

REVISED



# City Council Study Session

Monday, April 5, 2021  
6:00 p.m.

Chandler City Council Chambers  
88 E. Chicago St., Chandler, AZ





From left to right: Councilmember Matt Orlando, Councilmember Rene Lopez, Vice Mayor Mark Stewart, Mayor Kevin Hartke, Councilmember OD Harris, Councilmember Christine Ellis, Councilmember Terry Roe

## Our Vision

We are a world-class City that provides an exceptional quality of life.

## Our Brand

A safe community that connects people, chooses innovation and inspires excellence.

## Our Goals

### City Council Strategic Policy Goals

1. Being the most connected City
2. Being a leader in trust and transparency
3. Maintaining fiscal sustainability
4. Attracting a range of private sector businesses
5. Fostering a contemporary culture that embraces unity
6. Being safe and beautiful

Pursuant to Resolution No. 4464 of the City of Chandler and to A.R.S. 38-431.02, notice is hereby given to the members of the Chandler City Council and to the general public that the Chandler City Council will hold a STUDY SESSION open to the public on Monday, April 5, 2021, immediately following the Public Housing Authority Commission meeting which begins at 6:00 p.m., in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona. One or more members of the Chandler City Council may attend this meeting by telephone.

Persons with a disability may request a reasonable accommodation such as a sign language interpreter by contacting the City Clerk's office a 480-782-2181. Requests should be made as early as possible to allow time to arrange accommodation.

Agendas are available in the Office of the City Clerk, 175 S. Arizona Avenue.



# Study Session Agenda

## City Council Strategic Framework Focus Areas: Legend



Infill and Redevelopment



Mobility



Quality of Life



Innovation and Technology



Neighborhoods



General Governance

## Call to Order

## Roll Call

## Scheduled Public Appearances

1. Service Recognitions
2. Proclamation - Volunteer Recognition Week
3. Proclamation - Fair Housing Month
4. Proclamation - National Library Week
5. Asian Association for Youth and Culture, Joseph Yang

## Consent Agenda

Items listed on the Consent Agenda may be enacted by one motion and one vote. If a discussion is required by members of the governing body, the item will be removed from the Consent Agenda for discussion and determination will be made if the item will be considered separately.



## Airport

1. **Resolution No. 5452 Authorizing a Grant Agreement with the Federal Aviation Administration (FAA) to Accept a Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) Grant**

Move City Council pass and adopt Resolution No. 5452 authorizing a grant agreement with the Federal Aviation Administration to accept a Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) grant not to exceed \$57,162 for airport operating purposes; and authorizing the City Manager, or designee, to execute the grant agreement and all other documents necessary to effect the agreement.



## City Clerk

### 2. **March 2021 City Council Minutes**

Move City Council approve the meeting minutes of the Special Meeting - Retreat of March 4 and March 5, the Study Session and the Regular Meeting of March 22, 2021, the Work Session - Budget Workshop and Regular Meeting of March 25, 2021.

Council Focus Area(s): 

### 3. **Board and Commission Appointments**

Move City Council approve the Board and Commission appointments as recommended.

Council Focus Area(s): 



## City Manager

4. **FY 2020-21 One-time Exceptional Performance Awards for Employees**

Move City Council approve a one-time exceptional performance award of \$3,000 to each full-time employee and \$1,500 to each part-time employee, employed as of December 31, 2020, and remaining employed through March 27, 2021, for an estimated cost of \$5,530,000 across all Funds; and \$3,060,000 in Fund Contingency Transfers to only be used should vacancy savings appropriation not be sufficient in a specific Fund/Cost Center combination, including General Fund of \$2,800,000, to various Cost Centers within General Fund, Special Revenue Funds (i.e. Grant-217, Community Development Block Grant (CDBG)-219, Public Housing Authority (PHA)-224, 227, 230, 232, 233) and Self Insurance Funds (i.e. Workers Compensation-736, Insured Liability-737, Uninsured Liability-738, Short Term Disability-739, and Medical-741); Water Fund 605 of \$200,000; and Solid Waste Fund 625 of \$60,000.

Council Focus Area(s): 



## Development Services

5. **Final Adoption of Ordinance No. 4961, PLH20-0023 Pecos and McQueen Retail Rezoning**

Move City Council adopt Ordinance No. 4961, approving PLH20-0023 Pecos and McQueen Retail located at the southwest corner of Pecos and McQueen roads, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to the conditions as recommended by Planning and Zoning Commission.

Council Focus Area(s): 

6. **Introduction of Ordinance No. 4968, PLH20-0063 McKinley Glenn (Staff Requests Continuance to the May 13, 2021, City Council Meeting)**

Move City Council continue PLH20-0063 McKinley Glenn, located east of the southeast corner of Chandler Heights and Cooper roads to the May 13, 2021, Council meeting, as recommended by Planning and Zoning Commission.

Council Focus Area(s): 

7. **Introduction of Ordinance No. 4967, PLH20-0052/PLT20-0039 Serene Estates**

**Rezoning**

Move City Council introduce and tentatively adopt Ordinance No. 4967 approving PLH20-0052 Serene Estates, Rezoning from Neighborhood Commercial (C-1) to Planned Area Development for single-family residential, located northwest of the northwest corner of Galveston and Hartford streets, subject to the conditions as recommended by Planning and Zoning Commission.

**Preliminary Development Plan**

Move City Council approve Preliminary Development Plan PLH20-0052 Serene Estates for subdivision layout and housing product, located northwest of the northwest corner of Galveston and Hartford streets, subject to the conditions as recommended by Planning and Zoning Commission.

**Preliminary Plat**

Move City Council approve Preliminary Plat PLT20-0039 Serene Estates, located northwest of the northwest corner of Galveston and Hartford streets, subject to the condition recommended by Planning and Zoning Commission.

Council Focus Area(s):  

8. **Use Permit and Entertainment Use Permit, PLH20-0054 BAR @118W**

Move City Council approve Use Permit and Entertainment Use Permit, PLH20-0054 Bar @118W, located at 118 W. Boston Street, subject to the conditions recommended by Planning and Zoning Commission.

Council Focus Area(s):  

9. **Preliminary Development Plan, PLH20-0067 The Johnathan**

Move City Council approve Preliminary Development Plan, PLH20-0067 The Johnathan, located at 55 N. Arizona Place, subject to the conditions as recommended by Planning and Zoning Commission.

Council Focus Area(s): 



## Economic Development

10. **Resolution No. 5458, Authorizing Support for a Foreign Trade Zone Application for Viavi Solutions, Inc.; Manufacturing Facility to be Located at 3455 South McQueen Road**

Move to approve Resolution No. 5458, authorizing support for a Foreign Trade Zone application for Viavi Solutions, Inc.; manufacturing facility to be located at 3455 South McQueen Road; authorizing support for a property tax reclassification from class one to class six for all new personal property; authorizing a development agreement between Viavi and the City of Chandler; authorizing the execution of an Intergovernmental Agreement between the City of Chandler and the City of Phoenix; and authorizing the Mayor to sign the Resolution and related documents as approved by the City Attorney.

Council Focus Area(s): 



## Information Technology

11. **Agreement No. IT8-920-3889, Amendment No. 3, with Neudesic, LLC, for Annual Application Support Services**

Move City Council approve Agreement No. IT8-920-3889, Amendment No. 3, with Neudesic, LLC, for annual application support services, in the amount of \$123,000, for the period of May 1, 2021, through April 30, 2022.

Council Focus Area(s):  

12. **Purchase of Microsoft Software Licenses from CDW-G**

Move City Council approve the purchase of Microsoft software licenses, from CDW-G, using the Omnia Partners Contract No. 2018011-01 in an amount not to exceed \$723,139.

Council Focus Area(s): 



## Management Services

13. **License Series 11, Hotel/Motel Liquor License application for Sonesta International Hotels Corporation, dba Sonesta Select Phoenix Chandler**

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 135943, a Series 11, Hotel/Motel Liquor License, for Andrea Dahlman Lewkowicz, Agent, Sonesta International Hotels Corporation, dba Sonesta Select Phoenix Chandler, located at 920 N. 54th Street, and approval of the City of Chandler Series 11, Hotel/Motel Liquor License No. 300649 L11.

Council Focus Area(s): 



## Police Department

14. **Agreement No. PD5-961-3521, Amendment No. 1, with American Traffic Solutions Inc., dba Verra Mobility, for Photo Enforcement**

Move City Council approve Agreement No. PD5-961-3521, Amendment No. 1, with American Traffic Solutions, Inc., dba Verra Mobility, for photo enforcement, in a combined amount not to exceed \$2,500,000, for the period of five years beginning April 1, 2021 through March 31, 2026.

Council Focus Area(s): 



## Public Works and Utilities

15. **Final Adoption of Ordinance No. 4964 Authorizing the Sale of a Parcel of City-Owned Land at the Southwest Corner of McQueen Road and Pecos Road**

Move City Council approve final adoption of Ordinance No. 4964 authorizing the sale of a parcel of City-owned land at southwest corner of McQueen Road and Pecos Road to WNDG, LLC, an Arizona Limited Liability Company.

Council Focus Area(s):  

16. **Project Agreement No. WW2003.401 with Garney Companies, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping**

Move City Council award Project Agreement No. WW2003.401 to Garney Companies, Inc., Pursuant to Job Order Contract No. JOC1914.401, for the Airport Water Reclamation Facility Headworks Drain Piping, in an amount not to exceed \$391,070.

Council Focus Area(s): 

17. **Professional Services Agreement No. WW2003.451, with Brown and Caldwell, Inc., for Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services**

Move City Council award Professional Services Agreement No. WW2003.451, to Brown and Caldwell, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services, in an amount not to exceed \$55,050.

Council Focus Area(s): 

## Discussion and Possible Action

18. **Discussion and Possible Action on Council Public Safety Subcommittee Briefing on Crime Statistics Presentation, Impact of COVID on Public Safety, as Requested by Councilmember Orlando.**

# Informational

19. **Study Session & Regular Meeting Minutes of March 3, 2021, Planning and Zoning Commission**

Council Focus Area(s): 

# Adjourn



**City Council Memorandum      City Manager's Office Memo No.**

**Date:** April 5, 2021

**To:** Mayor and Council

**Thru:** Joshua Wright, Acting City Manager

**From:** Steven Turner, Assistant to City Manager

**Subject:** Resolution No. 5452 authorizing a grant agreement with the Federal Aviation Administration (FAA) to accept a Coronavirus Response and Supplemental Appropriation Act (CRRSA) grant not to exceed \$57,162 for airport operating purposes; and authorizing the City Manager, or designee, to execute the grant agreement and all other documents necessary to effect the agreement.

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**Proposed Motion:**

Move City Council pass and adopt Resolution No. 5452 authorizing a grant agreement with the Federal Aviation Administration to accept a Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) grant not to exceed \$57,162 for airport operating purposes; and authorizing the City Manager, or designee, to execute the grant agreement and all other documents necessary to effect the agreement.

**Background:**

On December 27, 2020, the President signed the Consolidated Appropriations Act of 2021. Division M of that Act is the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA). Title IV of CRRSA provides approximately \$2 billion in economic relief to eligible US airports to prevent, prepare for, and respond to the COVID-19 public health emergency. CRRSA includes a set aside amount for airports in the federal contract tower (FCT) program, of which Chandler is included.

On February 12, 2021, the FAA announced that Chandler will be receiving a grant in the amount of \$57,162. The funding is allocated between a non-primary amount of \$23,000 and an FCT amount of \$34,162. The funding may be used for airport operational expenses, however, the FCT funding must be used for costs associated with supporting the contract tower operations. The expenses can include including sanitation program expenses, payroll, operational, and debt service costs.

**Discussion:**

Staff recommends City Council pass and adopt Resolution No. 5452 authorizing a grant agreement with the Federal Aviation Administration (FAA) to accept a Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) grant not to exceed \$57,162 for airport operating purposes; and authorizing the City Manager, or designee, to execute the grant agreement and all other documents necessary to effect the agreement.

**Financial Implications:**

No City matching funds are required to accept this grant.

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**Attachments**

Resolution 5452



**RESOLUTION NO. 5452**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, APPROVING THE CITY ENTER INTO A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) TO ACCEPT A CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT (CRRSA ACT) GRANT FOR AIRPORT OPERATING PURPOSES; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE GRANT AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY TO EFFECT THE AGREEMENT.

WHEREAS, the City of Chandler (City) owns the Chandler Municipal Airport (Airport); and

WHEREAS, the Coronavirus Response and Relief Supplemental Appropriation Act (CRRSA) Act was passed by the United States Congress and signed into law by the President on December 27, 2020; and

WHEREAS, the CRRSA Act provides funding to eligible US airports to prevent, prepare for, and respond to coronavirus impacts, including support for airport operations; and

WHEREAS, the Airport anticipates receiving \$57,162 in funding under the CRRSA; and

WHEREAS, the grant will provide funding necessary for airport operations; and

WHEREAS, to secure such grant funding, the City must accept the grant offer.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Chandler, Arizona as follows:

Section 1. Approves and authorizes the City of Chandler to accept a federal CRRSA grant offer and agreement for airport operating purposes.

Section 2. Authorizes the City Manager, or designee, to execute the federal CRRSA grant agreement and all other documents necessary to effect the agreement.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of March, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5452 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of March, 2021, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY





**City Council Memorandum    City Clerk's Office    Memo No. 21-005**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**From:** Dana DeLong, City Clerk  
**Subject:** March 2021 City Council Minutes

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**Proposed Motion:**

Move City Council approve the meeting minutes of the Special Meeting - Retreat of March 4 and March 5, the Study Session and the Regular Meeting of March 22, 2021, the Work Session - Budget Workshop and Regular Meeting of March 25, 2021.

**Background/Discussion**

Attached for approval are the City Council minutes for the meetings held on March, 5, March 6, March 22, and March 25, 2021.

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**Attachments**

March 4, 2021 Strategic Framework Minutes  
March 5, 2021 Strategic Framework Minutes  
March 22, 2021 Study Session Minutes  
March 22, 2021 Regular Meeting Minutes  
March 25, 2021 Regular Meeting Minutes  
March 25, 2021 Work Session - Budget Workshop Minutes



**CHANDLER CITY COUNCIL  
SPECIAL MEETING - RETREAT**

Thursday, March 4, 2021

MINUTES OF THE SPECIAL MEETING - RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, March 4, 2021, in the Chandler Public Safety Training Center, 3550 S. Dobson Rd, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 2:07 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
Mark Stewart	Vice-Mayor
René Lopez	Councilmember
OD Harris	Councilmember
Terry Roe	Councilmember
Christine Ellis	Councilmember
Matt Orlando	Councilmember

City staff present: Joshua Wright, Acting City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Matthew Burdick, Communications and Public Affairs Director

1. Welcome and Introductions – Mayor Kevin Hartke

MAYOR HARTKE thanked Council for attending and said the Strategic Framework has been beneficial for Council and for staff the past few years in order to clarify the goals of Council. Mayor Hartke introduced Patrick Ibarra, with The Mejorando Group and said Mr. Ibarra would be the facilitator for the Retreat.

PATRICK IBARRA provided an outline of the retreat. Mr. Ibarra said he has worked with many cities to assist navigating the future and build a strong community. Mr. Ibarra said strategic planning is a roadmap for the future and be a way to be proactive about major initiatives. Some of the top topics in all cities of all sizes that are discussed have been homelessness and affordable housing. Mr. Ibarra said time is the most important thing the City has and the plan helps give staff direction on what to accomplish with their time.

2. Discussion regarding the accomplishments and outcomes realized from Good Government and the role of the City.

MR. IBARRA presented the following document to lead discussion regarding these topics.

#### Attributes of Exceptional Councils

- Leading public organizations and governing with colleagues on a council is a challenging art of community service. The Institute recognizes that many aspects of leadership and governance are not intuitive. This piece is intended to provide councilmembers and city managers insight into the attributes of exceptional councils as well as provide practical tips to help them become exceptional.
- 1. Exceptional councils develop a sense of team – a partnership with the city manager to govern and manage the city
  - The mayor, councilmembers and city manager see themselves and work as a team as they undertake a series of tasks to further their common purpose. The individual team members work in a coordinated and collaborative manner with a high degree of respect, trust and openness. The team values diversity in style and perspective. The team thinks and acts strategically as it examines issues/situations and decides on a course of action serving their city's mission and goals.
  - Key Characteristics
    - Successfully transition from candidate to a member of the council.
    - Become a champion of the city. Make decisions based on the needs and interests of the community at-large / the greater good.
    - Develop, communicate and support policy goals and council decisions.
    - Demonstrate a willingness to work collaboratively (as a team) and have a citywide perspective.
  - Best Practice Tips
    - Build capacity to create a more effective team. The governance team (mayor, councilmembers and city manager) should get to know each other; how each person approaches issues, decision making style and so on. This can be accomplished at annual meetings or workshops through-out the year. In the event that councilmembers disagree, clear ground rules (norms of behavior and practice) can help quell acrimony before it becomes a problem. It's important to remember that trust is built around understanding and respect, not necessarily agreement.
- 2. Exceptional councils have clear roles and responsibilities that are understood and adhered to.
  - Exceptional councils understand their role is to serve as policy maker - to represent the values, beliefs and priorities of their community while serving in the community's best interest. They carry out a variety of responsibilities including: developing and adopting a vision for the city; focusing and aligning plans, policies, agreements and budgets in furtherance of this vision; and holding themselves and the city manager accountable for results.
  - Exceptional councils understand that the city manager is responsible for the day-to-day operations of the city. The city manager is responsible for undertaking and accomplishing the policy objectives of the council. Exceptional councils recognize the subject matter expertise of staff and utilize their knowledge and experience to guide and inform decision making.
  - Key Characteristics
    - Understand the role of local government and their responsibilities.

- Know their role- to set vision and policy, avoid micromanagement.
- Councilmembers should strive to be informed about the issues facing the city and be prepared to ask questions of staff and each other.
- Best Practice Tips
  - Create a shared understanding of the city manager's role and the council's expectations to optimize the working relationships. This shared understanding is informed by local charter and ordinance provisions that provide the overall framework for the relationship. The council should make time to have conversations during retreats and or study sessions to define and/or reveal and refine their role and responsibilities. Since role clarity between the city council and city management is critical to mutual success, having clear protocols helps avoid misunderstandings.
- 3. Exceptional councils honor the relationship with staff and each other
  - Exceptional councils understand that a good working relationship with staff is vital for the city to be run successfully. Exceptional councils treat each other and staff with dignity and respect. They act with civility and a high level of professional decorum. Councilmembers build trust by not playing the "gotcha game" and strive to have a no secrets, no surprises approach as an operating norm. Finally, they respect the diversity of styles and perspectives among their colleagues and staff and are open to new ideas.
  - Key Characteristics
    - Councilmembers have the ability to respectfully disagree (to disagree without being disagreeable). They are able to leave it at the dais; debates are about policy, not personality.
    - Exceptional councilmembers reflect positive decorum/model of leadership by providing respectful tone with colleagues.
    - Establish a set of behaviors ahead of time, potentially documented in a code of conduct, to help promote civility and respect.
  - Best Practice Tips
    - Set council priorities and strategic goals at an annual meeting; these goals and priorities are a tool to guide the city manager and staff on where to focus their efforts. This annual meeting provides time for the council to reflect on community priorities as well as offer an opportunity to discuss their decorum and their relationship among each other and the relationship between the city manager/staff and the council.
- 4. Exceptional councils routinely conduct effective meetings
  - Open and public meetings are central to democratic decision-making. Exceptional councils master the art of effective meetings. They develop and adhere to meeting protocols and processes. They spend time planning and organizing the agenda with the aim of having a more focused meeting. They allocate the council's time and energy appropriately (focused on the council's role and responsibilities) and meeting short- and long-term priorities. They honor the public's participation and engagement and they generally start on time and are held during reasonable hours.
  - Exceptional councils use public meetings not only for their intended purpose, information sharing and decision-making, but they also use the meeting to demonstrate respect and civility for each other, staff and the public. Exceptional councilmembers prepare in advance

of the meeting, remain focused on the city goals and objectives and mindful of their role and responsibilities.

