development for commercial uses including a fuel station for 24-hour uses under the Late Hour Business Policy, and Preliminary Development Plan approval for site layout and building architecture for a fuel station at the northeast corner of Gilbert and Queen Creek roads. (Applicant: Charles Huellmantel, Huellmantel & Affiliates)

The request was continued from the July 28, 2016, City Council meeting to allow the development team to meet with the leadership team of the adjacent church to the north and to be reviewed by the Planning Commission. Unfortunately an agreement could not be made between the parties and the stated opposition remains. The concern is with liquor sales is part of the QuikTrip operation. The opposition triggers a legal protest which requires 6 votes for approval for the item to pass.

MR. ERIK SWANSON, Senior City Planner provided an overview of the information provided in the Council memo as provided below. He noted that in working with the design team, the site was reoriented due to the narrowness of the site. The site does encroach into the landscape setback, but the move is supported by both staff and the Planning Commission as is supports a better design.

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Area Plan Amendment, Rezoning, and Preliminary Development Plan, subject to conditions.

BACKGROUND
The 4.5 acre subject site is located at the northeast corner of Gilbert and Queen Creek roads. Adjacent along the eastern property line are three residential homes as part of a five lot residential cluster that is currently in the jurisdiction of the County. Directly north is the southwest corner of The Grove church campus. West and south are the arterial streets.

AREA PLAN AMENDMENT
The site is currently zoned AG-1 and is designated as Residential in both the General Plan and the Peterson Farms (Section 7) Area Plan, with a Low-Density Residential designation in the Area Plan. The Low-Density Residential designation allow for a density of 0-3 dwelling units per acre. The Peterson Farms Area Plan was established in 2000, and encompasses the area bounded by Germann, Queen Creek, Gilbert, and Lindsay roads. The Area Plan affects development in both Chandler and the Town of Gilbert, with development in Gilbert occurring as the Layton Lakes master-planned community. At the time of Area Plan approval the subject site and adjacent Grove church were in the jurisdiction of the County; however, were included in the area plan and given a designation of Low-Density Residential. The request is to amend the area plan from Low-Density Residential to Commercial which is consistent with language provided in the General Plan allowing for commercial to be considered at arterial corners. Planning Staff supports the Area Plan Amendment finding that with the limited size of

the site, the surrounding uses, and the location of the site at the intersection of two major arterials, commercial development is appropriate.

SITE LAYOUT AND ARCHITECTURE

The total site area is approximately 4.5 acres, with the proposed development occupying the southern 2.78 acres. Currently QuikTrip is allowing the church to utilize the northern portion of the site as overflow parking, and has granted the church an emergency access easement along QT's northern property line to allow Fire Department access to the building in the event of an emergency. Development for the northern portion of the site will require separate PDP approval.

The development is designed in an angled fashion, opening the front of the site to the intersection, and mimics the lay out that was established with the Circle K fuel station located at the intersection's southwest corner. Due to the angled orientation of the building and fuel canopy, the fuel canopy corners closest to the street frontages are chamfered to maintain the required building setback. To provide the angled orientation, the standard 50'x250' landscape setback along arterial intersections is reduced to accommodate drive aisles around the canopy. Planning Staff supports the reduction in landscaping, as a better designed site plan is provided.

Unique to QuikTrip stores is the location of building entrances being provided not only at the front of the building, but also at each side of the building. The additional entrances allows for patrons to be separated depending on their choice of commodity being acquired, allowing for patrons that do not want fuel to be separated from the fuel station vehicular activities.

Building architecture is greatly enhanced beyond standard fuel station designs. With the inclusion of building entrances on the sides of the buildings, the design team has pushed the entrances out past the wall plan, creating a vestibule styled entrance. Canopies are provided at all entrances, with the main entrance having a canopy slightly higher than the side entrances creating a natural hierarchy. The facades of the building are broken up with both the utilization of the building plane stepping back along the wall planes, and varying parapet heights. The use of two brick veneer types and tile are the main construction materials.

Two monument signs are provided, one along each frontage. The monument signs are standard in their design with the company name and fuel prices. Planning Staff is recommending the addition of condition no.12 in the Preliminary Development Plan conditions of approval, requiring the base of the sign to use stone veneer in place of the black base that is currently proposed.

The design team has taken a number of considerations into account with the development of the site. Early on in the project, the design team met with the adjacent residential neighbors to the east and agreed to provide a wider landscaped area than required (providing approximately 20 feet), and will construct an eight-foot wall along the eastern boundary. Additionally, with the Grove church directly north and the significant presence of Pistache trees on the Grove campus, Pistache trees are incorporated in the project.

In working with the design team, one of the elements that QT has found over the years is that using vertical curbs separating the building from the parking lot has provided concerns with patrons. The request includes eliminating the curbs and providing a flush surface. Parking will be separated from the pedestrian walkway with the use of decorative bollards, elevated landscape planters, and the inclusion of different textured pavement treatments; a color rendering is provided in the development booklet.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on January 27, 2015 at the adjacent church; eight neighbors directly east of the site and two neighbors northeast of the site attended, all offered general support of the request.

- Planning Staff has attached a letter from The Grove Church stating opposition to the request.

PLANNING COMMISSION VOTE REPORT
Motion to Approve: 5 to 0

A representative from The Grove church spoke at the hearing, stating opposition to the QT requesting liquor sales. The representative stated that QT has been a good neighbor and has let the church utilize their vacant lot to allow for overflow parking, but that the church has a concern with the convenience store selling alcohol in such close proximity to the church. Two neighbors spoke and three neighbors submitted cards in support of the request.

RECOMMENDED ACTIONS
Area Plan Amendment
Planning Commission Planning Staff recommend City Council approve the Area Plan Amendment.
Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "QUIKTRIP" and kept on file in the City of Chandler Planning Division, in File No.DVR16-0010, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "QUIKTRIP" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0010, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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

3. Gasoline tank vent piping shall be screened from arterial streets and public view.

4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

6. The site shall be maintained in a clean and orderly manner.

7. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

8. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

9. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

10. Landscaping shall be in compliance with current Commercial Design Standards.

11. Raceway signage shall be prohibited within the development.

12. The base of the monument signs shall utilize brick veneer consistent with the building elevations.

CITY COUNCIL DISCUSSION:

COUNCILMEMBER LOPEZ stated the letter of opposition from The Grove references State Statute 4-207 regarding sale of liquor adjacent to a church. He asked if that was accurate and if beer and wine is considered in that. Mr. Swanson said the manner in which it has been handled is when the separation requirement is looked at, it is from door to door and not property to property. That separation is greater than the 300'.

COUNCILMEMEMBER HEUMANN asked if the protest is for the liquor use permit or the use of the land. Mr. Swanson said it is tied together. The Church is predominately concerned with liquor sales.

MR. CHARLES HUELLMANTEL, representing QuikTrip, said he was the chairman of the State Liquor Board at one time. He said this project falls outside of the statutory measurements. He said the legal protest only sits on the zoning case, not the liquor use permit.

Mr. Huellmantel gave an overview of the design features of the building and project layout. He said the neighbors are the primary patrons. He said this site design allows for a more extensive buffer to the neighbors to the east and allows for an orientation that makes the City happy with unique canopy features.

Mr. Huellmantel said the church has stated the concern is not with the operation of the business, but with the sale of alcohol. He referred to a letter of support from a church next to a QuikTrip in another area. He noted with 113 licenses in Arizona, there are 0 violations on file with the Liquor Board. He said while the church has stated opposition, the other surrounding neighbors are in support.

Mayor stated cards submitted in support are from: Wayne and Maren Pratt, Randy Baker, Opal Pratt, Cindy Gordon, Richard Gordon.

MOVED BY COUNCILMEMBER HEUMANN TO APPROVE RESOLUTION NO. 4963 APPROVING APL16-0002 PETERSON FARMS AREA PLAN, AMENDING THE AREA PLAN FROM LOW-DENSITY RESIDENTIAL TO COMMERCIAL, AS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF; AND INTRODUCE AND TENTATIVELY ADOPT ORDINANCE NO. 4709 APPROVING DVR16-0010 QUIKTRIP, REZONING FROM AG-1 TO PAD, FOR A FUEL STATION, SUBJECT TO THE CONDITIONS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF.
PRELIMINARY DEVELOPMENT PLAN; AND APPROVE PRELIMINARY DEVELOPMENT PLAN DVR16-0010 QUIKTRIP, FOR SITE LAYOUT AND BUILDING ARCHITECTURE, SUBJECT TO THE CONDITIONS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF.
COUNCILMEMBER LOPEZ SECONDED THE MOTION.

THE MOTION WAS APPROVED UNANIMOUSLY (6-0).

96. <u>LIQUOR USE PERMIT:</u> QUIKTRIP

Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store at the northeast corner of Gilbert and Queen Creek roads. (Applicant: Charles Huellmantel, Huellmantel and Affiliates)

RECOMMENDATION
Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

The subject site is located at the northeast corner of Gilbert and Queen Creek roads. Adjacent along the eastern property line are three residential homes as part of a five lot residential cluster that is currently in the jurisdiction of the County. Directly north is the southwest corner of The Grove church campus. West and south are the arterial streets. The total site area is approximately 4.5 acres, with the proposed development occupying the southern 2.78 acres. The site is currently undeveloped.

The request is for a Liquor Use Permit approval to sell beer and wine as permitted under a Series 10 Beer and Wine Store License for off-premise consumption at a new convenience store. The Series 10 Beer and Wine Store license allows for the sale of beer and wine only. The subject site has yet to be constructed, but upon approval anticipates being fully constructed and open within one-year of Council approval. The building is approximately 5,858 square feet, and will provide approximately 200 square feet of display coolers for beer and wine.

PUBLIC I NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.

PLANNING COMMISSION VOTE REPORT: Planning Commission approved 5 to 0.

A representative from The Grove church spoke at the hearing on the request for rezoning. While the representative did not speak directly about the Liquor Use Permit application, the concern expressed was directly related to liquor sales. The representative stated that QT has been a good neighbor and has let the church utilize their vacant lot to allow for overflow parking, but that the church has a concern with the convenience store selling alcohol in such close proximity to the church. Two neighbors spoke and three neighbors submitted cards in support of the rezoning request.

RECOMMENDED ACTION
Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 10 Beer and Wine Store License only, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. The Liquor Use Permit is non-transferable to other store locations.

3. Expansion or modification beyond the approved exhibits (Site Plan and Floor Plan) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

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

MOVED BY COUNCILMEMBER HEUMANN TO APPROVE LIQUOR USE PERMIT LUP16-0013 QUIKTRIP, TO SELL BEER AND WINE AS PERMITTED UNDER A SERIES 10 BEER AND WINE STORE LICENSE FOR OFF-PREMISE CONSUMPTION AT A NEW CONVENIENCE STORE, SUBJECT TO THE CONDITIONS AS RECOMMENDED BY PLANNING COMMISSION AND PLANNING STAFF. THE MOTION WAS SECONDED BY COUNCILMEMBER LOPEZ.

THE MOTION CARRIED UNANIMOUSLY (6-0).

INFORMATIONAL:

1. Minutes of the August 17, 2016, Planning and Zoning Commission.

UNSCHEDULED PUBLIC APPEARANCES:

Mr. Sky McCorkle, 1201 S. Amber Street, Chandler. Informed the Council about a historic event taking place next week in Williamsburg, Virginia - the simulation of an Article 5 Convention for the purpose of amending the U.S. Constitution. He stated that the concern is with the size and the constitutional overreach of the federal government. Over the past several years, the Convention of States project has been working to pass a resolution in all the states which calls for a convention for the purpose of amending the Constitution in the following areas: impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office of the officials and for members of Congress. He said 8 states have passed the resolution of the 34 total states it would take to force Congress to call a convention. In Arizona, the resolution passed the House, but was killed by the Senate President. Mr. McCorkle said three Arizona Legislators will participate in the simulation and the event will be streamed over the Internet.

CURRENT EVENTS:

Mayor's Announcements:

City Bond Sales Update:

The City sold $39.5 million in General Obligation Refunding Bonds and sold $19.51 million of Excise Tax Revenue Obligations during prime market conditions of high demand and low interest rates. This resulted in a positive outcome of a total Net Present Value Savings of $8.9 million

New Restaurants in Downtown Chandler: Modern Margarita and La Bocca Wine Bar

The Mayor's Listening Tour was recently held at Hartford Elementary School.

October 1st Events include: the 9th Annual San Tan Brewery Oktoberfest at Dr. A.J. Chandler Park, 3 S. Arizona Avenue, and occurring on the same date the 17th Annual C.A.L.L.E. Arizona Mariachi and Folklorico Festival.

Councilmember Announcements:

COUNCILMEMBER LOPEZ announced Mayor Tibshraeny was honored with the Silver Circle award from the City/County Communications and Marketing Association for the State of the City video.

He invited the public to support the Chandler Symphony by attending their upcoming Classical Series beginning Sunday, Oct. 9, at the Chandler Center for the Arts. He also encouraged attendance at an Oct. 29 fundraiser at Wild Horse Pass for Streetlight USA, a non-profit agency that assists adolescent female victims of abuse, sexual trauma and sex trafficking.

COUNCILMEMBER HARTKE said he attended the 10th Annual Prayer Breakfast Sept. 15 at the Chandler/ Gilbert Family YMCA and came away grateful to live in such a great community. He also said For Our City Day will be celebrated Oct. 22 and volunteers are being sought to assist with projects in the community.

COUNCILMEMBER HEUMANN noted the E-cigarette ordinance that was approved by City Council tonight and that it only applies to city owned public buildings. He encourage the private sector to research the info. He congratulated the Mayor for his selection as President of the League of Arizona Cities & Towns. He announced the Desert Cancer Foundation of Arizona will hold their 19th Annual luncheon on Thursday, Oct. 27, at the San Marcos Golf Resort.

COUNCILMEMBER ELLEN said the City's Domestic Violence Commission is holding its 8th Annual Domestic Violence Awareness Breakfast at 9 a.m. on Wednesday, Sept. 28, at the Community Center and invited the community to attend. She also congratulated Sam Huang on his successful election to the Chandler City Council beginning in 2017. She announced nominations are now being accepted to honor military men and women for Chandler's Operation Welcome Home program. For information, visit ww.chandleraz.gov/veterans.

COUNCILMEMBER ROE said he attended the opening of two new businesses in Chandler, Hand and Stone and Chick-Fil-A, and thanked those who choose Chandler for their business location. He also expressed gratitude to public safety and military personnel and others serving the community for their service.

City Manager Announcements: None

Adjournment: The meeting was adjourned at approximately 7:43 p.m.

ATTEST: _____ City Clerk _____ Mayor

Approved: November 7, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 15th day of September, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 8 day of November, 2016.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING/MICRO RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Conference Room, 88 E. Chicago Street, on Monday, October 10, 2016

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 6:05 P.M.

The following members were present:	Jay Tibshraeny	Mayor
	Kevin Hartke	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Jack Sellers	Councilmember

Also in attendance: Marsha Reed, City Manager; Nachie Marquez, Assistant City Manager; Marla Paddock, City Clerk; Kim Moyers, Downtown Redevelopment Manager; Glenn Brockman, Acting City Attorney, Matt Burdick, CAPA Director; Micah Miranda, Economic Development Director; David Bigos, Mayor & Council Asst.,

Downtown Chandler Update

CITY MANAGER MARSHA REED introduced Kim Moyers, Downtown Redevelopment Manager who presented an update on development in downtown Chandler.

Ms. Moyers first presented an overall view on the downtown development, which encompasses Chandler Boulevard to Pecos Road from north to south and Delaware Street to Palm from east to west. Although this is considered the entire downtown, Ms. Moyers noted that the "core" or historical downtown is discussed most often. The boundaries of the Entertainment District that primarily mirror the enhanced municipal services district – the only difference being the bump out that encompasses the Chandler Performing Arts Center that was added to the entertainment district by Council in 2015.

Ms. Moyers then presented the actual expenditures of the following Capital City Improvements and Investment Projects from FY 10/11 to FY 17/18:

Arizona Avenue South Improvements

This project began in 2010 with improvements from Chandler Boulevard down to Frye Road. The city spent almost $16 million, which included everything from infrastructure, some of the land, design, and construction.

Downtown Infrastructure

Beginning in 2015 and continuing to date, this project upsizes and upgrades all the water and sewer in the downtown area from Chandler Boulevard to Chicago. This project also includes all the of the projects with which the city has development agreements with - starting at site three (3) moving down to sites four (4) and five (5), which is DC Heights, and finally moving south to Chandler 87. The cost for this project was almost $7 million dollars. Ms. Moyers made the point that although there was upsizing and upgrading obligations in the development agreements, much of this was for current development as well.

Dakota Punch Through

In this project Dakota will punch through Buffalo Street down to Commonwealth so traffic can turn south on to Dakota and then get to Frye Road. This project is in the design phase with 60% completion by the end of October, with the project beginning no later than June 30, 2017. This project also includes the funding for the San Marcos bump out that is currently being done, which should be completed by the end of October.

Boston Street (Oregon to Essex)

This $994,000 project upgrades the street from Oregon to Essex, which is part of the development agreement with DC Heights. This agreement also includes the Commonwealth and Canal project. The Canal work will be completed in conjunction with the Dakota punch through; so, that design plan will reflect the Canal being completed at the same time. The Commonwealth portion of the project will be completed after DC Heights.

Washington Street

The Washington Street project was redone as part of Alta with water work and street repair for $2.3 million.

Arizona Avenue – Frye to Pecos

The design contractor is a company out of California. This company has completed work for several projects in Mesa. Next year, the budget for the actual construction is $4.5 million.

Councilmember Heumann asked if Arizona Avenue project will start after the Alma School and Chandler Blvd project is finished. Ms. Reed stated the two projects will not overlap.

Dr. A.J. Chandler Master Plan

This project is also on the agenda for Council consideration on October 13, 2016. This project is $75,000 this year for the actual design of the new park for FY 16/17 and $750,000 for FY 17/18 to begin the base work.

Parking Garages

Ms. Moyers indicated that the FY 16/17 $12.5 million dollars are not new, but are the downtown monies that have been accumulated through the years that were put into one downtown account called "Downtown Parking Garages." She added that it was known through the development agreements for sites 1, 2 and 3 and then with Ryan Companies that they would have to include additional funds, so they added $4.5 million dollars for FY 17/18 for a total of $17 million dollars.

Downtown Stage

The project investment of $272,853 dollars in partnership with the Downtown Chandler Community Partnership (DCCP) committing $122,000.

Harris Park

This project is moving forward for $400,000 as the City has an agreement with Alta Steelyard Lofts to redo Harris Park.

Ms. Moyers indicated that from FY 2010 to FY 2017 the City will have invested $54,302,262 into the downtown through capital improvement projects.

Ms. Moyers than discussed the existing development agreements and their estimated costs:

San Marcos Golf Resort	*$12 million*
DC Heights	*$30 million*
Site 6/Chandler 87	*$60 million*
Alta Steelyard Lofts	*$47 million*
Alta San Marcos	*$55 million*
Helix	*$27 million*
Other development	*$5.2 million*

Ms. Moyers noted "Other development" includes projects some of the larger developments such as The Perch and 55 Chicago.

Ms. Moyers said that the total of all the City's investments is $236 million dollars and the return on that investment they are hoping for a 4.4 to 1 ratio.

Councilmember Heumann asked if staff was taking into consideration also the fact that all the construction sales tax is going to be paid by Alta and others. Ms. Moyers said that they did not account for any of that because they wanted to make it as easy as possible. She said that there are lots of other factors that can go in, multipliers that they can use and that maybe they will do that at another retreat; but for this retreat, she wanted to keep it as simple as possible.

Ms. Moyers highlighted the new businesses in downtown.

Ms. Moyers said that with the addition of all these restaurants, they are seeing an increase in the transaction privilege tax and reviewed the percentage change from each previous year:

2011 – 3%
2012 – 4.7%
2013 – 1.5%
2014 – 8.5%
2015 – 11.6%

Ms. Moyers stated that for the first six (6) months of 2016, they are already beating the numbers from 2015. She reported the Brickyard indicated that their best month was July, and noted that is typically a slow month.

Ms. Moyers then discussed multi-family projects.

Alta Steelyard Lofts

Comprised of 301 units, these lofts are at 80% capacity.

DC Heights

This project was originally slated for 200 units, but the last conversation with the developer indicated that there will actually be 249 units. Ms. Moyers said it was important to note that through the development agreement the developer is not actually supposed to break ground until August 2017. However, there have been concerns that they would not meet this deadline. As of this presentation, Ms. Moyers said that the developer has been working diligently with the City and they believe that they will have no trouble meeting those development agreement deadlines.

Mayor Tibshraeny asked if the plan still included the same amenities with the pool and the second or third floor, also on Dakota where it will go over the road and if there will be a walkway there. Ms. Moyers said that, per the development agreement, the City would pay for Dakota Street as long as the developer does the bridge and the pool. If they do not do the bridge and the pool, then they will have to pay for Dakota Street.

Councilmember Heumann asked if this was right in front of DC Heights on Dakota or is it part of the Dakota Punch Through. Ms. Moyers said that the punch through has already been allocated and will be started next summer. The part of Dakota that encompasses DC Heights is from Commonwealth down to Boston; so, basically the length of their project.

Councilmember Heumann asked if part of the consideration in approving the Punch Through Dakota project was because of this project and Ms. Moyers said yes. Councilmember Heumann said he wanted to make sure that the DC Heights developer is being held to the agreement set standards. Mayor Tibshraeny agreed.

Alta San Marcos

The Dakota Punch Through and the Canal projects will actually help this project quite a bit with pedestrian flow. This project will be about 273 units. As we are building the punch through, and the canal walk path to get to the core we are being very sensitive to that project to make sure that we are giving them the accessibility that they need for alternative modes of transportation other than a vehicle.

In response to a question from Councilmember Lopez, Ms. Moyers said the ditch is being bridged over and not buried. Ms. Moyers said that piece of the ditch is under the Federal National Historic Registry and we cannot cover over it. Instead with interpretive signage is talking about the history of the ditch and how important it was to Chandler's beginning. The bridge will also keep people off of the street, so as of right now, the actual path will be north of the ditch. There will be a box culvert over the ditch.

Helix

Ms. Moyers explained that this project site is the old Casita site. San Marcos sold to Helix about 5.5 acres and Helix is proposing condos. Ms. Moyers believes that it will be one of the most attractive projects that will come before Council and will have units right on the golf course and will be one block from the actual core. They have been working with the San Marcos

neighborhood to make sure residents want this type of project as well as with the neighboring hotel to ensure proper access. Ms. Moyers said it would offer 130 to 150 units – three or four story, one level condominium project.

Site 7

This project still has to come before Council but they are looking for approximately 139 units.

Chandler 87 (Site 6) – Ryan Company

The street view and the multi-purpose plaza which will have 169,000 sq. ft. of office space and 13,000 sq. ft. of retail. They have met all of their development agreement obligations so far. They have all of their marking materials out, they have several broker events and they did turn in their PDP by the September deadline. Their next deadline is summer 2017; they have to be 50% pre-leased on one of the two buildings.

She said that they are no longer calling it phase one or phase two, because some of the users out in the market they may be 60,000 sq. ft., which is larger than the first building, so they are calling it Building 1 and Building 2.

Entertainment Sites

In addition to the stage that the city has built, they are holding and working with developers on Site 3 specifically for entertainment uses.

Councilmember Lopez mentioned that we've gone through one cycle with the stage and asked if there has been any feedback. Ms. Moyers said that they have a stage committee that is currently evaluating past events and how to go about targeting events. She mentioned the following large events that were added since the stage was opened: Taco Festival, Cajun Fest and the New Fall Fest.

Mayor Tibshraeny remarked that Oktoberfest moved to the stage from where it was and that it was able to draw a huge crowd.

Future Projects;

111 W. Boston

This project went to Council a few months ago and is a three story that will have a restaurant on the first floor, a cigar bar on the second floor and then a patio, event area on the third floor. Ms. Moyers hoped that Council had an opportunity to see the steel beams and mentioned that with the steel shortage, they haven't been able to get in the proper steel and that should come in this week and should not change any deadlines. They hope to be open by March 2017.

VB Lounge

This is the old DiSciacca place. They are actively working and are going to the Architectural Review Committee in a couple of weeks and they will be opening up the bistro in November.

Blue Planet

This is a retail business opening in the next few weeks and caters to hikers. They do 85% of their business online and wanted to have a brick and mortar presence, but won't be tied to foot traffic and is a great addition to downtown.

Sibley's

They needed to expand and have doubled their space to 5,000 sq. ft. They are re-opening and doing a ribbon cutting on October 28.

Downtown Chandler Café:

This is a very popular café and will be expanding with an addition to the west towards the alley with an extension on the building that provides additional inside seating and a larger outdoor patio in the back. This expansion has served as an incentive to other businesses to evaluate their expansion opportunities as well.

Ms. Moyers noted that behind each building it is the individual owner's land, but seven or eight years ago the City made agreements with these businesses to provide parking in the alley with the understanding that they could get out of the agreement when they wanted to and all involved would be responsible again for their own land. Thus, in order for the café to make these enhancements, they had to break the agreement with the City and therefore, the City no longer has responsibility for that parking area.

Councilmember Lopez asked if the agreement with the City is broken with just the café or with all the businesses in the agreement and Ms. Moyers said that the agreement is broken with all the owners in the agreement. She noted that there are only three property owners involved in the agreement and they, too, are looking to do the same type of expansion.

Councilmember Lopez asked relatively how close the expansion is to the alley and Ms. Moyers said that the expansion will go all the way to the alley, except that they want to add two parking spaces in, so almost to the lot line.

Councilmember Ellen asked if there would be code problems and Ms. Moyers said that they will be going before the Architectural Review Committee to make sure that the design remains in line with the building and have had engineers reviewing the design as well. They have not shared the cost of the expansion, but they don't think there is anything that will curtail the expansion.

Crust

This business is also expanding by moving the patio to the east as far as they can.

The Hidden House

This new business, Elliot Hall's little house on Commonwealth, has submitted plans to build up the walls and create a patio in the front and behind the restaurant house will be an outdoor bar area with seating and behind that will be a structure like an old barn with games and activities as well as private events. This is an Elliot Hall and Gavin (BrickYard) partnership with the hopes to open by Spring 2017.

Ms. Moyers then discussed the development that is pushing to the south of Chicago Street.

ICAN

This Request for Proposal (RFP) produced one response that is being evaluated and will be presented to Council for consideration.

Councilmember Lopez asked if the reason there wasn't much interest in the ICAN building because it was off of Frye and not on Arizona. Ms. Moyers said that they are evaluating this RFP and like the potential use of the building. She said that the great thing is that buildings not necessarily in the core of downtown are generating interest. She remarked that there are buildings to the south that are available, but investors are not ready yet. However, as the infill continues, the development in the south will follow.

Water/Ice

This owner has wanted to sell this building for years and now has it listed. There has been a great deal of interest in this building.

NAPA Building

This is one of the most asked about spaces and many would like to put a brewery in there. The owner is working with a group right now. There are two buildings in this group and one is not fit for use, so it will be torn down and 31 more parking spots for the business will be created..

An additional property held by the same owner and they have a user who is interested in taking both of the parcels, but they are not ready to identify that user yet. The intent is to develop one parcel and do an adaptive reuse of the other parcel on the corner.

Old Payless Building

This building has had a great deal of interest and is under contract with a potential office user out of state, with whom Ms. Moyers has spoken several times.

Ms. Moyers mentioned that with all of these projects there is a considerable amount of time and effort on aspects of the downtown that she felt were important to bring to Council's attention. The first was the Stage. She said that the Stage Committee is made up at the DCCP and includes staff from several City departments. She said that they have established one, three and five year goals for the Stage; some of which are to effectively market the Stage and review the infrastructure and personnel use with the extra load of events. She also said that the downtown businesses each have a different goal with the events; some of the large events are to the detriment to some of the businesses and some of them assist. For example, the gated events help certain businesses, while others suffer. Hence, they want to pay close attention to the amount of the larger events that are done to balance with the smaller events so that no business is adversely affected.

Ms. Moyers then discussed the Downtown Quality of Life and Safety Committee which has two overarching goals. The first goal is the reduction of nuisance behavior and crime, which encompasses increasing the safety awareness in the garages, increasing police presence and overall safety through crime prevention through environmental design. The second goal is

education and partnership, starting with marketing pedestrian safety at the crosswalks, as they learned from past events that people were crossing Arizona Avenue in an unsafe manner. So this committee made sure that there was a police presence to escort people across the street safely.

Ms. Moyers the discussed the Downtown Coordination Meeting on a monthly basis and is for the infrastructure projects. These meetings coordinate the timing of projects so that they do not overlap or adversely affect existing businesses, they strive to foster a good relationship with the Downtown Chandler Community Partnership and they pay special attention to the parking campaign and the parking garages. She indicated that the biggest complaint received is lack of parking in downtown and through the CIP, they have two parking garages slated for construction: one at the north end and one at Site 6. She asked that Council consider and discuss starting on the north parking garage (350 spaces), it may help current businesses during the construction of project in that area.

Mayor Tibshraeny said that if the north parking garage could be done it would be a good idea, when Site 3 begins. Ms. Moyers said that is correct and added that building the garage would ease the traffic concerns. She said that they could also build the garage, but not add the "skin" in order to align the final skin with the project, so that the garage and project appear to have been built together. Mayor said that the plan makes sense and would be a good asset for the current users downtown as well and would help with the redevelopment of Sites 1,2 and 3.

Councilmember Hartke said that building the garage also helps with the perception of the ongoing conversation of having more parking as well as not being in the way of the Site 3 development.

Councilmember Heumann said he too agreed on building the garage now and asked how the parking project was working with "Find Your Spot." Ms. Moyers said that they are having decent results, Ms. Moyers said that they have worked with a promoter and the DCCP to make sure that we put the QR code on all of their special events marketing and they actually have said in their advertisements: "Make sure to Find Your Spot." So, she believes that they are getting the word out, but it is taking time to make the change.

Councilmember Ellen asked if it would be worth it for large events have contemporary signs to point people to the garages as it is important to foster an ease of parking reputation. Ms. Moyers said that was a great idea and the department has spoken with the DCCP about having volunteers direct traffic to the garages and have event sponsors integrate volunteers into their programs.

Councilmember Heumann stated that this report is great and provides proof of the investment that the City has made into the Downtown; he hopes that the downtown merchants appreciate what is happening. Ms. Moyers said that overall the downtown businesses have been very supportive through the transition.

Councilmember Hartke asked about the Downtown Coordination meeting and asked how the word was getting out to people downtown. Ms. Moyers said that the Downtown Coordination meeting is an internal meeting, but they've spent a lot of time providing information through the DCCP, through their merchant meetings, their Council meetings and through their marketing meetings. She added that for each of the larger projects they have hired MacPro and it is the marketers responsibility to make sure that the businesses are aware. Each of the businesses are sent weekly the next two weeks' worth of information and those businesses that are saying they

are not receiving information, but they are, they may not be reading their emails, but we are making a concerted effort.