- Key Characteristics
  - Councilmembers are respectful of each other, the public and everyone's time.
  - Councilmembers use engaging body language as a way to demonstrate respect.
  - Issues are not personalized, thoughtful dialogue is the objective.
  - Agenda packets are read, councilmembers come prepared and have an open mind
  - Respect is demonstrated for varied opinions.
  - Everyone strives to be civil and act with decorum.
- Best Practice Tips
  - Develop and adopt (with regular reviews and updates), guidelines for conducting meetings and making decisions. These governance protocols typically address meeting procedures (agenda preparation, how to put issues on the agenda, debate and voting procedures (parliamentary rules) and standards of decorum (civility)). As part of a regular self-assessment, councils should evaluate their meetings and their effectiveness and adjust behavior and practices for better results.
- 5. Exceptional councils hold themselves and the city accountable
  - Exceptional councils operate openly, ethically and work to engage the community in a myriad of decisions impacting the prosperity and well-being of their community. Toward that end, exceptional councils consistently provide short- and long-term strategic direction and goals, as well as provide budget, program and policy oversight.
  - Exceptional councils hold themselves accountable for the conduct, behavior and effectiveness of the council. They establish clear priorities and goals and hold the city manager accountable for results. And finally, they embrace accountability as a process and tool to calibrate ongoing efforts to address and meet policy and program objectives.
  - Key Characteristics
    - Councilmembers operate ethically and with integrity.
    - Councils conduct team building / goal setting exercise to track progress towards mutually agreed upon goals
    - Councils taking responsibility for the results (good and bad).
    - Councils celebrate success.
    - Councilmembers hold themselves responsible for adhering to operating protocols and codes of conduct.
  - Best Practice Tips
    - Annually evaluate council and city manager performance toward achieving the city's priorities and goals (consider having this be part of an annual goal setting meeting). Council should consider assessing its own behavior and effectiveness as part of its annual self-assessment.
- 6. Exceptional councils have members who practice continuous personal learning and development
  - Governance is not intuitive. In addition, the policy and economic environment impacting cities are ever changing. Exceptional councils continually provide the opportunity to build their knowledge and skills, to enhance their understanding of key issues, increase their awareness of best practices and sharpen their leadership and governance skills.
  - KEY CHARACTERISTICS

- Stay informed on key issues
- Gain key insights and knowledge on all aspects of governing, from budgets to plans and everything in between.
- Learning to listen is sometimes more important than learning to give a speech.
- BEST PRACTICE TIPS
  - Seek out national, state and local professional growth and educational opportunities. These opportunities can focus on the nuts and bolts of governing to helping you gain valuable information and/or insights on key policy issues facing your city. In addition, city run orientations for newly elected officials provide a good way to acclimate new members to the council's norms and protocols as well as the budget and key policy issues.

COUNCIL had a discussion regarding good government, the benefits of good government, and what that meant to them.

3. Discussion regarding the roles of Mayor, Council, City Manager, City staff and community.

MR. IRBARRA asked the Council for ideas regarding these roles and what each position should bring.

COUNCIL had discussion regarding the role of the Mayor, Council, City Manager, City staff, and the community.

THE MEETING RECESSED AT 3:13 P.M.

THE MEETING RECONVENED AT 3:26 P.M. ALL PRESENT.

4. Discussion and identification of Strategies for Creating a More Credible, Effective Governing Body.

MR. IBARRA continued discussion regarding strategies for effective government and shared best practices.

5. Update by Acting City Manager on 2020 Accomplishments

JOSHUA WRIGHT, Acting City Manager, presented the following Power Point presentation.

- 2020 Annual Report
- Our Vision
  - We are a world-class city that provides an exceptional quality of life
- Our Brand
  - A safe community that connects people, chooses innovation and inspires excellence.
- Our Goals
  - City Council Strategic Policy Goals
  - Being the most connected City
  - Being a leader in trust and transparency
  - Maintaining fiscal sustainability

- Attracting a range of private sector businesses
- Fostering a contemporary culture that embraces unity
- Being safe and beautiful
- Strategic Framework Focus Areas
  - Infill and Redevelopment
  - Innovation and Technology
  - Mobility
  - Neighborhoods
  - Quality of Life
- Infill and Redevelopment
  - Office, Industrial and Medical Center Development
  - Allred Park Place expansion will add 300,000 square feet of office with room for 1,800 jobs.
  - Banner Ocotillo Medical Center expects to handle 21,000 emergency visits annually.
  - Modernization of buildings known as the Alexander and Johnathan creates 220,000 square feet of creative office space in downtown.
  - \$437 million in capital investments over the next three years
  - 2,550 jobs over the next three years
  - 891,394 square feet of office, industrial and flex space
  - 750,000 square feet of space under construction
- Infill and Redevelopment
  - Expanded Development
  - 4,228 Building Permits
  - Exceeding \$1.1 Billion in Value
  - 72% Increase Over the Prior Year
- Innovation and Technology
  - Adapting Services and Public Meetings
  - Mobile Workforce
    - Chandler's enhanced technology infrastructure enabled a mobile workforce to deliver services online and by appointment.
  - eAgenda
    - A technology project modernized the City Council agenda and process to place items on the agenda.
  - Virtual Public Meetings
    - Virtual Public Meetings enabled residents to provide input that shaped master planning projects.
  - 100 City Council Meetings Conducted in 2020
  - 591 Public Comments Submitted Online
  - 121 Board and Commission Meetings Offered via Webex
- Innovation and Technology
  - Communications and Utility Services
  - Improved Communications Services
    - Cox accelerated Gigablast installations to support remote work and virtual learning.
  - Chandler's Fiber-optic Network
    - Made improvements to the City's fiber-optic network and identify future investments citywide.

- Partnership with Verizon
  - 6 miles of conduit for fiber-optic use
  - City Smart Parking project in downtown
  - 133 Small Wireless Facilities built
- Relief Funds for Mobile Hotspots
  - City Council allocated \$250,000 in coronavirus relief funds to CUSD to purchase 1,000 mobile hotspots.
- Voters approved the 25-year franchise agreement with Southwest Gas negotiated by the City
- Mobility
  - Traffic Signal Systems
  - Received \$6.67 million in Transportation Grants
  - 160 Capital Improvement Projects Contracts Valued at \$60,822,575
  - 54 bus stops
  - 3 bus routes
  - 1 partnership going the extra mile
  - First-Mile, Last-Mile
    - Partnership with Lyft expanded transit service in south Chandler, avoiding costs of adding new bus routes.
  - Street Improvements
    - Completion of three street widening projects improved the arterial street network in southeast Chandler.
  - Traffic Signal Systems
    - New video detection cameras installed at 40 intersections, emerging technologies project on Chandler Blvd used artificial intelligence to adjust traffic signal timing in real-time based on demand.
- Mobility
  - Chandler Airport
  - Airport Master Plan Update
    - Stakeholders worked to recommended a vision and facility plan for the airport.
  - Airport Upgrades
    - Pavement rehab at heliport and Runway 4R-22L
    - Upgrade airport gates and access control system
    - Airport maintenance requests can now be made through City's website and mobile app
- Neighborhoods
  - Preserving Chandler Neighborhoods
  - 38,416 Square Feet of Graffiti Removed
  - 16,042 Code Inspections Conducted
  - 29 Neighborhood Grants Awarded
  - 324 Registered Neighborhoods
  - First-time residents completed the Census online, by phone and mail
  - Innovative community outreach by Complete Count Committee.
  - Updates to City code and ordinances to maintain and preserve Chandler neighborhoods
  - New software and mobile technology for code inspections

- Developed framework for investments in aging neighborhoods
- Amazon donation to address neighborhood preservation needs of seniors
- Neighborhoods
  - Opened Housing Choice Voucher program and added 4,000 applications to waitlist
  - Updated Section 8 voucher program and implemented online public housing portal
  - Incentive program attracted new landlords for the Housing Choice Voucher program
  - Distributed 3,000 books supporting Public Housing Authority Book Rich Environment
- Quality of Life
  - Arts, Culture and Events
  - Community Services
  - Public Safety
- Quality of Life: Arts, Culture and Events
  - Chandler Center for the Arts Season Concluded with:
    - \$1.7 million in ticket sales
    - 61,709 paid admissions
    - \$329,000 from grants and sponsorships
- Quality of Life: Arts, Culture and Events
  - Chandler Museum, Galleries and Public Art
  - Formation of Chandler Museum Foundation
  - Opened Museum Store
  - Virtual Arts and Culture
  - 3,000 in-person attendance
  - Vision Kids classes attended by 800 students
  - Hosted 11 gallery exhibits
  - Hosted 9 receptions
- Quality of Life: Community Services
  - Chandler Public Library
  - Hold limit increased to 25
  - Acquired digital materials
  - Access to global magazine/newspaper database
  - 781,303 physical items
    - 43% decrease over the same period in 2019 Library closed for 2 months in 2020 with no physical item checkout
  - 349,035 cloud Library
    - 32% increase over the same period in 2019
  - 28,851 digital magazines
    - Flipster and PressReader
  - 24,087 streaming movies
    - 92% increase over the same period in 2019
  - 3,260 eCards issued
    - 39% increase over the same period in 2019
  - 4 Library Services & Technology Act Grants totaling more than \$42,000
  - 2 Arizona State Library Grants \$8,500 for 250 books and audio titles
- Quality of Life: Community Services
  - Parks, Recreation and Aquatics

- Rec At Home
- Aquatics Water Safety
- Park Improvements
- 15 Tennis Center Courts resurfaced
- 9,000 children and adults taught to swim
- 2,853 park maintenance work orders completed
- Quality of Life: Public Safety
  - Chandler Police Department
  - 303,875 non-emergency calls
  - 189,172 emergency 911 calls
  - 35,439 alarms
  - 4,694 non-emergency texts
  - 82 texts to 911
  - Expanded Body-worn Cameras
  - Public Safety Training Center
  - Roll-out of Mobile Devices
  - How Calls Were Cleared
    - 191,987 General Offense
    - 97,761 Verbal Warnings
    - 35,949 Civil Citations
    - 29,688 False Alarms
    - 21,139 Motorist Assist
    - 13,041 Written Warning
- Quality of Life: Public Safety
  - Fire and Emergency Medical Services
  - \$170,000 in Fire Grants
  - Three New Aerial Ladder Trucks
  - American Heart Association Lifeline Award
  - First Regional Fire Training Academy and Paramedic Training Site
  - COVID-19
    - 36,000 vaccines
    - 19,300 surgical masks
    - 177,520 gloves
    - 9,800 gowns

MAYOR HARTKE said these goals have provided staff with flexibility over the last two years and asked Council if these five areas were ones Council wanted to continue to move forward with.

VICE MAYOR STEWART asked if Public Safety should be its own since it gets hidden in Quality of Life.

MR. WRIGHT said this was discussed previously and it was felt public safety was a core competency of Quality of Life and there were not many initiatives at the time to have its own.

MAYOR HARTKE said it was placed there because of its initiatives not necessarily its value.

MR. WRIGHT said yes.

COUNCILMEMBER LOPEZ suggested public safety be highlighted in the forefront of the Quality of Life category.

VICE MAYOR STEWART said there was an internal and external brand of the plan.

MAYOR HARTKE said he was supportive of the idea.

COUNCILMEMBER ORLANDO said he was supportive of keeping it with Quality of Life or making it its own category.

COUNCILMEMBER ELLIS said public safety has taken the brunt of the work done with COVID-19 and no one has really understood how much they have been doing to keep the community safe. Councilmember Ellis said the quality of life that people have had during COVID-19 has been because public safety was able to deliver services in a timely manner even when detrimental to their own health.

MAYOR HARTKE asked both ideas be an option for the March 5 discussion.

COUNCILMEMBER HARRIS said diversity and inclusion has been a discussion topic and suggested that be highlighted as well. Councilmember Harris said Chandler embraces everyone and that is what also brings companies to the City.

MAYOR HARTKE said that idea should be placed on the March 5 discussion.

COUNCILMEMBER ORLANDO said he would like more clarification on how the City is meeting these objectives in order for the Council and for the citizens to easily see the information. Councilmember Orlando said the new dashboard shows some information, but does not provide the detail needed for what the information means.

COUNCILMEMBER HARRIS suggested that a link be put on the website so citizens can quickly access the information to see the great things the City is doing.

COUNCILMEMBER LOPEZ said the dashboard is too high level to really see what was done.

VICE MAYOR STEWART asked if it was a best practice to receive strategic vision input from staff to get more information about what staff is hearing from the community.

MR. WRIGHT said staff would break down the focus areas into staff initiatives to realize the vision.

MR. IBARRA said the challenge would be balancing the initiatives and considering the resources and staff time it would take to achieve those goals. Mr. Ibarra said prioritizing the initiatives is important.

VICE MAYOR STEWART said they are trying to achieve the vision they believe the community wants and asked if it was a best practice to incorporate ideas of the staff on what initiatives would be impactful.

COUNCILMEMBER ELLIS said staff has ideas that Council can help move forward as well.

MAYOR HARTKE thought that was the role of the City Manager to help drive the goals and then staff moves forward with initiatives to reach those goals.

COUNCILMEMBER LOPEZ said staff has leeway to work with the citizens to make sure the projects are going to be a good use of resources and achieve what the citizens are asking for.

MAYOR HARTKE said the items that are brought to Council show that staff works with the citizens and they have great ideas.

COUNCILMEMBER ROE said talking about specific projects is great.

#### 6. Discussion: Strategies to Reaffirm the Vision Forward

MR. IBARRA read Chandler's vision and discussed visions and how a vision is helpful to the organization. Mr. Ibarra said they could use the vision to generate ideas surrounding economic development of the City.

##### A. Strategic Framework

These are the Focus Areas.

##### B. Economic Development

- Strategies

COUNCILMEMBER LOPEZ talked about diversifying the City's economic development.

VICE MAYOR STEWART said it was important to look at how the City is advertised.

MAYOR HARTKE talked about the vitality of the community.

COUNCILMEMBER ORLANDO discussed healthcare and the major medical campuses in Chandler.

- Higher Education

COUNCILMEMBER HARRIS asked how much input the Council has in higher education.

MAYOR HARTKE said Council does not have much influence with the grade schools, but the City does have relationships with the community colleges and the universities.

COUNCILMEMBER ORLANDO talked about the past partnerships with the schools and suggested they look to see if there is opportunity for a partner regarding some of the City owned buildings.

COUNCILMEMBER ELLIS said the City needs a partnership to work with the schools to ensure that people have the education needed to work in the industries that are coming to Chandler. Councilmember Ellis said there is a segment of the population that cannot move out of poverty and they need to find a way to work with the City to find a way to provide them the opportunity to go to school. Councilmember Ellis said staff could look further into bringing a partnership that would be beneficial to the City.

COUNCILMEMBER LOPEZ said they need to look to the industry to guide the partnership and discuss ways to educate high schools to get them ready for the workforce in industries that are in demand as technology changes.

COUNCILMEMBER ORLANDO said ASU goes into communities and talks with the industries to put together curriculums so that students can receive education to go into the industries in their community.

VICE MAYOR STEWART said he was open to the idea of having partnerships to help drive the economy they have in Chandler.

MAYOR HARTKE said staff could explore the idea and further the educational opportunities to help raise the community.

COUNCIL agreed it would be a topic that should be explored.

MAYOR HARTKE asked Councilmember Orlando to look into the educational partnership opportunities with staff and update Council.

THE MEETING RECESSED AT 4:54 P.M.

THE MEETING RECONVENED AT 5:02 P.M. ALL PRESENT.

- Airpark

COUNCILMEMBER HARRIS said the Airpark and Council should invest the appropriate amount of funds to make it what it needs to be.

COUNCILMEMBER ELLIS asked what the vision was for the investment.

COUNCILMEMBER HARRIS said to build another terminal, ask staff to find the dollars such as grants, and explore ways to increase the economic development and expand on it.

MAYOR HARTKE said the Bond Committee looked at the issue and recommended expanding Cooper and open along Queen Creek so there is growth near the freeway and open anything outside the fence.

COUNCILMEMBER HARRIS said the growth would be done in phases, but the Airport needs to have a better understanding and direction on what they are doing.

MAYOR HARTKE said in the next few months there would be an Airport Development Plan and was in support of developing the airport to embrace the economic development opportunities.

COUNCILMEMBER ORLANDO said he looked at the area as a business park with an air strip. Councilmember Orlando said opening up the area to develop the corridor is important to the business park.

MAYOR HARTKE said the air strip allowed the business park to develop.

COUNCILMEMBER LOPEZ agreed and thought the airport was a positive impact. Councilmember Lopez suggested waiting for the Airport Area Plan and Airport Master Plan. The airports are seeing a shift and the pilot pools are shrinking and the demographic in the next 10 years will not be the same. Councilmember Lopez said he liked the idea of it being a business park with an airport and this is part of economic diversity.

MR. WRIGHT said there is an opportunity to do something important with the airport in the next few months. The Airport Master Plan is planned to go to Council in April. The plan has an emphasis on economic development and support for the Master Plan would be important.

COUNCILMEMBER ROE said Council has allowed encroachment along the way to make it less likely to be the airport it should be. Councilmember Roe said the airport should appeal to the businesses around it for the executives to come to the area. Councilmember Roe said not having the extended runway length is a missed opportunity.

COUNCILMEMBER HARRIS agreed and Council needed to make some difficult decisions and market the decision and make the best decision for the City.

COUNCILMEMBER ORLANDO said the business community has never backed the airport initiative. Councilmember Orlando said now there is a business community down there to support it.

COUNCILMEMBER ROE said there was some potential of having the bond issue fail, but the runway length is important.

MAYOR HARTKE said Council was in agreement of expanding the Airpark Area.

MR. IBARRA talked about leadership capital, political capital, and social capital and how the Council can leverage the different types of capital. Mr. Ibarra talked about how Council should engage with issues.

COUNCIL had discussion regarding engaging in issues. Council discussed the importance of the boards and commissions and the role of local government.

C. Neighborhood Redevelopment

- Housing Inventory

COUNCILMEMBER ORLANDO said there was a Council Subcommittee and there was discussion of more housing diversity. The City is bringing many businesses, but there is a void of workforce housing available for the workers. Councilmember Orlando said there are also concerns of transportation as well to support the workforce.

VICE MAYOR STEWART asked if the issue is the responsibility of the municipality and if the issue is larger than just the City.

COUNCILMEMBER ORLANDO said the City has to have the amenities needed to support the businesses that are coming here.

COUNCILMEMBER HARRIS said they received millions of dollars in federal funds and the City is involved in affordable housing.

VICE MAYOR STEWART said there are developers who are creating high density projects that may not stay as affordable housing, but it is not the job of Council to dictate the free market.

COUNCILMEMBER LOPEZ said there is a gap of people that make too much to qualify for housing assistance, but not enough to live in Chandler.

MAYOR HARTKE said it is not uncommon for people to live outside of a City and then commute to work and then eventually move closer.

COUNCILMEMBER ELLIS said there is a group in Chandler that needs help to stay in Chandler. Councilmember Ellis said they can have a relationship with the builders to fill the need of the City and that would set a precedent for other builders. This is not something the City would have to pay dollars for because developers are willing to do projects that are going to be successful.

COUNCILMEMBER HARRIS said they may not be able to dictate the housing types, but they can ensure the transportation is sufficient so people who live outside of Chandler can get to work in Chandler.

COUNCILMEMBER LOPEZ said Chandler is affordable compared to the neighboring cities.

COUNCILMEMBER ROE said it is an important issue and Council should continue to listen to best practices. Councilmember Roe said it is hard to get a picture of what the housing situation looks like and everyone's situation is different.

COUNCILMEMBER ORLANDO said it is important to the companies that come to Chandler for housing to be available for their employees.

COUNCILMEMBER LOPEZ said some of the companies pay their employees more to accommodate the cost of living in the area so workforce housing is relative to the time.

COUNCILMEMBER HARRIS said there are also a lot of houses that are being rented in the City.

VICE MAYOR STEWART said as the City and technology innovates there may be more door to door service with automated vehicles instead of buses.

MAYOR HARTKE said Council is open to exploring different ideas, but are not open to subsidizing.

MR. WRIGHT said for Council to consider the standards for housing that they want there are many diverse housing options. Mr. Wright said staff spends a lot of time vetting projects before it comes to Council, so having that guidance would be helpful.

COUNCILMEMBER ORLANDO said they need to look at this in a holistic approach and encourage redevelopment where it makes sense.

VICE MAYOR STEWART said they can look at the four corners that need to change from retail that is closed or an area that cannot support commercial spaces that could be changed to multifamily.

MR. IBARRA said it is important to have parameters to help drive the process.

D. Discussion of Other Topics

- Mental Health services

MR. IBARRA said many cities have started discussing this issue or revisiting it to mitigate the crisis.

COUNCILMEMBER HARRIS said there was a rapid response team.

MAYOR HARTKE said yes, with COVID-19.

COUNCILMEMBER LOPEZ asked what the need demographics are in Chandler.

COUNCILMEMBER ELLIS said 2% of the population at large has a need to address mental health not just for the homeless, and COVID-19 has made the situation worse. Councilmember Ellis asked if it was the role of Council to address the issue and find a solution. It is important that people get the help they need instead of ignoring it and the situation getting worse. Councilmember Ellis said in a conversation with the Chief they talked about creating a task force to look at the issue and what the community needs. Councilmember Ellis said having someone on call to respond to calls where there is a mental health crisis would be helpful. Councilmember Ellis said they could expand as well to have some staff that are trained to respond to calls and conduct assessments and have a wraparound service to get the help they need.

COUNCILMEMBER LOPEZ said if public safety gets calls to respond they should be able to engage immediately instead of waiting for another person to arrive.

COUNCILMEMBER ELLIS said right now there are limited services, but adding more resources would help keep people outside of the system and get the help they need to make long term improvement.

COUNCILMEMBER LOPEZ asked what the ask was for these programs.

COUNCILMEMBER ELLIS said to increase and expend what is allotted for these programs and bring additional resources. Councilmember Ellis said she would like to see the community partners work together to create a comprehensive program.

MAYOR HARTKE said this would require more staff and resources potentially.

COUNCILMEMBER ELLIS said it would be important to see results and quantify how the programs do. Councilmember Ellis said they could start with a pilot program and see how it works.

COUNCILMEMBER ROE said the County provides some services and the police department uses those in serious cases. Councilmember Roe said this needs some study and discussion because of what is happening now.

COUNCILMEMBER ORLANDO asked if this was something to diffuse the situation and then support getting help.

COUNCILMEMBER ELLIS said the police are not trained fully on mental health to determine what is happening and provide the help needed.

COUNCILMEMBER ORLANDO said if the police respond to a call and realize the person has some mental health problems what would be next.

COUNCILMEMBER ELLIS said they would step back and bring in a mental health professional to respond. Councilmember Ellis said from that point the individual could enter a program and get the services they need.

COUNCILMEMBER HARRIS said he agreed with Councilmember Ellis. Councilmember Harris said they should not criminalize those with mental health and need to find a balance. Councilmember Harris said this would create more jobs and they would need to determine what type of professionals would be on staff and how that would be paid for. Councilmember Harris said the issue is worth looking into further and to study the community need.

MAYOR HARTKE said there is discussion with creating a mental health court.

KELLY SCHWAB, City Attorney, said that already there is a mental health court for those severely mentally ill, but this would be a more middle of the road court.

COUNCILMEMBER LOPEZ said if someone is breaking the law the person should be arrested and then could be sent to mental health court. Councilmember Lopez said there is an issue, but there are many

non-profit programs that could be engaged to respond to these situations. If they City were to take on the issue that would present more cost for tax payers and there needs to be more information about how many calls there are. Councilmember Lopez said they also need to look at the legal liability of providing these services.

MR. IBARRA said there is the distinction between mental health issues and behavioral health issues. Mr. Ibarra said there is an increase in teen suicide and more discussion around mental health. Mr. Ibarra said the police officers arrive on the scene and someone is in crisis and they need a way to direct the situation to professionals.

MAYOR HARTKE said he was interested in having staff spend some time on this. Mayor Hartke said there would be further discussion on the priorities and find Council consensus.

MR. IBARRA recapped the discussion and the agenda for the next meeting.

ADJOURNMENT: The Retreat was adjourned at approximately 6:53 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Approval Date of Minutes: April 8, 2021

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting - Retreat of the City Council of Chandler, Arizona, held on the 4th day of March, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
City Clerk



**CHANDLER CITY COUNCIL  
SPECIAL MEETING - RETREAT**

Thursday, March 5, 2021

MINUTES OF THE SPECIAL MEETING - RETREAT OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Friday, March 5, 2021, in the Public Safety Training Room, 3550 S. Dobson Rd., Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 8:24 A.M.

The following members of the Council were present:

Kevin Hartke	Mayor
Mark Stewart	Vice-Mayor
René Lopez	Councilmember
OD Harris	Councilmember
Terry Roe	Councilmember
Christine Ellis	Councilmember
Matt Orlando	Councilmember

City staff present: Joshua Wright, Acting City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Matthew Burdick, Communications and Public Affairs Director

PATRICK IBARRA, The Mejorando Group, thanked staff for putting together these meetings and introduced the discussion item. Mr. Ibarra recapped the March 4<sup>th</sup> meeting and the discussion that was held.

VICE MAYOR STEWART asked if these were similar discussions to other cities and asked if there was anything they were missing.

MR. IBARRA said each community is different. Many communities discuss amenities and beautification and economic development. Mr. Ibarra said those items Chandler has always addressed. Mr. Ibarra said many communities have also discussed homelessness and it is an issue communities everywhere, including the Valley, are trying to address.

MAYOR HARTKE said there have been past initiatives that came from multiple master plans and some of these items may already be in process.

1. Discussion of potential modifications to the five key focus areas of the existing Strategic Framework.

MR. IBARRA talked about the discussion of each topic listed in the strategic framework and to go beyond just a concept.

- Strategic Framework 2019-2024
  - Community of Innovation
- Our Vision
  - We are a world-class City that provides an exceptional quality of life
- Our Goals
  - City Council Strategic Policy Goals
  - Being the most connected City
  - Being a leader in trust and transparency
  - Maintaining fiscal sustainability
  - Attracting a range of private sector businesses
  - Fostering a contemporary culture that embraces unity
  - Being safe and beautiful
- Infill and Redevelopment
  - Strategic economic development with:
    - Destination mixed use projects that support continued vitality of surrounding neighborhoods
    - Targeted efforts to repurpose vacant retail space
    - Unique amenities, events and experiences that attract people to Chandler
    - A deliberate, calculated approach to infill projects and annexation
    - An emphasis on workforce development and high-quality education
- Innovation and Technology
  - Embracing global technology that offers enhanced opportunities for citizens and businesses through:
    - Smart, sustainable solutions that empower, engage and improve the quality of life for residents, visitors, and businesses
    - Piloting innovative ideas to promote efficiency, productivity and connectivity
    - Leveraging partnerships and alternative funding sources
    - Marketing Chandler as the premier location for cutting-edge technologies
    - Investing in infrastructure to drive future technological advancements
- Mobility
  - Forward-thinking transportation networks with:
    - Multiple, integrated options to access Chandler's employment corridors
    - Convenient connections to the greater East Valley region
    - High-tech, multi-modal transit options for residents and visitors
    - Safe, attractive and well – managed roadways and traffic systems
    - A modern airport that serves as an engine for economic development
    - Open spaces and multi-use paths connecting developments and neighborhoods
    - Regional resources that maximize Chandler's ability to finance transportation projects
- Neighborhoods

- Unique and vibrant neighborhoods with:
  - Services and amenities that build a community aligned with the needs of the people in the surrounding area
  - A holistic approach to neighborhood improvement through coordination with City departments, non-profits, business partners, faith agencies and community members
  - Innovative programs that provide housing options for residents’ diverse needs
  - Well-maintained and enhanced infrastructure that promotes aesthetics, safety and community vitality
- Quality of Life
  - Providing a safe community and an exceptional quality of life through:
    - People, resources and relationships that foster a stable and secure environment
    - High aesthetic standards incorporating innovative architecture, art and landscaping elements
    - Destination parks and open spaces with amenities catering to the demographics of the surrounding area
    - Re-imagined public spaces that are usable year-round and minimize blight
    - Activities, entertainment and business retention that capitalize on Chandler’s hip culture, unique history and burgeoning arts scene
    - Use of creative partnerships to provide recreational opportunities for all
- Our Brand
  - A safe community that connects people, chooses innovation and inspires excellence

MAYOR HARTKE talked about the process for the discussion and how he would get a feel for how many Councilmembers are in support of an item to determine their next steps as a City.

COUNCILMEMBER ROE said this is a good dialogue and everyone has a few projects.

MR. IBARRA said there is overlap in some of these areas.

COUNCILMEMBER ROE said he would like the City Manager to hear these things to best determine staff direction.

MR. IBARRA introduced the Neighborhood focus area.

MAYOR HARTKE asked without using Chandler tax dollars what options are available to us for housing options to meet diverse housing needs. Mayor Hartke said he wanted to see what options are available.

COUNCILMEMBER ORLANDO said he wanted to begin dialoguing the questions to see what is out there. Councilmember Orlando said they need to look at diversity and other communities. There is still not a good understanding of what the inventory is and there may be enough diverse housing and the issue then is just sustainability. Councilmember Orlando said they need to see what is there and create a reasonable plan.

COUNCILMEMBER LOPEZ said he believes they are more aligned than what he previously thought. Councilmember Lopez said they need to know what the inventory is like now and have staff look to see what housing availability looks like. Councilmember Lopez said it is important that Council is on the same page when it comes to the overall plan.

MAYOR HARTKE said they would like to have staff get more information. Mayor Hartke said if they are giving mixed messages to the community they are going to get mixed messages back.

COUNCILMEMBER ELLIS asked how they get on the same page.

COUNCILMEMBER HARRIS said they need another retreat to lay out a foundation and have more clarity on what they are trying to define.

COUNCILMEMBER ROE said housing is a big discussion and the City is giving a lot of things the zoning attorneys are asking for. Councilmember Roe said they need to determine what is next and housing should be a gold standard.

COUNCILMEMBER LOPEZ said it would be important to go back to those troubled areas, look at redevelopment, and elevate the area.

VICE MAYOR STEWART talked about the last zoning case and Council needs to be aligned on what a good project is.

COUNCILMEMBER ORLANDO asked if that was a separate item to talk about building standards.

COUNCILMEMBER HARRIS said they always talk about innovation and asked if people see that when people drive down the street. Councilmember Harris said it is important to look at what Chandler looks like tomorrow and what the architecture would be.

COUNCILMEMBER ROE asked for a scorecard that would come out of Development Services and Planning and Zoning Commission.

MAYOR HARTKE said that information is in the narrative, but perhaps something more like a dashboard.

COUNCILMEMBER ORLANDO asked to add the word quality housing projects and if that made a difference.

COUNCILMEMBER ELLIS said yes.

VICE MAYOR STEWART said he thought it did for staff.

MAYOR HARTKE said he wanted those types of projects, but to remember that a development cannot have all of these amenities and still be priced at work force housing.

VICE MAYOR STEWART said when it is an elevated product it would generate better opportunities for everyone.

MAYOR HARTKE said they would not be able to have everything in one development.

COUNCILMEMBER HARRIS said they need to find a way to determine what the gold standard is for Chandler and what it would look like in the future. Councilmember Harris asked if staff could send samples of what other communities have done that are deemed smart cities to have a visual idea of what Council should look for in a project.

COUNCIL agreed to move forward with studying this.

MAYOR HARTKE asked if Council was in agreement to hold additional Work Sessions.

COUNCIL agreed.

MR. IBARRA said for staff to bring back to Council the subcommittee report, standards for development, and what it looks like in the future.

COUNCILMEMBER LOPEZ said they need to know where the City is now in regards to inventory and then requirements to give to staff of what a good project looks like from Council's perspective. Councilmember Lopez said this would tie back into beautification and what the City would look like in the future.

COUNCILMEMBER ORLANDO asked if art projects were still added in developments today like they were in the past.

MAYOR HARTKE said most major development have and the buildings by the airport are themed. Mayor Hartke said if there are more changes on developments it could be sent to Planning and Zoning and Council direction needs to be clear to them as well.

COUNCILMEMBER HARRIS said they should add innovation neighborhoods or innovated development so it speaks to the progression of the City.

VICE MAYOR STEWART said they should look at Smart Cities and what that means not just in terms of charging stations, but inside the building as well. Vice Mayor Stewart said the developers come in and develop and then leave, but perhaps they add more standards for sustainability.

MAYOR HARTKE asked for a presentation on what a Smart City is and where Chandler stands in regards to that.

COUNCILMEMBER LOPEZ said they talked about this before and did not want to be pigeon holed into that.

MAYOR HARTKE said it would be worth understanding and what that would mean to the City.

MR. IBARRA said it is important to think about innovation as not just technology.

COUNCILMEMBER HARRIS said they need to think about how the citizens can access to the internet and be connected using community partners.

MAYOR HARTKE said they have done a lot of work on the fiber network.

COUNCILMEMBER LOPEZ said to remember there are unintended consequences of innovation and change within the community as some are resistant to that.

COUNCILMEMBER ORLANDO said Chandler historically has set the standard and set the definition of what Smart City is and the City can define what that is.

COUNCILMEMBER HARRIS said the definition could be small, but it needs to be defined. Chandler is the community of innovation, but they need to define what that means.

MR. IBARRA introduced the Mobility focus area.

MAYOR HARTKE talked about Prop 400 and that the West Valley is very organized and there are a lot of projects and conservations happening. Chandler does not have any more freeways to build, but there is more work on circulars. Mayor Hartke said there is also work on a technology fund.

COUNCILMEMBER ROE said this was well defined. Councilmember Roe said he wanted to see a fleet of self-driving electric vehicles that take people where they need to go. Councilmember Roe said Metro could not completely dictate what the City does. Councilmember Roe said instead of having empty bus routes they could have self-driving vehicles that move up and down the transit corridors and there would a lot of monitoring of the vehicles.

COUNCILMEMBER ORLANDO agreed with the idea and it would be complex to coordinate all of that.

COUNCILMEMBER ROE said he was a fan of the express and mobility is a solution to help many people in the community.

COUNCILMEMBER ORLANDO asked if there was a public private partnership.

MAYOR HARTKE said Waymo is moving towards that and there is a partnership with Lyft. Waymo has a partnership with Valley Metro and there was a pilot in the City in 2019 with the City employees. Mayor Hartke thought there would be one with Uber, but they went to another City. Mayor Hartke said they are not that far off from being able to have a light rail experience, but without the traditional light rail. There may be a pilot project, but it would not be with Valley Metro.

COUNCILMEMBER LOPEZ said they need to evaluate how much money is being invested and determine how the bus routes are performing. Councilmember Lopez said if that money was reallocated and they did a different program that could be more impactful.

MAYOR HARTKE said it is not easy to drop a bus because of the regional system.

COUNCILMEMBER LOPEZ said he often sees empty busses, but it may be at the end of the line and on its way to pick up other people. Councilmember Lopez said circulators come more often like the ones in Tempe to go to the next bus stop. Councilmember Lopez said this may save additional dollars. Councilmember Lopez said there needs to be more information about how the bus system is performing and how much the City is paying and reevaluate as needed.

COUNCILMEMBER HARRIS said Council should look at Tempe's system because their system is effective and has some destination stops.

COUNCILMEMBER LOPEZ asked who subsidizes that system.

MAYOR HARTKE said the cities that offer that also have a transportation tax and that is a way to do the circulators and offer the service.

COUNCILMEMBER LOPEZ said he would like to see what is already being spent so they do not have to raise the tax.

COUNCILMEMBER ORLANDO said the circulators are more convenient for people and they need to look at a way to reimagine the way to move people. Councilmember Orlando said he was in support of pilot programs and see what works.

VICE MAYOR STEWART said decentralization is the next step in everything we do. Mass transit is centralization and is an outdated way to move people. People are being moved by cars and buses. Vice Mayor Stewart said this mass approach is an old style. Vice Mayor Stewart said if they find a way to change the approach and find a public private partnership to be more efficient and effective.

MAYOR HARTKE said one of the reasons we did not get Uber was partly because of the regional transportation not in Chandler.

VICE MAYOR STEWART said he is more focused on the surface streets and getting people where they need to me.

COUNCILMEMBER LOPEZ said they are aligned with the items, but they need to review the public transportation budget and the ridership levels. Councilmember Lopez said when COVID-19 came they are still being billed for the buses, but if there was an alternate option that was as needed the cost would drop.

MR. WRIGHT confirmed there was Council interest in micro transit and it is a complicated issue due to regional factors.

MAYOR HARTKE said this issue has come up before and Chandler is not the same as it was 10 years ago.

COUNCILMEMBER ELLIS said the airport is valuable as an economic engine and there was a lot of discussion on what it would be. Councilmember Ellis said they all have some different ideas and wanted to define what a modern airport means to them. Councilmember Ellis said the airport needs to find its place in mobility.

MAYOR HARTKE said if they could displace the touch-and-goes which is where most of the complaints come from and focus on an appetite to modernize it.

COUNCILMEMBER LOPEZ said there are some remodel projects in the CIP plan and could be a hub for businesses. Councilmember Lopez said modern aircraft could come in and out of the airport.

COUNCILMEMBER ORLANDO suggested it be a modern airport that serves as a business park engine for economic development.

MAYOR HARTKE said they have heard from the Parks Master Plan that people want more places to walk and they receive funds from other agencies on these projects.

VICE MAYOR STEWART said he had requested additional safety barriers or something to be added to keep the bicyclists safe.

MR. WRIGHT said they are working on some solutions for future bike lanes.

MAYOR HARTKE asked if there were any reports regarding cell phone laws in terms of making biking safer.

MR. WRIGHT said it just started January 1, so he has not received a report yet.

MAYOR HARTKE said he would like in six months to see the impact.

THE MEETING RECESSED AT 9:44 A.M.  
THE MEETING RECONVEINED AT 9:59 A.M. ALL PRESENT

MR. IBARRA introduced the Innovation and Technology focus area.

MAYOR HARTKE talked about a scorecard to see where the City is at overall and how the City's definition of a Smart City is developing. Mayor Hartke said after they define what a Smart City is then other projects and direction may come from that.

COUNCILMEMBER ELLIS agreed.

COUNCILMEMBER ROE suggested there be a speaker that is forward thinking come to the City to talk to staff about the next big ideas and see how Chandler can innovate and if we are missing something.

MAYOR HARTKE suggested Council attend events in other cities and ASU to see regional innovation.

VICE MAYOR STEWART said this is a great thing to talk about and this fits within the City's brand. Vice Mayor Stewart said he would like more information on where Chandler is being marketed and micro-targeting to CEOs outside of the State. Vice Mayor Stewart asked for a report on dark fiber and they have to be able to move data.

COUNCILMEMBER ELLIS said it needs to be throughout the whole City.

COUNCILMEMBER LOPEZ said infrastructure and fiber is not the way of the future anymore and they need to weight the options.

COUNCILMEMBER ORLANDO said they need to look at redundancy and a Smart City would have redundancy in the event of an emergency. Councilmember Orlando said if one system goes down they need to have redundancy.