Councilmember Roe said he was in favor of starting phase one of Site 6 and the parking garage and Site 3. He said that this will be like Price Corridor, which inspired confidence once people came and made Price Corridor what it is. There is a perception downtown that parking is not good. He stated while he was at the last Art Walk there was no surface parking, but all three of the garages along Arizona Avenue were empty. He supported the use of experimental signage.

Councilmember Heumann said that some parking requirements were removed six or seven years ago to allow the merchants to have patios and extra space for the merchants, which has removed parking spaces.

Adjournment: The Mayor adjourned the meeting at approximately 6:55 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: January 12, 2017

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special meeting/Micro Retreat of the City Council of Chandler, Arizona, held on the 10th day of October 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 17 day of January, 2017.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, October 10, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:07 p.m.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Glenn Brockman	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Brian Jobe – Chandler Christian Church

PLEDGE OF ALLEGIANCE: Vice Mayor Sellers led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

1. MINUTES

APPROVED the following Chandler City Council Meeting Minutes:

1a. Special Meeting of September 12, 2016.
1b. Special Meeting of September 12, 2016.
1c. Regular Meeting of September 12, 2016.
1d. Study Session of September 12, 2016.

2. PARCEL EXCHANGE: Continuum Project Ord. #4707

ADOPTED Ordinance No. 4707 authorizing the exchange of a portion of Ellis Street within the Continuum Project, for a parcel owned by the United States of America, in order to relocate an existing irrigation ditch; and, accepting a no cost land use license from Salt River Project over those portions of Ellis Street.

BACKGROUND: As part of the development of the Continuum Project and the future construction of Mockingbird Drive, it has become necessary to relocate an existing irrigation facility owned by the United States of America (USA). To accomplish this, an exchange of a parcel of land owned by the USA for a parcel of land owned by the City of Chandler (City) is necessary. The City will be receiving approximately 38,725 square feet of USA land in exchange for approximately 900 square feet of City land. Additionally, SRP will grant a land use license to the City over those portions of Ellis Street described in Exhibit "C".

Even though the parcels are not of equal size, due to their nature and current use, Staff has determined that they are of the same value for purposes of this exchange. Staff has also reviewed and approved the legal descriptions and documents.

3. REZONING/PRELIMINARY DEVELOPMENT PLAN: QuikTrip Ord. #4709

ADOPTED Ordinance No. 4709, DVR16-0010 QUIKTRIP, rezoning from Agricultural to Planned Area Development for commercial uses including a fuel station for 24-hour uses under the Late Hour Business Policy.

BACKGROUND:
The 4.5 acre subject site is located at the northeast corner of Gilbert and Queen Creek roads. Adjacent along the eastern property line are three residential homes as part of a five lot residential cluster that is currently in the jurisdiction of the County. Directly north is the southwest corner of The Grove Church campus. West and south are the arterial streets.

4. CITY CODE AMENDMENT: Chapter 11 Ord. # 4710

ADOPTED Ordinance No. 4710, City Code Amendment To Prohibit Electronic Cigarettes In City Buildings, Amending Sections 11-7.1, 11-7.2, 11-7.5, 11-7.6 and 11-7.7 of Chapter 11 of the Code of the City of Chandler prohibiting the use of electronic cigarettes inside City owned or occupied buildings and fully authorizing the prohibition against smoking in the exterior areas of the City Hall campus located at Arizona Avenue and Chicago Street.

5. CABLE TELEVISION LICENSE AGREEMENT: Qwest Broadband Services
Ord. # 4715

ADOPTED Ordinance No. 4715 granting Qwest Broadband Services, Inc., (QBSI), d/b/a/ CenturyLink, a Cable Television License Agreement and Class 6 Cable Television and Related Services License for the City of Chandler.

6. NO COST IRRIGATION EASEMENT: Salt River Project

ADOPTED Ordinance No. 4717 granting an Irrigation Easement, at no cost, to Salt River Project Agricultural Improvement and Power Distribution District (SRP) within the northern right-of-way of Chandler Boulevard from Alma School Road west to just past Chippewa Place.

INFORMATIONAL:

1. Minutes of the September 7, 2016, Planning and Zoning Commission meeting.

CURRENT EVENTS:

The Mayor announced comments will be given at the regular Council meeting Thursday, October 13th.

Adjournment: The meeting was adjourned at approximately 7:09 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: November 7, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 10th day of October 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 9 day of November, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, October 13, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY at 7:01 p.m.

The following members answered roll call:

Jay Tibshraeny	Mayor
Jack Sellers	Vice-Mayor
Nora Ellen	Councilmember
Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Kevin Hartke	Councilmember

Also in attendance:

Marsha Reed	City Manager
Nachie Marquez	Assistant City Manager
Glenn Brockman	Acting City Attorney
Marla Paddock	City Clerk

INVOCATION: Pastor Luis Amaya – East Valley Alliance of Pastors

PLEDGE OF ALLEGIANCE: Boy Scout Troop 489 led the Pledge of Allegiance.

CONSENT:

MAYOR TIBSHRAENY received comments on items No. 1 and 14. Discussion is listed under those items.

MOVED BY COUNCILMEMBER ELLEN, SECONDED BY COUNCILMEMBER HARTKE, TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILMEMBER HEUMANN thanked the applicant for Item 2 (Arista at Ocotillo) for working out a modification he asked for.

MOTION CARRIED UNANIMOUSLY (7-0).

1. CITY CODE AMENDMENT: Chapter 14 – Unlawful Restraint of Dogs

INTRODUCED ORDINANCE NO. 4722 amending Chandler City Code, Chapter 14, amending Article I, Section 14-1; Amending Article II, Section 14-5, adding Section 14-31 relating to the Unlawful Restraint of Dogs; and renumbering Section 14-31 to 14-32.

Every year the Chandler Police Department receives numerous calls from citizens concerned about the well-being of dogs tethered and restrained in outdoor areas during extreme weather conditions. The unlawful restraint of a dog (under the ordinance) also known as "tethering," refers to the practice of cruelly restraining a dog under circumstances that may endanger its health, safety, or well-being or otherwise limit the dog's movement by use of a restraint that chokes the dog or does not permit the dog to reach food and water, shade, or dry ground, or does not permit the dog to escape harm. Current Arizona and City of Chandler animal cruelty laws do not

expressly prohibit the cruel restraint of a dog. The ordinance amends Chandler City Code, Chapter 14, relating to dogs, and prohibits the act of cruelly restraining a dog.

This ordinance is considered a preventative measure that will allow police officers to work with citizens to improve the living conditions of their dogs and further prevent potential animal cruelty violations.

The unlawful restraint of a dog ordinance was presented to the Public Safety Subcommittee on September 16, 2016.

DISCUSSION
Ms. Mary Ellen Quinn, 1352 W. Indigo Drive, Chandler, Arizona, stated a community is as strong as its weakest members. The truest reflection of a community is how we treat those who have no voice.

She thanked the Chandler City Council and the Chandler Police for addressing the inhuman treatment of animals subjecting them to inhumane conditions let alone during Arizona's summer months.

2. REZONING: ARISTA AT OCOTILLO Ord. # 4719

INTRODUCED ORDINANCE NO. 4719, DVR16-0008 Arista at Ocotillo, rezoning from Planned Area Development (PAD) to PAD Amended to eliminate a zoning condition requiring 'for-sale' multi-family units, and Mid-Rise Overlay for building heights up to 57 feet on a portion of buildings adjacent to water's edge.
APPROVED PRELIMINARY DEVELOPMENT PLAN (PDP), for site layout and building architecture for a 210-unit multi-family development located at the northwest and southwest corners of Edgewater Way and Dobson Road, south of Queen Creek Road. (Applicant: Ed Bull, Burch & Cracchiolo)

BACKGROUND:
The subject site is located at the northwest and southwest corners of Edgewater Way and Dobson Road, south of Queen Creek Road. A lake is adjacent to the site's northwestern boundary that wraps around to the north of the site. Dobson Road runs the length of the eastern property boundary, with Orbital Sciences south of the site. Northwest across the lake is the Cays at Downtown Ocotillo condominium development that is currently under construction, and a vacant parcel that received zoning and PDP approval for a hotel.
The subject site received zoning and PDP approval for multi-family residential in the form of condominium units as part of the larger Downtown Ocotillo development. A condition was added requiring that the units be 'for-sale'.

The request for rezoning from Planned Area Development (PAD) to PAD Amended to eliminate a zoning condition requiring 'for-sale' multi-family units, and Mid-Rise Overlay for building heights up to 57 feet on a portion of buildings adjacent to water's edge, along with Preliminary Development Plan (PDP) approval for site layout and building architecture for a 210-unit multi-family development.

SITE LAYOUT/ARCHITECTURE
Unit mix includes 115 one bedroom, 87 two bedroom, and 8 three bedroom units. The request reorganizes the concentration of units to predominantly along the lakeside, with two four-story buildings adjacent to the lake and four three-story units adjacent to the larger buildings, though internal to the site. Two-story carriage units are located along the perimeter of the site. With the

higher concentration of units adjacent to the lake, building heights are increased above the code allowed 45-feet. The two four-story buildings contain an upstairs mezzanine for views over the lake and Downtown Ocotillo. Due to the mezzanine, the building height is increased to 57-feet, resulting in a request for Mid-Rise Overlay.

Two-story carriage units are located along the perimeter of site reducing the visibility of surface parking. Relief from the required 50-foot building setback along Dobson Road is requested to accommodate five carriage unit buildings. Site amenities include a terraced water feature, firepit, terraced sun lawn, and pool, in addition to the standard fitness and media rooms commonplace in multi-family developments.

While the site is bisected by Edgewater Way, a private drive, the design team has tied the two sites together with architecture, a formal landscape design along the street frontages, monumentation for the development, and street pavement treatment at the entrances.

Architectural design of the site continues the Santa Barbara style predominant throughout Ocotillo. The design team has incorporated a number of covered arched walkways, arched windows, and tile detailing. Building massing is broken-up through the incorporation of areas of the building stepping out from the main body. Two building designs are provided for the carriage units to provide diversity.

Planning Staff supports the request for Mid-Rise Overlay, and encroachment into the building setback along Dobson Road, finding that the project represents a quality residential development. The design team has attractively furthered the Santa Barbara design style in the area. While concerns with the 2007 proposal regarding for-sale units triggered a discussion on rental versus ownership, the proposed design of the site provides a layout and unit organization that largely looks and feels like a for-sale development, but operates as a rental development.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- Due to the request for Mid-Rise Overlay, two neighborhood meetings were held. The first neighborhood meeting was held June 7, 2016; 15 neighbors attend including a couple of representatives from the Ocotillo Association. Overall general support was offered with general questions being asked. The second neighborhood meeting was held July 12, 2016; two representatives from the Ocotillo Association attended.
- The Ocotillo Design Board has reviewed the proposal and has provided general design related feedback.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

PLANNING COMMISSION VOTE REPORT: Approved: 4 to 0.

RECOMMENDED ACTIONS

Rezoning

Planning Commission and Planning Staff recommend City Council approve the rezoning, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arista at Ocotillo" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0008, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).

6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

8. Maximum building height shall be limited to 57 feet.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Arista at Ocotillo" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0008, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Landscaping along all street fronts shall be in compliance with current Commercial Design Standards.

3. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.

4. All raceway signage shall be prohibited within the development.

5. All pedestrian walkways shall be A.D.A. accessible and shall not be interrupted by any obstacles preventing circulation (i.e. handicap shall have direct access to all indoor and outdoor pedestrian spaces).

6. All ground-mounted equipment shall be screened from public view by landscaping or a concrete or masonry wall equal to or greater in height than the mechanical equipment.

7. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner, property owners' association, or homeowners' association.

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

3. WIRELINE CROSSING: Union Pacific Railroad Res. # 4908

ADOPTED Resolution No. 4908 authorizing an agreement with the Union Pacific Railroad Company for the Wireline Crossing at Germann Road east of Arizona Avenue, in an amount not to exceed $5,605.00.

In connection with the Germann Road Streetlight Improvement Project, the wireline interconnect, signal interconnect, and conduit require an underground railroad crossing east of Arizona Avenue. The work involves the dry bore installation of the encased conduit and respective pulling of the conductor. An agreement for a Wireline Crossing with the Union Pacific Railroad is required to grant the City a property right to establish and construct the new crossing.

4. RIGHT-OF-WAY TRANSFER: McQueen Road Res.#4979

ADOPTED Resolution No. 4979 authorizing the transfer of certain County right-of-way on McQueen Road, between Queen Creek and Riggs roads, and contingent upon the approval of the Maricopa County Board of Supervisors.

Council previously adopted Resolution No. 4584, an Intergovernmental Agreement (IGA) with the Maricopa County Department of Transportation, for cost sharing for improvements to McQueen Road from Queen Creek to Riggs roads. In conformance with the IGA approval, the City is required to annex (transfer) the portion of McQueen Road that is currently under the jurisdiction of Maricopa County.

The Annexation Map, attached to the Resolution, depicts the entire area to be annexed. A.R.S. 9-471(N) allows for an alternate annexation procedure where a county right-of-way or roadway may be transferred to an adjacent city by mutual consent of the governing bodies of the county and city if the property transferred is adjacent to the receiving city, and if the city and county each approve the proposed transfer as a published agenda item at a regular public meeting of their governing bodies.

5. FACILITY RELOCATION AGREEMENT: SRP Res. #4981

ADOPTED Resolution No. 4981 authorizing a Facility Relocation Agreement with Salt River Project Agricultural Improvement and Power District (SRP) at Alma School Road and Galveston Street for an SRP aesthetics project.

On September 11, 2014, City Council approved Resolution No. 4801 consenting to Municipal Aesthetics Program Funding Agreements with Salt River Project (SRP). This approval includes the placement of some of SRP's electric facilities underground at Alma School Road and Galveston Street. Staff has confirmed that SRP does not have prior rights for these facilities. The Facility Relocation Agreement (Agreement) is a standard accommodation between SRP and the City for these aesthetics projects. SRP will be doing this work using aesthetics program funds.

6. DEACTIVATION AGREEMENT: SRP Res. #4990

ADOPTED Resolution No. 4990 authorizing a deactivation agreement with SRP for deactivation and removal of unused SRP irrigation lines in the intersection of Chandler Boulevard and Alma School Road.

As part of the Chandler Boulevard and Alma School Road intersection project, there are a number of existing utilities that need to be adjusted or relocated. SRP also has irrigation facilities within the limits of the intersection project that need to be adjusted and relocated including two irrigation lines within the project limits that are no longer in service and can be abandoned and deactivated. SRP currently believes these facilities to be deactivated and will no longer be needed for irrigation purposes.

One irrigation line to be abandoned and deactivated runs from the SRP irrigation structure in the northwest corner of the intersection to a point east of the southeast corner, with a short irrigation stub from the southeast corner to the northeast corner, for a total of 250 feet. This 18-inch diameter irrigation line was serving the SRP shareholder lands in the southeast corner of the intersection and was likely taken out of service about 30 years ago when that area developed and the current configuration of Chandler Boulevard was constructed. This southeast corner does have an alternate source of SRP irrigation water from the east in the Hartford Street and Commonwealth Avenue alignments at the San Marcos Golf Course that could be used if ever needed.

A second irrigation line to be abandoned and deactivated runs from the same SRP irrigation structure in the northwest corner of the intersection to the south-southeast about 120 feet to the south side of Chandler Boulevard. This 24-inch irrigation line was serving SRP shareholder lands to the southwest of the intersection and was likely taken out of service about 25 years ago when that area developed.

FINANCIAL IMPLICATIONS: The City of Chandler will be responsible for the removal of the SRP irrigation pipe as part of the Chandler Boulevard and Alma School Road intersection project. In the future, if a SRP shareholder entitled to irrigation water from this irrigation pipe can adequately demonstrate the capability to take irrigation water at their property as reasonably determined by SRP, the City is required to provide the necessary easement and pay all costs for the replacement facility.

7. PROJECT AGREEMENT:

ADOPTED RESOLUTION NO. 4992 authorizing a Project Agreement with Maricopa Association of Governments for regional reimbursement for design, right-of-way and construction improvements to Chandler Heights Road (McQueen Road to Gilbert Road), in the amount of $6,535,472.43.

This Project Agreement is for reimbursement of $6,535,472.43 in fiscal years 2017 ($1,721,360), 2020 ($884,479.82), and 2021 ($3,929,632.61) of Proposition 400 funds for improvements to Chandler Heights Road (McQueen Road to Gilbert Road).

This project involves street widening improvements to Chandler Heights Road from McQueen Road to Gilbert Road. The segment will be widened from 2 thru lanes to 4 thru lanes. New 5' wide bicycle lanes will be included throughout the project. Additional improvements will include 6' wide sidewalk; curb & gutter; 16' wide raised landscaped median; streetlights; traffic signals; storm drainage scuppers, pipe, & retention basins; wet utilities; and dry utilities.

Traffic signal fiber interconnect is included to link traffic signals at Cooper Road and Gilbert Road. Sidewalk and ramps will be ADA compliant. No bus route is planned for Chandler Heights Road. Roosevelt Water Conservation District (RWCD)'s eastern canal crossing was already widened under a past Maricopa County Department of Transportation project and will require the installation of approach concrete slabs.
These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life. The Transportation Commission voted in support of this project.

8. PROJECT AGREEMENT: Ocotillo Road improvements – Gilbert Rd to 148th Street Res. #4993

ADOPTED RESOLUTION NO. 4993 authorizing a Project Agreement with Maricopa Association of Governments for regional reimbursement of design, right-of-way and construction improvements to Ocotillo Road (Gilbert Road to 148th Street), in the amount of $3,177,956.00.

This Project Agreement is for reimbursement of $3,177,956 in fiscal years 2017 ($820,410), 2025 ($54,940) and 2026 ($2,302,606) of Proposition 400 funds for improvements to Ocotillo Road from Gilbert Road to 148th Street.

This project involves street widening improvements to Ocotillo Road from one-quarter mile east of Gilbert Road (Rincon Drive) to 148th Street. The segment will be widened from a combination of 2 and 3 thru lanes, to 4 thru lanes. New 5' wide bicycle lanes will be included throughout the project. Additional improvements will include 6' wide sidewalk; curb & gutter; 16' wide raised landscaped median; streetlights; traffic signals; storm drainage scuppers, pipe, & retention basins; wet utilities; and dry utilities. Traffic signal fiber interconnect is included to link traffic signals at Gilbert Road, Lindsay Road, and 148th Street (possible future signal). Sidewalk and ramps will be ADA compliant. No bus route is planned for Ocotillo Road. Roosevelt Water Conservation District (RWCD)'s eastern canal crossing was already widened under a past City project.

These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life. The Commission voted to approve this project.

The Transportation Commission reviewed the project agreement on September 29, 2016, and recommended approval of the Project Agreement with a vote of 6-0.

This agreement will provide regional reimbursement for design, right-of-way, and construction to the City of Chandler for Ocotillo Road (Gilbert Road to 148th Street), in the amount of $3,177,956. Reimbursement is programmed in 2017, 2025, and 2026 and will be adjusted annually for inflation, in accordance with Maricopa Association of Governments policies.

9. PROJECT AGREEMENT: Ocotillo Road Improvements – Cooper to Gilbert Rd. Res. #4994

ADOPTED RESOLUTION NO. 4994 authorizing a Project Agreement with Maricopa Association of Governments (MAG) for regional reimbursement for design, right-of-way and construction improvements to Ocotillo Road (Cooper Road to Gilbert Road), in the amount of $6,499,259.57.

This Project Agreement is for reimbursement of $6,499,259.57 in fiscal years 2017 ($1,172,412.67), and 2018 ($5,326,846.90) of Proposition 400 funds for improvements to Ocotillo Road from Cooper Road to Gilbert Road.

This project involves street widening of a portion of Ocotillo Road between Cooper Road and Gilbert Road. This work involves street widening improvements to the middle half-mile segment of Ocotillo Road between Redwood Drive and Normand Way from 3 thru lanes to 4 thru lanes.

The remainder of the mile between Cooper Road and Gilbert Road is currently 4 lanes. New 5' wide bicycle lanes will be included throughout the project. Additional improvements will include 6' wide sidewalk; curb & gutter; 16' wide raised landscaped median; streetlights; traffic signals; storm drainage scuppers, pipe, & retention basins; wet utilities; and dry utilities. Traffic signal fiber interconnect is included to link traffic signals at Cooper Road and Gilbert Road. Sidewalk and ramps will be ADA compliant. No bus route is planned for Ocotillo Road.

These proposed improvements are based on the City's Transportation Master Plan Update (April 2010) for a 20-year design life.

The Transportation Commission reviewed the project agreement on September 29, 2016, and recommended approval of the Project Agreement with a vote of 6-0. Commissioner Henderson was absent.

This agreement will provide regional reimbursement for design, right-of-way, and construction to the City of Chandler for Ocotillo Road (Cooper Road to Gilbert Road), in the amount of $6,499,259.57. Reimbursement is programmed in 2017 and 2018 and will be adjusted annually for inflation, in accordance with Maricopa Association of Governments policies.

10. DRAINAGE EASEMENT: Ocotillo Rd Improvements – Cooper Rd to Gilbert Rd. Res. #4996

ADOPTED RESOLUTION NO. 4996 authorizing the acquisition of a drainage easement needed for the Ocotillo Road Improvements from Cooper Road to Gilbert Road, at market value plus closing costs and escrow fees; authorizing the City's Real Estate Manager to sign, on behalf of the City, the purchase agreement and any other documents necessary to facilitate this acquisition; authorizing eminent domain proceedings as needed to acquire said drainage easement and obtain immediate possession thereof, and authorizing relocation services as may be needed and required by law.

On June 23, 2016, City Council approved Resolution 4951 authorizing the partial acquisition of right-of-way in fee and by easement from three residential owners and from two residential subdivisions (Arizona Country and Fonte Al Sole) for a total of nine parcels of land along the south side of Ocotillo Road. Subsequent to this approval, it was determined that the existing basins in the Arizona Country subdivision lack the capacity necessary to accommodate the drainage runoff for a portion of the Ocotillo Road improvements. To accommodate the drainage runoff, the water will be piped to a much larger and deeper basin on the north side of Ocotillo Road in the Markwood South – Parcel 9A subdivision (Redwood Estates Homeowners Association). The City will need to acquire a drainage easement from the Redwood Estates Homeowners Association to cover the additional drainage volume and the associated drainage improvements.

The City will appraise the parcel and make an offer for this drainage easement at market value based upon the appraisal. A reasonable time will be provided to work with the property owner to negotiate the property purchase, after which condemnation proceedings will be initiated as needed to acquire the drainage easement and to obtain immediate possession. While it is not anticipated that any relocation services will be required for this parcel, we are also requesting authority to provide those services should the need arise.

Funds for this acquisition are provided for in the project budget.

11. FACILITY USE AGREEMENTS: Central Arizona College Res. #4997

ADOPTED RESOLUTION NO. 4997 authorizing three Public Safety Training Facility Use Agreements between Central Arizona College and the Chandler Police Department for 2017 Advanced Officer Training; and authorized the Mayor to sign the Agreements and the Chief of Police to administer, execute, and submit all documents and other necessary instruments in connection with such Agreements.

The Chandler Police Department Training Unit is requesting permission to utilize the Public Safety Training Facility on the campus of Central Arizona College for its 2017 Advanced Officer Training (AOT). AOT consists of a variety of classes designed to meet the specific needs of new and veteran officers within the Chandler Police Department. In 2017, the police department will provide required AOT for approximately 340 sworn officers.

This site includes training facilities for police and fire programs, which will allow proposed onsite training of all sworn personnel, approximately 30 officers per day, over a three-week period in February of 2017. The Training Unit will utilize the driving track to conduct emergency response driving training and the fire training area for active shooter/officer down/rescue scenario training. Use of the Central Arizona College training site allows the Chandler Police Department to maintain critical safety protocols while conducting AOT in a confined, controlled area. The Chandler Police Department has no facility to accommodate such training and has used these facilities to conduct this training in the past.

Each of the driving track agreements has a use fee of $400. Total cost for the three agreements is $1,200.

12. INDUSTRIAL COMMISSION OF ARIZONA BOND EXEMPTION: Res. #4998

ADOPTED RESOLUTION NO. 4998 request continuation of exemption from the Industrial Commission of Arizona (ICA) requirement of posting a security bond for the City of Chandler Self-Insured Workers' Compensation Program.

The City of Chandler was approved by the ICA to self-insure workers' compensation benefits on January 1, 2003. A requirement of self-insured programs is to post a security bond with the ICA in order to ensure performance in the event that a self- insured program becomes insolvent.

On April 4, 2005, the ICA implemented new rules governing management of the workers' compensation self-insurance program. The new rule, R20-5-1114, includes an "Exemption from Requirement to Post Security" noted below.

"A public entity applicant or public entity self-insurer is exempt from the requirement under this Article to post or provide security if the public entity:

1. Has a fully funded risk management fund sufficient to cover actuarial liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10; and
2. Provided funding to the risk management fund each year sufficient to cover actuarial Liabilities for workers' compensation as determined by the self-insurer in accordance with Government Accounting Standards Board Statement #10."

Since the inception of our self-insured program in January, 2003, we have expended a total of $16,745 to purchase Security Bonds. The City's application for exemption to post security was accepted and we no longer incur expenditures for bonds.

13. AGREEMENT: PMT Ambulance Inc. Res. #5001

ADOPTED Resolution No. 5001 authorizing a contract with Professional Medical Transport, Inc., dba PMT Ambulance dba Life Line Ambulance (PMT) for the provision of emergency ambulance services and authorizing the City officers and employees to perform all acts necessary to give effect to this Resolution.

14. AGREEMENT: Rogers Corporation Res. #5002

ADOPTED RESOLUTION NO. 5002 authorizing a development agreement with Rogers Corporation for reimbursement of employee relocation and hiring expenses in an amount not to exceed $237,500.00, in connection with the relocation of the company's corporate headquarters and expansion of research and development and manufacturing operations in Chandler.

Discussion
Jay Knoll, Vice President and General Counsel, and Gary Glandon, Chief Human Resources Officer of Rogers Corporation spoke on the relocation of the company's corporate headquarters to Chandler Arizona.

Mr. Knoll stated Rogers Corp. has been manufacturing in Chandler for the last 50 years, and will be moving the headquarters as well. There will be several phases of the project, moving the executives from Connecticut to Chandler then expanding the manufacturing and the research and development fields over the next 5 years. He thanked the City of Chandler and the Mayor and Council for their support and look forward to continuing the working relationship.

15. GRANT AGREEMENTS: Arizona Department of Homeland Security Res. #5003

ADOPTED Resolution No. 5003 authorizing the acceptance of FY 2016 Homeland Security Grant Program Awards between the Arizona Department of Homeland Security and the City of Chandler for Agreement Numbers 16-AZDOHS-HSGP-160803-01 and 16-AZDOHS-HSGP-160803-02, and authorize the Mayor to execute the Agreements.

BACKGROUND/DISCUSSION: The Police Department has been awarded two grants under the FY 2016 Homeland Security Grant Program. These grants provide funds, on a reimbursement basis, to support training and equipment for the Police Department's Rapid Response Team (RRT) and Terrorism Liaison Officer (TLO) programs. These programs enhance the Police Department's ability to be prepared and equipped to respond to large scale emergencies, terrorist events, and natural and/or man-made disasters. The RRT award is for $100,000; and the TLO award is for $87,480. Both programs are awarded for October 1, 2016, through September 30, 2017.

16. CONTINUED PRELIMINARY DEVELOPMENT PLAN: Primrose School of Chandler

CONTINUED TO NOVEMBER 10, 2016, Preliminary Development Plan (PDP), PDP16-0005 Primrose School Of Chandler, for site layout and building design for a preschool/childcare development located at the NWC of Chandler Boulevard and Terrace Road, east of Rural Road.

17. 2016 CELEBRATION PLAZA HONOREES

APPROVED the Chandler Museum Advisory Board recommendations to recognize James Robert Snedigar, Kenneth Thomas, and Chandler Chamber of Commerce as the 2016 Celebration Plaza Honorees.

BACKGROUND/DISCUSSION:
Each year the City of Chandler accepts nominations from the public for inductees to Celebration Plaza, a permanent monument at Tumbleweed Park.

Constructed in 2006, Celebration Plaza features a fountain and a decorative wall with brass plaques honoring Chandler residents, living or deceased, who have displayed outstanding civic commitment, leadership, innovation, public outreach and service to the City. Individuals holding an elected City of Chandler office or serving on the Parks and Recreation Board or Museums Advisory Board are not eligible for nomination.

Staff received seven nominations during this year's nomination process. The Celebration Plaza subcommittee made up of two Museums Advisory Board Members and one Parks and Recreation Board Member evaluated the nominations based on the following criteria:

- Community leader(s) whose outstanding personal service has resulted in significant and enduring contributions to the community.
- An individual or individuals who have made exceptional contributions to the City of Chandler.
- An individual or individuals who have added to the quality of life for Chandler residents through their involvement or financial contribution to short or long-term city projects or activities.
- An individual who has demonstrated leadership, innovation and creativity, which has made Chandler a better place to live and work.
- City of Chandler employees killed in the line of duty and local heroes.

The subcommittee recommendations for 2016 were presented to the Museums Advisory Board at their September 14, 2016 meeting. The Board endorsed the recommendations and unanimously voted to recommend them to the City Council for approval.

The 2016 nominees will be honored at an induction ceremony this fall.

18. BOARD AND COMMISSION APPOINTMENTS:

APPROVED the following Board and Commission appointments:

Citizens' Panel for Review of Police Complaints and Use of Force
Damian Nichols
Sarah Zamora

Mayor's Youth Commission
Zeba Rizvi
Grace Church, and Jeffrey Liu

Planning and Zoning Commission
Robert Klob

19. AGREEMENT AMENDMENT: Baker & Taylor, LLC, and Midwest Tapes, LLC,

APPROVED Agreement No. CS3-525-3145, Amendment No. 2, with Baker & Taylor, LLC, and Midwest Tapes, LLC, for library materials and related services in a combined total amount not to exceed $1,450,000.00, for the term of November 1, 2016, through October 31, 2018.

The Library contracts with book and media vendors to obtain the best discount for library materials. These agreements will enable the library to continue to receive the best prices for hardcover and paper cover materials of adult fiction and nonfiction, youth fiction and nonfiction, children's picture books and board books, reference books, audio books, DVDs and CD music. The items purchased from these vendors are discounted up to 46.5% and come preprocessed so they can quickly be made available to library customers.

In October 2012, City Council awarded Agreement No. CS3-525-3145 for the purchase of library materials and related services to Baker & Taylor, LLC, and Midwest Tape, LLC. The agreement allowed for up to two two-year extensions. Baker & Taylor, LLC, and Midwest Tape, LLC, have agreed to extend the contract for the second two-year option at the current terms, conditions, and pricing, for the term of November 1, 2016, through October 31, 2018. This is the second and final renewal option.

20. PROJECT AGREEMENT: Gavan & Barker, Inc.

APPROVED Project Agreement No. PR1613.202 with Gavan & Barker, Inc., for design services, for Layton Lakes Park, pursuant to Annual Park Design Services Contract No. EN1511.101, in an amount not to exceed $109,612.00.

The City's system of neighborhood parks is intended to serve Chandler's residential areas with a variety of active and passive recreational facilities. It is the City's goal to provide, where possible, one neighborhood park for each square mile of residential development. Each year, the Community Services Department receives requests made by citizens for additional neighborhood parks. In 2008, the City of Chandler purchased 7.11 acres of land (Layton Lakes Park site) located in the square mile bordered by Queen Creek, Gilbert, Ocotillo, and Lindsay Roads. This park will serve the neighborhood park needs for the residents in this square mile.

On September 15, 2016, City Council approved an annual contract with Gavan & Barker, Inc., for park design services. This project agreement will provide for the design and development of construction documents for the development of Layton Lakes Park. Amenities for this park include: open turf areas, lighted sand volleyball and basketball courts, playground equipment with shade structures, swings, court games, picnic ramadas, drinking fountain, bike racks, benches, trash receptacles and lighted walkways.

As with all park development projects, citizen input on the design and development of the park is very important. On September 14, 2016, Park Development and Operations staff facilitated a public meeting to receive input from Chandler citizens regarding the design of the park. Overall, the input received at the public meeting was very appreciative and supportive. The conceptual master plan was then endorsed by the Parks and Recreation Board at their October 4, 2016, meeting.

The term of this design services contract is 150 days from the Notice to Proceed. The construction of the park will begin in late spring 2017 with completion anticipated for late summer 2017.

City staff reviewed the scope of work, billing rates, and total fee for the project and determined them to be reasonable. This project is within the parameters of the annual contract for park design services with this firm.

21. AGREEMENT AMENDMENT: ISS Grounds Control, Inc.

APPROVED Agreement No. MU4-988-3258, Amendment No. 2, with ISS Grounds Control, Inc., for Citywide landscaping services, increasing the existing annual spending limit amount by $173,165.00, for a revised, not to exceed amount of $894,224.13, for the term ending August 31, 2017.

Services under the original agreement consist of weekly trash pickup, weed control, irrigation repair, mowing, pruning and trimming at landscaped areas for Community Services, Parks and Facilities and Municipal Utilities. The request for the increase to the current contract is to provide landscape maintenance to Paseo Vista Recreation Area and Fire Facilities as well as to contract a full time Park Maintenance Technician. City Council approved on-going funding for the contract landscape maintenance for Paseo Vista Recreation Area and Fire Facilities and one-time funding for the contracted Park Maintenance Technician through the adoption of the FY16/17 budget.

22. AGREEMENT: Avcom Company

APPROVED Agreement No. AI7-909-3641, with Avcom Company, for airport tower maintenance, in an amount not to exceed $129,394.00, for two years, November 1, 2016, through October 31, 2018, with the option of one additional two-year extension.

This contract provides for inspection and maintenance of the air traffic control tower at the Chandler Municipal Airport and covers all City-owned equipment required to perform air traffic control activities. Scheduled services are performed a total of four times per year. The contract also has a price structure for labor and parts to perform unforeseen repairs as required. The equipment is currently maintained by Avcom Company, who has been the maintenance contractor since 2000.

23. PROJECT AGREEMENT: J2 Engineering & Environmental Design, LLC

APPROVED Project Agreement No. PR1701, with J2 Engineering & Environmental Design, LLC, for park design services for the Dr. A.J. Chandler Park Master Plan, pursuant to annual contract, EN1511-101, in an amount not to exceed $66,304.00.

Originally developed in 1912, Dr. A.J. Chandler Park is a 5.62-acre special use park located in the center of the Downtown core between Buffalo Street (north), Boston Street (south), San Marcos Place (west), and Arizona Place (east) with South Arizona Avenue running north and south dividing the park into two areas. Early on, Dr. Chandler envisioned a landscaped central park that would be surrounded by businesses. Today, the downtown storefronts have been restored to a modern version of their original turn-of-the-century look and the downtown and park serve as a popular draw for family festivals, shops, entertainment, and restaurants.

The park was last renovated in 1985. Since the park's renovation over 30 years ago, Downtown Chandler has grown to include not only local businesses and restaurants, but also residential development. Each year the area continues to grow in popularity.

This project will examine the existing features of the park and will develop a conceptual master plan to ensure the park will sustain current and future growth/densities of Downtown.

On September 15, 2016, City Council approved an annual contract with J2 Engineering & Environmental Design, LLC., for park design services. This project agreement will provide for master plan design services for future improvements/renovation to Dr. A.J. Chandler Park. As with

all park development projects, citizen input is very important. In addition to citizen input, this contract includes extensive outreach to the community including charrette meetings with key stakeholders, including but not limited to the Downtown Chandler Community Partnership (DCCP), Chandler Arts Commission, City of Chandler Departments and others as identified.

The conceptual plan will recommend new improvements to the park which will include sighting of amenities, development of plant palette, color palette, hardscape elements, site furnishings, lighting concepts, landforms, identifying circulation patterns, activity zones, and buffer areas, while utilizing a Crime Prevention Through Environmental Design (CPTED) consultant for safety considerations.

The term of this design services contract is 270 days from the Notice to Proceed.

24. PROJECT AGREEMENT: Wilson Engineers, LLC

APPROVED Project Agreement No. WW1703.101, with Wilson Engineers, LLC, for the Wastewater Treatability Evaluation, pursuant to Annual Water and Wastewater Services Contract No. EN1517.101, in an amount not to exceed $348,260.00.

In 1998, the Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, was put into service. The AWRF treats domestic wastewater to the highest standard mandated by the State of Arizona so it can be used for irrigation and to recharge local groundwater aquifers.

The project scope of work consists of: process review and optimization, wastewater characterizations, a treatability study, assessment of the AWRF infrastructure, and permitting assistance as well as a review of current pretreatment permits to determine renewal changes.

This project is being performed under the Annual Water and Wastewater Services Contract No. EN1517.101, to Wilson Engineers, LLC. The costs proposed for this project have been evaluated by staff and are determined to be reasonable. The contract completion time is 365 calendar days following Notice to Proceed.

25. AGREEMENT AMENDMENT: Raftelis Financial Consultants, Inc.

APPROVED Agreement No. MS6-919-3636, Amendment No. 1, with Raftelis Financial Consultants, Inc., for a Water, Wastewater and Reclaimed Water Cost of Service Study, in an amount of $13,373.00, for a revised total of $128,825.00.

The 2016 Water, Wastewater and Reclaimed Water Cost of Service Study has been in process since December 11, 2015. The purpose of this study is three fold. First, it evaluates the cost of delivery for water, reclaimed water, and wastewater services provided to all customer categories (single-family, multi-family, non-residential, industrial, and landscape) to ensure that the cost of providing service to each particular customer class is appropriate based on services received.

Second, it evaluates if the flat monthly fee for single-family and multi-family wastewater service is still the best way of billing, versus a fee based on the amount of water used each month (volumetric rate calculation). Third, it reviewed the customer categories to determine whether or not large industrial should be a separate rate.

During the study, two requests were made that required Raftelis to invest additional time. The requests were necessary as cost of service options were modified to ensure the most cost effective, sustainable recommendation for Chandler Utility Customers.

On December 10, 2015, Council approved an agreement with Raftelis Financial Consultants, Inc., to perform a 2016 Water, Wastewater and Reclaimed Water Cost of Service Study, in an amount not to exceed $115,452. Additional work is needed to conclude the rate study and the additional amount of $13,373 requires Council approval.

26. AGREEMENT AMENDMENT: Perlman Architects of Arizona

APPROVED Contract No. EN1504.101, Amendment No. 1, extending Annual Architecture Services, with Perlman Architects of Arizona, in an amount not to exceed $150,000.00 per year, for a two-year term.

BACKGROUND/DISCUSSION:
Staff anticipates needing services related to Architecture Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the option to renew for a single two (2) year term. Dependent upon the project architecture needs, work will rotate among three (3) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

FINANCIAL IMPLICATIONS: Staff anticipates up to $150,000 per year, for two (2) years, will be spent on Architecture Services. The owner/user department shall provide funding for each individual project requiring Architecture Services. There is no increase in the hourly rates being billed under this contract.

27. AGREEMENT AMENDMENT: Ritoch-Powell and Associates Consulting Engineers

APPROVED Contract No. EN1506.101, Amendment No. 2, extending Annual Civil Engineering Services, with Ritoch-Powell and Associates Consulting Engineers, in an amount not to exceed $300,000.00 per year, for a two-year term.

BACKGROUND/DISCUSSION: Staff anticipates needing services related to Civil Engineering Services in support of the Capital Improvement Program. City Council approved the initial contract on September 11, 2014, with the option to renew for a single two (2) year term. City Council approved Contract Amendment 1 on March 26, 2015, increasing the annual limit to $500,000 for services related to a specific project at the time. This Contract Amendment 2 will return the annual limit to its original amount of $300,000. Dependent upon the project civil engineering needs, work will rotate among two (2) firms based on availability and expertise. This action will save on the cost of the selection process and time to bring individual projects forward.

FINANCIAL IMPLICATIONS: Staff anticipates up to $300,000 per year, for two (2) years, will be spent on Civil Engineering Services. The owner/user department shall provide funding for each individual project requiring Civil Engineering Services. The contract amendment includes a proposed average four percent increase in hourly rates.

28. AGREEMENT AMENDMENT: Dibble Engineering

APPROVED Contract No. EN1520.101, Amendment No. 1, extending Annual Water/Wastewater Services, Contract, with Dibble Engineering, in an amount not to exceed $1,500,000.00 per year, for a two-year term.

29. CONTRACT: Salt River Project

APPROVED Design And Construction Contracts No. ST0807.501 to Salt River Project (SRP) to accommodate the Alma School Road/Chandler Boulevard Intersection Improvements, for relocation of electric facilities and electric for streetlights, in an amount not to exceed $247,350.00.

This project includes widening the Alma School Road/Chandler Boulevard intersection to three thru lanes; dual left turn lanes; right turn lanes; bike lanes; bus/bike lanes; raised landscaped median; storm drainage; wet & private utilities; streetlights; and traffic signals. Salt River Project will perform the following work: electrical design and construction for cabinet relocation, trench/bore conduit, conductor replacement; streetlight conductor; and all other work incidental to the aforementioned improvements. Relocation work is located on the west side of Alma School Road. Streetlight work is located on the west leg of the intersection.

30. CONTRACT: Salt River Project

APPROVED Design Contract No. ST0807.503 to Salt River Project (SRP) to accommodate the Alma School Road/Chandler Boulevard Intersection Improvements, for relocation of irrigation facilities, in an amount not to exceed $74,950.00.

This project includes widening the Alma School Road/Chandler Boulevard intersection to three thru lanes; dual left turn lanes; right turn lanes; bike lanes; bus/bike lanes; raised landscaped median; storm drainage; wet & private utilities; streetlights; and traffic signals. Salt River Project's scope includes the following: predesign and design for the future installation of a new irrigation structure with pipe stubs. The City's contractor will install irrigation pipe and liner. A separate SRP Agreement will be brought forward for the installation by SRP crews for these relocations and improvements not being done by the City's contractor.

31. CONTRACT: Arizona Public Service

APPROVED Design and Construction Contract No. ST0807.502 to Arizona Public Service (APS) to accommodate the Alma School Road/Chandler Boulevard Intersection Improvements, for relocation of electric facilities and electric for streetlights, in an amount not to exceed $70,646.91.

This project includes widening the Alma School Road/Chandler Boulevard intersection to three thru lanes; dual left turn lanes; right turn lanes; bike lanes; bus/bike lanes; raised landscaped median; storm drainage; wet & private utilities; streetlights; and traffic signals. Arizona Public Service will perform the following work: cabinet relocation, trench/bore conduit, conductor replacement; streetlight conductor; and all other work incidental to the aforementioned improvements. Relocation work is located on the east leg of the intersection and east side of Alma School Road. Streetlight work is located on the north, east, and south legs of the intersection.

32. CONTRACT: DNG Construction, LLC

APPROVED Construction Contract No. PR1610.401 to DNG Construction, LLC, for Desert Breeze Splash Pad, in an amount not to exceed $224,343.27.

Desert Breeze Park is a forty-seven (47)-acre Community Park originally developed in 1990 and is one of Chandler's most popular parks. In addition to the variety of amenities offered at this park, one of the most popular amenities is the water splash pad. Since its construction more than 25 years ago, the splash pad equipment has deteriorated and is unfortunately no longer serviceable.

During the FY 15-16 budget process, funding was allocated to renovate and improve the entire splash pad, which includes improving walkway access to meet current ADA guidelines, new splash

pad equipment, surfacing, and landscaping associated with the splash pad. As to not interfere with the use of this popular amenity, construction will begin on November 1st after the splash pad is closed for the season.

The engineer's estimate for this project is $290,692. The construction contract time is 90 calendar days for substantial completion and 120 days for final completion.

33. PURCHASE: Payment Processing And Customer Call Center Services

APPROVED the payment processing and customer call center services from nCourt, LLC, utilizing the Arizona Office of the Courts Contract No. 2015-00000022, for the term of December 1, 2016, through February 26, 2018, with the option of up to seven one-year extensions.

The Chandler Municipal Court is interested in providing online payment processing to its customers through nCourt – a provider of electronic payment services. The court recognizes that providing citizens the ability to pay criminal or traffic fines, fees and costs by adding online and phone payment options will improve efficiencies and reduce the frustration our citizens experience with the current limited payment options. Although the City of Chandler has InvoiceCloud as the City's enterprise electronic payment vendor for multiple city departments, the nCourt product is designed specifically for court operations and is currently utilized by other Arizona courts. In addition, nCourt offers full chargeback protection, guaranteed funds which allows credit card acceptance of more fee types such as bonds and restitution/contribution, multiple payment options i.e. online, over the counter, on the phone, etc.), and a bilingual,
U.S. based call center with extended hours of operation increasing the availability of court information and payment options for the citizen. It should be noted that nCourt's solution is provided at no cost to the City. The service fee is paid by the customer making the payment.

The Arizona Office of the Courts (AOC) competitively solicited and awarded a contract for payment processing services with the option of customer call center services. The AOC contract contains the appropriate language allowing for the City's cooperative use of its contracts.

Staff recommends cooperative use of this contract because nCourt, LLC's suite of services are designed for use by courts. In addition, nCourt, LLC offers service features to the Court's customers not available through other payment processers such as live telephone customer service and telephonic, e-mail, and SMS reminders of payments due.

The term of the AOC's contract is February 27, 2015, through February 26, 2018, with the option of up to seven one- year extensions.

34. PURCHASE: GameTime

APPROVED the purchase of playground equipment for Apache Park from GameTime, utilizing the U.S. Communities Contract No. 110179, in the amount of $107,120.27.

Included in this purchase are two play structures, one for 2 to 5 year-olds and one for 5 to 12 year old children, swings, safety surfacing, and playground shade.

U.S. Communities competitively solicited and awarded a contract for playground systems, installation, service, and related items. The City has a current Intergovernmental Agreement with U.S. Communities allowing for cooperative use of its contracts and the Contract has the appropriate cooperative provisions.

Staff evaluated vendors who hold cooperative contracts through U.S. Communities, Mohave, and TCPN available for the City to utilize. Equipment evaluated included Little Tykes, Playworld, Miracle, Burke, Kompan, Gametime and Landscape Structures. The evaluation of quality and maintainability narrowed the focus to two vendors (Gametime and Landscape Structures) who provide equipment which meet design and maintenance expectations. Playground options are very diverse and creative. Today's play systems are a compilation of many features combined in a unique way to provide a play experience, which can be unique for each visitor while providing opportunities for all to participate.

Two proposals from each vendor were evaluated and it was deemed in the best interest of the City to purchase the equipment through GameTime. By using the U.S. Communities contract, the City will save 20% off of regular pricing, which results in a savings of just over $24,000. The term of the U.S. Communities contract is September 17, 2010, through September 16, 2017

35. PURCHASE: Shade 'N Net

APPROVED the purchase and installation of shade structures from Shade 'N Net, utilizing the Mohave Contract No. 16D-SHADE-0104 in the amount of $258,863.06.

Due to the Arizona climate as well as the increasing awareness of the risk of skin cancer caused by harmful ultra-violet rays from sunlight, one of the most popular requests that staff receives is shade for different park and recreation amenities. In 2014, City Council and Parks staff completed their goal of shading all of the playgrounds (47) in the City's park system. In an ongoing effort to provide additional shaded amenities, in FY 16/17 City Council approved funding to continue adding shade structures at Chandler's park and recreation facilities.

This project will provide for the purchase and installation of shade structures at Espee Park ballfields 2 & 3, Nozomi Park ballfields 1-3, Chandler Tennis Center, Tumbleweed Recreation Center outdoor playground, and Mesquite, Hamilton, Folley, Nozomi, Desert Oasis and Arrowhead Aquatic Centers. Once approved, it will take approximately 20 weeks for design, construction, and installation.

Staff recommends this purchase be made using the Mohave cooperative contract with Shade 'N Net. Due diligence review of the Mohave contract was performed to verify that the contract complies with the City's rules and regulations applicable to the City's competitive procurement. By using the Mohave contract, the City will save 15% off of regular pricing, which results in a savings of just over $45,000. The purchase amount includes shade structures, installation, engineering and permit fees, tax and delivery and warranties. The term of the Mohave contract is April 1, 2016 through March 31, 2017.

36. PURCHASE: Desert Highway Sign Inc.

APPROVED the purchase of traffic signs and accessories using the Maricopa County contract with Desert Highway Sign Inc., in an amount not to exceed $114,000.00, for the period of October 14, 2016, through October 13, 2017.

Annually, Traffic Engineering's preventive maintenance program replaces approximately 1,000 traffic signs and posts due to damage, age and new requirements. The equipment will be held at and distributed from Central Supply.

On September 15, 2016, Maricopa County competitively solicited and awarded a contract with Desert Highway Signs Inc. for traffic signing materials. The contract allows for cooperative use of its contract and has the appropriate cooperative provisions. Staff has determined the pricing to be competitive, as well as inclusive of the comprehensive specifications required by the Traffic Engineering division. The awarded vendor is local to the Phoenix area which will reduce the historically long lead times for most traffic signs.

37. USE PERMIT: ESPO'S MEXICAN FOOD

APPROVED Use Permit, LUP16-0020 ESPO'S MEXICAN FOOD, Series 12 Restaurant License to continue to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted and includes continuing occasional live music indoors and within an outdoor patio at an existing restaurant located at 3867 W. Chandler Boulevard, the SEC of Chandler Boulevard and Calle Entrada.

Espo's Mexican Restaurant is an existing restaurant located at the southeast corner of Chandler Boulevard and Calle Entrada. The restaurant fronts Chandler Boulevard with Espinoza's Market, which is currently closed, adjacent to the east. The Pueblo Alto single-family homes border to the south and west of Calle Entrada.

Espo's Mexican Restaurant has been serving authentic Mexican cuisine for decades at this location. The restaurant is a 2,200 square foot building, which seats 50 persons and includes a 800 square foot outdoor patio adjacent to Chandler Boulevard, which seats 28 persons. A three foot fence surrounds the patio adjacent to Chandler Blvd. The restaurant is open from 10 a.m. until 9 p.m. Monday through Saturday, and 11 a.m. until 7 p.m. on Sundays. The request includes providing occasional live music for special events or holidays occurring indoors and within the outdoor patio.

The restaurant currently operates under a Series 12 Restaurant License and received Liquor Use Permit approval in May 2015, with a time condition of one year. The request is for Liquor Use Permit approval to continue to sell and serve all types of spirituous liquors for on-premise consumption indoors and within an outdoor patio, as permitted under a Series 12 Restaurant License, and continuing live entertainment indoors and within an outdoor patio, without any further time condition. Conditions per the prior Liquor Use Permit, regarding live entertainment and associated noise, will remain.

This request is for a Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows an establishment the on-site sale and serving of types of spirituous liquor for on-premise consumption and requires at least 40% of gross revenue from the sale of food and non-alcoholic beverages.

DISCUSSION

Planning Staff supports the request, finding the restaurant with live music indoors and within an outdoor patio is appropriate at this location if the music continues to be controlled so as not unreasonably disturb the surrounding residents and businesses. There have been no complaints filed with the Police Department or opposition during the neighborhood or public notification process. Planning Staff is not recommending a time condition on this Liquor Use Permit due to the success of the business's operation.

This request was noticed in accordance with the requirements of the Chandler Zoning Code.

A neighborhood meeting was held on July 27, 2016. No one attended other than the applicant.

Planning Staff has received no correspondence in opposition to the request. The Planning Commission voted to recommend approval of the application 6-0 with Commissioner Wastchak absent.

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0020 ESPO'S MEXICAN FOOD, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

2. The Liquor Use Permit is granted for a Series 12 license only, and any change of license shall require reapplication and new Liquor Use Permit approval.

3. The Liquor Use Permit is non-transferable to other store location.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

5. The site shall be maintained in a clean and orderly manner.

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

38. USE PERMIT: RUBIO'S COASTAL GRILL

APPROVED Use Permit, LUP16-0026 RUBIO'S COASTAL GRILL, Series 12 Restaurant License to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted at a new restaurant located at 3885 S. Arizona Avenue, Suite 1, the NEC of Arizona Avenue and Ocotillo Road.

Rubio's Coastal Grill is a new restaurant located at 3885 S. Arizona Avenue, Suite 1, at the northeast corner of Arizona Avenue and Ocotillo Road. The building is currently under construction within the Paseo Lindo commercial center. The anticipated opening is in November, 2016.

Suite 1 is approximately 2,500 square feet and the outdoor patio is approximately 380 square feet. Hours of operation are from 10 a.m. to 9:30 p.m., Monday through Thursday, 10 a.m. to 10 p.m. on Friday and Saturday, and 11 a.m. to 9 p.m. on Sunday. Staffing includes approximately 24 total employees. No live entertainment is proposed.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License. A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food and non-alcoholic beverages. A menu is attached.

This request was noticed in accordance with the requirements of the Chandler Zoning Code.
A neighborhood meeting was held on August 31, 2016. No one other than the applicant attended.

Planning Staff has received no correspondence in opposition to the request. The Planning Commission voted to recommend approval of the application 6-0 with Commissioner Wastchak absent

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0026 RUBIO'S COASTAL GRILL, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

2. The Liquor Use Permit is granted for a Series 12 Restaurant license, and any change of license shall require reapplication and new Liquor Use Permit approval.

3. The Liquor Use Permit is non-transferable to any other location.

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

5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

39. USE PERMIT: Down Time Wines, Inc.

APPROVED Use Permit, LUP16-0032 DOWN TIME WINES, INC., Series 1 In-State Producer License to produce, serve and sell wine for on-premise and off-premise consumption as permitted with occasional live entertainment indoors at a new business located at 393 W. Warner Road, Suite 109, SEC of Warner Road and Hartford Street.

The subject site is located at the southeast corner of Warner Road and Hartford Street within Palm Court Center. Multi-family townhomes are located south of the subject site, west of Hartford Street, and Avilla Grace Apartments are north of Warner Road. East of Palm Court Center is the John Deer sales and repair facility. The subject site is located within inline shops with a restaurant and a hookah longue on either side of the suite. Palm Court Center has a mix of commercial uses within four buildings.

Down Time Wines, Inc. is a new business that will make wine from kits through a proprietary multi-staged ferment process. Fermenting process typically ranges from fourteen to ninety days. The wine would then be bottled and sold for either on-premise or off-premise consumption as permitted by the State under a Series 1 In-State Producer License. Down Time Wines, Inc. will occupy a 1,400 square foot suite, which the front of the suite is used for wine tasting and reception area for 25 persons. Since there is no kitchen, Down Time Wines, Inc. will hire local restaurants to cater wine tastings events. During the wine tastings, guest may purchase bottles for off-premise consumption. The business owners are also requesting occasional live music during special events. Since the suite has no outdoor patio, all live music will be indoors.

Down Time Wines, Inc. does not have typical hours of operation, and offer tasting depending on demand and release of new wines. The business owners estimate four to eight tasting will occur per month, and additional retail hours may be added on demand. However, wine will only be sold during the hours permitted by state law.

A neighborhood meeting was held on September 14, 2016. No one attended other than the applicant. Planning Staff has received no correspondence in opposition to the request. The Planning Commission voted to recommend approval of the application 6-0

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0032 DOWN TIME WINES, INC., subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 1 In-State Producer License, and any change of license shall require reapplication and new Liquor Use Permit approval.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

3. The Liquor Use Permit is non-transferable to other locations.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

5. The site shall be maintained in a clean and orderly manner.

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

40. LIQUOR LICENSE, Down Time Wines

APPROVED Liquor License Series 1, for Basil Michael Kaspar, Agent, Down Time Wines Inc., dba Down Time Wines, located at 393 W. Warner Road, Suite 109. To forward a recommendation for approval of State Liquor License No. 01073050, and further, that approval be given for the City of Chandler Series 1, In State Producers Liquor License No. 164825 L1, for Basil Michael Kaspar, Agent, Down Time Wines Inc., dba Down Time Wines, located at 393 W. Warner Road, Suite 109.

41. LIQUOR USE PERMIT, Crust

APPROVED Liquor Use Permit, LUP16-0034 CRUST SIMPLY ITALIAN, Series 12 Restaurant License for extension of premises for a patio addition and to continue to sell and serve all types of spirituous liquor for on-premise consumption as permitted and continue live music indoors at an existing restaurant located at 10 N. San Marcos Place, NEC of San Marcos Place and Commonwealth Avenue.

42. PERMANENT EXTENSION OF PREMISES, LIQUOR LICENSE, Crust

APPROVED Liquor License, Series 12, held by Crust Management LLC, dba Crust Simply Italian, located at 10 N. San Marcos Place and forward a recommendation for approval of a permanent extension of premises for State Liquor License No. 1207A143, a Series 12, Restaurant Liquor License, held by Crust Management LLC, dba Crust Simply Italian, located at 10 N. San Marcos Place, and further, that approval be given for the permanent extension to the City of Chandler Liquor License No. 157009 L12.

43. LIQUOR LICENSE Whole Foods Market

APPROVED Liquor License, Series 7, Beer and Wine Bar Liquor License No. 112239 L7, for Jeffrey Howard Roff, Agent, Mrs. Gooch's Natural Food Markets Inc., dba Whole Foods Market, located at 2955 W. Ray Road and forward a recommendation for approval of State Liquor License No. 07070545.

44. LIQUOR LICENSE Wingfoot Mini Mart

APPROVED Liquor License, Series 10, Beer and Wine Store Liquor License No. 161695 L10, for Norelaine Gastelum Armenta, Agent, Wingfoot LLC, dba Wingfoot Mini Mart, located at 629 E. Chandler Boulevard, Suite 3. forward a recommendation for approval of State Liquor License No. 10076812.

45. LIQUOR LICENSE Cuisine & Wine Bistro

APPROVED Series 12, Restaurant Liquor License No. 165060 L12, for Lauren Kay Merrett, Agent, Debarra LLC, dba Cuisine & Wine Bistro, located at 4991 S. Alma School Road, Suite 101 and forward a recommendation for approval of State Liquor License No. 1207A758.

46. SPECIAL EVENT LIQUOR LICENSE Arizona Harvest Fest

APPROVED recommendation to the State Department of Liquor Licenses and Control for approval of the Special Event Liquor License, for Downtown Chandler Community Foundation on Saturday, November 5, 2016 from 4:00 p.m. until 11:00 p.m., located at Dr. AJ Park Stage Plaza, 178 E. Commonwealth Avenue, and approved the City of Chandler Special Event Liquor License.

47. SPECIAL EVENT LIQUOR LICENSE Rock the Block

APPROVED recommendation to the State Department of Liquor Licenses and Control for approval of the Special Event Liquor License, for Downtown Chandler Community Foundation on Saturday, November 19, 2016, from Noon until 10:00 p.m., located at Dr. A.J. Chandler Park-Stage Plaza, 178 E. Commonwealth Avenue, and approval of the City of Chandler Special Event Liquor License.

48. TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE

APPROVED a recommendation of approval for the temporary extension of premises for State Liquor License No. 14070072, and further, that approval be given for the Series 18, Temporary Extension of Premises for the City of Chandler Liquor License No. 6963 L14.held by Chandler Elks Lodge #2429, located at 1775 W. Chandler Boulevard on Saturday, October 22, 2016.

49. TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE

APPROVED a recommendation of approval for the temporary extension of premises on Saturday, October 22, 2016. for State Liquor License No. 06070566, a Series 18, Temporary Extension of Premises, held by JoJotender LLC, dba Jolie's Place, located at 140 W. Warner Road and further, that approval be given for the temporary extension for the City of Chandler Liquor License No. 139148 L18.

50. TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE

APPROVED a recommendation to the State Department of Liquor Licenses and Control for approval of a temporary extension of premises for The Perch LLC, dba The Perch on Saturday, February 18, 2017, from 11:00 a.m. until Midnight, and approval of the extension for the City of Chandler Liquor License, Series 18, held by The Perch LLC, dba The Perch, located at 232 S. Wall Street on Saturday, February 18, 2017.

51. FINAL PLAT Stellar Airpark Estates II Amended

APPROVED Final Plat, FPT16-0016 STELLAR AIRPARK ESTATES II AMENDED, for a 14-lot custom home subdivision on approximately 10 acres located at the southeast corner of Chandler Boulevard and Galaxy Drive, west of McClintock Drive.

PUBLIC HEARING:

PH1. ANNEXATION: SEC of Chandler Heights Road and 130th Street

Applicant: Brennan Ray, Burch and Cracchiolo

MAYOR TIBSHRAENY opened the public hearing at 7:05 p.m.

MR. ERIK SWANSON summarized the annexation request for approximately .85 acres located east of the SEC of Chandler Heights Road and 130th Street. He noted the applicant has filed a rezoning and preliminary development plan application for the home.

BACKGROUND:
The property is located east of the southeast corner of Chandler Heights Road and 130th Street. The subject site is zoned Rural (RU-43) within the county. An unfinished home is on the site. Upon annexation of the site, the property owners will construct a garage to meet City of Chandler requirements and will receive a final inspection from the City. The home was constructed in the County, however, prior to receiving final approval a sliver of land that was part of the site was sold off to the property owner to the east. The sale of the parcel rendered the site as non-conforming within the County and permit approval was suspended. Through the development of the residential property to the east, the property owners dedicated the sliver of property back to the site resulting in the property meeting conformance. The current property owners would like the site to be within the jurisdiction of the City and therefore request annexation. They have agreed to build a garage and to complete the construction. The site is bordered by Chandler Heights Road to the north, a single-family home within the jurisdiction of the County to the west, and the recently Council approved Maracay Homes single-family residential subdivision to the south and east.

The Chandler Land Use Element of the General Plan designates the site as Residential. The Southeast Chandler Area Plan further designates the land use category as Rural/Agrarian, allowing for single-family residential. A rezoning and preliminary development plan application has been submitted, which will be forthcoming following approval of the requested annexation.

Existing municipal water service (16"), waste water service (18"), and reclaimed water (12") are available in Chandler Heights Road.