MAYOR HARTKE said as part of GPEC the City advertises with them instead of sending our own ads so we do not compete with our neighbors.

VICE MAYOR STEWART asked if that was a good thing.

MAYOR HARTKE said it has been a good thing and has opened opportunities in the past. Marketing the City to businesses is different than marketing for tourism.

COUNCILMEMBER LOPEZ said businesses know their employees may not all live in that City so they look at the region and it is better to share costs.

VICE MAYOR STEWART said micro-targeting is the future and handing over marketing to another organization is great, but having our own is not a bad thing.

COUNCILMEMBER ORLANDO said Chandler is a first tier global community and is interested in marketing globally. Councilmember Orlando said the City is diverse and we should market to those diverse communities to bring other global companies here.

VICE MAYOR STEWART said Chandler's success would raise the bar for the other neighboring cities and would help the State. Vice Mayor Stewart said if they do some of their own marketing it would be beneficial and is inexpensive.

MAYOR HARTKE asked staff to explore marketing expansion globally.

COUNCILMEMBER LOPEZ said asking the business community about what future expansion looks like. Councilmember Lopez talked about a CIO round table.

MAYOR HARTKE said the Citizen Bond Committee had great stakeholders from the community.

COUNCILMEMBER ORLANDO said it was a very diverse high powered group.

MR. IBARRA introduced the Infill and Redevelopment focus area.

COUNCILMEMBER HARRIS asked if this needed to be part of the strategic plan. Councilmember Harris said by focusing on the other pillars they are already doing this and should this just be part of the expectation. Councilmember Harris asked if this needed to be singled out as its own.

COUNCILMEMBER ROE said yes, for the public and the developers to see redevelopment is a focus and that they have quality developments.

COUNCILMEMBER HARRIS said when he reads this he thinks of properties being built, but not economic development. Councilmember Harris asked what redevelopment meant to Council because they should automatically be doing this and maybe should be part of the other buckets.

MAYOR HARTKE said two years ago, Chandler was at 12% buildout and now they are at 9.1%. Looking at the developments it takes on a greater sense of importance because there is less land.

COUNCILMEMBER ORLANDO said this is important because this is where we are in the maturation of the City. Councilmember Orlando said as retails begins to go away they need to think about what to do with the land. If they do not focus staff time, developer time, and Council time on this then we lose out a lot and would go somewhere else.

COUNCILMEMBER LOPEZ said this also is applicable to small businesses and that we want them here. Councilmember Lopez said in the past it was important to have this pulled out on its own because of where the City is at and ensure that small businesses understand the City needs to be adapted.

COUNCILMEMBER ORLANDO asked if this is put as an overlapping element or standalone.

COUNCILMEMBER HARRIS said as they look at the strategic plan they talk about economic development and infill and redevelopment. Councilmember Harris suggested economic development could be its own pillar and discuss entrepreneurship, small businesses, large corporations, and all of these different things. Councilmember Harris said residents are not going to read as deeply into it as the Council is philosophically. Councilmember Harris said entrepreneurs and small businesses are not going to think infill and redevelopment.

COUNCILMEMBER ELLIS asked if another category should be added. If they are really going to push the City forward and discuss what they are going to do with small businesses then it may need to be separate.

COUNCILMEMBER HARRIS said it is important to keep the focus areas simple so that people can clearly understand what Council's goals are.

COUNCILMEMBER ELLIS said they could have both and really have points in each area to have clear focus on what the City is doing.

MR. IBARRA said these focus areas are points of emphasis and this document gives staff direction, but the audience are the residents and businesses.

COUNCILMEMBER LOPEZ asked if there were going to be two buckets or rename infill and redevelopment to include economic development.

COUNCILMEMBER HARRIS said it could be both and they could focus on economic development initiatives as well. Councilmember Harris said this sends a clear message that economic development is important to the City especially as they market the City.

VICE MAYOR STEWART said infill and redevelopment is a function of economic development and the title should be economic development.

COUNCILMEMBER ORLANDO said each category has an economic element and those could be pulled into one category such as the airport.

COUNCILMEMBER LOPEZ agreed for the title to be something that is encompassing that is easy for people to understand. Councilmember Lopez agreed the airport could be moved and this category would show a higher level of priority.

MR. IBARRA said some cities use the term economic vitality.

MAYOR HARTKE said infill and redevelopment is important, but it is important to serve the existing businesses and broaden the diverse business climate.

COUNCILMEMBER ELLIS said she agreed to add information about existing businesses.

MR. WRIGHT clarified both the built environment and the people.

MAYOR HARTKE asked to add a point about being business friendly to existing and developing industries.

COUNCILMEMBER HARRIS said Economic Development staff goes the extra mile for the business community and empowering that team to do more.

MAYOR HARTKE said Development Services staff also does a lot for the business community.

COUNCIL determined infill would be a under economic vitality as a subcategory.

COUNCILMEMBER ORLANDO asked if there is anything else they should be doing regarding redevelopment.

MR. WRIGHT recommended Council add protecting employment corridors as it is an ongoing discussion.

COUNCIL agreed.

VICE MAYOR STEWART asked what kind of economic development Council wants to do. The City has evolved into a different type of economic development and the City is bringing in high paying jobs.

MAYOR HARTKE said they were protecting Price Corridor for certain type of jobs and the Airpark for light industrial. Mayor Hartke said it would be good to have this conversation with the Economic Development staff.

COUNCILMEMBER HARRIS said he like the idea of protecting employment corridors and for the airport to be a focus area and being entrepreneurship friendly. Councilmember Harris said adding innovation to the category as well.

COUNCILMEMBER ORLANDO asked what the major impediment was to redevelopment. Councilmember Orlando discussed redevelopment in the City and asked what they should do.

MR. WRIGHT talked about a redevelopment area and the challenges redeveloping the site. Mr. Wright said each site is unique.

MAYOR HARTKE said they could have a work session regarding the issue.

MR. IBARRA introduced the Quality of Life focus area.

MAYOR HARTKE said there was discussion regarding public safety to add as a focus area.

COUNCILMEMBER LOPEZ said because of the environment, he suggested adding a public safety header and to show the City sees that as a priority. Councilmember Lopez said he did not think public safety should be a separate pillar, but should be a subcategory and moved towards the top of the list. Councilmember Lopez said he also wanted to be respectful of our history as we begin redeveloping and new innovation. Councilmember Lopez said it is important to show the evolution of the City and pay homage to the past.

COUNCILMEMBER ORLANDO talked about sustainability and asked if that fit into quality of life.

MAYOR HARTKE asked what sustainability meant to Councilmember Orlando.

COUNCILMEMBER ORLANDO said some cities have a sustainability plan and asked if Chandler had created one.

MR. WRIGHT said the City does not have a sustainability or climate action plan. There are some standards as far as City buildings, but there is not a specific plan.

COUNCILMEMBER ORLANDO asked if the City should have one as there is more emphasis on that in terms of federal dollars.

MR. WRIGHT asked if Council had specific goals or if it was more general.

COUNCILMEMBER ELLIS said it is important to educate the residents about sustainability, encourage them, and show the benefits to the City.

MAYOR HARTKE said solar, planting trees, water, and recycling have always been important topics. Mayor Hartke said they could give out awards for sustainable developments as they come on board which they have done in the past. Mayor Hartke said he was not interested in creating a document to become a carbon neutral city, but wanted to look at ways to highlight sustainability.

COUNCILMEMBER LOPEZ said as a region there are a lot of talks about water.

COUNCILMEMBER ORLANDO said they are already doing sustainable things as a City and asked if this should be added.

VICE MAYOR STEWART said there are cost neutral ways to be sustainable.

COUNCILMEMBER ORLANDO talked about past sustainable additions to projects.

VICE MAYOR STEWART talked about the heat effect of concrete in the City.

COUNCIL agreed to add sustainability to Quality of Life.

COUNCILMEMBER ROE said he is in favor of a multigenerational project and about adding more space for the Senior Center.

MAYOR HARTKE said there was discussion about a multigenerational facility and asked if Council wanted to pursue options.

COUNCILMEMBER ROE said most everyone wanted something, but there was concern about the cost.

MR. WRIGHT said there were options and talked about revisiting the topic.

MR. IBARRA talked about the trend of repurposing libraries as community centers being multifunctional.

COUNCILMEMBER LOPEZ said a multifunction center or community center makes it feel like it is for all generations not just one.

MR. IBARRA talked about Community Services and how they serve a diverse population.

COUNCILMEMBER HARRIS asked if Council wanted to add diversity and inclusion as part of quality of life or if it should be its own category. Councilmember Harris said it is a focus in the community and businesses in Chandler have the vision of being very inclusive. Councilmember Harris said this should be a top priority and show the City cares about diversity and inclusion.

MAYOR HARTKE did not see it as a standalone category, but thought it should be in quality of life.

2. Summary and Wrap Up

MR. IBARRA made summary remarks and wrapped up the retreat.

MAYOR HARTKE thanked the Council for their comments and ideas over the past two days, and said staff would take the information and bring back details for the Council to review.

ADJOURNMENT: The Retreat was adjourned at approximately 11:57 a.m.

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Approval Date of Minutes: April 8, 2021

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting – Retreat of the City Council of Chandler, Arizona, held on the 5th day of March, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
City Clerk



**CITY OF CHANDLER COUNCIL MEETING MINUTES**

**Study Session**

Monday, March 22, 2021

MINUTES OF THE STUDY SESSION OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the Council Chambers, 88 E. Chicago Street, Chandler, Arizona, on Monday, March 22, 2021

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:07 P.M.

The following members were present:

Kevin Hartke	Mayor
*Mark Stewart	Vice Mayor
OD Harris	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Christine Ellis	Councilmember
Matt Orlando	Councilmember

\*Vice Mayor Stewart attended the meeting telephonically.

Also in attendance:	Joshua Wright	Acting City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

SCHEDULED PUBLIC APPEARANCES

MAYOR HARTKE invited Councilmember Roe to join him for the recognitions.

1. Retirement Recognition

Neighborhood Resources

Vivian Rivera – 18 years

Community Services

Claude Cluff - 33 years

2. Service Recognitions

Police Department

Rebekah Baranoff -10 Years

Public Works and Utilities

Elizabeth Denning – 20 years

3. Achievement of Excellence in Procurement Award

MAYOR HARTKE invited Christina Pryor, Purchasing and Materials Manager, to accept the award and called for a staff presentation.

DAWN LANG, Management Services Director, said this distinguished award recognizes an agency's commitment to continuous improvement. The City has received this award for 16 consecutive years and is one of only 10 agencies in Arizona and 69 cities in the US and Canada to receive this award. Ms. Lang said Chandler's purchasing division belongs to an elite group of purchasing divisions that operate with the highest standards of quality and efficiency and receive the best value with our City tax dollars.

4. Anonymous Code Violation Complaints, Kevin Norwack

Mr. Norwack did not address the Council.

CONSENT AGENDA DISCUSSION

COUNCILMEMBER ORLANDO asked for a staff presentation on Consent Agenda Item No. 14.

14. Resolution No. 5450 approving an agreement with Maricopa Medical for the provision of ambulance services

TOM DWIGGINS, Fire Chief, introduced the item and presented the following presentation.

- Current Contract/RFP Process
  - Current contract with American Medical Response (AMR)
  - Contract expires January 2022
  - Two competitive proposals evaluated
  - RFP process results
- Proposed Contract Highlights
  - Additional 24/7 Ambulance
  - Peak-Time Ambulance Schedule
  - Back-Up Ambulance in Stations
  - Lucas Chest Compression Devices
  - Ambulance Safety Systems
  - Staffing Reimbursement
- Next Steps
  - Award Contract
  - AZDHS Approval
  - AMR/Maricopa Transition

COUNCILMEMBER ELLIS said as a nurse this would take the service to the next level and is a wonderful way to get to the community quickly and get them safely to a hospital. Councilmember Ellis thanked staff for working on this item.

### CONSENT AGENDA ITEMS

1. Professional Services Agreement No. PR2108.201 with J2 Engineering and Environmental Design for Pima Park Sidewalk Improvements  
Move City Council award Professional Services Agreement No. PR2108.201 to J2 Engineering and Environmental Design, for Pima Park Sidewalk Improvements Design Services, in an amount not to exceed \$39,308.00.
2. Purchase of Playground Products and Services from Dave Bang Associates, Inc.; Exerplay, Inc.; FlexGround, LLC; Miracle Playground Sales, Inc.; Play it Safe Playgrounds & Park Equipment, Inc.; and Shade 'N Net of Arizona, Inc.  
Move that City Council approve the purchase of playground products and services, utilizing 1 Government Procurement Alliance (1GPA) Contracts 18-04P-02, 18-04P-03, 18-04P-04, 18-04P-06, 18-04P-07 and 18-04P-09, listed respectively, with Dave Bang Associates, Inc.; Exerplay, Inc.; FlexGround, LLC; Miracle Playground Sales, Inc.; Play it Safe Playgrounds & Park Equipment, Inc.; and Shade 'N Net of Arizona, Inc.; in a combined amount not to exceed \$700,000.
3. Resolution No. 5449 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  
Move City Council adopt Resolution No. 5449 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.
4. Introduction to Ordinance No. 4961, Preliminary Development Plan and Preliminary Plat Approval, PLH20-0023/PLT20-0037 Pecos and McQueen Retail, located at the Southwest Corner of Pecos and McQueen roads  
Rezoning  
Move City Council introduce and tentatively adopt Ordinance No. 4961 approving PLH20-0023 Pecos and McQueen Retail, located at the southwest corner of Pecos and McQueen roads, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to the conditions as recommended by Planning and Zoning Commission.  
Preliminary Development Plan  
Move City Council approve Preliminary Development Plan PLH20-0023 Pecos and McQueen Retail, located at the southwest corner of Pecos and McQueen roads, subject to the conditions as recommended by Planning and Zoning Commission.  
Preliminary Plat  
Move City Council approve Preliminary Plat PLT20-0037 Pecos and McQueen Retail, located at the southwest corner of Pecos and McQueen roads, subject to the condition recommended by Planning and Zoning Commission.

5. Use Permit, PLH21-0004, Move Human Performance Center  
Move City Council approve Use Permit, PLH21-0004, Move Human Performance Center, located approximately one-quarter mile east of the southeast corner of Arizona Avenue and Elliot Road subject to the conditions recommended by Planning and Zoning Commission.
6. Entertainment Use Permit (EUP), PLH20-0042 Rock Lobster Dining Room Expansion  
Use Permit or EUP  
Move City Council approve Entertainment Use Permit, PLH20-0042, Rock Lobster Dining Room Expansion, located on the southwest corner of Queen Creek and Dobson roads, subject to the conditions recommended by Planning and Zoning Commission.
7. Agreement with Atkins North America, Inc., for Facility Space Assessment  
Move City Council award Agreement No. BF1-918-4271 to Atkins North America, Inc., dba Faithful+Gould, for a facility space assessment, in an amount not to exceed \$85,113.
8. Agreement No. FS0-060-4131, Amendment No.1, for OEM Auto Parts and Service  
Move City Council approve Agreement No. FS0-060-4131, Amendment No. 1, with Tex Chevrolet dba Earnhardt Chevrolet; Earnhardt Enterprises dba Earnhardt Toyota Scion; Earnhardt Gilbert Dodge, Inc., dba Earnhardt Chrysler Dodge Jeep Ram; Earnhardt Chandler Cadillac, Inc.; Earnhardt Ford Sales Company; and Courtesy Auto of Mesa dba Courtesy Dodge for OEM Auto Parts and Service, for a period of one year, April 1, 2021, through March 31, 2022, in a combined total amount not to exceed \$350,000.
9. Agreement No. AS8-405-3826, Amendment No.1, with Senergy Petroleum, LLC; Supreme Oil Co.; and Western Refining Southwest dba Flyers Energy, LLC, for Fuel  
Move City Council approve Agreement No. AS8-405-3826, Amendment No. 1, with Senergy Petroleum, LLC; Supreme Oil Co.; and Western Refining Southwest dba Flyers Energy, LLC; for the purchase of fuel, for a three-year period, April 1, 2021, through March 31, 2024, in a combined total amount not to exceed \$7,800,000 for the three-year term.
10. Agreement No. BF1-910-4275, with FiveOliver, LLC; Classic Roofing, LLC; National Waterproofing & Roofing, LLC; and Sprayfoam Southwest, Inc., dba Global Roofing Group; for Roofing Repairs and Maintenance  
Move that City Council approve Agreement No. BF1-910-4275, with FiveOliver, LLC; Classic Roofing, LLC; National Waterproofing & Roofing, LLC; and Sprayfoam Southwest, Inc., dba Global Roofing Group; for Roofing Repairs and Maintenance in a combined amount not to exceed \$860,000, for a one-year term, April 1, 2021, through March 31, 2022.
11. Competition Impracticable Purchase of Building Assessment Services from Faithful + Gould, Inc.  
Move City Council approve the competition impracticable purchase of building assessment services from Faithful + Gould, Inc., in the amount of \$64,405.
12. Resolution No. 5444 authorizing the submission of projects for consideration under the 2022 Governor's Office of Highway Safety Grant Program for the Child Safety Seat Clinic program  
Move City Council pass and adopt Resolution No. 5444, authorizing the submission of a Governor's Office of Highway Safety Grant, for the Child Safety Seat Clinic program, in the amount of \$49,114, and

authorizing the City Manager, or designee, to perform grant-specific negotiations and submit documentation on behalf of the City of Chandler.

13. Resolution No. 5445 adopting an agreement with HonorHealth to train Chandler Fire Department paramedic students during their required clinical rotations  
Move City Council pass and adopt Resolution No. 5445, authorizing the City of Chandler to enter into an agreement with HonorHealth to train Chandler Fire Department paramedic students during their required clinical rotations.
14. Resolution No. 5450 approving an agreement with Maricopa Medical for the provision of ambulance services  
Move City Council pass and adopt Resolution No. 5450, approving an agreement between the City of Chandler and Maricopa Medical for the provision of ambulance services.
15. Agreement No. FD9-345-4024, Amendment No. 2, for Fire Emergency Medical Supplies  
Move City Council approve Agreement No. FD9-345-4024, Amendment No. 2, with Bound Tree Medical, LLC, for fire emergency medical supplies, in an amount not to exceed \$150,000, for the period of April 1, 2021, through March 31, 2022.
16. Resolution No. 5446 adopting an agreement with Dignity Health to train Chandler Fire Department paramedic students during their required clinical rotations  
Move City Council pass and adopt Resolution No. 5446, authorizing the City of Chandler to enter into an agreement with Dignity Health to train Chandler Fire Department paramedic students during their required clinical rotations.
17. Resolution No. 5447 adopting an agreement with Banner Health to train Chandler Fire Department paramedic students during their required clinical rotations  
Move City Council pass and adopt Resolution No. 5447, authorizing the City of Chandler to enter into agreement with Banner Health to train Chandler Fire Department paramedic students during their required clinical rotations.
18. Agreement No. HR9-962-4000, Amendment No. 2, with Devau for Temporary Staffing Services  
Move City Council approve Agreement No. HR9-962-4000, Amendment No. 2, with Devau Human Resources, for temporary staffing services, in an amount not to exceed \$1,097,000, for a one-year period, April 1, 2021, through March 31, 2022.
19. Purchase of Servers and Storage from vCore Technology Partners  
Move City Council approve the purchase of servers and storage from vCore Technology Partners utilizing Omnia Partners Contract No. R191902 in the amount of \$320,000.
20. Agreement No. IT1-910-4232, Amendment No. 1, with WorkGroup Connections, Inc., for Office 365 Implementation and Migration Design Plan  
Move City Council approve Agreement No. IT1-910-4232, Amendment No. 1, with WorkGroup Connections, Inc., for Office 365 Implementation and Migration Design Plan, in the amount of \$140,000, for additional email data migration services.
21. Agreement No. WH7-670-3783, Amendment No. 4, for Plumbing and Irrigation Supplies

Move City Council approve Agreement No. WH7-670-3783, Amendment No. 4, with Sprinkler World of Arizona, Inc.; Ewing Irrigation and Landscape Supply; Horizon Distribution, LLC; and Best Plumbing Specialties for the purchase of plumbing and irrigation supplies, for a period of one year, March 23, 2021, through March 22, 2022, in a combined total amount not to exceed \$250,000.