In response to a question from the Mayor, Mr. Swanson said the property went through the foreclosure process and the entity that currently owns it is managing the assets by keeping it as a single family residence. Mr. Swanson said there will be some additional right of way that will need to be dedicated as part of the rezoning aspect of the case, but it is still setback from the street frontage.

Councilmember Heumann said he is glad to see the development on this property being finished.

There were no comments from the public.

THE MAYOR closed the public hearing at 7:14 p.m.

PH2. ANNEXATION: NWC of Germann Road and Hamilton Street

Annexation of four parcels totaling approximately .57 acres located at the NWC of Germann Road and Hamilton Street.

Applicant: Manjula M. Vaz, Gammage & Burnham P.L.C.

MAYOR TIBSHRAENY opened the public hearing at 7:15 p.m.

MS. LAUREN SCHUMANN, summarized the annexation request for approximately .57 acres located at the NWC of Germann Road and Hamilton Street. She said all 4 parcels will be annexed for right of way for the City of Chandler.

BACKGROUND
In 2014, Allied Waste Transportation requested a City of Chandler Agreement To Extend Utility Service Outside City Limits for water and sewer at the transportation station located at the northwest corner of Germann Road and Hamilton Street. Per the agreement, Allied Waste was required to dedicate right-of-way along Hamilton Street and complete all improvements. The improvements included installing utilities in Hamilton Street and the construction of Hamilton Street with sidewalks and light poles.

Allied Waste Transportation, Inc. has completed all required improvements per the Out of City Service Agreement, leaving only the dedication of right-of-way to the City of Chandler. An annexation is required to since the parcel remains within Maricopa County. After annexation of the parcel along Hamilton Street, a separate instrument will be filed to dedicate required right-of-way to the City of Chandler.

Three parcels located at the northwest corner are also part of the annexation request, in order to transfer Certain County right-of-way along Germann Road.

Allied Waste extended utilities from Germann Road north into Hamilton Street to include municipal water service (12"), waste water service (8"), and reclaimed water (8").

COUNCILMEMBER HEUMANN clarified the Allied Waste Facility was not part of this annexation. Ms. Schumann replied that was correct.

There were no comments from the public.

THE MAYOR closed the public hearing at 7:17 p.m.

UNSCHEDULED PUBLIC APPEARANCES:

Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.

There were no comments.

CURRENT EVENTS:

A. Mayor's Announcements:

The Mayor encouraged residents to attend an open house on Saturday, Oct. 15, occurring at Fire Station No. 7 in southeast Chandler, as well as his annual Mayor's Day of Play, Saturday, Oct. 22, at Tumbleweed Park.

Mayor Jay Tibshraeny congratulated former councilmember Trinity Donovan and the Chandler Christian Community Center on their 50th Anniversary, noting it has been a wonderful asset to the community.

B. Councilmembers' Announcements:

Vice Mayor Jack Sellers said he attended a City employee appreciation picnic held at Tumbleweed Park on Oct. 12 and expressed his appreciation for the work employees do and thanked the City's executive team for hosting the luncheon.

Councilmember René Lopez said Streetlight USA is holding their 4th Annual Gala Night from 6-10 p.m., Saturday, Oct. 29, at Wildhorse Pass and encouraged residents to reserve a seat by calling 855-435-0900. Streetlight USA specializes in the care and healing of victims of child sex trafficking and sexual trauma.

He also said the Chandler Symphony Orchestra has begun its Classical Series and their next performance, entitled "Celebration of Youth," will be held at 3 p.m., Sunday, Nov. 6. Go to ChandlerSymphony.com for tickets.

Councilmember Kevin Hartke invited the public to volunteer for neighborhood cleanup efforts to take place Saturday, Oct. 22, during For Our City Day. He also announced the Boys & Girls Club of the East Valley will host the For Our City Chandler Community Leaders Breakfast at 8 a.m. Nov. 3 and the Vision Gallery will host a reception at 5 p.m. on Nov. 3 for the Faces of Homelessness in Chandler Art Show.

Councilmember Rick Heumann stressed the importance of voting in the upcoming Nov. 8 General Election and encouraged people to visit the Arizona Secretary of State's website, azsos.gov/elections, to obtain information on registration, early voting and polling locations. He also encouraged the community to support the fight against cancer by attending the Desert Cancer Foundation of Arizona's 19th Annual Luncheon, "Survive and Celebrate", being held from 11:30 a.m. to 1:30 p.m., Thursday, Oct. 27, at the San Marcos Golf Resort.

Councilmember Terry Roe reported the Kiwanis Club of Chandler is selling roses for delivery on Rose Day, Friday, Nov. 4. He also said he recently joined the Board of Director for Arizona's Silent Witness Program. Mr. Roe encouraged golfers to participate in an Oct. 28 tournament to support the program.

C. City Manager's Announcements:

City Manager Marsha Reed advised the Mayor and Council of the promotion of Brenda Brown to the position of Community Services Director.

Adjournment: The meeting was adjourned at approximately 7:30 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: December 5, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 13th day of October 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7 day of December, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, November 7, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:04 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Kevin Hartke	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Glenn Brockman	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: The invocation was given by Councilmember Hartke.

PLEDGE OF ALLEGIANCE: Mayor Tibshraeny led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER ELLEN, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0).

CONSENT:

1. MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. Special Meeting (Interviews) of October 10, 2016.
1b. Special Meeting (Exec Session) of October 10, 2016.
1c. Regular meeting of September 15, 2016.
1d. Special Meeting of October 13, 2016.
1e. Regular Meeting of October 10, 2016.

2. REZONING: ARISTA AT OCOTILLO Ord. #4719

ADOPTED Ordinance No. 4719, DVR16-0008 ARISTA AT OCOTILLO, rezoning from Planned Area Development (PAD) to PAD Amended to eliminate a zoning condition requiring 'for-sale' multi-family units, and Mid-Rise Overlay for building heights up to 57 feet on a portion of buildings adjacent to water's edge.

3. CITY CODE AMENDMENT: Chapter 14 Ord. #4722

ADOPTED Ordinance No. 4722 amending Chandler City Code, Chapter 14, amending Article I, Section 14-1; Amending Article II, Section 14-5, adding Section 14-31 relating to the Unlawful Restraint of Dogs; and renumbering Section 14-31 to 14-32.

4. ANNEXATION: East of the Southeast Corner of Chandler Heights Rd and 130th St. Ord. #4724

INTRODUCED AND TENTATIVELY APPORVED Ordinance No. 4724, annexing a parcel approximately .85 acres located East of the SEC of Chandler Heights Road and 130th Street.

5. CITY ATTORNEY CONTRACT:

APPROVED an employment contract with Kelly Schwab for services as a City Attorney with an annual base salary of $170,000.00 effective November 14, 2016.

INFORMATIONAL:

1. Minutes of the October 5, 2016, Planning and Zoning Commission meeting.

CURRENT EVENTS: The Mayor announced current events will be heard Thursday evening.

A. Mayor's Announcements
B. Councilmembers' Announcements
C. City Manager's Announcements

Adjournment: The meeting was adjourned at approximately 7:06 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: December 5, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 7th day of November 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 7 day of December, 2016.

_____
City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, November 10, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:00 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Glenn Brockman	Acting City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Mike Sproul – Tri City Baptist Church gave the invocation.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 841 led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY VICE MAYOR SELLERS, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY (7-0)

1. ANNEXATION: East of the SEC of Chandler Heights Road and 130th Street Ord.# 4724

   ADOPTED Ordinance No. 4724, annexing a parcel of approximately .85 acres located East of the SEC of Chandler Heights Road and 130th Street.

2. MASTER LICENSE AGREEMENT: Verizon Wireless Ord. #4693

   INTRODUCED AND TENTATIVELY APPROVED Ordinance No. 4693 for a Master License Agreement with Verizon Wireless (Verizon) for the use of City property in connection with the operation of a wireless network and authorizing the Mayor to execute the agreement; and authorizing the City Manager or designee to execute other implementing documents as needed to give effect to the agreement.

   Verizon is requesting to install micro cells on existing City property in the right-of-way, primarily City streetlight poles, in order to supplement its existing cellular wireless communication network and boost capacity in high demand areas. Micro cell facilities consist of pole-mounted antennas and associate group equipment in cabinets. These facilities generally have a smaller impact on property than those for traditional cellular towers.

   The Master License, when coupled with Department Site Agreements/Encroachment Permits for individual sites, will streamline the process of leasing individual sites to Verizon. While the Master

License is being adopted by City Council, the individual site agreements will be administered by the Utility Division staff. However, the agreement contains specific language allowing the Transportation & Development Director to seek public input before making a determination on any proposed locations in single family residential neighborhoods.

In addition, the Master Agreement reflects and sets guidelines for the construction of the technology being deployed for micro cell facilities and sets a pricing schedule that is currently not in place. It also follows a standard being adopted by municipalities statewide. The term of the License is for 10 years, with the option of three, five-year extensions.

This item was discussed at the Municipal Utilities and Transportation & Development Subcommittee meeting of September 13, 2016.

FINANCIAL IMPLICATIONS: Verizon paid a $3,000 application fee for the processing of the referenced license for the Master Agreement. The City will receive $3,368 per site annually for the typical micro cell configuration currently being proposed. The fee schedule in Exhibit D allows for different lease amounts based on the impact to the right-of-way. At this time, they are looking at four site locations but anticipate a considerable number of additional sites in the future as demand for improved wireless coverage grows. There is an escalator clause that increases the lease amount on an annual basis by 3 percent.

3. <u>REZONING/ PRELIMINARY DEVELOPMENT PLAN:</u> Warner Professional Center Ord. #4723

INTRODUCED AND TENTATVELY APPROVED Ordinance No. 4723, DVR16-0021 Warner Professional Center, rezoning from Planned Commercial Office (PCO) district to Planned Area Development (PAD) for PCO uses.
PRELIMINARY DEVELOPMENT PLAN for signage at an existing development located at 1257 W. Warner Road, west of the SWC of Warner and Alma School roads.

Warner Professional Center is an existing office development located at 1257 W. Warner Road, west of the southwest corner of Warner and Alma School roads. In 1983, the property received Council approved Planned Commercial Office (PCO) District zoning as part of a six-acre development. As time passed, the surrounding PCO parcels, in the original development, were rezoned while this parcel maintained its PCO zoning designation.

The request is for rezoning from Planned Commercial Office (PCO) district to Planned Area Development (PAD) for PCO uses, along with a Preliminary Development Plan (PDP) for signage.

The rezoning maintains the permitted PCO land uses as listed in the Section 35-2901 of the Zoning Code. Section 39-9.6 PCO District of the Sign Code permits one sign per lot or parcel and directional signs. The one sign may be wall-mounted or low-profile. An existing, low-profile freestanding sign, containing the site address and six tenant panels, is located along the Warner Road frontage. The development identification name is not provided on the low-profile sign, thus the new building sign identifies the development. Building mounted signage includes ¾ inch thick acrylic reverse pan channel letters with a logo, non-illuminated. The sign package includes one wall-mounted sign, individual office plaques, and directional signs. Additional details can be found within the attached exhibits.
Planning Staff supports the request finding the sign package coincides with approved sign plans for existing office developments. The sign package provides a minor modification to the PCO zoned property and is sensitive to the nearby residential developments by maintaining the same PCO land uses.

This request was noticed in accordance with the requirements of the Chandler Zoning Code with

a neighborhood notice letter sent in lieu of a neighborhood meeting. Planning Staff has not received any inquiries on the request. Staff has received no correspondence in opposition to this request.

Upon finding consistency with the General Plan, the Planning Commission and Staff recommend the following:

Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning from Planned Commercial Office (PCO) district to Planned Area Development (PAD) for PCO uses, subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR16-0021 WARNER PROFESSIONAL CENTER, except as modified by conditions herein.

2. Permitted land uses shall be consistent with the Planned Commercial Office (PCO) District.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan for signage, subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits as represented by the applicant in case DVR16-0021 WARNER PROFESSIONAL CENTER, except as modified by conditions herein.

2. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

3. The site shall be maintained in a clean and orderly manner.

4. The applicant shall be required to apply for a sign permit and meet current City standards.

4. ZONING/DEVELOPMENT PLAN: LANDMARC – CHANDLER HEIGHTS Ord. 4725

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4725, DVR16-0007 LANDMARC – CHANDLER HEIGHTS, rezoning from Agricultural (AG-1) to Planned Area Development for a single-family residential home.
PRELIMINARY DEVELOPMENT PLAN for site layout on 1.1 acres located east of the SEC of Chandler Heights Road and 130th Street. (Applicant: Brennan Ray, Burch and Cracchiolo)

Upon finding the request to be consistent with the General Plan and Southeast Chandler Area Plan, Planning Commission and Planning Staff recommend City Council approve the rezoning and PDP, subject to conditions.

BACKGROUND:
The subject site is located east of the southeast corner of Chandler Heights Road and 130th Street. Chandler Heights Road runs along the site's frontage with the recently approved, and under construction, Maracay Homes single-family residential subdivision east and south. West, adjacent to the site, is a single-family home within the jurisdiction of the County.

Annexation of the site is underway and will be concurrent with the rezoning request at City Council. An unfinished home is on the site. The home was constructed in the County, however, prior to receiving final approval a sliver of land that was part of the site was sold off to the property owner to the east. The sale of the parcel rendered the site as non-conforming within the County and permit approval was suspended. Through the development of the residential property to the east, the property owners dedicated the sliver of property back to the site resulting in the property meeting conformance. Upon annexation and rezoning of the site, the property owners will construct a garage to meet City of Chandler requirements and will receive a final inspection from the City.

The Chandler Land Use Element of the General Plan designates the site as Residential. The Southeast Chandler Area Plan further designates the land use category as Rural/Agrarian, allowing for single-family residential.

Upon approval of the request a number of items will be completed at the site including a new driveway and garage, relocation of screen walls to meet dedication requirements and the increase of size in the property, and completing all exterior and interior improvements to bring the residence into code compliance.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on April 21, 2016. Three neighbors attended and asked general questions; general support of the request was provided.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.

Planning Commission voted 6-0 in favor.

Rezoning

Planning Commission and Planning Staff recommend City Council approve the rezoning, subject to the following conditions:

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

5. Construction of the garage shall commence above foundation walls within eighteen (18) months 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
Planning Commission and Planning Staff recommend City Council approve the PDP, subject to the following conditions:

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0007, modified by such conditions included at the time the exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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

3. Prior to the issuance of occupancy for the home, construction of the garage shall be complete as required by all applicable building codes.

5. ANNEXATION: Hamilton Street Alignment Ord. 4726

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4726, ANNEXATION – HAMILTON STREET ALIGNMENT INCLUDING CERTAIN COUNTY RIGHTS-OF-WAY ALONG GERMANN ROAD WEST OF HAMILTON STREET, annexation of four parcels totaling approximately .57 acres located at the NWC of Germann Road and Hamilton Street. (Applicant: Manjula M. Vaz, Gammage & Burnham P.L.C.)

BACKGROUND
The subject site is located at the northwest corner of Germann Road and Hamilton Street. In 2014, Allied Waste Transportation requested a City of Chandler Agreement To Extend Utility Service Outside City Limits for water and sewer. Per the agreement, Allied Waste was required to dedicate right-of-way along Hamilton Street and complete all improvements including installing utilities in Hamilton Street and the construction of Hamilton Street with sidewalks and light poles adjacent to the property.

All the required improvements per the Out of City Service Agreement have been completed, leaving only the dedication of right-of-way to the City of Chandler. An annexation is required since the parcel remains within Maricopa County.

Three parcels located at the northwest corner are also part of the annexation request, in order to transfer Certain County right-of-way along Germann Road.
Allied Waste extended utilities from Germann Road north into Hamilton Street to include municipal water service (12"), waste water service (8"), and reclaimed water (8").

A public hearing for this annexation was held at the October 13, 2016, City Council meeting. As of writing this memo, Planning Staff is unaware of any opposition to the request. Planning Staff circulated this request among City Departments and received no negative comments relative to the properties' annexation.

6. LEASE: Arizona State University Ord. 4728

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4728 authorizing a second amendment to the lease by and between the City of Chandler and the Arizona Board of Regents, a body corporate for and on behalf of Arizona State University, for the premises at 249 E. Chicago Street.

7. ZONING/DEVELOPMENT PLAN/AREA PLAN AMENDMENT: CARINO ESTATES/SERENADE

CONTINUED to the December 8, 2016 City Council Meeting - RESOLUTION NO. 4861, APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT, Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Low-Density Residential.
INTRODUCTION OF ORDINANCE NO. 4631, DVR14-0029 SERENADE, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential.
PRELIMINARY DEVELOPMENT PLAN for subdivision layout and housing product on 6.7 acres.
PRELIMINARY PLAT, PPT16-0012 for a 16-lot single-family residential subdivision located east of the SEC of Alma School and Germann roads.

8. AGREEMENT: Arizona Health e Connection Res. 5000

ADOPTED RESOLUTION NO. 5000 authorizing the participation agreement with Arizona Health-e Connection and authorizing the City officers and employees to perform all acts necessary to give effect to the Resolution.

9. HOUSING/HOME FUNDS: Newtown / Maricopa County HOME Consortium Res. 5008

ADOPTED RESOLUTION NO. 5008 certifying compliance with the Consolidated Plan and administrative commitment supporting an application for federal HOME funds by Newtown Community Development Corporation to the Maricopa County HOME Consortium.

10. MEMORANDUM OF UNDERSTANDING: Arizona State University Res. 5009

ADOPTED RESOLUTION NO. 5009 authorizing a Memorandum of Understanding by and the Arizona Board of Regents, a body corporate for and on behalf of Arizona State University, for the premises at 249 East Chicago Street, regarding hosting of entrepreneurial development, business incubation, and community co-working activities in the leased premises.

11. GRANT AGREEMENT: Arizona Department of Homeland Security Res. 5010

ADOPTED RESOLUTION NO. 5010 authorizing a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the Community Emergency Response Team (CERT) Training in the amount of $17,000.00.

12. GRANT AGREEMENT: Arizona Department of Homeland Security Res. 5011

ADOPTED RESOLUTION NO. 5011 authorizing a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the Enhanced Rapid Response Team (RRT) equipment and training in the amount of $100,000.00.

13. GRANT AGREEMENT: Arizona Department of Homeland Security Res. 5012

ADOPTED RESOLUTION NO. 5012 authorizing a Grant Agreement with the Arizona Department of Homeland Security (AZDOHS) for the UASI Assessment Teams – Fire Terrorism Liaison Officer equipment and training in the amount of $6,930.00.

14. PRELIMINARY DEVELOPMENT PLAN: CORONADO ESTATES

APPROVED PRELIMINARY DEVELOPMENT PLAN, DVR16-0015, CORONADO ESTATES for setbacks on a six-lot residential subdivision, subject to the conditions recommended by Planning Commission and Planning Staff, located at the northeast corner of Coronado and Galveston streets, north of the northeast of the Loop 101 freeway and Chandler Boulevard.

BACKGROUND:
The subject site is located north of the northeast comer of Coronado and Galveston streets. An existing single-family home and Qwest telecommunications facility is located south of the subdivision, with custom single-family homes east of the site. The Pequeno neighborhood park is north of the subdivision.

The subdivision received zoning approval in late 2004. Following approval, improvements were made to the site within the initial three-year timing condition; however, during this time the economy crashed, leaving the subdivision unfinished. In 2015, while doing due diligence and preparing construction drawings, some of the property owners within the subdivision discovered that some of the improvements had not been finalized by the City. The property owners also discovered that some of the conditions of approval and how the site had been designed (irregular front lots) created constraints on building homes.

The request is to amend the established setbacks as provided with the PDP. The 2004 case required that all homes have a 20' front setback, 20' rear setback, and side setbacks of 10' and 15'. The request is to maintain the 20' front setback for lots 2-5, and amend the front setback to allow 11' for lots 1 and 6 to livable or a side entry garage, as the design of the entrance to the subdivision affects the lot lines. Forward facing garages will maintain a 20' front setback. Additionally, the request is to amend the side setbacks to allow for a 5' and 10' side setback. All lots are greater than 12,000 square feet, and will be developed with custom homes.

The initial submittal indicated removing two zoning conditions that were part of the original zoning. The first condition is the standard zoning condition requiring copper plumbing, the second to restrict homes to be only single-story. The City Attorney has determined that the condition requiring copper plumbing can no longer be enforced and therefore a request to eliminate the condition is no longer necessary. Additionally, after discussion with the property owners, the owners have indicated that they will be building single-story homes and that eliminating the condition requiring single-story homes is no longer being pursued. Rather than requiring resubmittal and re-advertising of a PDP request, Planning Staff will keep the setback modifications with this application, with a rezoning no longer being required.

PUBLIC/ NEIGHBORHOOD NOTIFICATION:
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 24, 2016. A husband and wife attended for the adjacent neighborhood and support the request.
- As of the writing of this memo, Planning Staff is not aware of any concerns or opposition.
- One neighbor spoke at the Planning Commission hearing requesting clarification that the homes will not be two-story. Planning Staff clarified the request for the resident that two- story homes will not be built in the subdivision.

Planning Commission voted unanimously (6-0) to approve the project.

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, in File No. DVR16-0015, modified by such conditions included at the time the exhibits were approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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

3. Front setbacks for lots 1 and 6 shall be 11' for liveable or side entry garages; forward facing garages shall have a minimum 20' front setback.

4. Side setbacks shall be 5' and 10' for all lots.

15. PRELIMINARY DEVELOPMENT PLAN: Primrose School

APPROVED PRELIMINARY DEVELOPMENT PLAN (PDP), PDP16-0005 PRIMROSE SCHOOL OF CHANDLER, for site layout and building design for a preschool/childcare development located at the NWC of Chandler Boulevard and Terrace Road, east of Rural Road.

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "PRIMROSE SCHOOL OF CHANDLER" and kept on file in the City of Chandler Planning Division, in File No. PDP16-0005, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

3. Raceway signage shall be prohibited within the development.

4. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

5. The site shall be maintained in a clean and orderly manner.

6. Landscaping shall be in compliance with current Commercial Design Standards.

7. Dissimilar land use buffer trees adjacent to residential shall be a minimum of 12 feet in height at time of planting and planted at a maximum 20 feet on center and shrubs planted at a rate of 4 per 20 lineal feet.

8. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

9. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

10. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

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

16. STREET IMPROVEMENT COSTING: Salt River Project

GRANTED authority to bill Salt River Project (SRP) to accommodate the Alma School Road/Chandler Boulevard Intersection Improvements, Project No. ST0807.504, for construction of irrigation facilities, in an amount not to exceed $175,000.00.

17. CLAIMS REPORT:

APPROVED CLAIMS REPORT for the Accounts Payable payments for the quarter ended September 30, 2016.

18. PUBLIC DEFENDER AGREEMENT: Tara Fuller

APPROVED PUBLIC DEFENDER AGREEMENT between City of Chandler, Chandler Municipal Court and Tara Fuller.

19. AGREEMENT: LexisNexis

APPROVED AGREEMENT NO. 3766, with LexisNexis, for embedded contract pattern analyst and annual maintenance services, in an amount not to exceed $86,045.00.

20. AGREEMENT: DNG Construction, LLC

APPROVED PROJECT AGREEMENT NO. AI1608.401 with DNG Construction, LLC, for Airport Traffic Control Tower HVAC Improvements, Major Renovations, Repairs, Demolition and Re-Construction Services, pursuant to JOC1602.401, for Construction Services, in an amount not to exceed $215,817.00.

21. AGREEMENT: Pipeline Services, Inc.

APPROVED AGREEMENT NO. WD3-910-3144, AMENDMENT NO. 2, with Pipeline Services, Inc., for emergency water line stop, in an amount not to exceed $150,000.00, for a two-year term, February 1, 2017, through January 31, 2019.

22. AGREEMENT: Ritoch-Powell and Associates

APPROVED PROJECT AGREEMENT NO. ST1405-451 with Ritoch-Powell and Associates, for Bike Lane Safety Improvements Construction Management Services, pursuant to Annual Civil Engineering Services Contract EN1506-101, in an amount not to exceed $69,671.60.

23. PROJECT AGREEMENT: Southwest Ground-water Consultants

APPROVED PROJECT AGREEMENT NO. WW1704.201, with Southwest Ground-water Consultants, for the Tumbleweed Recharge Facility Permit Modifications, pursuant to Annual Water and Wastewater Contract No. EN1203.101, in an amount not to exceed $85,860.00.

24. AGREEMENT AMENDMENT: Vincon Engineering Construction, LLC

APPROVED AGREEMENT NO. ST5-745-3433, AMENDMENT NO. 3, with Vincon Engineering Construction, LLC, for asphalt rubber crack sealing, in the amount of $500,000.00 for one year, December 1, 2016, through November 30, 2017.

25. AGREEMENT AMENDMENT: Vincon Engineering Construction, LLC

APPROVED AGREEMENT NO. ST5-745-3435, AMENDMENT NO. 4, with Vincon Engineering Construction, LLC, for concrete repair and maintenance, in an amount not to exceed $2,070,000.00 for one year, December 1, 2016, through November 30, 2017.

26. AGREEMENT AMENDMENT: MR Tanner Development and Construction, Inc.

APPROVED AGREEMENT NO. ST5-745-3434, AMENDMENT NO. 2, with MR Tanner Development & Construction, Inc., for asphalt patch, maintenance and repair, in an amount not to exceed $100,000.00 for one year, December 1, 2016, through November 30, 2017.

27. JOB ORDER CONTRACT AMENDMENT: DNG Construction, LLC

APPROVED JOB ORDER CONTRACT JOC1601.401, AMENDMENT NO. 1, with DNG Construction, LLC, increasing the annual limit for major and minor construction, renovations, repairs, additions, demolition, re-construction and alteration by $500,000.00, for revised annual limit not to exceed $1,250,000.00.

28. CONSTRUCTION CONTRACT: AJP Electric, Inc.

APPROVED CONSTRUCTION CONTRACT NO. ST0809.406 to AJP Electric, Inc., for Solera HOA Landscape and Irrigation in an amount not to exceed $66,258.00.

29. CONSTRUCTION CONTRACT: SRP

APPROVED CONSTRUCTION CONTRACT NO. ST1306.502 to Salt River Project Agricultural Improvement and Power District, for Queen Creek Road Improvements – SRP Electrical Removals and Conversions, in an amount not to exceed $753,900.00.

30. CONSTRUCTION CONTRACT : Roadway Electric, LLC

APPROVED CONSTRUCTION CONTRACT NO. ST1510.401 to Roadway Electric, LLC, for Flashing Yellow Arrow Signal Equipment Upgrade, in an amount not to exceed $826.701.00.

31. CONSTRUCTION CONTRACT: Visus Inc.

CONSTRUCTION CONTRACT NO. ST1405.401 to Visus Inc., for Bike Lane Safety Improvements in an amount not to exceed $398,000.00.

32. DESIGN CONSULTANT SERVICES: Breckenridge Group, Inc.

APPROVED DESIGN CONSULTANT SERVICES CONTRACT CONTRACT NO. FI1504.201 to Breckenridge Group, Inc., Architects/Planners for design services for Fire Station 2811 in an amount not to exceed $365,145.00.

33. CONSTRUCTION CONTRACT: TSG Constructors, LLC

APPROVED CONSTRUCTION CONTRACT NO. CS1610.402 to TSG Constructors, LLC, for Arrowhead Pool Roof Replacement in an amount not to exceed $210,700.00.

34. CONSTRUCTION CONTRACT: DNG Construction, LLC

APPROVED CONSTRUCTION CONTRACT NO. PR1502.401 to DNG Construction, LLC, for Harris Park Improvements in an amount not to exceed $293,733.50.

35. CONSTRUCTION CONTRACT: Path Construction Southwest

APPROVED CONSTRUCTION CONTRACT NO. SW1501.401 to Path Construction Southwest, for the Solid Waste Facility Improvements, in an amount not to exceed $323,137.83.

36. PURCHASE OF FURNITURE: Corporate Interior Systems, Inc.

APPROVED purchase and installation of the Ocotillo Water Reclamation Facility expansion furniture, utilizing U.S. Communities Contract No. 4400003404, with Corporate Interior Systems, Inc., in the amount of $133,937.70.

37. PURCHASE OF VEHICLE/EQUIPMENT: Sanderson Ford

APPROVED purchase of a medium-duty cab and chassis with crane, utilizing the State of Arizona Contract No. ADSPO14-063240, with Sanderson Ford, in the amount of $93,473.14.

38. PURCHASE MOBILE SERVICES: T-Mobile USA

APPROVED purchase of mobile communication services and equipment from T-Mobile USA, utilizing the State of Arizona/Western States Contracting Alliance (WSCA) Contract #ADSPO13-034339 in an amount not to exceed $74,000.00.

39. PURCHASE AND INSTALLATION: Landscape Structures, Inc.

APPROVED purchase and installation of a Ramada for Arrowhead Meadows Park from Landscape Structures, Inc., utilizing The Cooperative Purchasing Network Contract No. R5202 in the amount of $73,610.94.

40. PURCHASE OF POLICE VEHICLE UPFITTING: Creative Communications

APPROVED purchase of police vehicle upfitting from Creative Communications, utilizing the City of Phoenix Contract No. 14-022 in an amount not to exceed $357,730.18.

41. PURCHASE OF VEHICLE: Sanderson Ford

APPROVED purchase of a terrorism liaison vehicle from Sanderson Ford, utilizing the State of Arizona Contract No. ADSPO12-001167 in the amount of $42,146.40.

42. PURCHASE : Peoria Ford

APPROVED purchase of a DUI enforcement vehicle from Peoria Ford utilizing the State of Arizona Contract No. ADSPO13-038802 in the amount of $29,784.69.

43. USE PERMIT: Harkins Chandler Crossroads

APPROVED USE PERMIT, LUP16-0029 HARKINS CHANDLER CROSSROADS THEATRE, Series 6 Bar License to sell and serve all types of spirituous liquor for on-premise consumption as permitted within an existing movie theater located at 2980 E. Germann Road, NWC of Germann and Gilbert roads. Applicant: Clare Abel; Burch & Cracchiolo, P.A.

Upon finding the request to be consistent with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit subject to conditions.

The subject site is located at the immediate northwest corner of Germann and Gilbert roads within Crossroads Towne Center Chandler. The subject site is surrounded by commercial as part of Crossroads Towne Center Chandler to the north and west. To the south across Germann Road is Mill Crossing, a commercial development, and to the east across Gilbert Road is Crossroads Towne Center Gilbert in the Town of Gilbert.

Harkins Chandler Crossroads Theatre is an existing twelve screen movie theater and has seating capable of 2,500 persons. The subject site is approximately 35,000 square feet. Harkins Chandler Crossroads Theatre is requesting Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption as permitted under a Series 6 Bar License. Guest of legal age, can order all types of spirituous liquor at a new bar within the lobby to be consumed in lounge area or within the auditorium during shows. The new bar will seat 22 persons. Harkins employs 150 persons at this location. Typical hours of operation are seven days a week from 9 a.m. to midnight, however, liquor will only be sold during the hours allowed by state law.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notice letter was mailed in lieu of a meeting due to limited residential within the notification area.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

PLANNING COMMISSION voted 6-0 in favor of the project.

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0029 HARKINS CHANDLER CROSSROADS THEATRE, subject to the following conditions:

1. The Liquor Use Permit is granted for a Series 6 Bar License only and any change of license shall require reapplication and new Liquor Use Permit approval.

2. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.

3. The Liquor Use Permit is non-transferable to other locations.

4. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

5. The site shall be maintained in a clean and orderly manner.

44. LIQUOR LICENSE: Harkins Chandler Crossroads

APPROVED LIQUOR LICENSE, Series 6, for Clare Hollie Abel, Agent, Harkins Chandler Crossroads LLC, dba Harkins Theatre at Chandler Crossroads, located at 2980 E. Germann Road and a recommendation for approval of State Liquor License No. 06070139. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 6, Bar Liquor License, the business may sell all alcoholic beverages for on- or off-premise consumption.

45. LIQUOR LICENSE: Chandler Center for the Arts

APPROVED LIQUOR LICENSE, Series 5, for Terri Rettig, Agent, City of Chandler, dba Chandler Center for the Arts, located at 250 N. Arizona Avenue, and a recommendation for approval of State Liquor License No. 05073049. The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 5, Government Liquor License, the business may sell all alcoholic beverages for on-premise consumption only. License holder must be held by a county, city, town or state university.

The Planning Division advises a new Use Permit is not required since this location is on city owned property.

46. LIQUOR LICENSE: Blooming Beets Kitchen LLC

APPROVED LIQUOR LICENSE, Series 12, for Joseph Vincent Bellus, Agent, Blooming Beets Kitchen LLC, dba Blooming Beets Kitchen, located at 7131 W. Ray Road, Suite 45.
Staff recommends Council forward a recommendation for approval of State Liquor License No. 1207A769, and further, that approval be given for the City of Chandler Series 12, Restaurant Liquor License No. 165086 L12, for Joseph Vincent Bellus, Agent, Blooming Beets Kitchen LLC, dba Blooming Beets Kitchen, located at 7131 W. Ray Road, Suite 45.

DISCUSSION
The following application for a liquor license was posted for hearing on November 10, 2016:

New License, Series 12, Restaurant Liquor License, for Joseph Vincent Bellus, Agent, Blooming Beets Kitchen LLC, dba Blooming Beets Kitchen, located at 7131 W. Ray Road, Suite 45.

The Police Department reports no objections to the issuance of this license, and no written protests pursuant to A.R.S. 4-201(B) have been received. All licenses, permits, and fees have been paid, and the applicant is in compliance with the City's Tax Code. With a Series 12, Restaurant Liquor License, the business may sell all liquors for on-premise consumption only, with a minimum of 40% of the gross receipts from the sale of food.

The Planning Division advises a new Use Permit is not required since this will be a continuation of the location's previous use as Fired Up Grill LLC, dba Fired Up Grill.

47. TEMPORARY EXTENSION OF PREMISES: Majerle's Sports Grill

APPROVED TEMPORARY EXTENSION OF PREMISES, LIQUOR LICENSE, Series 12, held by Majerle's Sports Grill for an event sponsored by LiveLikeLexi Inc., located at 3095 W. Chandler Boulevard on Saturday, November 12, 2016.

Staff recommends Council forward a recommendation of approval for the temporary extension of premises for State Liquor License No. 12077269, a Series 12, Restaurant Liquor License, held by Majerle's Sports Grill for an event sponsored by LiveLikeLexi Inc., located at Majerle's Sports Grill, 3095 W. Chandler Boulevard and further, that approval be given for the temporary extension for the City of Chandler Liquor License No. 165672 L12.

Majerle's Sports Grill, 3095 W. Chandler Boulevard, has requested a temporary extension of the alcohol serving area for a LiveLikeLexi Cornhole Tournament Fundraiser. The period of the extension is Saturday, November 12, 2016, from Noon until 6:00 p.m.

The Police Department has no objections to this extension, and the applicant has applied for a Temporary Sales and Promotional Event Permit through Community Services.

48. FINAL PLAT Primrose School

APPROVED FINAL PLAT, FPT16-0019 PRIMROSE SCHOOL, for a preschool/childcare development located at the north west corner of Chandler Boulevard and Terrace Road, east of Rural Road. Applicant: Hilgart Wilson

This Final Plat is for a preschool/childcare development on approximately 1.94 acres which is on the same agenda as the associated Preliminary Development Plan (PDP) zoning case. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

49. FINAL PLAT Take-off Center

APPROVED FINAL PLAT, FPT16-0022 TAKE-OFF CENTER, for a 3.3-acre commercial development located at the southeast corner of McQueen and Queen Creek roads. Applicant: Michael Thompson; Felix Engineering.

This Final Plat is for an approximate 3.3-acre commercial development located at the southeast corner of McQueen and Queen Creek roads that was approved for a fuel-station by Council in 2010. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

UNSCHEDULED PUBLIC APPEARANCES:

Ms. Ashlee Donaldson, 10800 E Cactus Rd, Scottsdale, Residential appraiser, stated she was present with a few new home buyers next to Snedigar Park and asked the City Council to consider removing some of the lower lights in the ball park areas since they project too much light into the soon to be developed residential area. The park lights are on from dusk to around 11 p.m.

Ms. Laura Maruka, stated she will be a new home owner right next to the park and said they recently discovered there are field lights and perimeter lights. The light in concern is a perimeter light that shines directly into their master bedroom. She understands there are shields that have been ordered to redirect the light away, but she asked that the bottom row of lights be removed.

Mr. Moe Wakefield, a Chandler resident, said he also sent an e-mail to Council asking for their involvement in upcoming case. The project was known as Serenade. He is asking the hearing on this item at the (Planning) Commission next week be continued since the community just received information regarding the rezoning and some of the attachments were not included and they have not had enough time to review the plans. There is also another developer wanting to build 13 homes on adjacent property.

Ms. Dominique Walker, a Chandler resident, addressed issues with the neighborhood park known as Harris Park. She would like to see the City improve the park with children's play equipment as it is a neighborhood park that serves a lower income neighborhood. She said she had reviewed the Request for Bid specifications and did not see any playground equipment improvements.

Ms. Lavon Woods, a Chandler resident, addressed the infrastructure in that area of Harris Park, which is the same area that Ms. Walker spoke on. She commented the streets are not as well maintained as other streets in the city. Colorado Street, south of Elgin is crumbling. Elgin Street, Folley Street and Colorado Street were resurfaced. She asked for assistance.

Mayor Tibshraeny asked staff to provide information to Council on the road improvements.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor and Council welcomed Kelly Schwab as Chandler's new City Attorney.

The Mayor announced the Citywide Budget Survey is available and asked residents and business owner to take the survey online.

He announced the City of Chandler Planning Staff was recently honored by the Arizona Planning Association for their public outreach efforts with the 2016 General Plan update.

The Mayor congratulated Mark Stewart for his election to the City Council, and congratulated all the other candidates, whether they won or lost. It is their participation in the process and willingness to serve the public that deserves the recognition.

B. Councilmembers' Announcements

He thanked the volunteers, the City Council and various departments for their donations for the raffle at the Streetlight USA Gala, they raised significant funds.

Councilmember Lopez announced the upcoming Chuck Wagon cook-off at Tumbleweed Ranch.

COUNCILMEMBER HARTKE invited the public to attend the Veterans Day ceremony at the Valley of the Sun Memorial Park.

He invited the public to view the "Portraits of Homelessness" exhibit now displayed at the Vision Gallery.

Councilmember Hartke urged the public to donate, serve or volunteer during the holiday season.

He gave his congratulations to those who won, and urged others to stay involved.

VICE MAYOR SELLERS announced two teams from Tainan Little League will be visiting in December.

The Chandler Economic Development staff gave a presentation on the XM bank and its importance in keeping Chandler competitive internationally.

COUNCILMEMBER HEUMANN reminded all of the upcoming Light Parade and Christmas Tree Lighting.

He noted his recent attendance at a ceremony recognizing the establishment of the East Valley Veteran's Court.

COUNCILMEMBER ELLEN She congratulated incoming Councilmember-elect Mark Stewart and noted the re-election of her son to the Arizona House and will serve as the House Speaker.

COUNCILMEMBER ROE echoed Councilmember Hartke's call for donations and service during this time of year.

The City Council extended their wishes for a Happy Veteran's Day and Happy Thanksgiving.

C. City Manager's Announcements

Mayor Tibshraeny and Ms. Reed thanked Glenn Brockman for this role as Acting City Attorney.

Adjournment: The meeting was adjourned at approximately 7:33 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: January 26, 2017

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the City Council of Chandler, Arizona, held on the 10th day of November, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 30 day of January, 2017.

_____
City Clerk

MINUTES OF THE SPECIAL MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Monday, November 28, 2016 in the Mayor's Conference Room, 5th Floor, Chandler City Hall, Chandler, Arizona.

The meeting was called to order by Mayor Tibshraeny at approximately 4:00 p.m.

The following members were present:

Jay Tibshraeny	Mayor
Jack Sellers	Vice Mayor
Terry Roe	Councilmember
René Lopez	Councilmember
Nora Ellen	Councilmember
Rick Heumann	Councilmember

Absent & Excused: Councilmember Kevin Hartke

Also present: Marsha Reed, City Manager; Kelly Schwab, City Attorney; David Bigos, Mayor & Council Asst.; Marla Paddock, City Clerk.

CANVASS THE RESULTS OF THE NOVEMBER 8, 2016 GENERAL ELECTION

The City held a General Election on November 8, 2016, for the purpose of electing a councilmember to the remaining council seat. Mark Stewart was declared elected to a four year Council term.

The voter turnout was 77.75% with 109,284 ballots cast from a total voter population of 140,554.

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER LOPEZ TO ACCEPT THE OFFICIAL RESULTS OF THE NOVEMBER 8, 2016 GENERAL ELECTION. MOTION CARRIED UNANIMOUSLY (6-0).

Adjournment: The Mayor adjourned the meeting at 4:05 p.m.

ATTEST:

City Clerk

Mayor

Approval Date of Minutes: December 5, 2016

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the City Council of Chandler, Arizona held on November 28, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7 day of December, 2016

City Clerk

OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
20160894444,12/05/2016 11:55

ELECTRONIC RECORDING
Canvass11162016-5-1-1--,N

When recorded, return to:

Chandler City Clerk
Mail Stop 606
PO Box 4008
Chandler, AZ 85244-4008

CAPTION HEADING:

CANVASS OF CITY OF CHANDLER GENERAL ELECTION NOVEMBER 8, 2016

Marla Paddock
City Clerk

DO NOT REMOVE

This is part of the official document.

CANVASS OF CITY OF CHANDLER GENERAL ELECTION NOVEMBER 8, 2016

		TOTALS	EBERLE	STEWART
			29,841	34,551
			14%	12%
Total Registered Voters		140,554		
Total Ballots Cast		109,284		
Voter Turnout		78%		
Rejected Ballots		338		
0009 ALAMO	Voters	3,582	681	859
SIRRINE SCHOOL	Total Ballots Cast	2,512		
591 W MESQUITE ST	Voter Turnout	70%		
	Rejected Ballots	9		
0024 APPLEBY	Voters	3,949	923	1,058
ENVIRONMENTAL EDUCATION CENTER	Total Ballots Cast	3,423		
4050 E CHANDLER HEIGHTS RD	Voter Turnout	87%		
	Rejected Ballots	10		
0065 BULLMOOSE	Voters	1,502	369	355
BROOKDALE OF NORTH CHANDLER	Total Ballots Cast	1,217		
2555 N PRICE RD	Voter Turnout	81%		
	Rejected Ballots	3		
0086 CARLA VISTA	Voters	2,665	533	623
HOLY TRINITY EVANGELICAL LUTH CHR	Total Ballots Cast	1,759		
739 W ERIE ST	Voter Turnout	66%		
	Rejected Ballots	6		
0099 CHANDLER HGTS	Voters	4,071	972	1,101
BASHA HIGH SCHOOL LIBRARY	Total Ballots Cast	3,562		
5990 S VAL VISTA DR	Voter Turnout	87%		
	Rejected Ballots	5		
0102 CHILTON	Voters	1,731	357	429
DESERT OASIS AQUATIC CENTER	Total Ballots Cast	1,325		
1400 W SUMMIT PL	Voter Turnout	77%		
	Rejected Ballots	6		
0113 CLOUD	Voters	2,456	512	646
MCQUEEN ROAD BAPTIST CH	Total Ballots Cast	1,973		
24211 S MCQUEEN RD	Voter Turnout	80%		
	Rejected Ballots	5		
0118 COLONIA	Voters	4,723	905	1,199
HUMPHREY SCHOOL	Total Ballots Cast	3,652		
125 S 132 N ST	Voter Turnout	77%		
	Rejected Ballots	9		
0122 COMMONWEALTH	Voters	2,175	308	492
TRINITY CHRISTIAN FELLOWSHIP	Total Ballots Cast	1,345		
50 S MCQUEEN RD	Voter Turnout	62%		
	Rejected Ballots	3		
0123 COMPADRE	Voters	4,795	1,141	1,116
BOGLE JR. HIGH SCHOOL	Total Ballots Cast	3,927		
1600 W QUEEN CREEK RD	Voter Turnout	82%		
	Rejected Ballots	12		

CANVASS OF CITY OF CHANDLER GENERAL ELECTION NOVEMBER 8, 2016

			EBERLE	STEWART
0124 COMSTOCK	Voters	1,877	436	483
PRAISE AND WORSHIP CENTER	Total Ballots Cast	1,467		
2551 N ARIZONA AVE	Voter Turnout	78%		
	Rejected Ballots	4		
0125 CONCORD	Voters	1,849	366	437
SHUMWAY SCHOOL	Total Ballots Cast	1,417		
1325 N SHUMWAY AVE	Voter Turnout	77%		
	Rejected Ballots	5		
0135 CORONA	Voters	1,658	449	360
CORONA BAPTIST CH	Total Ballots Cast	1,390		
4450 W RAY RD	Voter Turnout	84%		
	Rejected Ballots	2		
0162 DANYELL	Voters	3,381	442	772
GALVESTON SCHOOL	Total Ballots Cast	1,958		
661 E GALVESTON ST	Voter Turnout	58%		
	Rejected Ballots	7		
0169 DEL RIO	Voters	3,025	704	753
SAN BRISAS APARTMENTS	Total Ballots Cast	2,499		
900 N RURAL RD	Voter Turnout	83%		
	Rejected Ballots	4		
0184 DESOTO	Voters	1,832	423	475
JORDAN SCHOOL	Total Ballots Cast	1,416		
3320 N CARRIAGE LN	Voter Turnout	77%		
	Rejected Ballots	5		
0190 DOBSON PARK	Voters	1,778	439	373
ANNA MARIE JACOBSON SCHOOL	Total Ballots Cast	1,482		
1515 NW JACARANDA PKY	Voter Turnout	83%		
	Rejected Ballots	4		
0199 DUBLIN	Voters	2,867	572	728
ARIZONA COLLEGE PREPARATORY	Total Ballots Cast	2,166		
1150 W ERIE ST	Voter Turnout	76%		
	Rejected Ballots	11		
0229 FOLLEY	Voters	5,144	1,049	1,293
AMER LEGION MATTHEW B JUAN POST 35	Total Ballots Cast	4,033		
2240 W CHANDLER BLVD	Voter Turnout	78%		
	Rejected Ballots	18		
0234 FOX CROSSING	Voters	3,429	776	849
FIRST BAPTIST CHURCH CHANDLER	Total Ballots Cast	2,774		
3405 S ARIZONA AVE	Voter Turnout	81%		
	Rejected Ballots	10		
0238 FULTON RANCH	Voters	5,526	1,178	1,322
COTTONWOOD COUNTRY CLUB	Total Ballots Cast	4,567		
25630 S BRENTWOOD DR	Voter Turnout	83%		
	Rejected Ballots	15		
0239 GALVESTON	Voters	5,538	1,233	1,495
CHANDLER BIBLE CHURCH	Total Ballots Cast	4,402		
1200 N PRICE RD	Voter Turnout	79%		
	Rejected Ballots	6		

CANVASS OF CITY OF CHANDLER GENERAL ELECTION NOVEMBER 8, 2016

			EBERLE	STEWART
0246 GERMANN	Voters	6,347	1,204	1,636
TUMBLEWEED RECREATION CENTER	Total Ballots Cast	4,834		
745 E GERMANN RD	Voter Turnout	76%		
	Rejected Ballots	20		
0247 GERONIMO	Voters	1,497	330	362
CONLEY SCHOOL	Total Ballots Cast	1,188		
500 S ARROWHEAD DR	Voter Turnout	79%		
	Rejected Ballots	2		
0248 GILA	Voters	4,065	705	933
PRAISE AND WORSHIP CENTER	Total Ballots Cast	2,732		
2551 N ARIZONA AVE	Voter Turnout	67%		
	Rejected Ballots	12		
0322 JASPER	Voters	2,768	524	609
KNOX SCHOOL	Total Ballots Cast	1,946		
700 W ORCHID LN	Voter Turnout	70%		
	Rejected Ballots	7		
0327 JUPITER	Voters	3,666	797	934
KYRENE DEL PUEBLO MIDDLE SCHOOL	Total Ballots Cast	2,837		
360 S TWELVE OAKS BLVD	Voter Turnout	77%		
	Rejected Ballots	10		
0347 LANTANA CANYON	Voters	4,695	1,006	1,151
FIRST BAPTIST CHURCH	Total Ballots Cast	3,786		
3405 S ARIZONA AVE	Voter Turnout	81%		
	Rejected Ballots	14		
0348 LAREDO	Voters	3,607	738	894
SANBORN SCHOOL	Total Ballots Cast	2,831		
700 N SUPERSTITION BLVD	Voter Turnout	78%		
	Rejected Ballots	8		
0369 LONGHORN	Voters	3,953	904	889
BROOKDALE OF CHANDLER	Total Ballots Cast	3,156		
500 S ARROWHEAD DR	Voter Turnout	80%		
	Rejected Ballots	9		
0404 MCKEMY	Voters	2,896	643	713
NOZOMI AQUATIC CENTER	Total Ballots Cast	2,349		
250 S KYRENE RD	Voter Turnout	81%		
	Rejected Ballots	11		
0405 MCQUEEN	Voters	6,485	1,553	1,782
HULL SCHOOL	Total Ballots Cast	5,429		
2424 E MAREN DR	Voter Turnout	84%		
	Rejected Ballots	12		
0415 MISSION	Voters	3,391	722	912
ST. KATHERINE GREEK ORTHODOX CHURC	Total Ballots Cast	2,586		
2716 N DOBSON RD	Voter Turnout	76%		
	Rejected Ballots	11		
0431MUSKET	Voters	5,517	1,231	1,165
CHANDLER CHRISTIAN CH	Total Ballots Cast	4,109		
1825 S ALMA SCHOOL RD	Voter Turnout	74%		
	Rejected Ballots	18		

CANVASS OF CITY OF CHANDLER GENERAL ELECTION NOVEMBER 8, 2016

			EBERLE	STEWART
0436 NIGHTINGALE	Voters	2,591	614	665
SAN TAN K-8 SCHOOL	Total Ballots Cast	2,132		
1550 E CHANDLER HGTS	Voter Turnout	82%		
	Rejected Ballots	5		
0440 OAKGROVE	Voters	1,783	391	398
GOODMAN SCHOOL	Total Ballots Cast	1,403		
2600 W KNOX RD	Voter Turnout	79%		
	Rejected Ballots	3		
0550 SAN MARCOS	Voters	2,600	438	556
CHANDLER CHRISTIAN COMMUNITY CENTE	Total Ballots Cast	1,637		
345 S CALIFORNIA ST	Voter Turnout	63%		
	Rejected Ballots	6		
0601 SPRINGS	Voters	1,520	346	358
AMERICAN LEGION MATTHEW B JUAN POS	Total Ballots Cast	1,249		
2240 W CHANDLER BLVD	Voter Turnout	82%		
	Rejected Ballots	2		
0611 STELLAR	Voters	4,267	989	1,059
CHANDLER POLICE DEPT	Total Ballots Cast	3,420		
251 N DESERT BREEZE	Voter Turnout	80%		
	Rejected Ballots	14		
0617 SUN GROVES	Voters	3,261	719	837
NAVARRETE SCHOOL	Total Ballots Cast	2,591		
6490 S SUN GROVE BLVD	Voter Turnout	79%		
	Rejected Ballots	3		
0668 VELERO	Voters	1,466	286	346
WILLIS JUNIOR HIGH SCHOOL	Total Ballots Cast	1,098		
401 S MCQUEEN RD	Voter Turnout	75%		
	Rejected Ballots	1		
0669 VERANO	Voters	2,980	612	717
JOHN M ANDERSEN SCHOOL	Total Ballots Cast	2,380		
1350 N PENNINGTON ST	Voter Turnout	80%		
	Rejected Ballots	2		
0688 WENDY	Voters	1,646	321	417
CHANDLER BIBLE CHURCH	Total Ballots Cast	1,325		
1200 N PRICE RD	Voter Turnout	80%		
	Rejected Ballots	9		

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Monday, December 5, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:03 P.M.

The following members answered roll call:	Jay Tibshraeny	Mayor
	Jack Sellers	Vice-Mayor
	Nora Ellen	Councilmember
	Rick Heumann	Councilmember
	René Lopez	Councilmember
	Terry Roe	Councilmember
	Kevin Hartke	Councilmember

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kelly Schwab	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Bishop Tyronne Stowe – Gospel "4" Life Church gave the invocation.

PLEDGE OF ALLEGIANCE: Councilmember Heumann led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HEUMANN, SECONDED BY COUNCILMEMBER LOPEZ, TO APPROVE THE CONSENT AGENDA AS PRESENTED.

MOTION CARRIED UNANIMOUSLY, (7-0).

1 MINUTES:

APPROVED the following Chandler City Council Meeting Minutes:

1a. MINUTES of the Study Session of October 10, 2016.
1b. MINUTES of the Regular Meeting of November 7, 2016.
1c. MINUTES of the Special Meeting of November 10, 2016.
1d. MINUTES of the Study Session of November 7, 2016.
1e. MINUTES of the Regular Meeting of October 13, 2016.
1f. MINUTES of the Special Meeting (Canvass) of November 28, 2016.
1g. MINUTES of the Special Meeting (Retreat) of September 15, 2016.

2. MASTER LICENSE AGREEMENT: Verizon Wireless Ord.# 4693

ADOPTED Ordinance No. 4693 for a Master License Agreement with Verizon Wireless (Verizon) for the use of City property in connection with the operation of a wireless network and authorizing the Mayor to execute the agreement; and authorizing the City Manager or designee to execute other implementing documents as are needed to give effect to the agreement.

3. REZONING: Warner Professional Center Ord. # 4723

ADOPTED Ordinance No. 4723, DVR16-0021 Warner Professional Center, rezoning from Planned Commercial Office (PCO) district to Planned Area Development (PAD) for PCO uses.

4. REZONING: Landmarc Chandler Heights Ord. # 4725

ADOPTED Ordinance No. 4725, DVR16-0007 Landmarc Chandler Heights, rezoning from Agricultural (AG-1) to Planned Area Development for a single-family residential home.

5. ANNEXATION: Northwest Corner Germann Road and Hamilton Street Ord. # 4726

ADOPTED Ordinance No. 4726, annexation of four parcels totaling approximately .57 acres located at the NWC of Germann Road and Hamilton Street.

6. LEASE AMENDMENT: Arizona Board of Regents Ord. # 4728

ADOPTED Ordinance No. 4728 authorizing a second amendment to the lease by and between the City of Chandler and the Arizona Board of Regents, a body corporate for and on behalf of Arizona State University, for the premises at 249 E. Chicago Street.

INFORMATIONAL:

1. Minutes of the November 2, 2016, Planning and Zoning Commission meeting.

CURRENT EVENTS:
Mayor stated comments would be held Thursday, December 8, 2016.

Adjournment: The meeting was adjourned at approximately 7:06 p.m.

ATTEST: _____
City Clerk

_____
Mayor

Approved: January 12, 2017

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 5th day of December, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 18 day of January, 2017.

City Clerk

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, on Thursday, December 8, 2016.

THE MEETING WAS CALLED TO ORDER BY MAYOR JAY TIBSHRAENY AT 7:04 P.M.

The following members answered roll call:

Jay Tibshraeny	Mayor
Jack Sellers	Vice-Mayor
Nora Ellen	Councilmember
Kevin Hartke	Councilmember
*Rick Heumann	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember

* Councilmember Heumann participated by phone.

Also in attendance:	Marsha Reed	City Manager
	Nachie Marquez	Assistant City Manager
	Kelly Schwab	City Attorney
	Marla Paddock	City Clerk

INVOCATION: Pastor Victor Hardy – Congregational Church of the Valley

PLEDGE OF ALLEGIANCE: Councilmember Roe led the Pledge of Allegiance.

CONSENT:

MOVED BY COUNCILMEMBER HARTKE, SECONDED BY COUNCILMEMBER ELLEN TO APPROVE THE CONSENT AGENDA, MOVING ITEM 8 TO THE ACTION AGENDA. THE MOTION CARRIED UNANIMOUSLY (6-0).

There was a speaker on Item 14. Discussion is listed under that item.

1. EASEMENTS: Salt River Project Ord. 4718

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4718 granting three no-cost power distribution easements to Salt River Project Agricultural Improvement and Power Distribution District (SRP) within the Knox Road right-of-way between Hartford Street and Arizona Avenue, as required for an SRP aesthetics project in this area.

SRP is finalizing an aesthetics improvement project within the right-of-way of Knox Road between Hartford Street and Arizona Avenue that will underground and convert the power lines that are on existing poles in the area. SRP aesthetic funds will be used to pay for the project. During the construction of the project, it became necessary to increase the easement area previously granted in Ordinance 4689 by the City of Chandler to accommodate equipment changes. These additional easements are at no cost to SRP as they are for a project that will benefit the citizens of Chandler.

2. CITY CODE AMENDMENT: Floodplain Management Ord. 4721

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4721 amending Chapter 43, Section 43-5, of the Code of the City of Chandler pertaining to floodplain management.

Ordinance No. 4721 amends Section 43-5 per guidance from Arizona Department of Water Resources (ADWR), the State coordinating agency for the NFIP. During the City's August 2016 Community Assistance Visit (CAV), ADWR recommended additional administrative duties specific to records management and upkeep of adopted floodplain management regulations to improve our compliance with the NFIP requirements. Specifically, Section 43-5.2 F & G was added. In addition, a Section 3 clause was added stating that if any portion of this ordinance is determined by a court of a competent jurisdiction to be invalid; all remaining portions of this ordinance shall remain in full force and effect.

3. EASEMENT: Salt River Project Ord. 4727

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4727 granting a no-cost maintenance access easement, to Salt River Project Agricultural Improvement and Power District (SRP) across City property for access to the Gila Drain necessitated by the Frye Road Improvements from Kyrene Road to Roosevelt Avenue.

As part of the Frye Road Improvements from Kyrene Road to Roosevelt Avenue (the "Project"), the City will be installing a new box culvert and associated improvements where the Gila Drain crosses Frye Road. The south end of the box culvert and associated improvements (the "Improvements") will be moved to the west to straighten the alignment with the north end of the box culvert. Moving the Improvements to the west will cause SRP to cross City property in order to access the west side of the Gila Drain from the south side of Frye Road. In order to maintain SRP's access, City staff recommends granting SRP, at no cost, an ingress and egress easement across City property.

4. ZONING/SUBDIVISION: Sirona Ord. 4730

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4730, DVR16-0014 SIRONA, rezoning from Planned Area Development (PAD) for commercial to PAD for single-family residential.
APPROVED PRELIMINARY DEVELOPMENT PLAN for subdivision layout and housing product.
APPROVED PRELIMINARY PLAT, PPT16-0018 for site of approximately 21.8-acres located at the NWC of Pecos and Cooper roads. (Applicant: Brennan Ray, Burch & Cracchiolo, P.A.)

BACKGROUND:
The subject site is approximately 21.8 acres and located at the northwest corner of Pecos and Cooper roads. The Consolidated Canal and Paseo Trail are to the west, a church and softball fields are north. Single-family residential developments are located to the south and east, and vacant, undeveloped commercial zoned properties are at the intersection.

The site is unique and complex with several components including multiple owners, its location by a canal, and the location within two flood zones. Several parcels comprise the site and are owned by Fulton Homes, City of Chandler, and a USA fee title strip. To address the complex nature of the site, a creative and viable solution to the numerous constraints came about through an intensive collaboration of the Owner's team and City of Chandler staff. A Development Agreement is concurrent with the zoning case to address the exchange of a portion of City of Chandler property to Fulton Homes and the details of Homestead South Park improvements by Fulton Homes. The acquisition of a 20 ft. wide, linear land strip, from U.S.A. fee title is concurrent with the rezoning.

The subject property was originally zoned in 1986 as PAD for a neighborhood shopping center and medium density residential. Two time extensions were approved. In 1996, Council approved a new PAD zoning for a neighborhood shopping center and a City Park. Several time extensions were approved until a PDP was approved in December, 2007. The PDP was for a 100,000 sq. ft. three-story office building and 55,000 sq. ft. of retail/restaurant shops. Two additional time extensions were granted with the last extension expiring in 2014.

The request is for rezoning from Planned Area Development (PAD) for commercial to PAD for single-family residential with Preliminary Development Plan (PDP) approval for subdivision layout and housing product and Preliminary Plat (PPT) approval.

Sirona is an 89 lot, non-gated single-family subdivision. The minimum lot area is 4,940 sq. ft. with minimum lot dimensions of 52 ft. by 95 ft. The requested building setbacks are a front yard setback of 18 ft. for forward facing garages and 10 ft. for side loaded garages or livable space; side yard setbacks are 5 ft. and 7 ft., and a 15 ft. rear yard setback. Maximum lot coverage is 60 percent. Density is 4.08 dwelling units per acre and considered medium-density residential. The General Plan land use designation is "Neighborhoods" and considers medium-residential density for parcels located along arterial streets and adjacent to parks and recreation facilities.

The housing product features eight floor plans, each with four distinct architectural styles. Four, single story plans and four, two story plans range in floor area from 1,693 sq. ft. to 2,929 sq. ft. One of the single story plans has a loft option. The two story plans include significant use of architectural treatments, and single story elements to break up the building mass.

The Residential Development Standards (RDS) are intended to address and create diversity within residential subdivisions. Sirona incorporates the required and optional Subdivision and Architectural Diversity Elements. Additional information can be found within the attached Development Booklet.

At the October 4, 2016 Parks and Recreation Board meeting, the conceptual design for the approximately 4.86 acre Homestead South Park was approved. Homestead South Park provides several pedestrian nodes, a seat wall, benches, a shaded play structure, exercise equipment, and other amenities.