22. New License Series 12, Restaurant Liquor application for Blacksheep Wine, LLC, dba Blacksheep Wine & Merchant

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 135786, a Series 12, Restaurant Liquor License, for Lauren Kay Merrett, Agent, Blacksheep Wine, LLC, dba Blacksheep Wine & Merchant, located at 98 S. San Marcos Place, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300235 L12.

23. Purchase of Office Supplies from Staples Business Advantage

Move City Council approve the purchase of office supplies from Staples Business Advantage, utilizing the Sourcwell Contract No. 012320-SCC, for the period of April 1, 2021, through March 31, 2022, in an amount not to exceed \$133,000.

24. Project Agreement No. AZ0001.401 with Caliente Construction, Inc., for Neighborhood Resources Capital Renovations

Move City Council award Job Order Project Agreement No. AZ0001.401 to Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1910.401, for Neighborhood Resources Capital Renovations in an amount not to exceed \$128,037.08.

25. Agreement No. PD6-680-3619, Amendment No.5, with Universal Police Supply Company for Police Supplies

Move City Council approve Agreement No. PD6-680-3619, Amendment No. 5, with Universal Police Supply Company, for police supplies, in an amount not to exceed \$266,549.25, for the period of July 1, 2020, through June 30, 2021

26. Resolution No. 5453 Pertaining to the Submission of Projects for Consideration in Arizona's 2021 Highway Safety Plan

Move City Council pass and adopt Resolution No. 5453 pertaining to the submission of projects for consideration in Arizona's 2022 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.

27. Introduction of Ordinance No. 4964 Authorizing the Sale of a Parcel of City-Owned Land at the Southwest Corner of McQueen Road and Pecos Road

Move City Council introduce and tentatively adopt Ordinance No. 4964 authorizing the sale of a parcel of City-owned land at southwest corner of McQueen Road and Pecos Road to WNDG, LLC, an Arizona Limited Liability Company.

28. Purchase of Refuse and Recycling Containers and Parts from Otto Environmental Systems

Move City Council approve the purchase of refuse and recycling containers and parts, from Otto Environmental Systems, utilizing City of Mesa Contract No. 2018048, in an amount not to exceed \$325,000.

29. Professional Services Agreement No. WW1901.201, Amendment No. 2, with Wilson Engineers, LLC, for the Water Reclamation Facility Improvements  
Move City Council award Professional Services Agreement No. WW1901.201, Amendment No. 2, to Wilson Engineers, LLC, for additional design services, for the Water Reclamation Facility Improvements, in the amount of \$222,570, for a revised contract amount not to exceed \$4,122,380.
30. Resolution No. 5448, Approving an Intergovernmental Agreement with the Flood Control District of Maricopa County for the City of Chandler Stormwater Management Master Plan Study  
Move City Council pass and adopt Resolution No. 5448, approving an Intergovernmental Agreement with the Flood Control District of Maricopa County for the City of Chandler Stormwater Management Master Plan Study and Authorizing the Mayor to execute the agreement.
31. Project Agreement No. WW2014.402, with FPS Civil, LLC, for the Sewer Manhole Rehabilitation  
Move City Council award Project Agreement No. WW2014.402, to FPS Civil, LLC, pursuant to Job Order Contract No. JOC1902.401, for the Sewer Manhole Rehabilitation, in an amount not to exceed \$1,046,278.53.
32. Professional Services Agreement No. WW2014.452, with Dibble CM, LLC, for the Sewer Manhole Rehabilitation Construction Management Services  
Move City Council award Professional Services Agreement No. WW2014.452, to Dibble CM, LLC, for the Sewer Manhole Rehabilitation Construction Management Services, in an amount not to exceed \$175,000.
33. Resolution No. 5451, Approving the Intergovernmental Agreement with the Flood Control District of Maricopa County for Detroit Basin Area Drainage Improvements  
Move City Council pass and adopt Resolution No. 5451, approving the Intergovernmental Agreement with the Flood Control District of Maricopa County for the Detroit Basin Area Drainage Improvements, and Authorizing the Mayor to Execute the Agreement
34. Project Agreement No. ST2017.402, with DBA Construction, Inc., for the Quiet Zone Improvements, Phase 2  
Move City Council award Project Agreement No. ST2017.402 to DBA Construction, Inc., Pursuant to Job Order Contract No. JOC1916.401, for the Quiet Zone Improvements, Phase 2, in an amount not to exceed \$1,322,738.40.

#### PUBLIC HEARING

35. Annexation Public Hearing, Approximately 9.0 Acres located East of the Southeast Corner of Cooper and Chandler Heights Roads
  1. Open Public Hearing
  2. Staff Presentation
  3. Council Discussion
  4. Discussion from the Audience
  5. Close Public Hearing
36. Annexation Public Hearing, Approximately 5.11 Acres located at the Southeast Corner of Arizona Avenue and Appleby Road

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

ADJOURNMENT: The meeting adjourned at 6:28 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Approval Date of Minutes: April 8, 2021

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Chandler, Arizona, held on the 22nd day of March 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of April, 2021.

\_\_\_\_\_  
City Clerk



**CITY OF CHANDLER COUNCIL MEETING MINUTES**

**Regular Meeting**

Monday, March 22, 2021

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Monday, March 22, 2021.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:02 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
*Mark Stewart	Vice Mayor
René Lopez	Councilmember
OD Harris	Councilmember
Christine Ellis	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

\*Vice Mayor Stewart attended the meeting telephonically.

Also in attendance:	Joshua Wright	Acting City Manager
	Debra Stapleton	Assistant City Manager
	Kelly Schwab	City Attorney
	Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Sean Eddy, Chandler Bible Church.

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

CONSENT AGENDA – DISCUSSION

MAYOR HARTKE talked about Consent Agenda Item No. 2 and said a significant amount of money was set aside from the AZCares Act to assist small businesses and this program was renewed in January for a second round. Mayor Hartke said this item is to continue to help the businesses and thanked staff for their work on this item to get money back into the community.

COUNCILMEMBER LOPEZ said it was a great program to get dollars into the community and help the businesses.

CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER LOPEZ MOVED TO APPROVE THE CONSENT AGENDA OF THE MARCH 22, 2021, CITY COUNCIL MEETING; SECONDED BY COUNCILMEMBER ROE.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

1. February 2021 Council Minutes  
Move to approve the Council meeting minutes of the Study Session of February 22, 2021, the Special Meeting of February 25, 2021, and the Regular Meeting of February 25, 2021.
2. Resolution No. 5455 Authorizing the Allocation of AZCares Grant Funds in the Amount of \$250,000 to the Economic Development Division to Assist Chandler Businesses Impacted by COVID-19  
Move City Council pass and adopt Resolution No. 5455 authorizing the allocation of \$250,000 from Grant Fund, Non-Departmental Cost Center, AZCares Reserve Account, AZCares program (217.1290.5926.3AZ000), to the Grant Fund, Economic Development Cost Center, Professional Services Account, Business Hiring/Retention Program (217.1520.5219.3.3AZ002), to assist Chandler businesses impacted by COVID-19.

BACKGROUND FROM COUNCIL MEMO:

On July 16, 2020, City Council authorized the allocation of \$9,500,000 of AZCares funds to assist Chandler businesses impacted by COVID-19 through a new program called the "I Choose Chandler Business Hiring and Retention Program." Distribution of the funds was intended to provide a direct benefit to the citizens of Chandler by supporting Chandler businesses that are keeping workers on payroll as they adjust to revenue losses and business disruptions caused by COVID-19. Qualifying businesses could apply to receive relief funding based on employee retention, employee hiring, and use of independent contractors. Individual funding awards ranged from \$1,300 to \$10,000.

The "I Choose Chandler Business Hiring and Retention Program" launched on August 17, 2020. Between the launch date and the 2020 application period end date of November 2, 2020, 544 Chandler businesses were awarded a total of \$3,996,350 in funding. Following this, City Council authorized the relaunch of the program in 2021 to provide additional support to the business community. Between January 7, 2021, and February 25, 2021, 728 Chandler businesses were awarded a total of \$5,328,600 in funding.

To date, \$9,324,950 in program funds has been awarded to Chandler businesses and another \$171,390 will be paid to the Arizona Community Foundation for program administration services. More than 99 percent of the \$9,500,000 authorized for the program has been exhausted, with approximately \$3,660 remaining. The Economic Development Division requests an additional \$250,000 be allocated to the "I Choose Chandler Business Hiring and Retention Program." The funds would support 37 businesses that submitted a complete application prior to the February 25, 2021, application deadline, but could not be approved for funding due to lack of available funds. The program will terminate after the relief funding is distributed. Any unused funds will be returned to the General Fund.

FINANCIAL IMPLICATIONS:

AZCares Grant Funds of \$250,000 would be transferred from the Grant Fund, Non-Departmental Cost Center, AZCares Reserve Account, AZCares program (217.1290.5926.3AZ000), to the Grant Fund,

Economic Development Cost Center, Professional Services Account, Business Hiring/Retention Program (217.1520.5219.3.3AZ002), to assist businesses impacted by COVID-19.

3. Final Adoption of Ordinance No. 4958 PLH19-0063 Elux at McQueen Rezoning

Move City Council adopt Ordinance No. 4958 approving PLH19-0063, Elux at McQueen, Rezoning from AG-1 to PAD for multi-family residential located at the southeast corner of McQueen Road and the Loop 202 Santan Freeway, subject to the conditions as recommended by the Planning and Zoning Commission.

BACKGROUND FROM COUNCIL MEMO:

Approximately 12.87 net acres, Subject site zoned AG-1 and undeveloped, General Plan designates the site as Neighborhoods and within a Growth Area, Chandler Airpark Area Plan (CAAP) designates the site as High-Density Residential (HDR) 12.1-18 units per acre (du/ac) The project consists of 162 units totaling 12.59 du/ac, During the February 25, 2021, City Council meeting, three additional Preliminary Development Plan stipulations were added to further enhance the development (see attached Council action)

Ordinance introduced and tentatively adopted on February 25, 2021.

Surrounding Land Use Data:

North	Loop 202 Santan Freeway, then single-family residential	South	Single-family residential (6.7 du/ac)
East	Multi-family (17.94 du/ac)	West	McQueen Road, then vacant agricultural

General Plan and Area Plan Designations:

	Existing	Proposed
General Plan	Neighborhoods & Growth Area	No Change
Chandler Airpark Area Plan	High Density Residential (HDR) 12.1-18 du/ac	No Change

Proposed Development

Proposed Land Use	Multi-family dwelling units 162 Units 12.59 dwelling units per acre (du/ac)	
Building Design	Height	17' 6" single-story buildings 27' 6" two-story buildings; max 30 feet As measured to top of highest point of roof
	Roof Design and Material	Gable roofs and flat parapets Concrete roof tiles
	Façade Materials	Modern architectural style Stucco Tile cladding
	Building Accents	Four different sizes of tempered glazed windows Metal trim/fascia Tile cladding

		Canopy at front-door and rear patios
	Building Access	Direct ground-floor walk-up access to each unit
Site Design & Open Space	Detached and attached single-family-like rental units 108 1-story units 54 2-story units Private gated yards for each unit, 192-248 sq. ft. typ. Pool, ramadas, pickle ball court, indoor community gym, dog park, and 1-story club house 2.88 acres of shared open space Full signalized access along McQueen Road with secondary access from Senate Street to the east; the development will be gated	
Parking	300 parking spaces required 327 parking spaces provided including private garages, covered and uncovered spaces, and guest parking	

Review and Recommendation

Planning staff finds the proposal is consistent with the General Plan and more specifically consistent with the 1998 Chandler Airpark Area Plan (CAAP) designation of High-Density Residential. Densities up to 18 dwelling units per acre can be considered for properties adjacent to arterial streets, freeways, and/or employment corridors. The subject site abuts the Loop 202 Santan freeway and existing multi-family to the east. The proposed single unit detached and attached units offer a transition between low-medium density single-family residential to the south and the freeway to the north while aligning with the vision of the CAAP. Although the proposal is for multi-family residential, its design and function are similar to single-family residential. Staff finds the proposal to be consistent with the goals of the General Plan and the CAAP and recommends approval subject to conditions.

Economic Analysis

An economic and fiscal impact analysis was conducted based on project details provided by the applicant and staff assumptions. The analysis determined the project will generate a positive net fiscal impact for the City. Net income to the City resulting from the project is estimated at approximately \$843,336 over 10 years. This total includes revenues from property taxes, building permit and plan review fees, transaction privilege tax on construction, real property rental tax, state shared revenues, and local spending by residents.

Traffic Analysis

The applicant for the proposed development has worked with City staff regarding access to the site via McQueen Road. As surrounding properties developed to the east and south, traffic circulation was considered. Senate Street, a public street, was constructed during the development of the Horizon subdivision to the south, allowing full access to the southeast corner of the subject site. The applicant provided a Traffic Impact Analysis (TIA) to the City’s Transportation Engineer detailing traffic patterns of the proposed residential. The counts returning to the site via the recommended route (Senate Street) raised concerns about residents making unprotected u-turns at Germann Road or the entry to the Horizon subdivision to access what was previously planned to be a right-in/right-out only access on McQueen Road. The solution for this development and the larger area, including future office uses west of McQueen Road, is signaling Armstrong Way at McQueen Road. As such, a traffic signal allowing full movement on McQueen Road is proposed and supported by staff in order to reduce traffic

on Senate Street and to facilitate traffic circulation for future industrial properties on the west side of McQueen Road. The TIA has been reviewed and accepted by the City's Transportation Engineer.

The proposal exceeds the parking requirements of the City Zoning Code by providing twenty-seven additional spaces. Further, the site layout does not include any tandem parking spaces. Tandem parking spaces may cause a heavier demand to be placed on guest parking spaces by the residents. Avoiding the use of tandem parking spaces further ensures that the number of provided spaces will adequately accommodate the proposed units.

#### Public / Neighborhood Notification

This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code. To comply with CDC social distancing guidelines, the applicant hosted a digital neighborhood meeting via Zoom on September 30, 2020. Five (5) households attended the virtual meeting and had general questions about the proposal and buffer between the multi-family and the existing subdivision to the south. No opposition was expressed. Planning staff has received one phone call from a Horizon resident, whose home fronts Senate Street, with traffic concerns from the proposed development. Staff stated Senate Street was built for access to the subject site and a majority of proposed traffic from the new development will use the McQueen Road entry. As of writing this memo, Planning staff has not received any opposition regarding the request.

#### Airport Commission Conflict Evaluation

Airport Commission meeting November 18, 2020.

Motion to find conflict with existing or planned airport operations.

In Favor: 5 Opposed: 0 Absent: 2 (Siegel, Kruse)

The Airport Commission reviewed the request in accordance with the Airport Conflicts Evaluation Process. The Airport Planning Administrator 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 operations. A copy of the Airport Planning Administrator's report detailing the Airport Commission's findings is attached to this memo. The Airport Commission's recommended mitigation measures to address the operational conflict are included as stipulations of the rezoning.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting January 6, 2020.

Motion to Approve.

In Favor: 6 Opposed: 0 Absent: 1 (Heumann)

#### Recommended Conditions of Approval

##### Rezoning

Planning and Zoning Commission recommends the City Council approve rezoning from AG-1 to PAD multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Elux at McQueen" and kept on file in the City of Chandler Planning Division, in File No. PLH19-0063, 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 multi-family apartment manager shall display, in a conspicuous place within the rental office, a map illustrating the location of the development Elux at McQueen in the context of the Chandler

Airpark Area Plan. The map shall identify the Airport Impact Overlay District, the noise contours and over flight patterns as depicted in Exhibit 6A in the FAR Part 150 Noise Compatibility Study document as adopted by Chandler City Council (Resolution No. 2590, 11-5-98), and the noise contours as identified in the Chandler Airpark Area Plan. Such map or aerial photo shall be a minimum size of 24" x 36". Compliance with this condition shall be demonstrated by the property owner or multifamily apartment manager submitting to the Zoning Administrator of a signed affidavit and photograph that acknowledges such map is on display prior to beginning any rental activity.

3. Prior to execution of any lease, prospective apartment tenants shall be given written disclosure in their lease and in a separately signed disclosure statement acknowledging that this apartment community is located proximate to the Chandler Municipal Airport that includes a heliport, aircraft engine testing facility, and an aircraft storage facility, that an avigational easement exists on the property, the property lies within the Chandler Municipal Airport Impact Overlay District, and that the property is subject to aircraft noise and over flight activity. The requirement for such disclosure shall be confirmed in an avigation notice covenant that runs with the land and is recorded with the Maricopa County Recorder prior to issuance of the first building permit for this development.
4. The 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.
5. 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.
6. 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 frequent over flight activity, and is encumbered by an avigational easement to the City of Chandler."
7. All leases at Elux at McQueen shall provide that all questions, concerns, or complaints any tenant may have about the Chandler Municipal Airport or the operation of aircraft landing at, taking off from, or operating at or on Chandler Municipal Airport shall be directed solely to the manager of Elux at McQueen development and not to the Chandler Municipal Airport, the City of Chandler, the FAA, any aircraft owner, or any pilot. All leases shall also provide that it shall be within the sole and absolute discretion of the manager of Elux at McQueen (and not the tenant) to determine (after the manager's due consideration of all airport related acknowledgments and disclosures that are required by the Zoning Stipulations and consideration of all information known to Elux at McQueen's Manager) whether or not, when, and how to communicate any tenants question, concern, or complain to the manager of the Chandler Municipal Airport.
8. All apartment 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.
9. In the event the multi-family residential is platted to allow unit ownership, prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/developer shall provide a written disclosure statement, for the signature of each buyer, 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 and other externalities. This document signed by the homebuyer shall be recorded with Maricopa County Recorder's Office upon sale of the property. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot/unit property

deeds shall include a disclosure statement outlining that the site is adjacent to or nearby an existing municipal airport, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. This responsibility for notice rests with the subdivider/homebuilder/developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

10. Multi-family dwelling units shall be permitted up to a maximum density of 12.6 dwelling units per acre.
11. The developer shall be responsible for the design and installation of a traffic signal at the intersection of McQueen Road and Armstrong Way during the initial phase of construction.
12. 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.
13. 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.
14. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
15. Minimum setbacks shall be as provided below and further detailed in the development booklet:

Property Line Location	Minimum Building Setback
McQueen Road	50'
North Property Line	10'
East Property Line	10'
South Property Line	35'

#### INFORMATIONAL

1. Study Session and Regular Meeting Minutes of January 20, 2021, Planning and Zoning Commission Meeting
2. Study Session and Regular Meeting Minutes of February 17, 2021, Planning and Zoning Commission Meeting

ADJOURNMENT: The meeting was adjourned at 6:07 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Approval Date of Minutes: April 8, 2021

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 22nd day of March, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of April, 2021.

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City Clerk



**CITY OF CHANDLER COUNCIL MEETING MINUTES**

**Regular Meeting**

Thursday, March 25, 2021

MINUTES OF THE REGULAR MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held in the City of Chandler Council Chambers, 88 E. Chicago St., Chandler, Arizona, on Thursday, March 25, 2021.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 6:02 P.M.

The following members answered roll call:

Kevin Hartke	Mayor
Mark Stewart	Vice Mayor
OD Harris	Councilmember
René Lopez	Councilmember
Terry Roe	Councilmember
Christine Ellis	Councilmember
Matt Orlando	Councilmember

Also in attendance:

Joshua Wright	Acting City Manager
Debra Stapleton	Assistant City Manager
Kelly Schwab	City Attorney
Dana DeLong	City Clerk

INVOCATION: The invocation was given by Pastor Victor Hardy, Congregational Church of the Valley.