Planning Staff finds the proposal a viable solution to a site faced with several constraints. The transition from a medium-density single family residential subdivision to Homestead South Park and then to the Paseo Trail system aligns with the General Plan land use designation. This project maximizes the property's viability and maintains compatibility with adjacent uses through the high quality residential architecture and attention to lot layout and amenities.

Additionally, Homestead South Park improvements, financed and constructed by Fulton Homes, expedite both open space and recreational opportunities along the Paseo Trail system and further benefit Chandler residents.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on September 20, 2016. Six property owners attended along with the applicant's team. Questions were general in nature and related to subdivision layout, number of lots, if a gated community, architecture, trail access, and the floodplain.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

Planning Commission approved the project: In Favor: 6 Opposed: 0 Absent: 1 (Pridemore)

RECOMMENDED ACTIONS:
Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning from Planned Area Development (PAD) for commercial to PAD for single-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "SIRONA" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0014, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

8. At the time of sale, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the canal right-of-way together with the adjoining easements dedicated to the City of Chandler, is developed as a multi-trail system for use by the general public.

9. The Developer shall make improvements to Homestead South Park which shall include a storm water retention facility and landscaped greenbelt concurrent with development of the single-family residential subdivision. The storm water retention facility within the City Park shall serve the single-family residential subdivision in perpetuity.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan for subdivision layout and housing product, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "SIRONA" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0014, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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

3. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

7. All homes built on corner lots within the residential subdivision shall be single-story.

8. The same elevation shall not be built side-by-side or directly across the street from one another.

9. Building setbacks shall be a minimum of an 18 ft. front yard for forward facing garages and a 10 ft. front yard for side loaded garages or livable space; side yard setbacks of 5 ft. and 7 ft., and a 15 ft. rear yard setback.

Preliminary Plat
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

5. <u>REZONING:</u> Brunia Residence Ord. 4731

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4731, DVR16-0019 BRUNIA RESIDENCE, rezoning from Agricultural District (AG-1) to Single-Family District (SF-33) for single-family residential on approximately 0.83 acres at 882 E. Willis Road located west of the NWC of Willis and McQueen roads. (Applicant: Denny W. Brunia)

BACKGROUND:
The request is for rezoning from Agricultural District (AG-1) to Single-Family District (SF-33) for single-family residential on approximately 0.83 acres. The subject site fronts onto Willis Road and is currently developed with one single-family residence. The property is surrounded to the north by the Ranchos De Chandler residential subdivision zoned SF-33. Abutting the west and east sides are properties zoned SF-33, property further west and east as well as south are zoned AG-1.

Through lot splits accomplished in the County, the 35,963 square foot parcel is not compliant with the current AG-1 zoning which requires a minimum lot size of 43,000 square feet. The proposed SF-33 zoning will bring the property into conformance and provide building setbacks consistent with the surrounding properties. The attached site plan represents existing improvements on the property as well as the property owner's intended improvements in conformance with SF-33 zoning.

GENERAL PLAN CONFORMANCE / AREA PLAN BACKGROUND:
The General Plan designates the subject property as Neighborhoods allowing a range of residential densities and as within the Chandler Airpark Area Plan which designates this property as Rural Residential for 0 to 1.5 dwelling units per acre. The proposed rezoning is in conformance with the Neighborhoods and Rural Residential designations.

Planning Staff finds the proposed rezoning to be a logical extension of the SF-33 zoning to the north, west, and east sides of this parcel. The proposed SF-33 zoning eliminates a non-conforming parcel and allows the existing single-family residential property to do improvements such as a home addition or detached accessory building sharing similar minimum building setbacks with surrounding properties.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on October 24, 2016, no one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

Planning Commission voted to approve the rezoning: In Favor: 6 Opposed: 0 Absent: 1 (Pridemore)

6. <u>REZONING/PRELIMINARY DEVELOPMENT PLAN:</u> AZ 202 Commerce Park Ord. 4732

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4732, DVR16-0018 AZ 202 COMMERCE PARK, rezoning from Planned Area Development (PAD) for light industrial to PAD (Light Industrial and Office) on approximately 13 acres, and rezoning from Agricultural District (AG-1) to PAD (Light Industrial and Office) on approximately 2 acres.
APPROVED PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building design for a light industrial and office development on approximately 15 acres located at the SWC of Willis Road and Hamilton Street alignment; east of Arizona Avenue and the Union Pacific railroad tracks. Applicant: Mike Withey; Withey Morris, PLC

BACKGROUND:
The subject site is located on the south side of Willis Road and east of Arizona Avenue. North of the site is vacant land zoned last year for San Tan Super Storage & Industrial and the Loop 202 Santan Freeway; to the east is County agricultural property with residences and a dairy farm; on the west and south sides is 84 Lumber Company.

The request is for rezoning from Planned Area Development (PAD) for light industrial to PAD (Light Industrial and Office) on approximately 13 acres, and rezoning from Agricultural District (AG-1) to PAD (Light Industrial and Office) on approximately 2 acres with Preliminary Development Plan (PDP) for site layout and building design for a light industrial and office development.

The 13-acre parcel was part of a 33-acre rezoning with PDP request in 2003, for Willis Industrial Center/84 Lumber Company. The property was zoned PAD for light industrial with uses permitted by right in the Planned Industrial District (I-1) zoning along with a PDP for a building materials supply

company. The 2-acre parcel was not a part of the request; however, it was annexed from the County and zoned AG-1 in 2008. 84 Lumber Company constructed on approximately 18 acres, and the subject 15-acre site remains vacant. The rezoning request establishes light industrial and general office uses on the entire vacant 15 acres allowing for two light industrial and office buildings at 100,000 square feet and 134,390 square feet in building area.

The PDP establishes the architectural design and site design quality of the development with building elevations and site plan representations in the Development Booklet. The development's design expectations are set forth in the Development Booklet allowing for Planning Staff to administratively review minor changes to the development. The buildings are designed with a contemporary style incorporating concrete and metal accents, varied wall planes, wall pop-outs, vertical reveal lines, paint color variations, varied rooflines, and green tint glazing. The rear elevations of each building include warehouse delivery bays, these are internalized within the site and screen walls provided along the future Hamilton Street alignment.

The smaller building fronts Willis Road and the larger building is on the south side. Access is provided from Willis Road and the future Hamilton Street alignment. Parking and vehicular access loop the property's perimeter. The development is parked in accordance with Zoning Code parking requirements for light industrial with support general office. The intent is to have light industrial occupy the two buildings; however, in the event that a larger office use were interested in the site, the percentage of office will be limited based upon provided parking.

A comprehensive sign package is included in the PDP for two freestanding monument signs and building signage. One monument sign is located on each street frontage at 6 feet in height with four tenant panels and the center identification name at the base of the sign. Building signage is illuminated pan channel lettering.

GENERAL PLAN CONFORMANCE:
The General Plan designates the property as Employment for major employers, industrial/business parks, knowledge-based employers, and industrial support uses and within the Chandler Airpark Area Plan Growth Area. The Chandler Airpark Area Plan designates the property as Light Industrial for manufacturing, warehousing, distribution, back office space, and high tech uses. The proposed PAD zoning for I-1 uses and general offices is consistent with the General Plan and Area Plan.

The Airport Commission reviewed the request in accordance with the Airport Conflicts Evaluation Process at their November 9, 2016, meeting. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission determined that the proposed development does not constitute a conflict with existing or planned airport uses. A copy of the Airport Manager's report detailing the Airport Commission's recommendation is attached.

Planning Staff finds the proposed development is in conformance with the General Plan and Chandler Airpark Area Plan. The light industrial and general office uses are compatible with the surrounding light industrial and commercial uses as well as planned light industrial in the area.

PUBLIC / NEIGHBORHOOD NOTIFICATION:
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on October 10, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff is not aware of any concern or opposition.

The Planning Commission voted unanimously to approve the project.

Planning Commission recommended the addition of Condition No. 9 to the PDP for additional paint colors on both building's rear elevations along the loading dock area in order to break up the building's massing. The idea is to use a darker paint color to break up the building's lineal appearance similar to the front elevations; for example, paint certain bay doors a darker color or use a darker paint color in a centralized area extending to top of building height.

RECOMMENDED ACTIONS:
Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning from Planned Area Development (PAD) for light industrial to PAD (Light Industrial and Office) on approximately 13 acres, and rezoning from Agricultural District (AG-1) to PAD (Light Industrial and Office) on approximately 2 acres for a light industrial and office development, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "AZ 202 COMMERCE PARK" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0018, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

Preliminary Development Plan:
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "AZ 202 COMMERCE PARK" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0018, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. The site shall be maintained in a clean and orderly manner.

3. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

4. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

5. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

6. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.

7. Raceway signage shall be prohibited within the development.

8. Final percentage of office use will be determined based upon available parking.

9. Rear building elevations shall incorporate a darker paint color in select areas to break up the wall plane massing and linear appearance.

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

7. ZONING/PRELIMINARY DEVELOPMENT PLAN: Desert Jewel Apartments Phase III Ord. 4733

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4733, DVR16-0016 DESERT JEWEL APARTMENTS PHASE III, rezoning from Planned Area Development (PAD) for commercial and self-storage mini-warehouse to PAD (Multi-Family Residential).
APPROVED PRELIMINARY DEVELOPMENT PLAN (PDP) for site layout and building design for a multi-family residential development on approximately 3.78 acres located west of the SWC of Arizona Avenue and Elliot Road. (Applicant: Cornel Olari; OC DesignStudio, LLC)

BACKGROUND:
The subject site is located west of the southwest corner of Arizona Avenue and Elliot Road. The property is bounded on the north by Elliot Road, light industrial and commercial development; on the east by a Circle K and car wash development; the Sonoma Village townhouses on the west; and Desert Jewel Apartments to the south.

The subject 3.78-acre vacant site was rezoned in 2012, as part of the 6.6-acre Arizona-Elliot Commerce Park commercial development. The development was rezoned from Agricultural District (AG-1) to PAD for uses permitted by right in the Community Commercial (C-2) zoning district, a self-storage mini-warehouse, and a gas station use. The Preliminary Development Plan (PDP) included a self-storage mini-warehouse and two freestanding pads on the subject site, and a gas station with convenience store and car wash at the intersection corner.

The request is to rezone the property from Planned Area Development (PAD) for Commercial and Self-Storage Mini-Warehouse to PAD (Multi-Family Residential) with Preliminary Development Plan (PDP) for site layout and building design for a multi-family residential development. The proposed multi-family residential development is an extension of the existing Desert Jewel Apartments to the south. The proposal adds 72 residential units to the apartment complex. The development includes four buildings in which two are two-story and two are three-story in height. The buildings have a mix of one-, two-, and three-bedroom units.

Buildings are centralized with vehicular access and parking around the perimeter. Two buildings are within a landscape setting along Elliot Road and open space/amenity areas are sited in between facing buildings. In addition to covered parking, the development includes a storage unit building on the east side which can be leased by tenants for additional covered vehicle parking or storage of goods. Site access is from the existing main entrance/exit off of Arizona Avenue, a new full movement driveway access of Elliot Road, and a new right-out/right-in only off of Elliot Road. Appropriate parking spaces are provided for the development. There is no signage proposed with this request; any future signage would need to be designed to Sign Code requirements.

The building architecture matches the existing development with four-sided architectural design, varied rooflines and wall planes, varied window styles and sizes, stucco, stone accent, and metal patio railings. The paint colors and materials replicate the existing buildings. Parking space canopies will match those in the existing apartment complex.

GENERAL PLAN CONFORMANCE:
The General Plan designates the property as Neighborhoods and within the North Arizona Avenue Growth Area which focuses on redevelopment in this area. The proposed development is within a mixed use area developed with commercial, light industrial, single-family residential, and multi-family residential. The expansion of an existing apartment development provides additional density to support the area's redevelopment.

Planning Staff finds the proposed expansion of the existing multi-family residential apartment development to be compatible with surrounding mix of uses including multi-family residential and commercial. The proposed development completes the Arizona-Elliot Commerce Center development plan on the southwest corner of Arizona Avenue and Elliot Road.

PUBLIC / NEIGHBORHOOD NOTIFICATION:
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on October 10, 2016. Three people attended with one resident from the adjacent Sonoma Village townhouses. The resident expressed concerns about traffic on Elliot Road stating that many people make left turn exits from Circle K to Elliot Road and fear a car accident occurring. Additional comments related to making sure drainage runoff does not go to the townhouse development, that their perimeter block fence will not be damaged during construction, and that there is proper dust control during construction.
- Planning Staff received one phone call from a resident of Sonoma Village expressing the same concerns as the resident who attended the meeting. The resident asked that this development not have left turn movements onto Elliot Road. It was explained that the development has a driveway at a full movement median break in which left turn movements can occur. The resident conveyed three-story apartment buildings means more traffic in the area which already has a lot of traffic.
- As of the writing of this memo, Planning Staff is not aware of any opposition.

The Planning Commission voted unanimously to approve the project:

A resident of the adjacent Sonoma Village townhomes spoke to express concerns with increased development in the area of Elliot Road and Arizona Avenue which is contributing to traffic congestion and unsafe traffic movements, especially left turns onto Elliot Road. Planning Staff advised staff will coordinate a meeting with traffic staff to address their concerns.

RECOMMENDED ACTIONS:
Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning from Planned Area Development (PAD) for Commercial and Self-Storage Mini-Warehouse to PAD (Multi-Family Residential) for a multi-family residential development, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "DESERT JEWEL APARTMENTS PHASE III" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0016, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

6. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

Preliminary Development Plan:
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "DESERT JEWEL APARTMENTS PHASE III" and kept on file in the City of Chandler Planning Division, in File No. DVR16-0016, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. The site shall be maintained in a clean and orderly manner.

3. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

4. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

5. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

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

8. MOVED TO THE ACTION AGENDA

9. No item.

10. FLOOD INSURANCE/FLOODPLAIN MANAGEMENT: Res. 5004

ADOPTED RESOLUTION NO. 5004 adopting by reference the November 4, 2015, flood insurance study, flood insurance rate maps, and floodplain management regulations pursuant to Section 43-5, of the Code of the City of Chandler, as part of the delegation for responsibility for floodplain management to the Maricopa County Flood Control District.

The City of Chandler participates in the National Flood Insurance Program (NFIP) pursuant to Section 43-5 of Chandler City Code. Communities that participate must adopt floodplain management regulations that meet or exceed the minimum Program requirements. Previously adopted Resolutions have met the requirements and allowed continued participation in the Program.

Resolution No. 5004 updates our floodplain management regulations per guidance from Arizona Department of Water Resources (ADWR), the State coordinating agency for the NFIP. During the City's August 2016 Community Assistance Visit (CAV), ADWR recommended incorporating language to improve our compliance with the requirements of the NFIP. The only meaningful change is to Section 2 pertaining to the adoption of all subsequent amendments and/or revisions of the Floodplain Management Regulations for Maricopa County.

11. PLAN: Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan 2016. Res. 5005

ADOPTED RESOLUTION NO. 5005 adopting the City of Chandler Americans with Disabilities Act (ADA) Self-Evaluation and Transition Plan 2016.

In December of 2015, Council approved Resolution No. 4918, approving the City of Chandler ADA Self-Evaluation and Transition Plan 2015. The City had contracted with a consultant in March of 2014 to complete a comprehensive update to the City's existing ADA Transition Plan, as well as the completion of a Self-Evaluation of all City programs to ensure the City's programs and facilities are in compliance with federal ADA law. The purpose of the Transition Plan is to identify and recommend corrections to programmatic, building, and infrastructure obstacles that prevent full access to City programs and services.

The consultant, Cole & Associates, Inc., conducted an analysis of Citywide and departmental policies, twenty facilities, and an additional five miles of Public Rights-of-Way (PROW). The facilities included a number of parks and three transit stations based on the frequency of use by the public and age of the facility. The PROW analysis was focused on the downtown area and a sampling of areas based on the amount of pedestrian traffic, length of time since last ADA improvements, and type of street such as arterial or residential.

The Transition Plan consists of a list of physical barriers present at the time of the Self-Evaluation and a detailed outline of the methods to be used to remove these barriers. From the list, a twenty year barrier removal plan was created (Attachment "C"). This plan is meant to serve as a guide as the City further develops a more detailed removal schedule and cost estimates. It is anticipated that this schedule is being updated each year as new projects are assessed. In addition, the schedule may be altered due to funding availability and timing with larger projects that have ADA components.

Under ADA law, the Federal Highway Administration (FHWA) has regulatory responsibility to monitor the compliance of the self-evaluation and transition plans of Federal-aid recipients. FHWA has reviewed the 2015 plan which included a tiered approach to survey the remaining PROW, in particular local streets, over a 10 plus year period. FHWA provided positive feedback on the overall plan; however, they recommended a full survey of the remaining PROW and public facilities to be conducted in shorter timeframe.

Transportation and Development Department staff has made revisions to the plan that now shows all data collection to occur over three years. It is anticipated that further consultant services will be required along with staff field data collection efforts. Funding from the CIP ADA Upgrades program will be utilized.

The primary intent of this 2016 plan update (Memo attachments "A" & "B") is to meet the FHWA recommendations. Other updates to the plan include changing the City's ADA Coordinator from Leah Powell to Warren White.

The City's Grievance Procedures (Administrative Regulation No. CA-01), included in the updated plan, has also been modified allowing submittal within 180 calendar days and more prevalent website posting.

In addition, with the adoption of the 2015 plan update, it was stated that staff would provide an annual update to Council showing progress towards barrier removal, results of future assessments, and information on training, complaints, and public outreach efforts. The 2015-2016 ADA Accomplishments list (Memo attachment "D") illustrates staff commitment to this effort.

12. LAND USE LICENSE: Salt River Project Res. 5006

ADOPTED RESOLUTION NO. 5006 accepting a no-cost Land Use License from Salt River Project (SRP) on behalf of the United States of America, for a portion of the Gila Drain that crosses Frye Road between Kyrene Road and Roosevelt Avenue.

The United States of America (the "USA") owns property that the new Frye Road alignment between Kyrene Road and Roosevelt Avenue will cross. As part of the Frye Road Improvement Project from Kyrene Road to Roosevelt Avenue (the "Project"), SRP, on behalf of the USA, is willing to grant a Land Use License to the City of Chandler. This Land Use License will allow the City of Chandler and the general public the use of USA property and to build the improvements associated with the Project. The Land Use License will be granted to the City of Chandler by SRP at no cost.

13. AREA PLAN/ZONING/SUBDIVISION: Chandler Airpark Area Plan/Paseo Vista Village
Res. 5016 / Ordinance No. 4735

ADOPTED RESOLUTION NO. 5016, APL16-0003 CHANDLER AIRPARK AREA PLAN AMENDMENT, Area Plan Amendment to the Chandler Airpark Area Plan from Neighborhood Commercial to Medium-Density Residential.

INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4735, DVR16-0013 PASEO VISTA VILLAGE, rezoning from Planned Area Development (PAD) for Commercial uses to PAD for a condominium development.
APPROVED PRELIMINARY DEVELOPMENT PLAN for subdivision layout and housing product for a 14.94-acre, 112-lot residential condominium subdivision located at the NEC of McQueen and Ocotillo roads. (Applicant: Brennan Ray; Burch & Cracchiolo)

BACKGROUND:
The approximately 15-acre site is located at the northeast corner of McQueen and Ocotillo roads. Along the north and east boundaries of the site is the Lantana Village single-family duplex development; beyond Lantana Village is the Lantana Ranch standard single-family residential subdivision. West, across McQueen Road is the Paseo Vista City Park. South of Ocotillo is vacant land that is zoned for commercial and congregate care uses. The site was zoned commercial with the larger Lantana Ranch community in 2000. In 2001, a Rezoning and PDP was approved for a grocery anchored center that included a gas station.

The request is for Area Plan Amendment to the Chandler Airpark Area Plan (CAAP) from Neighborhood Commercial to Medium-Density Residential allowing for a density range of 8.1-12 dwelling units per acre, and rezoning from Planned Area Development (PAD) for Commercial uses to PAD for a condominium development, with Preliminary Development Plan approval for subdivision layout and housing product. The 111-unit development provides nine dwelling units per acre.

The gated development has been designed to reflect some of the architectural vernacular in the surrounding area. Architectural style is a Santa Barbara Spanish Colonial influence, with various elements of the style being incorporated into individual units within the residential packs. The condominiums are clustered in either groupings of 4, 5, 6, 7, or 8 packs. All units are two stories with the 7 and 8 pack buildings offering three stories on two of the units.

The units range from 1,753 square feet up to 2,410 square feet. Each unit provides either a private courtyard or loggia. Architectural design elements will vary from unit to unit, as well as paint scheme in order to provide variation between the units. Design elements include arched windows, recessed windows, pop out elements, shutters, metal awnings, and wrought iron elements.

Pedestrian links are provided throughout the site providing links between the unit clusters and amenity areas. The development is an alley loaded design, meaning that access to the front doors are provided through a common pedestrian walkway with all garages facing out to the alleys.

Due to some significant site restraints along the arterials that requires the development to take all of the McQueen Road retention rather than the standard half-street, as well as a large SRP Easement that runs along the Ocotillo Road, deep landscape setbacks are provided. As a result of the constraints, development of the site is more internalized rather than brought out to the street frontages. With the constraints as well as the residential uses surrounding the site, the design team has implemented a design that takes into consideration the adjacent resident homes resulting in a layout where no homes are planned to be adjacent to or back-up to the existing Lantana Village community.

AREA PLAN AMENDMENT:
The site is designated as neighborhood commercial within the CAAP. The area plan is bounded by Pecos Road, Arizona Avenue, and Gilbert and Ocotillo roads. As commercial development has occurred on the City's major commercial corridors (Arizona Avenue and Gilbert Road), the viability of typical commercial development along other corridors has been substantially reduced. This coupled with the acquisition of Safeway Inc. by Albertsons has led to the commercial property owner seeking to sell off some of the less viable commercial pieces. The project provides a great means of transitioning of density from the intersection corner with the site's proposed density of nine units per acre, stepping

down to 6.9 units per acre as found in Lantana Village to the density of three units per acre within Lantana Ranch.

AIRPORT COMMISSION
The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their October 12, 2016 meeting. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission found that the proposed development does constitute a conflict with existing and/or planned airport uses. While a non-residential use is preferred, various physical and administrative corrective actions were recommended for mitigation.

Physical corrective actions included noise attenuation construction within the residential units, a roadway style sign indicating the presence of low flying aircraft, and the incorporation of "Chandler Airpark" in the development's name which shall be prominently displayed on a monument sign visible from the right-of-way, or other measure acceptable to city planning or airport staff. The applicant discussed the last physical corrective action with the Airport Commission, and requested that due to the site's proximity to the Paseo Vista Park that "Chandler Airpark" not be required in the name, and that rather the developer would like to include various placards in the community center relating to the airpark. The Commission was fine with the modification resulting in the statement "or other measure acceptable to city planning or airport staff."

Administrative corrective actions includes the requirement of significant disclosure statements to be signed by prospective owners indicating the proximity to the airport, heliport, aircraft engine repair and testing facility, and the potential impact from aviation noise and vibrations, a disclosure statement on the final plat, disclosures included in the Subdivision Public Report, and an avigation easement being dedicated to the City of Chandler. Finally, a large map shall be displayed within the sales office identifying the proximity of the development to the airport including the noise contours, and over flight patterns. A copy of the Airport Manager's report detailing the Airport Commission's recommendation is attached to this memo.

Planning Staff supports the request finding that the development of condominiums is well suited at this location. With the development of larger commercial centers along some of the main commercial corridors of Arizona Avenue and Gilbert Road, commercial development is drawn away from the site. Additionally, with the current residential density transition of Lantana Ranch to Lantana Village, the density of Paseo Vista Village implements good development practices.

PUBLIC / NEIGHBORHOOD NOTIFICATION:
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 12, 2016; five neighbors attended. The applicant has also reached out to some of the members of the Lantana Village HOA, and other neighborhood advocates.
- As of the writing of this memo, Planning Staff has heard from one resident opposed to the request, citing they preferred the commercial zoning designation. Planning Staff also heard from one resident that was not aware of the project. Planning Staff provided a digital copy of the development booklet, and has not heard from the resident since providing the information. Planning Staff has received one email in support of the request.

The Planning Commission approved the project: In Favor: 5 Opposed: 0 Abstain: 1 (Baron) Absent: 1 (Pridemore)

RECOMMENDED ACTIONS:
Area Plan Amendment
Planning Commission and Planning Staff recommend City Council approve the Area Plan Amendment.

Rezoning
Planning Commission and Planning Staff recommend City Council approve of the Rezoning, subject to the following conditions:

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

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

8. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:

a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property.

b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

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

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

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

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

g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."

9. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.

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

11. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

Preliminary Development Plan:
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

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

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

Preliminary Plat
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

14. AREA PLAN/ZONING/SUBDIVISION: Chandler Airpark Area Plan/Altitude Res. 5017/Ord. 4736

Discussion:
Ms. Jan Finney. Chandler resident, stated one of her larger concerns dealt with the turnaround at the end of the road when the subdivision is completely built. Her family has been there since 1970. The cul-de-sac area does not have the space needed for the garbage trucks or larger trucks to turn around without encroaching into her driveway. She stated another concern is when it rains, the rain currently is able to run off into the 10 acre field, and when the development wall is built the water will not have a pathway for the runoff, causing back up and possible flooding of their block.

Mr. Erik Swanson, City Planner, stated the staff memo provides an exhibit displaying the turn-around area that will allow the truck traffic to complete the turn without going onto the owners property.

He added the developer has agreed to put signs up restricting traffic on Nightingale Road and a gate to prohibit/inhibit traffic that does not belong down Nightingale Road Residents living on the south side of Nightingale will have a 15 foot wide easement giving them access to and from their property. Mr. Swanson stated this should take care of the resident's concerns regarding excess traffic access.

ADOPTED RESOLUTION NO. 5017, APL16-0004 CHANDLER AIRPARK AREA PLAN AMENDMENT, Area Plan Amendment to the Chandler Airpark Area Plan from Rural Residential with a Transitional Overlay Zone to Low-Density Residential.
INTRODUCED AND TENTATIVELY APPROVED ORDINANCE NO. 4736, DVR16-0020 ALTITUDE, rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential.
APPROVED PRELIMINARY DEVELOPMENT PLAN for subdivision layout and housing product for a 10.05-acre, 31-lot single-family residential subdivision located south of the SWC of Cooper and Queen Creek roads. (Applicant: Chris Clonts; CalAtlantic Homes)

BACKGROUND:
The 10 acre site is located south of the southwest corner of Cooper and Queen Creek roads, and positioned between various residentially zoned properties. Along the site's northwest boundary are the Maderas single-family residential subdivision, which is currently under construction, and four parcels zoned AG-1, with two homes on two of the four properties. South of site is the location of the future Nightingale Lane, a 15' private access easement, and properties within the jurisdiction of the County.

The request is to amend the Chandler Airpark Area Plan (CAAP) from Rural Residential with a Transitional Overlay Zone, allowing for a density of 0-1.5 dwelling units per acre, to Low-Density Residential allowing for 1.6-3.5 dwelling units per acre, and rezoning from AG-1 to PAD for single-family residential with PDP approval for subdivision layout and housing product. With 31-lots, the development provides a density of 3.22 dwelling units per acre. The site is rectangular in shape within a

short frontage along Cooper Road, resulting in a single point of access and cul-de-sac layout terminating into the subdivision's outdoor amenity area. Homes flank both sides of the cul-de-sac. An emergency access drive is provided midway along the southern portion of the subdivision. The emergency access drive also provides an area for a sewer line to be stubbed out to the future Nightingale Lane.

Six single-story housing plans are provided. Square footage of the homes range in size from 2,300 square feet up to 2,800 square feet. Two lots sizes are provided throughout the subdivision with an 8,190 square foot lot and an 8,820 square foot lot. Three plans provide forward facing garages, and three plans have forward facing garages with side-loaded garages. Four elevation types will be provided in the community, however, only three elevations are provided per plan.

AREA PLAN AMENDMENT:
The CAAP is bounded by Pecos Road, Arizona Avenue, and Gilbert and Ocotillo roads. The site is designated as Rural Residential with a Transitional Overlay Zone designation in the area plan; the request is to amend the area plan to Low-Density Residential. The immediate area is predominantly designated as Rural Residential; however, the larger area beyond the site and adjacent properties is designated as Low-Density Residential. As development occurs adjacent to rural designations, it becomes important to ensure that proper transitioning is provided between the proposed developed properties and those still maintaining an agricultural zoning designation. In this case, the development team has looked at how the homes adjacent to the agricultural properties along the northeast portion of the site relate to the adjacent agricultural property. The design team has provided a deeper rear yard setback for lots 1-8, providing a 35'rear setback relating to the 40' rear setback required in the Agricultural zoning district. Buffering between the site and the southern property is provided with the future development of Nightingale Lane.

AIRPORT COMMISSION:
The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process at their October 12, 2016 meeting. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission found that the proposed development does constitute a conflict with existing and/or planned airport uses. While a non-residential use or maintaining the current rural residential density cap is preferred, various physical and administrative corrective actions were recommended for mitigation.

Physical corrective actions included noise attenuation construction within the residential units, a roadway style sign indicating the presence of low flying aircraft, and the incorporation of aviation themed elements.
Administrative corrective actions includes the requirement of significant disclosure statements to be signed by prospective owners indicating the proximity to the airport, heliport, aircraft engine repair and testing facility, and the potential impact from aviation noise and vibrations, a disclosure statement on the final plat, disclosures included in the Subdivision Public Report, and an avigation easement being dedicated to the City of Chandler. Finally, a large map shall be displayed within the sales office identifying the proximity of the development to the airport including the noise contours, and over flight patterns. A copy of the Airport Manager's report detailing the Airport Commission's recommendation is attached to the Council memo.

It should be noted that the design team met with the Airport Administrator early in the review process to discuss how the development could visually relate to the airport. As a result of that conversation, the design team has incorporated a number of aviation themed elements including: the entry gate incorporating cables reflecting the design of a bi-plane, the monument sign reflecting a plane's tail fin, the picture of a plane incorporated into the entry gate, and propeller design element in the outdoor amenity area.

Planning Staff supports the Area Plan Amendment, Rezoning, and PDP requests citing that the development has integrated a number of aviation themed design elements, which strongly ties the development to the airport. Additionally, the design team has been cognizant of the site's proximity to the immediate agricultural area providing items that encourages compatibility with the properties to the south and north. Lastly, where homes within the development are adjacent to agricultural properties, sufficient transitioning has been provided between the homes and the agricultural properties.

PUBLIC / NEIGHBORHOOD NOTIFICATION:

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on August 31, 2016. Approximately 16 neighbors attended and were all from the southern side of the future Nightingale Lane. While no neighbors expressed opposition to development, there were concerns expressed about design elements as outlined below.

Concerns expressed involved providing an 8' screen wall along the southern boundary, location of the emergency access area and how it is used (concern of anybody using it at any time) and its proximity to existing power poles, traffic along Nightingale Lane and the private access easement, and the ability for vehicles to turn around at the end of the development. Following the neighborhood meeting Planning Staff met with the neighbors to discuss the concerns, and met with the applicant and concerned neighbors at the site.

The applicant has agreed to provide an 8' wall along the southern property line to provide additional privacy to the neighbors. Planning Staff explored options to relocate the emergency access, but since the sewer stub has to be located in the current configuration it was best to leave the emergency access and sewer stub roughly midway through the site. Neighbors were concerned with visibility through the emergency gate, resulting in the developer agreeing to provide a tight knit mesh design to inhibit clear visibility through the gate. The neighbors expressed a lot of concern regarding the use of their private access easement as traffic has increased due to satellite maps indicating that Nightingale Lane is a through street. This has resulted in an increase in postal trucks, refuse trucks, and even 18-wheelers driving down Nightingale Lane and finding that it is not a through street. As a result of this, the developer has agreed to redesign some of the retention at the southwest corner of the site and providing an area for a vehicle to make a three-point turn. Unfortunately, the concern could be increased as the City is currently designing the future improvement for the widening of Cooper Road. In an effort to address the concerns, the developer met with our traffic division, resulting in the developer agreeing to provide a standard crash gate (for emergency access) and a 3' by 3' diamond sign stating not a through street. The homeowners have the option to locate a gate across their private access drive. Lastly, as many of the property owners on Nightingale Lane have trailers associated with agricultural uses a concern was expressed requesting that no landscaping be provided along the future Nightingale Lane that the developer is providing as they would not want the landscaping to potentially get damaged. Staff and the developer have agreed that no landscaping will be provided in the tract area. Exhibits reflecting the work with the neighbors and staff are attached; however, minor modifications may occur as the designs will be further reviewed once improvement plans are submitted.

- Other than the concerns expressed above, Planning Staff is not aware of any opposition to the request.

The Planning Commission approved the project: In Favor: 5 Opposed: 0 Abstain: 1 (Baron) Absent: 1 (Pridemore)

An attorney representing two property owners on Nightingale Lane spoke expressing concerns with the project. The representative acknowledged some of the concessions that the applicant has agreed to such as the eight-foot wall along Nightingale Lane and providing signage on the tract; however, the representative stated that the neighbors still had concerns with access on their 15' easement as well as privacy. The representative requested a 10' wall. Planning Staff responded expressing concerns over a 10', at which point a Commissioner suggesting stipulating landscaping to provide additional screening.

Planning Staff indicated that usually landscaping within the tract is required, but that the residents on Nightingale Lane requested that landscaping not be provided to allow for easier maneuverability with their vehicles. As a result, Planning Staff and the applicant are currently working with the neighbors to see if there are other viable solutions to provide additional screening.

RECOMMENDED ACTIONS:
Area Plan Amendment
Planning Commission and Planning Staff recommend City Council approve the Area Plan Amendment.

Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Altitude", kept on file in the City of Chandler Planning Division, in File No. DVR16-0020, except as modified by condition herein.

2. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

4. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or homeowners' association.

7. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

8. The following stipulations shall be the responsibilities of the sub-divider/homebuilder/developer and shall not be construed as a guarantee of disclosure by the City of Chandler:

a) Prior to any lot reservation or purchase agreement, any and all prospective homebuyers shall be given a separate disclosure statement, for their signature, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. The disclosure statement shall acknowledge the proximity of this subdivision to the Chandler Airport and that an avigational easement exists and/or is required on the property, and further, shall acknowledge that the property is subject to aircraft noise and overflight activity. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property.

b) The subdivider/homebuilder/developer shall also display, in a conspicuous place within the sales office, a map illustrating the location of the subdivision within the Airport Impact Overlay District, as well as the noise contours and overflight patterns, as identified and depicted in the document entitled Chandler Municipal Airport, F. A. R. Part 150, Noise Compatibility Study, Noise Compatibility Program, Exhibit 6A (Potential Airport Influence Area), as adopted by the Chandler City Council (Resolution No. 2950, 11-5-98). Such map shall be a minimum size of 24" x 36".

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

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

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

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

g) The Final Plat shall contain the following statement on the cover sheet in a prominent location and in large text:

"This property is located within the Chandler Municipal Airport Impact Overlay District and is subject to aircraft noise and overflight activity, and is encumbered by an avigational easement to the City of Chandler."

9. Prior to building permit issuance for any structures the developer shall provide a DETERMINATION OF NO HAZARD TO AVIATION approval as issued by the FAA after filing an FAA Form 7460, Notice of Proposed Construction or Alteration.

10. Homebuilder will advise all prospective homebuyers of the information on future City facilities contained in the City Facilities map found at www.chandleraz.gov/infomap, or available from the City's Communication and Public Affairs Department. The homebuilder shall post a copy of the City Facilities map in the sales office showing the location of future and existing City facilities.

11. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan:

Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Altitude", kept on file in the City of Chandler Planning Division, in File No. DVR16-0020, except as modified by condition herein.

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

3. An eight-foot wall shall be provided along the southern boundary of the subdivision.

4. For lots 1-8 the rear yard setback for homes shall be 35-feet.

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

Preliminary Plat:
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

15. DEVELOPMENT AGREEMENT: Fulton Homes / Homestead South Park Res. 5018

ADOPTED RESOLUTION NO. 5018, authorizing the execution of a Development Agreement with Fulton Homes for Homestead South Park development.

Fulton Homes is proposing to develop a single family residential development (Sirona) located at the Northwest corner of Pecos and Cooper Roads. Fulton Homes owns approximately 13.75 acres of undeveloped, vacant land at the northwest corner of Cooper Road and Pecos Road. The City owns approximately 9.92 acres of undeveloped, vacant land that abuts the north, west, and northwest lines of Sirona. The City land lies within a floodplain and is planned as a future neighborhood park known as "Homestead Park South." The land is also immediately east of the Consolidated Canal and part of the City's Paseo Trail, a multi-use pathway on the eastern side of the Consolidated Canal.

The City and Fulton Homes discussed the possibility of trading (selling) a portion of the Homestead Park South in consideration for Fulton Homes constructing the park on a smaller parcel. Fulton Homes will build the park at their own expense. Homestead Park South will be fully constructed for the City using no City funds.

Homestead Park South encompasses 4.98 acres arranged in a lineal shape paralleling the Consolidated Canal. The park features and amenities will enhance the Paseo Trail and provide for Chandler's first Exercise Park. The park amenities provided are designed to encourage exercise with conventional equipment and additional features focused to encourage exercise through play and imagination.

Homestead Park South includes amenities of which the significant ones are a shaded boulder rock climbing play structure, exercise equipment, creative hop scotch walkway inlays, and area lighting.

Additionally, signage will be added to both educate and encourage physically active play. Construction would begin in the first quarter of 2017 and completed in later that year. The City would maintain the park after its construction.

FINANCIAL IMPLICATIONS
The 2016-17 CIP had programmed $1.6 million for the construction of Homestead Park South which would no longer need to be appropriated.

16. MEMORANDUM OF UNDERSTANDING: Maricopa County Attorney's Office Res. 5019

ADOPTED RESOLUTION NO. 5019 authorizing the Memorandum of Understanding (MOU) with the Maricopa County Attorney's Office (MCAO) for the testing of previously untested sexual assault kits; authorizing the Mayor to sign the MOU; authorizing the Chief of Police to administer, execute, and submit all documents and other necessary instruments in connection with such MOU; and authorizing the City Manager/designee to approve and execute, on behalf of the City of Chandler, any such future extensions to this MOU.

17. BYLAWS: Chandler Airport Commission Res. 5020

ADOPTED RESOLUTION NO. 5020 amending the Chandler Airport Commission Bylaws.

18. AIRPORT LAYOUT PLAN: Res. 5021

ADOPTED RESOLUTION NO. 5021 adopting the Airport Layout Plan for the Chandler Municipal Airport and authorizing the Mayor to sign the Airport Layout Plan. The current ALP was approved in 2000 and depicts an ultimate length for Runway 4R-22L ("South Runway") of 6,800 feet. The South Runway is currently 4,870 feet. Additionally, the current ALP depicts a larger Runway Protection Zone (RPZ) for the northern end of the South Runway that extends beyond airport property across the then-future Germann Road realignment. RPZs are located at each runway end and are designed to protect people and property by severely limiting land uses. Per FAA standards, airports are expected to acquire property within an RPZ where practical.

In January 2007, the City Council approved an Airport Master Plan and a draft ALP depicting an ultimate length of the South Runway of 5,700 feet. The 2007 draft ALP depicted a larger RPZ for the north end of the runway extending off current airport property with a minor encroachment into Germann Road. The FAA accepted the 2007 Airport Master Plan in early 2010 but did not approve the corresponding ALP. In February 2007, the Council approved Ordinance No. 3888 that limits the future runway length to 5,700 feet.

The FAA recognized the need to update the ALP and provided funding to the Airport for the ALP as part of the recent drainage project at the southern end of the Airport.

The updated 2016 ALP contains several changes to reflect current conditions, FAA standards, and Ordinance No. 3888. These changes include:

- depicting a potential future length of the South Runway at 5,550 feet;
- maintaining the current size of the RPZs on the South Runway;
- containing the potential future RPZ on the northern end of the South Runway completely within Airport property;
- depicting new taxiway separation standards between the northern parallel taxiway (Taxiway "A"), and the adjacent existing taxilane;
- offsetting select taxiway connectors to eliminate "straight-through" pavement alignments;
- constructing new taxiway fillets to meet new design standards;

- identifying new sites for future aircraft hangars and t-shades;
- identifying the existing RPZ at the southern end of the Runway 4L-22R ("North Runway") over Queen Creek Road for future discussion as part of the next airport master plan update.

The 2016 ALP Update is intended to be an interim plan to support the upcoming airport master plan update in 2018. This update meets the Airport's obligations with the FAA, meets the requirements of Ordinance No. 3888, reflects current conditions, maintains flexibility for future conditions, and eliminates the need for future land acquisition for the RPZs for the South Runway.

On September 12, 2016, the City Council discussed the ALP update at its Micro Retreat. The discussion included the ALP's compatibility with city ordinances, runway protection zone requirements, FAA airfield design standards, and the FAA's approval process.

On September 14, 2016, staff briefed the Chandler Airport Commission regarding the ALP Update. Staff submitted the Draft ALP to the FAA for agency review on September 30, 2016. On November 16, staff received the FAA's comments, which were technical in nature and the comments have been incorporated. The FAA requested changes including updated data tables, and revised labeling of select diagrams, and identifying the area for the airport weather equipment.

19. DEVELOPMENT AGREEMENT: Orbital ATK Res. 5022

The Mayor introduced Camille Cisek, Vice President, Business Operations at Orbital Sciences Corporation. Ms. Cisek stated Orbital not only appreciates Chandler's business support but also their advocacy for education and the stem program. Ms. Cisek stated this newer facility, which will be located just north of their main campus, will be focused on administrative functions and small space launch programs, these offices will deal with project management and engineering while the labs and manufacturing will remain at the main campus.

Mr. John Lenio, consultant for Orbital's site selection, thanked the Economic Development staff for their immediate responses whenever they were contacted. It played a role in the site location decision, as other entities were not as responsive and time was a critical element.

ADOPTED RESOLUTION NO. 5022 authorizing a Development Agreement with Orbital ATK, for reimbursement of employee hiring and relocation expenses and reimbursement of electrical system enhancements in an amount not to exceed $1,081,000.00, in connection with the creation of a new engineering operations center in Chandler. Orbital ATK Corporation currently occupies two buildings in Chandler on the Price Corridor and employs approximately 1,216 permanent, full-time staff in Chandler. After performing a national site selection process, the company recently decided to create an engineering operations center in Chandler.

Orbital ATK's expansion is expected to result in leasing approximately 46,000 square feet of office space and the hiring of 500 net new employees in Chandler over the next five years. The company also intends to make approximately $7 million in capital improvements, including lease payments, tenant improvements (furniture, fixtures and equipment) and electrical capacity upgrades to its existing facility at the southwest corner of Dobson and Price roads.

Resolution No. 5022 approves and authorizes the Mayor to execute a Development Agreement between the City of Chandler and Orbital ATK. This Development Agreement will reimburse Orbital ATK $2,000 for each net new position hired in conjunction with the creation of the engineering operations center and for expenses not to exceed $81,000 for electrical capacity enhancements to its existing facility, with the total reimbursement not to exceed $1,081,000. Reimbursements will be made to Orbital ATK after they have created and retained new jobs within the City over a specified period of time.

Payments to Orbital ATK will be made annually based on the actual job creation realized during the previous calendar year for a period of five years. On or before the end of a year in which a payment is due, the company shall certify their net new positions from the previous calendar year and request payment from the City in writing. The terms of this Development Agreement will be considered fulfilled upon reimbursement of Year 5 positions (on or before July 31st of Year 6) or upon Orbital ATK receiving the full reimbursement amount of $1,081,000.

To demonstrate the economic benefit that will accrue to Chandler, City staff had an independent third party conduct an economic impact analysis. The analysis was based upon the creation of up to 500 net new jobs at an average annual wage of approximately $93,000 and capital investment (including the lease payments for additional office space) of at least $7 million. This analysis shows the overall economic impact of Orbital ATK's expansion of operations is significant to the City. Over a five-year period, the project will provide the following economic benefit:

- New direct payroll of approximately $186.3 million,
- New direct economic output of the project will be approximately $283.2 million, and
- New tax revenues to the City will total approximately $1.3 million.

These benefits exceed the incentives being provided to Orbital ATK.

FINANCIAL IMPLICATIONS: The City will reimburse Orbital ATK up to $1,081,000 over a five-year period if their activity in Chandler creates all 500 net new jobs and the company completes electrical capacity enhancements at their current facility. General Fund Strategic Economic Development Opportunity funds will be reserved for this commitment in FY 2017-18 and beyond.

20. <u>ZONING TIMING EXTENSION:</u> Rancho Bernardo

APPROVED DVR16-0023 RANCHO BERNARDO, extending the timing condition for three years with all of the conditions in the original approval remaining in effect on the existing Planned Area Development (PAD) zoning. The existing PAD zoning is for a commercial development on approximately one acre at the SWC of 56th Street and Chandler Boulevard. (Applicant: Brennan Ray, Burch & Cracchiolo, P.A.)

The approximately 0.7 net acre subject site is located at the southwest corner of 56th Street and Chandler Boulevard. City Council approved rezoning this subject site from AG-1 (Agricultural District) to Planned Area Development (PAD) for Community Commercial (C-2) uses with a two-year construction time limit condition in June 2002. There have been several three-year time extensions approved by Council since the original rezoning case expired on June 22, 2004. The time extensions occurred in 2004, 2008, 2011, and 2013, with the last approval expiring on June 22, 2016. Time limits are calculated from the previous zoning approval's expiration date, not the Council meeting date. The Preliminary Development Plan (PDP) included site layout and building design for a 4,250 square foot commercial retail building.

The City has the following options when a zoning district's timing condition expires. The City could, through administrative action, extend the timing condition for another period of time, eliminate the timing condition, or by legislative action revert the zoning to its former zoning classification. If the City should approve the timing condition extension, all other conditions in the original approval would remain in effect.

BACKGROUND:
The subject 0.7 net acre parcel received approval of PAD zoning with a PDP for the construction of an employment supportive commercial retail development. The retail use was intended to support future development of the Planned Industrial District (I-1) zoned parcel surrounding the site. The original rezoning ordinance includes a condition prohibiting restaurant, office, and high-turnover commercial uses. To maintain compatibility with the future industrial uses, the building was designed with a high-tech industrial theme. The building is placed in a landscaped setting at the intersection.

This application does not seek to modify the previously approved land use, site, or building design, but only to extend the timing condition for an additional three years. Bashas' Inc. purchased the subject parcel in 2003; there are no development plans at this time. If any other alternative design or use is proposed, an amendment to the PAD zoning and/or PDP will be required. Planning Staff has no concerns with the approved conditions. A copy of the original approved ordinance is attached.

Planning Staff supports the time extension request for an additional three years, which extends the PAD zoning until June 22, 2019. Planning Staff is of the opinion that the retail land use is a supportive use to a larger industrial development and remains appropriate for this site.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood notification letter was mailed in lieu of a meeting due to no residential property in the notification area.
- As of the writing of this memo, Planning Staff is not aware of any opposition or concerns with this request.

The Planning Commission voted to approve the extension In Favor: 6 Opposed: 0 Absent: 1 (Pridemore)

21. SETTLEMENT: Kerry Balcaen

APPROVED with Mr. Kerry Balcaen, in the amount of $45,000.00, plus closing and association costs.

The acquisition of right-of-way in fee and temporary easement are necessary to the Project and will enable the City to widen the roadway to 55 feet in front of Mr. Balcaen's property, reconfigure his driveway necessitated by the elimination of one drive entrance off of Ocotillo Road, and install a decorative wall along the property's frontage.

Mr. Balcaen's property is located on a county island. In the event the City is unable to acquire the property rights voluntarily, the City will then need to refer the acquisition to Maricopa County for further assistance as provided for in an Intergovernmental Agreement between the County and the City. Once the file is referred to the County, the acquisition process will start over from the very beginning. If the County is unable to reach a voluntary settlement, they must proceed to use an eminent domain action.

The County estimates that it will take a minimum of six months from receipt of the file from the City to obtain possession of the property rights sought through the court system.

By accepting Mr. Balcaen's final offer, the City will avoid the delays, costs associated with County acquisition, uncertainty associated with referring the file to the County and the potential for legal action, and associated costs and fees, if the County is unable to voluntarily acquire the property rights needed for the Project. In addition, delays in the acquisition process will impact the construction schedule for the Project and possibly result in delaying construction on the Queen Creek Project (McQueen Road to Gilbert Road) and on Cooper Road, a quarter mile south of Queen Creek Road.

22. SETTLEMENT: Jason and Stephanie Dean

APPROVED SETTLEMENT with Jason Scott Dean and Stephanie Jean Dean, in the amount of $50,000.00, plus closing and associated costs. The acquisition of right-of-way in fee and temporary easement are necessary to the Project and will enable the City to widen the roadway to 55 feet in front of the Deans property, reconfigure his driveway necessitated by the elimination of one drive entrance off of Ocotillo Road and install a decorative wall along the property's frontage.

The Deans' property is located in a county island. In the event the City is unable to acquire the property rights voluntarily, the City will then need to refer the acquisition to Maricopa County for further assistance as provided for in an Intergovernmental Agreement between the County and the City. Once the file is referred to the County, the acquisition process will start over from the very beginning. If the County is unable to reach a voluntary settlement, they must proceed to use an eminent domain action. The County estimates that it will take a minimum of six months from the receipt of the file from the City to obtain possession of the property rights sought through the court system.

By accepting the Deans' final offer, the City will avoid the delays, costs associated with County acquisition and uncertainty associated with referring the file to the County and the potential for legal action, and associated costs and fees, if the County is unable to voluntarily acquire the property rights needed for the Project. In addition, delays in the acquisition process will impact the construction schedule for the Project and possibly result in delaying construction on the Queen Creek Project (McQueen Road to Gilbert Road) and on Cooper Road, a quarter mile south of Queen Creek Road.

23. BOARD AND COMMISSION APPOINTMENTS:

APPROVED appointment of Holly Mesnard to the Citizens' Panel for Review of Police Complaints and Use of Force, and Margie Delarosa to the Neighborhood Advisory Committee.

24. No item.

25. AGREEMENT AMENDMENT: Dunbar Armored, Inc.

APPROVED AGREEMENT NO. MS6-990-3616, Amendment No. 1, with Dunbar Armored, Inc., for armored car services, in an amount not to exceed $57,172.00 for a one-year period from January 1, 2017, through December 31, 2017.

26. AGREEMENT AMENDMENT: Bank of America, N.A.

APPROVED AGREEMENT NO. MS0-946-2777, Amendment No. 3, with Bank of America, N.A., for procurement card services, for a two-year period from January 1, 2017, through December 31, 2018.

27. AGREEMENT: KWALL, LLC

APPROVED AGREEMENT NO. CM6-208-3698 with KWALL, LLC, for website design and development consulting services in an amount of $51,450.00.

The Scope of Work of the project consists of three phases: Phase 1 – Visioning and Design, Phase 2 – Website Development and Deployment, and Phase 3 – Support and Maintenance. This agreement will engage the consultant to perform all of the tasks associated with Phase 1, including a review of the current state of the website, a visioning process for the new website and creating the design of the new website. The consultant will complete all Phase I tasks within 120 days. As the work of Phase 1 concludes, the City will assess the availability of its internal resources and intends to engage the consultant for work under Phases 2 and 3 for website development, deployment and support. The City and the consultant will negotiate a mutually agreeable specific Scope of Work and fee schedule for Phases 2 and 3.

This agreement for Phase 1 of the web design project will use a portion of the funding approved by City Council as a one-time decision package for fiscal year 2016-17. The balance can be applied toward the fee schedule for web development, deployment, support and maintenance in Phases 2 and 3.

28. AGREEMENT: Ghaster Painting & Coatings, Inc.

APPROVED AGREEMENT NO. BF7-910-3730 with Ghaster Painting & Coatings, Inc., and Skyline Builders & Restoration, Inc., for painting and related services, in an amount not to exceed $150,000.00 for a one-year period, January 1, 2017, through December 31, 2017.

29. AGREEMENT AMENDMENT: SolarCity

APPROVED AGREEMENT NO. CM2-290-3024, Amendment No. 3, to the Performance Guarantee Agreement and Agreement No. CM2-290-3024, Solar Power Purchase, with SolarCity which provides solar arrays to the parking lot at the Police and Courts public parking area, with a refund owed to the City in the amount of $7,917.00. The third amendment reflects a change by SolarCity on the Agreement and Performance Guarantee. The second amendment to the Agreement specifically listed equipment to be installed on the project. During the process of installation, SolarCity installed inverters and solar panels that were more advanced than proposed. The third amendment lists the correct installed equipment at the locations. The Performance Guarantee needed to be changed because SolarCity assumed during design that the existing trees located in the parking lot would be removed. The City decided that the trees needed to remain and were pruned down to reduce shading on the panels. The amount of remaining shading on the panels reduced the amount of energy produced. This third amendment reduces the guaranteed minimum kWh production from 7,587,972 to 7,372,828 kWh. The pre-paid amount approved in the second amendment was reduced by 215,144 kWh over the course of the twenty (20) years resulting in a refund owed to the City in the amount of $7,917.

30. AGREEMENT AMENDMENT: SolarCity

APPROVED AGREEMENT NO. CM2-290-3024 Amendment No. 1, to the Performance Guarantee Agreement and Agreement No. CM2-290-3024, Solar Power Purchase Phase 2, with SolarCity which provides solar arrays to the parking lot at the Police and Courts buildings as well as the roof of the Police building, with a refund owed to the City in the amount of $18,407.00.

This amendment reduces the guaranteed minimum kilowatt hour (kWh) production from 7,721,331 to 7,251,802 kWh. The pre-paid amount approved in the Performance Guarantee Agreement will be

reduced by 469,529 kWh over the course of the twenty (20) years for a refund owed to the City in the amount of $18,407.

31. AGREEMENT AMENDMENT: ASSI Security of Arizona

APPROVED AGREEMENT CM4-840-3368, Amendment No. 2, with ASSI Security of Arizona, for CCTV and Video Cameras, for the purchase of security camera equipment and services for the Police Department, in the amount of $205,079.68.

On June 12, 2014, City Council approved an agreement with ASSI Security of Arizona for CCTV and video cameras for a two-year period, with the option of up to three one-year extensions. ASSI Security of Arizona has agreed to provide the security camera equipment and services under the terms, conditions, and pricing of the agreement. All work will be completed during the current term of July 1, 2016, through June 30, 2017.

32. AGREEMENT AMENDMENT: Vulcan Material Company

APPROVED AGREEMENT NO. ST6-745-3633, Amendment No. 1, with Vulcan Material Company, for hot mix asphalt materials, in an amount not to exceed $200,000.00 for one year, February 1, 2017, through January 31, 2018.

33. AGREEMENT AMENDMENT: MR Tanner Development & Construction, Inc.

APPROVED AGREEMENT NO. ST5-745-3478, Amendment No. 2, with MR Tanner Development & Construction, Inc., for street replacement asphalt mill and inlay services, in an amount not to exceed $7,302,329.00 for one year, January 23, 2017, through January 22, 2018.

34. PROJECT DESIGN AGREEMENT: AZTEC Engineering Group, Inc.

APPROVED PROJECT AGREEMENT NO. ST1701.20 with AZTEC Engineering Group, Inc., for design of McClintock Drive and Kyrene Road Bike Lanes, pursuant to Annual Civil Engineering Services Contract No. EN1505.101, in an amount not to exceed $396,035.00.

35. CONTRACT AMENDMENT: AZTEC Engineering Group, Inc.

APPROVED CONTRACT NO. EN1505.101, Amendment No. 2, increasing the annual limit for Civil Engineering Services, with AZTEC Engineering Group, Inc., by $200,000.00, for revised annual limit not to exceed $500,000.00.

36. DESIGN SERVICES CONTRACT AMENDMENT: Kimley-Horn and Associates, Inc.

APPROVED DESIGN SERVICES CONTRACT NO. ST0807.201, Amendment No. 6, to Kimley-Horn and Associates, Inc., for the Alma School Road and Chandler Boulevard Intersection Improvements, in an amount not to exceed $94,396.00, for a revised contract amount of $1,218.935.00.

37. PROFESSIONAL SERVICES CONTRACT: Ritoch-Powell & Associates Consulting Engineers

APPROVED PROFESSIONAL SERVICES CONTRACT NO. ST0807.451 to Ritoch-Powell & Associates Consulting Engineers, Inc., for Alma School Road/Chandler Boulevard Intersection Improvements Construction Management Services, in an amount not to exceed $971,315.00.

38. PROFESSIONAL SERVICES CONTRACT: MakPro Services, LLC

APPROVED PROFESSIONAL SERVICES CONTRACT NO. ST0807.104 to MakPro Services, LLC, for Alma School Road/Chandler Boulevard Intersection Improvements Public Outreach Services, in an amount not to exceed $47,980.00.

39. CONSTRUCTION CONTRACT: Standard Construction Company, Inc.

APPROVED CONSTRUCTION CONTRACT NO. ST0807.401 to Standard Construction Company, Inc., for Alma School Road/Chandler Boulevard Intersection Improvements, in an amount not to exceed $7,042,041.

40. CONSTRUCTION CONTRACT: TSG Constructors, LLC.

APPROVED CONSTRUCTION CONTRACT NO. PD1601.401 to TSG Constructors, LLC, for Desert Breeze Station Impound Remodel, in an amount not to exceed $64,500.00.

41. CONSTRUCTION CONTRACT: Dieterich Architectural Group, Inc.

APPROVED CONTRACT NO. PD1603.201 to Dieterich Architectural Group, Inc., for Police Victim Services Area Remodel, in an amount not to exceed $87,718.00.

42. DESIGN AND CONSTRUCTION AGREEMENT: Salt River Project

APPROVED DESIGN AND CONSTRUCTION AGREEMENT NO. WA1704.501, with Salt River Project, for the Knox Well design and construction, in an amount not to exceed $359,484.00.

43. CONSTRUCTION CONTRACT: Path Construction Southwest, LLC.

APPROVED CONSTRUCTION CONTRACT NO. PR1606.401 to Path Construction Southwest, LLC, for Gazelle Meadows Park Improvements in an amount not to exceed $293,147.79.

44. CONSTRUCTION CONTRACT: Schofield Civil Construction, LLC

APPROVED CONSTRUCTION CONTRACT NO. WA1520.401, Change Order No. 1, to Schofield Civil Construction, LLC, for the Roosevelt and Basha Tank Rehabilitation, in an amount not to exceed $596,122.00, for a revised contract amount of $2,477,122.00.

45. REFUSE/RECYCLING: Toter, LLC.

APPROVED PURCHASE of refuse and recycling containers and parts, utilizing the National Intergovernmental Purchasing Alliance (NIPA) Contract No. 120576, with Toter, LLC, in an amount not to exceed $350,000.00, for a one-year term, January 31, 2017, through January 30, 2018.

46. CONSULTING & TEMPORARY CONTRACT STAFFING:

APPROVED PURCHASE of Information Technology consulting and temporary contract staffing services from Guidesoft, Inc., dba Knowledge Services utilizing the State of Arizona Contract No. ADSPO12-031581, in an amount not to exceed $183,760.00.

47. FURNITURE:

APPROVED PURCHASE and installation of library furniture at the Downtown Library from Goodmans, Inc., utilizing the State of Arizona Contract No. ADSPO13-040689 in an amount not to exceed $105,000.00.

On February 25, 2016, City Council approved the purchase of tables and chairs for the Copper Room and public areas, and new modular furniture for 27 public service staff work areas at the Downtown Library. The Library is requesting to purchase new modular furniture for 19 staff work areas. The vendor approved for this purchase was Goodmans, Inc. Approval of this request will complete the renovation of staffing spaces at all four library locations.

Most of the staff furnishings in the Downtown Library were purchased in 1987 when the library moved into larger quarters at the Rocky Mountain building, and were later moved to the new Downtown Library in 1996. This new furniture will be located in the following areas: (1) Cataloging and Processing Office: 5 work areas consisting of 1 Librarian, 2 Library Assistants and 2 Library Aides; (2) Computer Support Office: 3 work areas consisting of 1 Sr. Business Support Specialist, 1 Business System Support Technician and 1 Computer Support Assistant; and (3) 11 administrative support staff work areas consisting of 1 Library Manager, 2 Assistant Library Managers, 2 Administrative Librarians, 1 Cultural Affairs Coordinator, 1 Sr. Management Analyst, 1 Information Specialist, 1 Graphic Designer, 1 Management Assistant, and 1 Literacy Coordinator. Replacement of the 29-year-old staff furnishings will improve the overall maintenance of the facility and result in an enhanced service level for the community. The library averages 1,200 visitors daily. Service to customers will not be affected during the installation process.

48. USE PERMIT: CENTRO EVANGELICO FUENTE DE VIDA

APPROVED Use Permit ZUP16-0015 CENTRO EVANGELICO FUENTE DE VIDA for a place of worship/church within a Planned Industrial District (I-1) with a Planned Area Development Overlay (PAD) zoning district located at 3260 N. Colorado Street, north and east of the NEC of Arizona Avenue and Elliot Road.

BACKGROUND:
The subject site is located at 3260 N. Colorado Street, north and east of the northeast corner of Arizona Avenue and Elliot Road. Several businesses located in the Eastpoint Business Center include Saba Western Wear, Tele King, Dental Elite, Wolf Car Wraps, Wright Engineering, and Chandler Air.

The request is for Use Permit approval for a place of worship/church within a Planned Industrial District (I-1) with a Planned Area Development Overlay (PAD) zoning district. The permitted uses specific to this PAD Overlay district allows for professional and executive offices such as contractors and doctors as well as research centers, product development and testing, to name a few. No other Use Permits have been approved to allow for uses not prescribed in the I-1/PAD Overlay zoning district.