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

CONSENT AGENDA – MOTION AND VOTE

COUNCILMEMBER ORLANDO MOVED TO APPROVE THE CONSENT AGENDA OF THE MARCH 25, 2021, CITY COUNCIL MEETING; SECONDED BY VICE MAYOR STEWART.

MOTION TO APPROVE THE CONSENT AGENDA CARRIED UNANIMOUSLY (7-0).

CONSENT AGENDA ITEMS

1. Professional Services Agreement No. PR2108.201 with J2 Engineering and Environmental Design for Pima Park Sidewalk Improvements

Move City Council award Professional Services Agreement No. PR2108.201 to J2 Engineering and Environmental Design, for Pima Park Sidewalk Improvements Design Services, in an amount not to exceed \$39,308.00.

**BACKGROUND FROM COUNCIL MEMO:**

Pima Park is a 31.75-acre Community Park located at 625 North McQueen Road, within the square mile bordered by Ray Road, Cooper Road, Chandler Boulevard, and McQueen Road. Pima Park was initially developed in 1980 and later expanded in 1999. The park offers numerous recreational opportunities including youth ball fields, playground, restroom, lighted walking paths, group ramadas and a parking lot. As part of the 1999 expansion, approximately 5,310 linear feet of 6-foot wide asphalt walking paths were installed throughout the park. The existing asphalt walking paths have deteriorated due to use, time and the quality of the asphalt material used. Despite the repairs that have been made, cracks continue to re-appear as the paths have outlasted their expected lifespan. As a part of the City's Americans with Disabilities Act Transition Plan, the walking paths at Pima Park were audited. The audit noted several ADA deficiencies related to the asphalt walkways' slope and surface condition.

The project scope of work for this contract consists of preparation of a survey, construction documents for demolition, grading, horizontal control, and hardscape improvements, special provisions, and opinion of probable cost to replace the asphalt walking paths with a concrete sidewalk and ensure that the improvements comply with ADA accessible standards. The contract completion time is 120 calendar days following Notice to Proceed.

**Evaluation:**

The City's selection process was conducted in accordance with City policy and procedure and State law. This project is being performed under the On-Call Consultant Pre-Qualified List for Design Services. Staff recommends approval of this agreement with J2 Engineering and Environmental Design based on qualifications, relevant firm experience, team experience, project understanding, and project approach.

**Fiscal Impact**

Account No.	Fund Name	Program Name
401.4580.6210.6PR530	General Government Capital	Existing Comm Park Imp / Repairs
Dollar Amount	CIP	Funded Y/N
\$39,308		Y

2. Purchase of Playground Products and Services from Dave Bang Associates, Inc.; Exerplay, Inc.; FlexGround, LLC; Miracle Playground Sales, Inc.; Play it Safe Playgrounds & Park Equipment, Inc.; and Shade 'N Net of Arizona, Inc.

Move that City Council approve the purchase of playground products and services, utilizing 1 Government Procurement Alliance (1GPA) Contracts 18-04P-02, 18-04P-03, 18-04P-04, 18-04P-06, 18-04P-07 and 18-04P-09, listed respectively, with Dave Bang Associates, Inc.; Exerplay, Inc.; FlexGround, LLC; Miracle Playground Sales, Inc.; Play it Safe Playgrounds & Park Equipment, Inc.; and Shade 'N Net of Arizona, Inc.; in a combined amount not to exceed \$700,000.

**BACKGROUND FROM COUNCIL MEMO:**

The City frequently uses outside vendors for repairs and maintenance of playgrounds, ramadas, and park amenities. These contracts will provide the City with six (6) contractors for repairs and replacement of ramadas, park amenities, shade structures, playground surfacing, and playgrounds within Chandler's parks. Sunset Park, Tumbleweed Park, Fox Crossing Park, and Pima Park have all been identified for ramada, playground equipment or amenities replacement for Fiscal Year (FY) 2020-21.

**Evaluation:**

The Pinal County Education Service Agency, as a lead agency for 1GPA, competitively solicited and awarded a contract to Dave Bang Associates, Inc.; Exerplay, Inc.; FlexGround, LLC; Miracle Playground Sales, Inc.; Play it Safe Playgrounds & Park Equipment, Inc.; and Shade 'N Net of Arizona, Inc.; for playground products and services. The City has a current intergovernmental Agreement with 1GPA allowing for cooperative use of its contracts.

Staff recommends use of this contract based on price, quality, service and warranty provided. This contract provides a wide range of products and services at competitive pricing. The contracts are valid through November 15, 2022.

Fiscal Impact

Account No.	Fund Name	Program Name	Dollar Amount	CIP Funded Y/N
420.4580.6611.6PR044	Park Bonds	Tumbleweed Regional Park Dev	\$200,000	Y
420.4580.6210.6PR530	Park Bonds	Existing Community Park Improv	\$300,000	Y
420.4580.6210.6PR049	Park Bonds	Existing Neighborhood Park Improv	\$200,000	Y

- Resolution No. 5449 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

Move City Council adopt Resolution No. 5449 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.

BACKGROUND FROM COUNCIL MEMO:

On November 17, 2005, City Council adopted Resolution No. 3905, creating the Downtown Chandler Enhanced Municipal Services District with the mission to provide marketing, promotion, security, enhanced beautification, and district management within the Downtown. The City subsequently executed a master contract with the Downtown Chandler Community Partnership (DCCP) to perform such services for a period of 10 years and has renewed the agreement every year thereafter. Fiscal Year 2021-22 represents the 16th operating year of the District.

As part of the annual assessment procedures each year, the Assessment Diagram and Assessment Roll need to be updated due to changes in ownership, plats, and land uses. Additionally, a public hearing must be held, along with the opportunity for District property owners to file objections.

Discussion:

The following documents are submitted with this memorandum: (i) Resolution No. 5449; (ii) Notice of Hearing on Assessments; (iii) Boundary Map; (iv) Statement and Estimate of Expenses for the District; (v) Modified Assessment Diagram; and (vi) the District Assessment Roll proposed for Fiscal Year 2021-22.

The purpose of Resolution No. 5449 is to set the Public Hearing to notify property owners of the intent to modify the Assessments for property in the District, a required formal step. This Resolution also authorizes the City Council to make an estimate of the expenses for the District for 2021-2022, to set the date for the hearing on the Assessment, and to give the Public Notice of the hearing date.

As a result of Resolution No. 5449, the hearing for the setting of the Assessments will be held May 13, 2021, at 6:00 p.m., in the City Council Chambers. DCCP staff will appropriately notify all property owners within the District boundary, and the City will publish the notice of the hearing in a daily newspaper for five consecutive days, as required by state statute.

Assessments in the District will be based on three weighted factors, including assessed value, building square footage, and land square footage. 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. Additional resources are spent in this area due to increased pedestrian traffic. Downtown parking garages are exempt from the building square footage calculations, but are still assessed on the other two factors (assessed value and land square footage).

In May, staff will return with a Resolution to approve the Annual Assessment Roll, which will memorialize the amount assessed to each parcel and property owner. After City Council approval, the roll will be sent to the Maricopa County Assessor for inclusion on the fall property tax bills. In June, staff will present the Chandler Enhanced Municipal Services Agreement with the DCCP for Fiscal Year 2021-22, which will include an Operating Plan and District Budget.

4. Introduction to Ordinance No. 4961, Preliminary Development Plan and Preliminary Plat Approval, PLH20-0023/PLT20-0037 Pecos and McQueen Retail, located at the Southwest Corner of Pecos and McQueen roads Rezoning

Move City Council introduce and tentatively adopt Ordinance No. 4961 approving PLH20-0023 Pecos and McQueen Retail, located at the southwest corner of Pecos and McQueen roads, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Development Plan

Move City Council approve Preliminary Development Plan PLH20-0023 Pecos and McQueen Retail, located at the southwest corner of Pecos and McQueen roads, subject to the conditions as recommended by Planning and Zoning Commission.

Preliminary Plat

Move City Council approve Preliminary Plat PLT20-0037 Pecos and McQueen Retail, located at the southwest corner of Pecos and McQueen roads, subject to the condition recommended by Planning and Zoning Commission.

BACKGROUND FROM COUNCIL MEMO:

- The site is approximately 3.5 acres
- The applicant is currently working with the City to acquire an approximate 2,660 sq. ft. City of Chandler-owned parcel located at the immediate corner of the intersection (an ordinance authorizing the sale of this parcel also appears as a separate item on this agenda)
- Site is currently vacant

Surrounding Land Use Data:

North	Pecos Rd., then commercial	South	Single-family residential
East	McQueen Rd., then single-family residential and vacant commercial	West	Single-family residential

General Plan and Area Plan Designations:

	Existing	Proposed
General Plan	Neighborhoods	No Change
Chandler Airpark Area Plan	Neighborhood Commercial	No Change

Proposed Development

Site area	3.5 acres plus future acquisition of approximate 2,660 sq. ft. City parcel
Building Area	Pad A: 2,306 sq. ft. (restaurant) Pad B: 2,800 sq. ft. (restaurant) Pad C: 13,000 sq. ft. (daycare) Total : 18,106 sq. ft.
Building Height (max.)	22 ft.
Building Setbacks	Required: Arterial landscaped intersection 50 ft. by 250 ft Proposed: 35 ft. min. by 223 ft. along Pecos Rd. 23 ft. min. by 250 ft. along McQueen Rd. West: 20ft. Accessory structure 50 ft. Main building South: 50 ft.
Parking Required	101 parking spaces
Parking Provided	112 parking spaces
Building Architecture	Contemporary with stucco, brick veneer, metal railings, and steel
Comprehensive Sign Program	One development sign, two monument signs, wall-mounted signs

Review and Recommendation

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods and the Chandler Airpark Area Plan designation of Neighborhood Commercial. The General Plan land use designation allows Neighborhood Commercial uses within developments located at arterial intersections to serve commercial needs of low-density residential communities.

The site layout provides three pad sites, including two proposed restaurants and a daycare. Pad site A is proposed as a Starbucks drive-through. Pad site B is proposed as a future restaurant/drive-through and a daycare is proposed for Pad C. Building architecture is

contemporary. Building and site layout comply with the intent of the Commercial Design Standards.

Late-hour business policy defines any restaurant that opens its doors to the public one or more hours between midnight and 6 a.m., one or more days a week. Also, the policy is applicable when commercial development is within 300 ft. of existing residential zoning. The proposed Starbucks anticipates business hours from 4:30 a.m. to 10 p.m., daily. These hours and building distance of approximately 206 ft. to the west residentially-zoned parcels require approval of the proposed businesses hours from 4:30 a.m. to 6 a.m. Mitigation proposed includes an 8 ft. tall solid wall along the entire site perimeter and several landscaped areas.

The applicant requests relief from the Zoning Code requirement that initial construction include a

minimum of 12,000 sq. ft. of building area in Phase One. The request is to allow the flexibility to construct Pads B and C in future phases. Development Booklet Attachment A (see attached) identifies improvements that will be completed during phase one, which includes Pad A and all site improvements including landscaping, driveways, and parking except for Pad B building area on the south and Pad C and associated parking area to the north of Pad C. Pad sites B and C would be covered with decomposed granite until market conditions allow development.

The second request is to reduce the 50 ft. by 250 ft. landscape intersection along both Pecos and McQueen roads. The reduced landscaped intersection allows the two drive-through pad sites additional distance from existing residential and the proposed daycare. The applicant is currently working with the City's Real Estate division to purchase the City owned parcel of approximately 2,660 sq. ft. located at the immediate corner of the site.

Staff supports the requested waivers due to the infill nature of the site, site acreage and driveway location constraints. Staff finds the proposal to be consistent with the goals of the General Plan and recommends approval subject to conditions.

#### Traffic Analysis

A Traffic Impact Analysis was prepared to analyze existing conditions and traffic with the proposed development. Based on the analysis, traffic impacts of the proposed development could be mitigated by making adjustments to the existing traffic signal timing at the McQueen Road/Pecos Road intersection to maintain acceptable levels of service. Additionally, the Transportation Engineering Division will continue to work with the applicant to establish a circulation plan for the Day Care/Pre-K. This is being done in an effort to document pick-up/drop-off procedures and minimize potential implications to the adjacent public roadways that have occurred with similar land uses. Staff recommends a stipulation to address the future daycare's drop off/pick up circulation plan.

#### Public / Neighborhood Notification

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A virtual neighborhood meeting was held on July 21, 2020. Ten residents attended virtually to obtain project information. Questions and concerns voiced relate to traffic, construction timing, existing irrigation ditch, drive through locations, vehicle exhaust, land uses, and children's safety (daycare). No opposition to the request was stated.
- Planning staff received letters from residents in opposition to the proposed Starbucks stating they would rather support local businesses.

#### Planning and Zoning Commission Vote Report

Planning and Zoning Commission meeting March 3, 2021.

Motion to Approve.

In Favor: 5 Opposed: 1 (Pekau) Absent: 1 (Kimble)

At the January 20, 2021, Planning and Zoning Commission meeting, the case was continued to conduct a Design Review Committee (DRC). On February 3, 2021, the DRC provided the applicant suggestions on revising the site plan which include shifting Pad sites A and B further away from the proposed daycare. The applicant requested further continuance to the March 3, 2021, Planning and Zoning Commission meeting to allow additional time to address the DRC's guidance. At the March 3

meeting, the Planning and Zoning Commission modified Preliminary Development Plan stipulation number 9 by adding "e", effectively requiring all offsite and onsite improvements during phase one

except for building pads B and C. The drive-through lane for Pad B is included as an exception to the required phase one improvements.

### Recommended Conditions of Approval

#### Rezoning

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Late hour businesses shall not be open to the public from 10 p.m. to 4:30 a.m., seven days a week.

#### Preliminary Development Plan

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, 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 in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
6. Solid walls no less than 48 inches in height shall be constructed to screen all drive-through lanes.
7. Prior to issuance of a building permit, a circulation plan shall be approved by the City's Traffic Engineering Division for a daycare/Pre-K business.
8. No more than two drive-through pad sites shall be permitted.
9. Phase 1 on-site improvements shall at a minimum include the following:
  - a. Construction of Pad A building, associated parking and landscaping
  - b. All perimeter landscaping
  - c. Driveways to Pads A and B and landscaping along said driveways
  - d. Parking areas for Pad B and landscaping within said parking areas
  - e. Landscape and parking north and east of Pad C.
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. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

#### Preliminary Plat

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

5. Use Permit, PLH21-0004, Move Human Performance Center  
Move City Council approve Use Permit, PLH21-0004, Move Human Performance Center, located approximately one-quarter mile east of the southeast corner of Arizona Avenue and Elliot Road subject to the conditions recommended by Planning and Zoning Commission.
6. Entertainment Use Permit (EUP), PLH20-0042 Rock Lobster Dining Room Expansion  
Use Permit or EUP  
Move City Council approve Entertainment Use Permit, PLH20-0042, Rock Lobster Dining Room Expansion, located on the southwest corner of Queen Creek and Dobson roads, subject to the conditions recommended by Planning and Zoning Commission.
7. Agreement with Atkins North America, Inc., for Facility Space Assessment  
Move City Council award Agreement No. BF1-918-4271 to Atkins North America, Inc., dba Faithful+Gould, for a facility space assessment, in an amount not to exceed \$85,113.
8. Agreement No. FS0-060-4131, Amendment No.1, for OEM Auto Parts and Service  
Move City Council approve Agreement No. FS0-060-4131, Amendment No. 1, with Tex Chevrolet dba Earnhardt Chevrolet; Earnhardt Enterprises dba Earnhardt Toyota Scion; Earnhardt Gilbert Dodge, Inc., dba Earnhardt Chrysler Dodge Jeep Ram; Earnhardt Chandler Cadillac, Inc.; Earnhardt Ford Sales Company; and Courtesy Auto of Mesa dba Courtesy Dodge for OEM Auto Parts and Service, for a period of one year, April 1, 2021, through March 31, 2022, in a combined total amount not to exceed \$350,000.
9. Agreement No. AS8-405-3826, Amendment No.1, with Senergy Petroleum, LLC; Supreme Oil Co.; and Western Refining Southwest dba Flyers Energy, LLC, for Fuel  
Move City Council approve Agreement No. AS8-405-3826, Amendment No. 1, with Senergy Petroleum, LLC; Supreme Oil Co.; and Western Refining Southwest dba Flyers Energy, LLC; for the purchase of fuel, for a three-year period, April 1, 2021, through March 31, 2024, in a combined total amount not to exceed \$7,800,000 for the three-year term.
10. Agreement No. BF1-910-4275, with FiveOliver, LLC; Classic Roofing, LLC; National Waterproofing & Roofing, LLC; and Sprayfoam Southwest, Inc., dba Global Roofing Group; for Roofing Repairs and Maintenance  
Move that City Council approve Agreement No. BF1-910-4275, with FiveOliver, LLC; Classic Roofing, LLC; National Waterproofing & Roofing, LLC; and Sprayfoam Southwest, Inc., dba Global Roofing Group; for Roofing Repairs and Maintenance in a combined amount not to exceed \$860,000, for a one-year term, April 1, 2021, through March 31, 2022.
11. Competition Impracticable Purchase of Building Assessment Services from Faithful + Gould, Inc.  
Move City Council approve the competition impracticable purchase of building assessment services from Faithful + Gould, Inc., in the amount of \$64,405.
12. Resolution No. 5444 authorizing the submission of projects for consideration under the 2022 Governor's Office of Highway Safety Grant Program for the Child Safety Seat Clinic program  
Move City Council pass and adopt Resolution No. 5444, authorizing the submission of a Governor's Office of Highway Safety Grant, for the Child Safety Seat Clinic program, in the amount of \$49,114, and

authorizing the City Manager, or designee, to perform grant-specific negotiations and submit documentation on behalf of the City of Chandler.

13. Resolution No. 5445 adopting an agreement with Honor Health to train Chandler Fire Department paramedic students during their required clinical rotations  
Move City Council pass and adopt Resolution No. 5445, authorizing the City of Chandler to enter into an agreement with Honor Health to train Chandler Fire Department paramedic students during their required clinical rotations.
14. Resolution No. 5450 approving an agreement with Maricopa Medical for the provision of ambulance services  
Move City Council pass and adopt Resolution No. 5450, approving an agreement between the City of Chandler and Maricopa Medical for the provision of ambulance services.  
Council Focus Area(s):
15. Agreement No. FD9-345-4024, Amendment No. 2, for Fire Emergency Medical Supplies  
Move City Council approve Agreement No. FD9-345-4024, Amendment No. 2, with Bound Tree Medical, LLC, for fire emergency medical supplies, in an amount not to exceed \$150,000, for the period of April 1, 2021, through March 31, 2022.
16. Resolution No. 5446 adopting an agreement with Dignity Health to train Chandler Fire Department paramedic students during their required clinical rotations  
Move City Council pass and adopt Resolution No. 5446, authorizing the City of Chandler to enter into an agreement with Dignity Health to train Chandler Fire Department paramedic students during their required clinical rotations.
17. Resolution No. 5447 adopting an agreement with Banner Health to train Chandler Fire Department paramedic students during their required clinical rotations  
Move City Council pass and adopt Resolution No. 5447, authorizing the City of Chandler to enter into agreement with Banner Health to train Chandler Fire Department paramedic students during their required clinical rotations.
18. Agreement No. HR9-962-4000, Amendment No. 2, with Devau for Temporary Staffing Services  
Move City Council approve Agreement No. HR9-962-4000, Amendment No. 2, with Devau Human Resources, for temporary staffing services, in an amount not to exceed \$1,097,000, for a one-year period, April 1, 2021, through March 31, 2022.
19. Purchase of Servers and Storage from vCore Technology Partners  
Move City Council approve the purchase of servers and storage from vCore Technology Partners utilizing Omnia Partners Contract No. R191902 in the amount of \$320,000.
20. Agreement No. IT1-910-4232, Amendment No. 1, with WorkGroup Connections, Inc., for Office 365 Implementation and Migration Design Plan  
Move City Council approve Agreement No. IT1-910-4232, Amendment No. 1, with WorkGroup Connections, Inc., for Office 365 Implementation and Migration Design Plan, in the amount of \$140,000, for additional email data migration services.

21. Agreement No. WH7-670-3783, Amendment No. 4, for Plumbing and Irrigation Supplies  
Move City Council approve Agreement No. WH7-670-3783, Amendment No. 4, with Sprinkler World of Arizona, Inc.; Ewing Irrigation and Landscape Supply; Horizon Distribution, LLC; and Best Plumbing Specialties for the purchase of plumbing and irrigation supplies, for a period of one year, March 23, 2021, through March 22, 2022, in a combined total amount not to exceed \$250,000.
22. New License Series 12, Restaurant Liquor application for Blacksheep Wine, LLC, dba Blacksheep Wine & Merchant  
Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 135786, a Series 12, Restaurant Liquor License, for Lauren Kay Merrett, Agent, Blacksheep Wine, LLC, dba Blacksheep Wine & Merchant, located at 98 S. San Marcos Place, and approval of the City of Chandler, Series 12, Restaurant Liquor License No. 300235 L12.
23. Purchase of Office Supplies from Staples Business Advantage  
Move City Council approve the purchase of office supplies from Staples Business Advantage, utilizing the Sourcewell Contract No. 012320-SCC, for the period of April 1, 2021, through March 31, 2022, in an amount not to exceed \$133,000.
24. Project Agreement No. AZ0001.401 with Caliente Construction, Inc., for Neighborhood Resources Capital Renovations  
Move City Council award Job Order Project Agreement No. AZ0001.401 to Caliente Construction, Inc., Pursuant to Job Order Master Agreement No. JOC1910.401, for Neighborhood Resources Capital Renovations in an amount not to exceed \$128,037.08.
25. Agreement No. PD6-680-3619, Amendment No.5, with Universal Police Supply Company for Police Supplies  
Move City Council approve Agreement No. PD6-680-3619, Amendment No. 5, with Universal Police Supply Company, for police supplies, in an amount not to exceed \$266,549.25, for the period of July 1, 2020, through June 30, 2021
26. Resolution No. 5453 Pertaining to the Submission of Projects for Consideration in Arizona's 2021 Highway Safety Plan  
Move City Council pass and adopt Resolution No. 5453 pertaining to the submission of projects for consideration in Arizona's 2022 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.
27. Introduction of Ordinance No. 4964 Authorizing the Sale of a Parcel of City-Owned Land at the Southwest Corner of McQueen Road and Pecos Road  
Move City Council introduce and tentatively adopt Ordinance No. 4964 authorizing the sale of a parcel of City-owned land at southwest corner of McQueen Road and Pecos Road to WNDG, LLC, an Arizona Limited Liability Company.
28. Purchase of Refuse and Recycling Containers and Parts from Otto Environmental Systems  
Move City Council approve the purchase of refuse and recycling containers and parts, from Otto

Environmental Systems,utilizing City of Mesa Contract No. 2018048, in an amount not to exceed \$325,000.

29. Professional Services Agreement No. WW1901.201, Amendment No. 2, with Wilson Engineers, LLC, for the Water Reclamation Facility Improvements  
Move City Council award Professional Services Agreement No. WW1901.201, Amendment No. 2, to Wilson Engineers, LLC, for additional design services, for the Water Reclamation Facility Improvements, in the amount of \$222,570, for a revised contract amount not to exceed \$4,122,380.
30. Resolution No. 5448, Approving an Intergovernmental Agreement with the Flood Control District of Maricopa County for the City of Chandler Stormwater Management Master Plan Study  
Move City Council pass and adopt Resolution No. 5448, approving an Intergovernmental Agreement with the Flood Control District of Maricopa County for the City of Chandler Stormwater Management Master Plan Study and Authorizing the Mayor to execute the agreement.
31. Project Agreement No. WW2014.402, with FPS Civil, LLC, for the Sewer Manhole Rehabilitation  
Move City Council award Project Agreement No. WW2014.402, to FPS Civil, LLC, pursuant to Job Order Contract No. JOC1902.401, for the Sewer Manhole Rehabilitation, in an amount not to exceed \$1,046,278.53.
32. Professional Services Agreement No. WW2014.452, with Dibble CM, LLC, for the Sewer Manhole Rehabilitation Construction Management Services  
Move City Council award Professional Services Agreement No. WW2014.452, to Dibble CM, LLC, for the Sewer Manhole Rehabilitation Construction Management Services, in an amount not to exceed \$175,000.
33. Resolution No. 5451, Approving the Intergovernmental Agreement with the Flood Control District of Maricopa County for Detroit Basin Area Drainage Improvements  
Move City Council pass and adopt Resolution No. 5451, approving the Intergovernmental Agreement with the Flood Control District of Maricopa County for the Detroit Basin Area Drainage Improvements, and Authorizing the Mayor to Execute the Agreement
34. Project Agreement No. ST2017.402, with DBA Construction, Inc., for the Quiet Zone Improvements, Phase 2  
Move City Council award Project Agreement No. ST2017.402 to DBA Construction, Inc., Pursuant to Job Order Contract No. JOC1916.401, for the Quiet Zone Improvements, Phase 2, in an amount not to exceed \$1,322,738.40.

PUBLIC HEARINGS:

35. Annexation Public Hearing, Approximately 9.0 Acres located East of the Southeast Corner of Cooper and Chandler Heights Roads

1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

2. Staff Presentation

MR. CERECERES introduced the item. Mr. Cereceres said the property is located east of the southeast corner of Chandler Heights and Cooper roads. He said the site is approximately nine acres, currently zoned Rural 43, and contains a single family home which will be removed. The site is bordered by county land and zoned Rural 43 to the west, east and south, with existing single-family lots, zoned Planned Area Development to the north and southeast of the proposed site. The General Plan designates this site as Neighborhood and more specifically the Southeast Chandler Area Plan designates the land use of rural/Agrarian. City services are available from Chandler Heights Road. The applicant has submitted a rezoning and preliminary development plan for a 22 single-family lot subdivision, which is currently being reviewed by staff and will appear on an upcoming agenda. Upon annexation, initial City zoning will be AG-1 (Agricultural District). The site was posted for public hearing and staff has not received any inquiries.

### 3. Council Discussion

COUNCILMEMBER ORLANDO asked what the time frame is for the home project coming forward.

MR. CERECERES responded that there is no set date yet.

### 4. Discussion from the Audience

MAYOR HARTKE asked if there was any public comment. There was none.

### 5. Close Public Hearing

MAYOR HARTKE closed the public hearing.

## 36. Annexation Public Hearing, Approximately 5.11 Acres located at the Southeast Corner of Arizona Avenue and Appleby Road

### 1. Open Public Hearing

MAYOR HARTKE opened the Public Hearing.

### 2. Staff Presentation

MR. MEHLHORN introduced the item. He said the property is located at the southeast corner of Arizona Avenue and Appleby Road. He said the parcel is approximately 5.11 acres and currently zoned Rural 43 within Maricopa County. A single-family home currently exists on the site to be demolished upon redevelopment. The abutting land uses are as follows; Appleby Road to the north, a vacant lot owned by an existing church and a single-family sub-development currently under construction; to the east is the Union Pacific Railroad track and further east is a large unincorporated lot currently being utilized as a commercial nursery; to the south is a single-family subdivision zoned PAD for single family and to the west is Arizona Avenue and Hamilton High School. This request was noted and three signs were posted on site. Staff has not received any comments in regards to this annexation. Utilities are available off of Arizona Avenue. A rezoning and preliminary development plan request for a multi-family development has also been submitted for the site and is currently being reviewed by staff. This will be appear on a forthcoming Council agenda, with the date to be determined. The initial City zoning upon annexation will be Agricultural.

### 3. Council Discussion

COUNCILMEMBER ORLANDO asked if this has gone through the public hearing process and if it is a multi-family project.

MR. MEHLHORN responded that it has not, and that it is potentially a multi-family project.

VICE MAYOR STEWART stated this is being presented as an annexation for multi-family housing. He asked if staff knows what type of density the housing would look like.

MR. MEHLHORN responded that given it has not gone through any public process yet, it is subject to change. As of the most recent plan 78 units are being proposed on 5.1 acres, which is medium density.

### 4. Discussion from the Audience

MAYOR HARTKE asked if there was any public comment. There was none.

### 5. Close Public Hearing

MAYOR HARTKE closed the public hearing.

### UNSCHEDULED PUBLIC APPEARANCES

MAYOR HARTKE asked Kelly Schwab, City Attorney, if there was on-going litigation related to Mr. Wessell's subject regarding the Chandler Municipal Airport.

MS. SCHWAB responded that there is on-going litigation as well as a complaint with the FAA that is being processed.

MARVIN WESSELL JR., 100 S. Stellar Parkway, Chandler, AZ 85226. Said he is a stakeholder in the Chandler Municipal Airport. He stated he's already made aware that it is the City's obligation to file the FAA registrants packet. He has worked with City Management for several years to improve the City's compliance. He said that the City's resistance to comply left him with no choice but to file an informal complaint with the FAA. The formal signed response to the FAA from the City contained untruthful statements. He thought the person who submitted these statements, the FAA knows some of those statements are false, committed perjury. At this time he did not know if he was dealing with a dishonest person from the City or a dishonest City. As a long-term resident of Chandler, he hoped that he would find that it is only a few bad apples. He said he discovered at a personal level, the fire protection services provided at the Chandler Airport are disgraceful, less than standard, especially since that is consistently ranked top 20 busiest general aviation airports in the country. He said he has attempted to let City management be aware of this for several years, and hopefully he was getting his point across to someone who can implement positive changes. Mr. Wessell said that the FAA grant also requires the City to undertake reasonable consultation with affected parties using the airport at which projects are proposed. The web revitalization project completed last year was done so without consultation. The end product are aircraft tie downs that are ineffective and degraded the value of the usefulness of the ramp. The current Airport Master Plan Planning Advisory Committee excluded several hundred users at the airport such as private hangar owners, City hangars and City tie down tenants. Why this has excluded a majority of the airport users from actively participating is unknown to the users. The only opportunity for airport users to participate

in the Airport Master Plan is to leave comment cards or leave comments on the website after watching the fully prepared YouTube presentation. Approximately six airport users label it as an impromptu meeting on a Friday morning. That one hour meeting was nothing more than an argument about fire protection or the lack there of. The current Airport Master Plan is a \$100 million plan that can only be described by the users as ridiculous. Suggesting to move the airport terminal 50 yards for the cost of \$8 million, and zero dollars for any upgrade to improve fire access or add a fire station are examples of the obscurity of the plan. He said if the current plan is voted upon favorably by the City, he would do my best to see that it will be ligated by the FAA due to failure to comply with the FAA regulations. This will give the airport the opportunity to be active participants in the Airport Master Plan.

VICTOR HARDY, 2220 E. Spruce Drive, Chandler, AZ 85286, thanked the Council for the honor to speak briefly regarding For Our City Chandler, a group of non-profits, faith based, social service groups, business volunteer and the City of Chandler. He said that For Our City Chandler focuses on three things; collaboration, compassion and community. As the executive director of For Our City he would like to give the Council an update of the activities from 2020 and plans for 2021. He said 2020 was a productive year for their groups as for many of the projects were smaller and focused more on helping non-profits with resources to serve Chandler residents. They had a few notable successes. One was helping to allocate \$90,000 to Chandler non-profits going above and beyond during the pandemic and another was putting on a drive through Operation Back to School event. The event was located at four schools in Chandler and included distribution of 3,309 socks, 2,315 masks, 3,000 backpacks, 1,200 uniforms, 2,000 community bags and 691 shoes. He said 180 volunteers helped with 627 volunteer hours, which makes a total relative value of \$17,000. The total added back to the to the community was \$149,153. This can only happen with over 40 community partners. He said they also work with Title 1 school counselors and Fans Across America for more socks, shoes and underwear. In 2021, they are excited to share the For Our City Chandler Board, it has officially been created and has begun meeting. They will soon be kicking off their 2021 Operation Back to School event campaign and planning committee. Hs said they have also distributed a resource guide for residents. In the book people will find resources for fifteen partners that include childcare resources, domestic violence shelters, dental services, employment and education, food assistance, legal assistance, medical assistance, special needs programs, transportation, emergency housing, emergency home repair and other services.

## CURRENT EVENTS

### 1. Mayor's Announcements

MAYOR HARTKE shared Governor Ducey's new Executive Order regarding the wearing of face coverings amongst a number of other guidelines. He said that the City is looking at how this will be implemented. Mayor Hartke expressed that he is extremely grateful for the actions of our Chandler businesses and residents have done to reduce the spread of COVID-19 over this past year and we continue to see positive signs as the end of the pandemic is near, with people being able to be vaccinated and the number of cases decline in our community. He stated as of today we will comply with the Governor's guidelines and will be encouraging best practices including social distancing, vaccinations, wearing face coverings when you do not have the opportunity to social distance as well as hand washing as this moves across the state from a mandate to encouragement. He stated businesses are able to establish their own measure, as well as non-profits and other enterprises can set and enforce their own policies. Mayor Hartke stated it's going to be confusing and shared that a number of emails have been received asking for clarification. He mentioned that there is mixed messaging and asks everyone to respect their neighbors and the policies that are set by different establishments, until further clarification is defined as we work together in this community and across this state.

MAYOR HARTKE announced earlier this week he had the pleasure of attending Intel's announcement of its \$20 billion expansion at their Ocotillo campus in south Chandler. This is the largest private investment of any kind in Arizona history. The construction of the two new fabrication facilities is slated to start later this year. More than 21,000 direct, indirect and construction jobs will be supported by this project. This is an incredible investment in our community, and a great example to the innovative and world changing technology that is created right here in Chandler. Mayor Hartke thanked Acting City Manager, Josh Wright, Economic Development Director, Micah Miranda, and Public Works and Utilities Director, John Knudson for working swiftly with Intel to make this possible. He also thanked Intel on their continued partnership with the City of Chandler.

## 2. Council's Announcements

COUNCILMEMBER HARRIS shared that he kicked off Women's History Month by hosting a roundtable with women from all over the community to discuss their needs and concerns. He thanked Mayor Hartke for proclaiming March 8<sup>th</sup> as International Women's Day in Chandler. He also thanked the women who participated. Councilmember Harris said he looks forward to continuing discussions throughout the rest of this year with other groups in the community.

COUNCILMEMBER HARRIS shared this past weekend he was acknowledged by the Veterans, asking him to come to their post and speak. He shared his appreciation to Post 75 for their recognition and mentioned they were celebrating their 103 birthday in Chandler.

COUNCILMEMBER HARRIS shared this past weekend he was joined by hundreds of people from across the Valley for the "Stop Asian Hate" rally at City Hall. This peaceful and powerful demonstration shows our commitment to supporting the many cultures our diverse community is home to, and our intolerance toward discrimination against any of our neighbors. He thanked Mayor Hartke, former Councilmember Sam Huang, and all those who came out in support.

COUNCILMEMBER LOPEZ acknowledged Intel's announcement and recognized them for being a great partner and their involvement in the community.

COUNCILMEMBER LOPEZ shared that the Chandler Jazz Festival is scheduled for April 8–10, and it returns to Downtown Chandler just in time to celebrate Jazz Appreciation Month. To ensure the health and safety of jazz aficionados and Downtown visitors alike, this year's free festival will take place over three days at four open areas throughout Chandler's Historic Square. The complete entertainment schedule is available on line.

VICE MAYOR STEWART said now that the weather is starting to warm up, it is the perfect time to get outside and enjoy everything Chandler has to offer. He shared the Chandler's Annual Easter Celebration is coming up on April 3. Registration is still open through March 31 for the Chandler Family Bike Ride, which will take place April 10-18. Vice Mayor Hartke also mentioned the Downtown's weekly Farmer's Market continues each Saturday. Check out Visit Chandler's event calendar for all the fun ways to experience our community this spring. He also thanked Intel, GPEC, ACA and our staff for continuing to create opportunities for our community.

COUNCILMEMBER ROE mentioned that Council met earlier this month to review the progress made toward our Strategic Framework goals and to discuss how we could improve upon our Focus Areas. This working retreat

was very valuable for both the experienced Councilmembers and those new to this dais. There were a lot of big ideas and great suggestions made, and he looks forward to continuing those discussions so we can do our best in planning for the future. He also thanked Intel and the incredible City staff for all their efforts and professionalism.

COUNCILMEMBER ROE also acknowledged Victor and Cynthia Hardy for their presence and involvement in the community.

COUNCILMEMBER ELLIS shared that as part of the kick off for Women’s History Month, she had the pleasure of meeting Girl Scout Troop 3599. She stated they were interested in learning about democracy and she spent the whole time discussing it with them and answering their detailed questions.

COUNCILMEMBER ELLIS recognized the women working in the City and those women married to our Councilmembers. She recognized each Councilmembers’ wife and presented each Councilmember with a small gift to give to their wives.

COUNCILMEMBER ORLANDO mentioned Northrop Grumman announced this week they have been awarded a contract by the Missile Defense Agency for the Next Generation Inceptor program. This is a \$3.9 billion contract for the rapid development and flight test of an interceptor designed to defend the nation against the most complex long-ranged threats. He mentioned that he was in the industry, now unclassified, when we conducted the first intercept missile and it was his team, at that time Northrop Grumman was Space Data. Northrop Grumman has teamed up with Raytheon Missiles & Defense to deliver this solution on an accelerated schedule. Northrop Grumman in one of Chandler’s largest employers, and with this contract will be adding hundreds of job opportunities. Congrats to Northrop Grumman!

COUNCILMEMBER ORLANDO thanked City employees for their services, especially during the pandemic. He stated the announcement tonight is not a declaration of victory, just that we’re moving to the next stage. Councilmember Orlando mentioned to the Acting City Manager that the policies set forth to protect the employees runs parallel with what employees have mentioned to him.

### 3. City Manager’s Announcements

ACTING CITY MANGER WRIGHT had no announcements.

ADJOURNMENT: The meeting was adjourned at 6:39 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Approval Date of Minutes: April 8, 2021

### 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 March, 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_\_\_ day of April, 2021.

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City Clerk



**CHANDLER CITY COUNCIL**  
**Work Session Meeting Minutes**  
Thursday, March 25, 2021

MINUTES OF THE WORK SESSION MEETING OF THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, held on Thursday, March 25, 2021, in the Chandler City Council Conference Room, 88 E. Chicago Street, Chandler, Arizona.

THE MEETING WAS CALLED TO ORDER BY MAYOR KEVIN HARTKE AT 4:31 P.M.

The following members of the Council were present:

Kevin Hartke	Mayor
Mark Stewart	Vice Mayor
René Lopez	Councilmember
OD Harris	Councilmember
Christine Ellis	Councilmember
Terry Roe	Councilmember
Matt Orlando	Councilmember

City staff present: Josh Wright, Acting City Manager; Kelly Schwab, City Attorney; Dana DeLong, City Clerk; Debra Stapleton, Assistant City Manager; Matt Burdick, Communications and Public Affairs Director; Dawn Lang, Management Services Director; Matt Dunbar, Budget Manager; Ryan Peters, Governmental Relations & Policy Manager; Micah Miranda, Economic Development Director

**DISCUSSION**

1. Budget Workshop #2

JOSH WRIGHT, Acting City Manager, introduced the item and called for a staff presentation.

DAWN LANG, Management Services Director, presented the following presentation.