The church would occupy the middle section of a three business condo building. The first floor is approximately 4,279 sq. ft. and the second floor is 1,681 sq. ft. The sanctuary is open to the second floor and contains approximately 103 seats. There are three classrooms and offices. Services occur twice a week, on Sunday morning, starting around 11:30 am and Thursday evenings, from approximately 7 pm until 9 pm. During Sunday services, bible study for children/youth meets in the classrooms and adults meet on Thursday evenings. The business park provides approximately 304 parking spaces. Based on the church and its uses, 32 parking spaces are required and are available during the days and times of services and activities which occur during non-business hours.

Planning Staff finds the church use to be compatible with the mix of uses operating in the business park. Churches have proven compatible in industrial business parks throughout Chandler whether in a multi-building development or on a single parcel. The church occurs in a building with adequate access and parking. Planning Staff is recommending a two-year time limit to evaluate the compatibility of the church within the business park.

PUBLIC / NEIGHBORHOOD NOTIFICATION
The request was noticed in accordance with the requirements of the Chandler Zoning Code. A neighborhood letter was sent out in lieu of a neighborhood meeting due to the location in an industrial business area. Planning Staff received a phone call stating that a church is a current occupant at this location. Concerns voiced included children run around, and debris is thrown into the decorative fountain after services conclude. The complaint is for a different church, unrelated to the subject church, and operating without a Use Permit.

PLANNING COMMISSION VOTE REPORT
The motion to approve passed unanimously 7-0.

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve Use Permit, ZUP16-0015 CENTRO EVANGELICO FUENTE DE VIDA, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

2. The site shall be maintained in a clean and orderly manner.

3. The Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

49. USE PERMIT: Uptown Bridal & Boutique

APPROVED USE PERMIT ZUP16-0017 UPTOWN BRIDAL & BOUTIQUE, for a specialty wedding boutique retail business within a building zoned Planned Area Development for general and medical office, located at 1300 N. McClintock Drive, #A-1, approximately one-quarter mile north of the NWC of McClintock and Ray roads. Applicant: Dianne R. Everson, Business Owner

BACKGROUND
The subject site is located within McClintock Professional Plaza, located approximately one-quarter mile north of the northwest corner of McClintock and Ray roads. McClintock Professional Plaza is bordered to the north, west, and south by Corona Village II, a single-family subdivision. McClintock Drive is adjacent to the east. In 1998, McClintock Professional Plaza was zoned as Planned Area Development (PAD) for general and medical office. The subject site is within the original farm house owned by the Moore family and is surrounded by four general/medical office buildings.

The request is for Use Permit approval for a specialty wedding boutique retail business in Building A of McClintock Professional Plaza, which is zoned PAD for general and medical office. Uptown Bridal & Boutique is an appointment based bridal consultation and shopping experience. They will offer private three-hour long appointments for a soon-to-be bride to shop an exclusive collection of gowns. The business will occupy Building A, which is approximately 2,128 square feet and includes a guest waiting area, gown showroom, two rooms dedicated as fitting rooms, and a kitchen for guests to enjoy refreshments. The second floor is used as an office for the business and storage in the basement.

Uptown Bridal & Boutique hours of operation are limited to Tuesday through Saturday from 10 a.m. to 6 p.m. The applicant has represented the business will only have two appointments daily due to the length of consultations and the time needed to prepare for scheduled appointments. Uptown Bridal & Boutique wants to make each appointment personal and custom to each bride. The business will employ five employees and a typical day will have two employees on premise.

Planning Staff finds a specialty retail business a compatible use with the existing general/medical offices. The addition of retail-oriented specialty bridal boutique is similar or less intense than medical offices given the business' two appointments per day including several guest per appointment. Uptown Bridal & Boutique will offer a specialized service catering to a special niche due to the high quality service provided.

The development was parked to accommodate medical office. The applicant submitted parking counts confirming adequate parking. Planning Staff recommends a one-year time condition to reevaluate the compatibility of the request.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on October 25, 2016. No one attended other than the applicant.
- As of the writing of this memo, Planning Staff has received two phone calls, one from a business owner within McClintock Professional Plaza and one from a resident. Both were opposed the request for reasons of parking and signage. Planning Staff is recommending a one-year time condition to reevaluate the compatibility of the request.

Planning Commission voted to approved the project: In Favor: 6 Opposed: 0 Absent: 1 (Pridemore)

RECOMMENDED ACTION

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve Use Permit LUP16-0017 UPTOWN BRIDAL & BOUTIQUE, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.

2. The site shall be maintained in a clean and orderly manner.

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

50. <u>USE PERMIT:</u> BLUE 32 SPORTS GRILL

APPROVED USE PERMIT, LUP16-0036 BLUE 32 SPORTS GRILL, Series 12 Restaurant License to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted at a new restaurant located at 4845 S. Arizona Avenue, the NEC of Arizona Avenue and Chandler Heights Road. Applicant: Blue 32 of Chandler LLC, Ken Rea

Blue 32 Sports Grill is a new restaurant located at 4845 S. Arizona Avenue, at the northeast corner of Arizona Avenue and Chandler Heights Road. The building is currently under construction within the Shoppes at Chandler Heights. The anticipated opening is in December, 2016.

The request is for Liquor Use Permit approval to sell and serve all types of spirituous liquor for on-premise consumption indoors and within an outdoor patio as permitted under a Series 12 Restaurant License.

Blue 32 Sports Grill is approximately 4,800 sq. ft. and the outdoor patio is approximately 830 sq. ft. Hours of operation are from 11 a.m. to 10 p.m., Sunday through Thursday, 11 a.m. to 11 p.m. on Friday and Saturday. Staff includes approximately 50 employees, including full-time and part-time. Televisions are located indoors only. Speakers are located indoors and within the outdoor patio, broadcasting background music. No live entertainment is proposed.

A Series 12 Restaurant License allows the on-site sale of beer, wine, and spirits for on-site consumption. Under a Series 12 license, the establishment must derive at least forty (40) percent of its gross revenue from the sale of food and non-alcoholic beverages. A menu is attached.

PUBLIC / NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on November 9, 2016. No one other than the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

The Planning Commission voted to approve the project: In Favor: 7 Opposed: 0

RECOMMENDED ACTION:

Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0036 BLUE 32 SPORTS GRILL, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 12 Restaurant license, and any change of license shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

51. <u>LIQUOR LICENSE:</u> Blue 32 Sports Grill

APPROVED LIQUOR LICENSE, Series 12, Restaurant Liquor License No. 165337 L12, for Stephen Jon Conrad, Agent, Blue 32 of Chandler LLC, dba Blue 32 Sports Grill, located at 4845 S. Arizona Avenue and staff recommends Council forward a recommendation for approval of State Liquor License No. 1207A777.

52. <u>USE PERMIT:</u> VINUM 55 Chandler

APPROVED USE PERMIT, LUP16-0035 VINUM 55 CHANDLER, Series 7 Beer and Wine Bar License to continue liquor sampling as permitted and continue to sell liquor as permitted under a Series 10 Beer and Wine Store License and within a new rooftop patio at an existing wine tasting and storage business located at 2577 W. Queen Creek Road, Suite 112, the SWC of Dobson and Queen Creek roads. Applicant: John Finn

BACKGROUND:
Vinum 55 Chandler is an existing wine tasting and storage business located at 2577 W. Queen Creek Road, Suite 112, at the southwest corner of Dobson and Queen Creek roads, in Downtown Ocotillo. Vinum 55 Chandler currently operates under a Series 7 Beer and Wine Bar license and Series 10 Beer and Wine Store license. The request is for Liquor Use Permit approval to continue operation under the two liquor licenses and within the new roof-top patio. A new roof-top patio was added in June, 2016.

The business is located on several floors of the building. The climate-controlled wine storage area is located in the basement and the tasting room is on the first floor. The approximate 400 sq. ft. new patio is located on the roof deck which is accessible by keycard access only elevator. The roof-top patio is used during private events, from 5:30 to 7:30 pm. Business hours are 9 a.m. to 6 p.m., Monday through Friday, and 9 a.m. to 4 p.m. on Saturday. Tasting events occur from 5:30 p.m. to 7:30 p.m. Staff includes a Cellar Manager and an Assistant Cellar Manager.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on November 7, 2016. No one other than the applicant attended.
- As of the writing of this memo, Planning Staff is not aware of any opposition to the request.

The Planning Commission voted to approve the project: In Favor: 7 Opposed: 0

RECOMMENDED ACTION
Upon finding consistency with the General Plan, Planning Commission and Planning Staff recommend City Council approve the Liquor Use Permit, LUP16-0035 VINUM 55 CHANDLER, subject to the following conditions:
1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Patio Plan, and Narrative) shall void the Liquor Use Permit and require new Liquor Use Permit application and approval.
2. The Liquor Use Permit is granted for a Series 7 Beer and Wine Bar license and a Series 10 Beer and Wine Store license, and any change of licenses shall require reapplication and new Liquor Use Permit approval.
3. The Liquor Use Permit is non-transferable to any other location.
4. The site shall be maintained in a clean and orderly manner.
5. Any substantial change in the floor plan to include such items as, but not limited to, additional bar serving area or the addition of entertainment related uses shall require re-application and approval of a Liquor Use Permit.

53. PERMANENT EXTENSION OF PREMISES: Vinum 55 Chandler

APPROVED PERMANENT EXTENSION OF PREMISES, LIQUOR LICENSE, Series 7, Chandler Liquor License No. 159823 L7, Beer and Wine Bar Liquor License, held by Vinum 55 Chandler, located at 2577 W. Queen Creek Road and a recommendation for approval of a permanent extension of premises be forwarded to the State for State Liquor License No. 07070658.

54. SPECIAL EVENT LIQUOR LICENSE: Roots and Boots

APPROVED SPECIAL EVENT LIQUOR LICENSE for Chandler Cultural Foundation for the Roots and Boots concert on Friday, January 27, 2017, located at Chandler Center for the Arts, 250 N. Arizona Avenue.

55. SPECIAL EVENT LIQUOR LICENSE: Drumline Live

APPROVED SPECIAL EVENT LIQUOR LICENSE for Chandler Cultural Foundation for the Drumline Live concert on Saturday, January 28, 2017, located at Chandler Center for the Arts, 250 N. Arizona Avenue.

56. CONTINUED LIQUOR LICENSE: Moon China Chinese Bistro

CONTINUED LIQUOR LICENSE TO THE JANUARY 26, 2017, CITY COUNCIL MEETING, Series 12, for Kwan Yee Shum, Agent, MCR Chandler LLC, Moon China Chinese Bistro, located at 3165 S. Alma School Road, Suite 16.

57. FINAL PLAT: The Plant Lot 2

APPROVED FINAL PLAT, PLT16-0004 THE PLANT LOT 2, for a 7.5-acre commercial center located south of the southeast corner of Gilbert and Ocotillo roads. Applicant: Jeffrey Rybarczyk; Bowman Consulting

This Final Plat is for a re-plat to split the 7.5-acre parcel into three lots. The site is currently going through the Preliminary Development Plan approval process. The plat creates the lots and tracts, establishes the necessary easements, and dedicates the required rights-of-way.

58. SPECIAL EVENT LIQUOR LICENSE: Valley Youth Theatre

APPROVED SPECIAL EVENT LIQUOR LICENSE for Valley Youth Theatre for the International Film Festival on Friday, January 13, 2017 through Sunday, January 15, 2017 located at Soho 63, 63 E. Boston Street, and forward a recommendation for approval to the State Department of Liquor Licenses and Control.

ACTION:

8. AREA PLAN/ZONING/SUBDIVISION: Carino Estates/Germann Country Garden (Serenade)

RESOLUTION NO. 4861, APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT, Area Plan Amendment to the Carino Estates Area Plan from Rural Ranchette to Low-Density Residential.
INTRODUCTION OF ORDINANCE NO. 4631, DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE), rezoning from Agricultural (AG-1) to Planned Area Development (PAD) for single-family residential.
PRELIMINARY DEVELOPMENT PLAN for subdivision layout and housing product.
PRELIMINARY PLAT, PPT16-0012 for a 6.7-acre, 16-lot single-family residential subdivision located east of the SEC of Alma School and Germann roads.

BACKGROUND:
The 6.7 acre subject site is located east of the southeast corner of Alma School and Germann roads and is designated as Ranchette within the Carino Estates Area Plan, and zoned as Agricultural (AG-1). The properties to the east and south share the same designations. Directly south of the site is a 20' irrigation easement with ranchettes south of the easement; west, is an existing Cobblestone carwash and fuel station. The Ranchette designation, while not defined within the Carino Estates Area Plan, generally range from approximately 2.2 acres up to 3.4 acres. The subject site includes three of the approximate 2.2 acre Ranchette parcels. The ranchettes (deemed as the Alma Ranchettes by area

residents), is bounded by Germann and Alma School roads, Kingbird Drive on the south, and Hartford Street on the east, and encompasses 23 ranchette lots.

The Area Plan Amendment, Rezoning, and PDP requests extend back to 2013. With the initial submittal, the proposal included an additional ranchette lot to the east allowing for full-access movement. The proposal included 40 residential lots (47x110) with a density of 4.49 dwelling units per acre; the request stalled and never moved forward. In 2014, a new application was submitted that reduced the proposed subdivision to three of the ranchette lots and 28 residential lots (47x110) with a density of 4.18 units per acre. Approximately six months after the submittal, the applicants changed (homebuilder remained the same) and the site plan was updated, reducing the number of lots to 26. After additional work with specific neighbors, the case was withdrawn in July of 2015, to continue to explore design alternative and for the purpose of readvertising (updated housing product had also been submitted that was not complete). Prior to the public hearing withdrawing the case, the applicant submitted an updated site plan reducing the number of lots to 16 (75x120). The 16 lot plan was modified to the current proposal and provides an overall density of 2.4 dwelling units per acre.

SITE LAYOUT AND ARCHITECTURE
The proposal is for a gated 16-lot residential subdivision. Access to the site is provided roughly mid-point along the Germann Road frontage, and will be limited to right-in/right-out only movements; an emergency access drive is provided at the sites northwest corner. At the site's southeast corner a landscape tract is provided. The tract provides two options. The first is to continue the buffer to the properties to the south, the second option is that in the event that the property to the east seeks development the area can serve as an option for either an extension of the street system, or could serve as an emergency access point.

Buffering has been provided on the west and south boundaries through the inclusion of a landscape tract and roadway system. Additionally, through working with some of the neighbors, concerns were expressed regarding views into the ranchette properties to the south, resulting in all homes being reduced to single-story and providing an eight-foot wall along the southern boundary.

Following the last continuance, the development team has re-evaluated how the subdivision fits the context of the broader area. In an effort to relate to the surrounding agricultural properties, the design team has incorporated elements within the subdivision to integrate with the surrounding area such as, renaming the subdivision to Germann Country Garden Estates, providing a more rustic agrarian design to the entry monument sign, providing a fence detail along the street frontage and within the subdivision that gives the appearance of a horse hitching post, planting in a symmetrical grove styled after agricultural row planting, including edible plants within the subdivision, and providing an area for community gardening.

Planning Staff has worked with the design team through the duration of the various subdivision iterations to provide housing stock that meets development standards. Lot size ranges from 8,845 up to 9,442 square feet. Three single-story plans are provided with three elevations per plan. Square footage of the homes range from 2,476 square feet to 2,871 square feet. It is important to note that while standard side setbacks of 5' and 10' are provided, the width of the homes and width of the lots provide for the ability for 10' setbacks on each side. This will result in the potential for homes to have a minimum of 10' separation between them and a maximum of 30' of separation.

AREA PLAN AMENDMENT
The site is currently zoned AG-1 and is designated as Neighborhoods in the recently adopted General Plan. The Carino Estates Area Plan further designates the site as Ranchette. The Carino Estates Area Plan was established in 1997, and encompasses the area bounded by Germann, Queen Creek, and Alma School roads, and Arizona Avenue. The request is to amend the area plan from Ranchette to

Rural Residential. Planning Staff supports the Area Plan Amendment as outlined below in the General Plan Conformance and Discussion sections.

GENERAL PLAN CONFORMANCE
As noted above, the site is designated as Neighborhoods in the General Plan. Five residential categories are provided in the Neighborhoods category ranging from Rural Residential (0-2.5 dwelling units per acre) to Urban Residential (18+ dwelling units per acre). Within the general plan there are a number of policies that provide guidance on community place making. The design team has provided elements that assist in meeting the criteria. The three policies directly relate to how development should occur when adjacent to established low-density residential neighborhoods. The first policy states the following:

1. Protect the low-density residential character of large lot neighborhoods.

The second and third policies build upon the first and state:

2. Ensure compatible transition between residential areas and incompatible land uses as well as between intensity of land uses (e.g., between employment and residential).

3. Improve transition between and continuity of old and new neighborhoods.

In an effort to protect the low-density residential character of large lot neighborhoods the developer has agreed to provide single-story homes throughout the subdivision. This combined with the buffer along the southern portion of the site and provided 8' wall, the buffer techniques provide spacing from three of the four lots that are adjacent to the subject site.

Addressing the second policy, when looking at the subject site and the compatibility with the land use to the west and to the east, a greater buffer was provided along the western property as the transition between a commercial use and residential use was deemed more necessary, then providing a transition between a low-density residential use and lower-density residential use.

Lastly, in improving transitions between and continuity of old and new neighborhoods there are a number of ways that this can be achieved. In this case, the design team has changed the name to Germann Country Garden Estates, reflecting a more agrarian theme, provided elements that relate to the historical agricultural land use in the area, and by providing single-story homes.

The subject site has had a long history in the evolution of design in both site layout and housing product. Planning Staff finds that the plan meets development standards and provides a subdivision design that acknowledges the historical agricultural uses in the area and the surrounding community.

PUBLIC / NEIGHBORHOOD NOTIFICATION
- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- As discussed in the Background section, the proposal has been modified a number of times. With the most current lot count (16 lots) two neighborhood meetings have been held this year. The site plan has been modified from what was shown at the neighborhood meeting by shifting the entrance from the eastern portion of the site to its current location. A combined total of 21 neighbors attended the two neighborhood meetings this year.
of the request.
- The residents opposed to the request have participated in the neighborhood meeting processes throughout the evolution of the development starting in 2013. While some design elements have changed based on limited resident input (single-story, 8' wall), a majority of the opposition stated has been regarding lot sizes. Many of the neighbors find that the proposed design encroaches into the agrarian lifestyle that is currently enjoyed and believe that if this development is approved, development

along the remaining portion of Germann Road is inevitable and the unique aspect of the Alma Ranchette neighborhood will be changed for the worse.

PLANNING COMMISSION VOTE REPORT
Motion to Approve:
In Favor: 6 Opposed: 0 Abstain: 1 (Baron)

Two neighbors spoke in opposition at the Planning Commission meeting; a representative for the neighbor directly east of the site spoke expressing concerns. One neighbor spoke in support. The two neighbors that spoke in opposition expressed concern about the encroachment of new residential into the ranchette area and how this would lead to further encroachment and development of the remaining ranchettes. Additionally, one of the neighbors expressed concern about never getting resolution from the developer regarding the noise being generated by the carwash (the neighbor has asked for a noise study throughout the process that the developer had done but has not shared), and that due to the recent change in the design of the subdivision, requested that a neighborhood meeting be provided. The eastern neighbor's representative shared that his client has tried to work with the development team to provide a more comprehensive subdivision design and layout since he is interested in developing his property and has submitted application to the City for review, and felt that with his property combined in the design a better community could be created. Additionally, he expressed concern about the eastern edge of the development and that further exploration by his client needs to be done since he is the most impacted.

Planning Commission recommended adding condition no. 9 under both the Rezoning and Preliminary Development Plan motions. Condition no. 9 under the Rezoning motion requires disclosure statements to be signed by future homebuyers acknowledging the adjacent carwash. Condition no. 9 of the Preliminary Development Plan motion addresses concerns over the architectural integration of the rear patios.

RECOMMENDED ACTIONS
Area Plan Amendment
Planning Commission and Planning Staff recommend City Council approve the Area Plan Amendment.

Rezoning
Planning Commission and Planning Staff recommend City Council approve the Rezoning, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "GERMANN COUNTRY GARDEN ESTATES" and kept on file in the City of Chandler Planning Division, in File No.DVR14-0029, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

3. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.

4. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).

5. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

6. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.

7. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.

8. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby existing ranchette and animal privilege properties that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to agricultural properties that have horse and animal privileges and shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

9. Prior to the time of making any lot reservations or subsequent sales agreements, the homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby an existing carwash facility that may cause adverse noise, odors and other externalities. The "Public Subdivision Report", " Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statements outlining that the site is adjacent to an existing carwash facility and that such use is legal and should be expected to continue indefinitely. The responsibility for notice rests with the homebuilder/lot developer, and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

Preliminary Development Plan
Planning Commission and Planning Staff recommend City Council approve the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "GERMANN COUNTRY GARDEN ESTATES" and kept on file in the City of Chandler Planning Division, in File No. DVR14-0029, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.

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

3. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

4. Approval by the Planning Administrator of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Transportation & Development Director for arterial street median landscaping.

5. The landscaping shall be maintained at a level consistent with or better than at the time of planting.

6. The landscaping in all open-spaces and rights-of-way shall be maintained by the adjacent property owner or property owners' association.

7. All homes shall be limited to single-story.

8. An eight-foot block wall shall be provided along the southern boundary of the subdivision.

9. The applicant shall work with Planning Staff to ensure that the rear patio architectural design is commensurate with the architecture of the home.

Preliminary Plat
Planning Commission and Planning Staff recommend City Council approve the Preliminary Plat, subject to the following condition:

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

DISCUSSION:

Mr. Erik Swanson, City Planner reviewed the details of the case. Mr. Swanson reported an email was received this afternoon from a property owner just south of the subject site stating opposition; however, they indicated they wouldn't be able to make it tonight. That stated opposition does trigger the legal protest, which requires a super majority vote by council to pass.

Mr. Swanson stated this case goes back to 2013 and that there have been a number of neighborhood meetings as this plan has evolved from four lots now down to three, from 40 single family homes now down to 16. There has been a total of about five (5) neighborhood meetings, two neighborhood meetings were the latest design of the 16 lots. He said there is a concern with the most recent proposal and what was shown at the last neighborhood meeting when it comes to the design of the entryway. The entry drive is center along Germann Road with the previous 16 lot plan it was shifted east, close to that eastern property line, probably about 50 feet off of that or about 125 feet east of where the current layout is. He recognized that has raised some concerns from some of the neighbors. It is one of the things that as we go through the process and fine tune things sometimes those adjustments happen and it's one of the reasons why another neighborhood meeting was not required because the density hasn't changed, the number of lots are the same.

Rod Jarvis, attorney representing the applicant stated he had met with the Herrera's over the summer and after the discussion indicated they were not opposed to this case. He stated they never came to any neighborhood meeting that he attended. Mr. Jarvis said once he received notice of the written protest he called the Herrera's. Mrs. Herrera said she didn't have time to talk as she was going to another event this evening with her husband and indicated that they would not attend. He noted that Mr. Wakefield submitted this protest for the Herrera's after a year of not attending meetings, sending no emails, and making no phone calls to him or the City about this case.

Mr. Jarvis discussed the zoning designations in the area and reviewed the highlights of the site plan. He noted there will be single level homes throughout and explained that has a unique benefit because

if this does serve as a precedent that the council follows, along Germann given that it is a 7-lane arterial and if over the years property owners decide to apply for rezoning along Germann , then residents, who may not choose to redevelop, would not have two story homes overlooking their property.

Mr. Jarvis said the density of Arden Park is essentially identical to this project. That density is 2.2 or 2.39 and those homes, including some two story homes are within 130 feet of the front doors of the homes on the north side of Kingbird. The noted even though all of those homes have been there before the lot owners currently on the north side of Kingbird moved into their homes, their agricultural feel on the north side of Kingbird has not changed. Instead it has been buffered and encapsulated and that is exactly what we are going to do with this project. He stated landscaping does not stop road noise, but houses do and when there is bunch of houses there, the noise from Germann is going to be minimized and the noise from this commercial development on the corner, the Cobblestone, is going to be minimized.

The Mayor asked for public comment:

Shadow Asari, Chandler resident. Ms. Asari spoke in favor of the Serenade project. This project has been going on for about four years and rezoning is happening and eventually something will be built on that land. At this point, she would rather consent to a project that we've come to know so well rather than wait to see what may come in the future. She stated in the beginning she was concerned about the houses being too close to their backyard, and having two story homes. She said over time, the developer has addressed all of the concerns they had.

Kimberly Lake, Chandler resident. Ms. Lake spoke against the project. Ms. Lake said they invested when they moved from another city to come to Chandler specifically because of this incredibly unique opportunity and neighborhood. Her neighbors are investors too. Ms. Lake said the developers are not investors here to make that neighborhood greater, they're not here to make Chandler greater, and they're not here to promote the special qualities of Chandler. They're here for the briefest amount of time that they can possibly invest to shift, to change, to confuse and to corrupt this incredibly unique piece of Chandler, so that the current owners can make a singular profit. In Chandler's 2016 General Plan that was adopted just a few months ago, there is a very clear picture painted of the vision that Chandler has; the need for Chandler to maintain its uniqueness, its diversity and it has never been more critical in the time to the exact point that was just made, Chandler has such little land to strategize with. She noted in section 1.1 of the community place making policies, it stated very clearly that one of the key imperatives of the communities' plan is to protect the integrity of large lot neighborhoods; the few that still exist. Ms. Lake said they are just asking that the developers builds within the parameters that are already set within the current zoning. She asked the Council to maintain the current zoning, maintain the neighborhood and maintain Chandler's vision to keep Chandler special.

David Lake, Chandler resident. Mr. Lake spoke against the project. Mr. Lake referred to the General Plan, and noted two sections: one "Encourage compatible infill projects." He stated this is not a compatible infill project. If you want it to be compatible they could build it within the current zoning specifications and put one house per acre. It may not be as profitable, but it's compatible. The other part is "Protect the low density residential character of large lot neighborhoods." He said their argument is they are disappearing; 15 percent open land left, according to this report. We are saying let's protect them. They didn't say preserve, they didn't say ignore and they certainly didn't say develop; they said protect. He said they fundamentally oppose what is being proposed.

The Mayor clarified the Lakes legal protest was already on file and the Herrera's protest was received today. Mr. Swanson confirmed.

Mr. Mo Wakefield, Chandler resident, spoke against the project. He stated according to the City , the definition a neighborhood has shared characteristics. He said some of the neighborhood

characteristics is that there are agricultural amenities, SRP flood irrigation and animal privileges. He said their neighborhood was in existence before it was annexed into the city.

Mr. Wakefield cited concerns with a poorly designed roadway and cited traffic flow concerns. He said that at the commission hearing the commission put in the provision about the noise from the car wash. He asked if that was still valid. Mr. Swanson referred to the recommended conditions of approval and noted condition 8 in the zoning. He explained what the commission recommended is that that be modified to also include the car wash. So if you look at the zoning conditions, number nine (9) is that kind of disclosure statement for the car wash. When a property owner's moving in and acquiring this property, they would have to sign the disclosure statement saying they are well aware that there is a car wash and it should be expected that it will stay there indefinitely.

Mr. Jarvis gave responses to the concerns and stated they exceed the safety requirements with regards to separation of intersections. He said is was also important to point out that if the property were never rezoned you would have multiple driveways coming off of each lot. He said they are consolidating three ranchettes into one driveway, one access way, it's only 16 lots, it is safe, this is a seven lane arterial with the seventh lane being a turning lane, for those that want to do a U-turn it is entirely safe, it's entirely legal and completely allowed.

Mr. Jarvis said he understands entirely that there are neighbors, including the Lakes, who feel like their neighborhood is going to be endangered. He displayed a slide and noted the colors on the map indicating densities in the area, noting there are 3.5, 4 and 5 dwellings per acre. He noted unlike so much that is up and down Germann, they are putting in a much lower density.

Mayor Tibshraeny asked the project's density. Mr. Jarvis replied it is at 2.39 dwelling units per acre. Mr. Jarvis said that they are transitional use between the intense commercial and between the seven-lane arterial that buffers the neighborhood to the south. The developer is trying to do is put in something that will protect what is to the south, protect what is to the east and set an excellent bar for all development that may occur, but does not have to occur.

MOVED BY COUNCILMEMBER LOPEZ, SECONDED BY VICE MAYOR SELLERS TO APPROVE RESOLUTION NO. 4861, APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT; AND INTRODUCTION OF ORDINANCE NO. 4631, APPROVING REZONING DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE); ALONG WITH THE PRELIMINARY DEVELOPMENT PLAN DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE), AND PRELIMINARY PLAT, PPT160012.

THE MOTION TO APPROVE THE RESOLUTION NO. 4861, APL14-0009 CARINO ESTATES AREA PLAN AMENDMENT; PRELIMINARY DEVELOPMENT PLAN DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE), AND PRELIMINARY PLAT, PPT160012 CARRIED 5-2 WITH COUNCILMEMBERS ELLEN AND ROE VOTING NAY.

THE MOTION TO APPROVE THE INTRODUCTION OF ORDINANCE NO. 4631, REZONING DVR14-0029 GERMANN COUNTRY GARDEN ESTATES (SERENADE) FAILED (5-2) WITH COUNCILMEMBERS ELLEN AND ROE VOTING NAY, BY NOT SECURING THE SUPERMAJORITY VOTE REQUIREMENT.

UNSCHEDULED PUBLIC APPEARANCES:

Members of the audience may address any item not on the agenda. State Statute prohibits the City Council from discussing an item that is not on the agenda, but the City Council does listen to your concerns and has staff follow up on any questions you raise.

None.

CURRENT EVENTS:

A. Mayor's Announcements

The Mayor and City Council recognized RJ Zeder, Transportation and Development Director, as this would be his last Council meeting with the City of Chandler and wished Mr. Zeder all the best in his new position with the City of Mesa. He has been with the City since 2007 and has overseen some very significant projects and has done so with extreme professionalism.

The Mayor announced the Chandler Fire, Health and Medical will host its annual Toy Drive this Saturday from 2:00 to 8:00 p.m. at Chandler Fashion Center mall. Anyone who donates a new, unwrapped toy during the Holiday Toy Ride will receive a ride in a Chandler fire engine

Wish everyone a very safe and happy holiday season; as well as a prosperous New Year.

a. Councilmembers' Announcements

Councilmember Lopez announced the Chandler Symphony Orchestra is performing in the Nutcracker Ballet in Higley.

Councilmember Hartke encouraged support of the Holiday Toy Drive and other organizations that are working together this holiday season.

Vice Mayor Sellers spoke briefly of the Tainan Little League visitors and invited everyone out for the exhibition games on Saturday.

Councilmember Ellen wished all a Merry Christmas and Happy New Year and mentioned the upcoming 1st birthday of her granddaughter.

Councilmember Roe gave the reminder not to text and drive. He encouraged all to support the local food banks especially this time of year.

b. City Manager's Announcements

None.

Adjournment: The meeting was adjourned at approximately 8:10 p.m.

ATTEST: _____ City Clerk

_____ Mayor

Approved: January 12, 2017

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the City Council of Chandler, Arizona, held on the 8th day of December, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this 17 day of January, 2017.

_____
City Clerk