- FY2021-22 Budget theme
  - "Moving Forward Together"
  - Our vision
    - We are a world-class City that provides an exceptional quality of life
- 01 – Assessed Valuation and Property Tax Update
  - 02 – Public Safety Personnel Retirement System (PSPRS) Pay-Down Commitment
  - 03- FY2021-22 General Fund Operating Budget Update
  - 04- Proposed 5-Year One-time General Fund Balance Forecast
  - 05- Proposed 10-Year Capital Improvement Program ( CIP)

COUNCILMEMBER ORLANDO asked when Council would look at the \$30 million from the Federal Government.

MR. WRIGHT said that would be presented to Council at the next strategic planning meeting for direction on how Council would like to use those funds.

COUNCILMEMBER ORLANDO asked when the meeting would be.

MR. WRIGHT said mid-April.

a. Assessed Valuation and Property Tax Update

MATT DUNBAR, Budget Manager, continued the presentation.

- Assessed Valuation and Property Tax Update
- Property Valuation and Tax Rate History
  - Tax rate was increased during declining values, and decreased during periods of increasing values

VICE MAYOR STEWART asked if this included 2020.

MR. DUNBAR said this included the current year.

MS. LANG said this provides a historical look compared to the current year.

VICE MAYOR STEWART said in the last six months property values have increased and if this included that change.

MS. LANG said yes.

MR. DUNBAR continued the presentation.

- Property Tax Rate Comparison
  - FY2020-21 per \$100 of Assessed Valuation
- Breakdown of \$1 of Typical Chandler Property Tax Bill
  - Typical Tax Bill Cents from Every Dollar Taxed
    - City of Chandler 9.8 cents
    - Maricopa County and Special Districts 22.7 cents
    - Public Schools and Community College Districts 67.5 cents

MAYOR HARTKE asked when the information would be available regarding the community colleges and school districts about their totals.

MS. LANG said during the summer before the property tax bill comes out.

MAYOR HARTKE asked if that would be in the next fiscal year.

MS. LANG said yes.

MR. DUNBAR continued the presentation.

- Assessed Valuation Impacts with Rates Unchanged

COUNCILMEMBER ROE asked about seniors with certain income and if they could freeze their property taxes.

MR. DUNBAR said there are certain qualifications for reduced rates on property taxes by impacting their assessed values. Mr. Dunbar said this does not affect the City's rate.

MR. DUNBAR continued the presentation.

- Assessed Valuation Impacts with Reduced Primary Rates
  - Lowering the Primary Rate from .2501 to .2426 to eliminate tax increase from appreciation would result in a \$259,834 reduction in ongoing property tax levy.
- Impact of Increase to Median Value Homeowner
  - \$0.01 increase to Property Tax Rate brings \$346K additional levy to the City
  - Should primary tax rate remain flat or be reduced, lowering ongoing revenue and eliminating need for Truth-in-Taxation process?
  - Note: Last time Truth-in-Taxation process was required was FY 2009-10

COUNCILMEMBER ORLANDO asked if this included the primary and secondary rate.

MR. DUNBAR said yes.

COUNCILMEMBER ORLANDO confirmed they still have to do publications anyway about the tax rate.

MR. DUNBAR said yes, they have to post when they set the levy but there is an additional post when taxes go up.

COUNCILMEMBER ORLANDO said they have done those in the past.

MR. DUNBAR said yes, in fiscal year 2009 2010.

COUNCILMEMBER ORLANDO asked if they did two postings for an additional \$0.13 cents per month, they could hire additional public safety officers.

COUNCILMEMBER ELLIS asked if the median value of homeowners is \$272,000 and asked where.

MR. DUNBAR said they look at all the homes in Chandler and this is the middle so half the homes are under this amount and half the homes are over this amount. The full cash value is not truly reflective of market value.

COUNCILMEMBER ORLANDO said the assessed value is different than the sale value which would be a lot higher.

COUNCILMEMBER ELLIS said the market still impacts the assessed value.

MR. DUNBAR said yes, the property value has gone up and would impact their assessed value. Mr. Dunbar said the primary rate still applies and the decision is to determine if there should be a reduction to keep taxes the same or keep the tax rate the same and get additional funds.

COUNCILMEMBER ORLANDO said they could receive additional dollars without increasing the rate because of the assessed value.

COUNCILMEMBER LOPEZ said if you drop the rate you lose some funding.

MR. DUNBAR said there is growth in the City which also increases the properties that are taxed.

MAYOR HARTKE asked for negative impacts by keeping the rate flat.

MR. DUNBAR said if they keep the rate flat, the Truth-In-Taxation states that they are in effect causing a tax increase because the property valuation has gone up. Mr. Dunbar said that is why there would be an additional posting would be required.

MAYOR HARTKE said the choice is to give the appearance of raising taxes or lowering slightly and losing some funds. Mayor Hartke asked if there were other steps to be completed.

MS. LANG said there would be a press release, an additional posting, and only if the increase was 15% would there need to be a unanimous vote but since this would not be that it would just be a regular vote.

COUNCILMEMBER ORLANDO said the last time this was done was during the recession. Councilmember Orlando asked if it was left the same and if Council gave direction for it to be used for Public Safety.

MS. LANG said yes, that would be Council's decision.

MAYOR HARTKE said he would want to see all the other needs in the City before deciding.

VICE MAYOR STEWART said he would support the rate decrease as there has not been a meaningful increase in social security.

COUNCILMEMBER ORLANDO said those who qualify could reduce their property taxes as Councilmember Roe mentioned.

COUNCILMEMBER ROE said he would be in favor of a decrease.

COUNCILMEMBER HARRIS said he would be in favor of a decrease.

COUNCILMEMBER ELLIS said they would be using ongoing revenue that they could do something with and there are needs across the City.

COUNCILMEMBER ROE asked how much of the property taxes makes up the ongoing budget.

VICE MAYOR STEWART said Chandler's culture of being a low tax community and providing great service has created an environment that is generating more sales tax in the community.

COUNCILMEMBER ORLANDO said this could be applied for public safety and for \$0.13 cents a month there would be 2.5 more officers.

COUNCILMEMBER ELLIS said they would have to find money somehow because there is a need and that money would have to come from somewhere. Councilmember Ellis was in support of a lower rate.

MAYOR HARTKE said he was in support of lowering the rate. There were 6 in support of lower and 1 in support of remaining the same.

MS. LANG said the primary property tax revenue is 3.06% of the total ongoing money.

b. Public Safety Personnel Retirement System (PSPRS) Pay-Down Commitment.

MS. LANG continued the presentation.

- Public Safety Personnel Retirement System (PSPRS) Pay-Down Commitment
- PSPRS Actuarial Report Results 6/30/20
  - Unfunded Liability decreased \$9.4M from Prior Year's total of \$180.5M
    - Police \$114.4M
    - Fire \$56.7M
    - Total \$171.1M
  - Employer Contribution decreased \$340K from Prior Year's total of \$19.4 M
    - Police \$12.8M
    - Fire \$6.3M
    - Total \$19.1M
  - Normal portion of contribution 31%
  - Unfunded portion of contribution 69%

COUNCILMEMBER LOPEZ asked if this was just the City's portion.

MS. LANG said yes.

MS. LANG continued the presentation.

- PSPRS Net Unfunded Liability balances Update

COUNCILMEMBER ORLANDO asked if ASRS increased.

MS. LANG said yes, slightly.

COUNCILMEMBER ORLANDO asked if the act passed by Congress that impacted pensions and asked if this impacted the City at all.

MR. WRIGHT said that bucket was set up for a particular class of pensions for private employers, but was not for municipal pensions.

MS. LANG continued the presentation.

- PSPRS Employee/Employer Rates Comparison Fire
- PSPRS Employee/Employer Rates Comparison Police
- PSPRS One-Time Funding Forecast
  - Total One-time Funding in millions
  - \$5.5M of payment goes towards Employer Contribution
  - Chandler's Pension Commitment:
    - Make additional annual one-time payments to reduce PSPRS pension liability
    - Increase projection when possible to offset investment losses and lower payroll growth
      - Increased forecast by \$12M

COUNCILMEMBER LOPEZ said they did not make the target this year and asked if the target was reached last year.

MS. LANG said last year it was closer than this year and they had a very bad year this year. Ms. Lang said this year the rates are much better and are anticipating a significant offset. Ms. Lang said when they worked with the modeler they did not put in that target number and instead used more conservative numbers.

MS. LANG continued the presentation.

- FY 2021-22 PSPRS Unfunded Liability Pay-Down Benefits
  - Updated Actuarial Assumptions in new PSPRS Modeler
  - Started with 20 year amortization, and now have 16 years remaining
  - Continuing additional payments
    - Unfunded Liability pay-down is accelerated and fully funded within timeline Achieve annual Employer Contribution reductions of almost \$100M through 2036

VICE MAYOR STEWART asked if there were people on the Board that are genuinely interested in seeing this lowered.

MS. LANG said yes, there have been positive changes in PSPRS.

COUNCILMEMBER ORLANDO said there have been payments made of \$37 million and asked for clarification about what staff is proposing for this year.

MS. LANG said for 2020-21, the payment was \$20.5 million and of that \$5.5 million was employer contributions. Ms. Lang said they are proposing in the new fiscal year for a total payment of \$19.2 and \$5.5 million is for employer contributions.

COUNCILMEMBER ORLANDO asked if they modeled putting in more money.

MS. LANG said yes, they were able to see benefits at this amount that would reflect in the later years.

COUNCILMEMBER ORLANDO asked if staff was looking for direction to increase the payment using one-time dollars.

MS. LANG said it is an option that has been discussed. Ms. Lang said there are some additional dollars and it would be a positive thing to do.

COUNCILMEMBER ORLANDO said there had to be a balance between this and other projects like CIP.

MS. LANG said there are restrictions on certain funds and once they receive further clarification on some federal dollars the City is receiving then there may be a way to make up the one-time dollars being used.

COUNCILMEMBER ORLANDO asked how much of the AZCares dollars was left.

MS. LANG said about \$8 million.

MAYOR HARTKE said he was cautious about putting all of those funds towards this.

COUNCILMEMBER ORLANDO said he wanted to know all the options available.

MS. LANG said yes, it would be possible.

COUNCILMEMBER ROE said this needs to be paid and those in the future would appreciate what Council could do today. Councilmember Roe said they need to pay this off while they have the means.

VICE MAYOR STEWART said the one-time dollars paid now would free up \$1 million dollars in the future or potentially more that could support other areas.

MS. LANG said this forecast is based conservative numbers, but it is hard to say what will happen in the future.

MAYOR HARTKE said he is hearing some of the Council say they want to use one-time dollars to free up ongoing dollars in the future.

COUNCILMEMBER LOPEZ said this is not the only place that needs attention so there needs to be a balance between this and other areas.

MAYOR HARTKE asked when staff needs Council's recommendation.

MS. LANG said these are staff's recommendations and if there is a desire to add more than that direction could be given after more information comes from the State.

c. FY 2021-22 General Fund Operating Budget Update

MS. LANG continued the presentation.

- FY 2021-22 General Fund Operating Budget Update
- FY 2021-22 Ongoing Decision Package Recommendations (All Funds)
  - All Funds
    - \$7.3M in requests
    - \$5.5M recommended
    - \*\$5.1M net of revenue offsets
  - General Fund (GF)
    - \$6.1M in requests
    - \$3.8M recommended
    - \*\$3.4M net of revenue offsets
  - 9 FTE GF additions
    - \*4 Fire (3 ambulances and 1 rover Fire Fighters)
    - \*2 Police (SRO Police Officer and Mental Health Coordinator)
    - \*1 City Magistrate (Mental Health Court)
    - \*1 Neighborhood Resources (Homeless Navigator)
    - \*1 Devl Services (Fiber)

COUNCILMEMBER ORLANDO asked if the SRO position was partially funded.

MS. LANG said there is a grant offset.

COUNCILMEMBER ORLANDO asked if the Mental Health Coordinator was partially funded.

MS. LANG said that was fully funded.

COUNCILMEMBER ORLANDO asked about the City Magistrate funding.

MS. LANG said it was fully funded.

MAYOR HARTKE asked how many vacant positions there currently are.

MR. WRIGHT said there are 111 vacancies Citywide and there is discussion around some things to do to speed up the process and fill the vacancies.

MAYOR HARTKE asked how many were in the Police Department.

MR. WRIGHT said he did not have the information broken down by department, but would provide that information.

MR. DUNBAR continued the presentation.

- FY 2021-22 One-Time Decision Package Recommendations (All Funds)
  - All Funds
    - \$9.5M in requests
    - \$7.5M recommended
    - \*\$7M net of revenue offsets
  - General Fund
    - \$8.1M in requests
    - \$6.2M recommended
    - \*\$5.7M net of revenue offsets
  - Significant Enhancements
    - Court technology Projects
    - City-wide Technology Projects
    - Enhanced Street Maintenance
    - Police Investigative and Technology Equipment

VICE MAYOR STEWART asked if they right size departments and move personnel as needed.

MR. WRIGHT said yes, to a limited degree. Every time there is a vacant position there is analysis to verify the position is needed or if there is another need.

d. Proposed 5-Year One-time General Fund Balance Forecast

MS. LANG continued the presentation.

- Proposed 5-Year One-Time General Fund Balance Forecast
- 5-Year One-Time general Fund Balance Forecast Page 1
- 5-Year One-Time general Fund Balance Forecast Page 2

COUNCILMEMBER ROE asked about wage compression and if that has been considered.

MS. LANG said for the wage compression and market analysis, in one of the decision packages, there is a study that staff is hoping to complete in 2021-22. Ms. Lang said the changes recommended would be ongoing in nature and there would be a small amount set aside to address those recommendations.

COUNCILMEMBER ORLANDO asked for clarification on the total numbers and reserves.

MS. LANG explained the allocated balance and the reserves.

MS. LANG continued the presentation.

- 5-Year One-Time general Fund Balance Forecast Page 3
- General Fund Balance Reserves/Contingencies

- Total FY 2021-22 Estimated year End General Fund Balance \$137,684,594
  - Unassigned
    - \$39.2M
    - 15% General Fund Contingency (\$38.9M) and Council Contingency (\$325K)
  - Assigned
    - \$97.2M
    - Budget Stabilization Reserve (\$10M) Minimum Reserve Target
    - Represents 4 months of budgeted operating revenues \$86,433,000 (63%)
    - Capital and Econ Devel Reserves
    - Personnel Reserves
    - Public Safety Reserves
    - Fuel/Utility Reserves
    - Domestic Violence and Photo Red Light designations
  - Restricted
    - \$1.3M
    - Court Enhanced Funds (CEF)

MR. DUNBAR continued the presentation.

- Proposed 5-Year One-Time General Fund Balance Forecast
  - General Fund Balances by Fiscal Year End
- Proposed 5-Year Enterprise Fund Balance Projections
  - Water Rate Plan
    - FY 2021-22 +2%
    - FY 2023-24 +2.5%
    - FY 2025-26 +4.0%
    - Maintains 20% Operating Reserve
    - Focus on maintaining aging infrastructure: facilities, wells, water mains, and filters
    - Intel estimate incorporated
  - Wastewater Rate Plan
    - FY 2021-22 +8%
    - FY 2023-24 +8%
    - FY 2025-26 +6%
    - Maintains 20% Operating Reserve
    - Focus on maintaining aging infrastructure: facilities, wastewater mains
    - Intel estimate incorporated
  - Reclaimed Water Rate Plan
    - FY 2021-22 +8%
    - FY 2023-24 +7%
    - FY 2025-26 +7%
    - Maintains 20% Operating Reserve
    - Rates support operating only, water planning, and conservation
    - Advanced treatment planned in later years
  - Solid Waste Rate Plan
    - FY 2021-22 +6%
    - FY 2023-24 +5%

- FY 2025-26 +5%
- Maintains 15% Operating Reserve
- Addresses increased hauling contract and nationwide recycling impact
- Recycling Solid Waste Coll. Center (RSWCC) under review
- Cost of Study Service in process to ensure each customer class is paying based on usage characteristics

THE MEETING RECESSED AT 5:57 P.M.

THE MEETING RECONVENED AT 6:44 P.M., ALL PRESENT, COUNCILMEMBER HARRIS ATTENDED TELEPHONICALLY.

e. Proposed 10-Year Capital Improvement Program (CIP)

- Proposed 10-Year Capital Improvement Program (CIP)
- Capital Improvement Program (CIP) Guidelines
  - Maintain existing infrastructure
  - Finish planned construction of streets and parks
  - Limit new projects that add ongoing operations and maintenance
  - Address public needs
  - CIP guidelines support financially sustainable goal
- 10-Year CIP Overview
  - 2022-2031 CIP total is \$1,297,063,520 (132.8M more than the 2021-2030 CIP)
  - Bond sales are planned in FY 2021-22 to fund projects
  - 75% of increase is maintenance of existing infrastructure
  - Additional bond authorization needed to complete the 10-Year plan
- Summary of Proposed Key Capital Projects in the 1<sup>st</sup> 5 Years
  - Community/Regional Park Improvements
    - Regional Park Development
    - Winn Park Site
    - Library Facility Improvements
    - Existing Community and Neighborhood Park Imp.
    - Lantana Ranch Park Site
  - Technology
    - Microsoft Office 365 Platform
    - Police Virtual Private Network
    - Wi-Fi Access Points
  - Development Services
    - Citywide Fiber Upgrades
  - Building and Facilities
    - Significant additions to maintenance
  - Police
    - Forensic Facility

- Remaining Arterial Street Projects
  - Cooper Road/Insight Loop Extension
  - Lindsay Road (Ocotillo Rd to Hunt Hwy)
  - Chandler Heights Rd (McQueen Rd to Val Vista Dr)
  - Other Street Projects
    - Boston St
    - Alma School Rd
    - LED Upgrade Streetlight Conversion
    - Frye Rd Protected Bike Lanes
    - Highline Canal Shared Use Path
    - Kyrene Canal branch Shared Use Path
- Airport
  - Santan Apron Construction
  - Tower Transceiver Radios
  - Airfield Lighting Improvements
- Proposed 10-Year CIP Debt Service Year-End Fund Balance Projection

COUNCILMEMBER ROE asked if this law was relatively new in the past few years.

MS. LANG said yes, in 2017.

MR. DUNBAR continued the presentation and presented the following spreadsheet.

- Refer to Proposed 10-Year Capital Improvement Program (CIP) List
- FY 2022-31 Proposed Capital Improvement Program
  - Building and Facilities
  - Development Services
  - Information Technology
  - Community Services
  - Cultural Development
  - Fire
  - Police
  - Streets/Traffic
  - Transportation Policy
  - Economic Development
  - City Magistrate
  - Neighborhood Resources
  - Airport
  - Solid Waste
  - Water
  - Wastewater

COUNCILMEMBER ORLANDO asked why GEO bonds were being used to buy fire trucks and police vehicles.

MS. LANG said this went to the Bond Exploratory Committee to review and it is a large expenditure that would be an easy discussion with the community to get bond authorization for the potential use of buying the vehicles. As with any purchase, staff would weigh if it is better to use bonds or general fund dollars. This allows for more flexibility.

COUNCILMEMBER ORLANDO said he was against using bonds for the vehicles.

MS. LANG said they would not exceed the useful life of the fire truck as they use a shorter amortization if they use bonds.

COUNCILMEMBER ORLANDO asked about CCTV traffic cameras and why they would use bonds.

MS. LANG said staff would look at that item as it is not something they would normally use bonds for.

COUNCILMEMBER ROE said there were concerns regarding AJ Chandler Park and relook at the design of the park.

VICE MAYOR STEWART asked if Council said no to the design in the past.

MAYOR HARTKE said there was a pause on the design and this was reviewed with the Bond Committee.

MR. WRIGHT said this was one of the top projects for the Bond Committee. Mr. Wright said the last time the City went to the public for input was 2016-2017. Mr. Wright said having this planned a little further out gives Council time for additional planning for this park.

COUNCILMEMBER ORLANDO said they would get more feedback as well when they go out for the bonds.

VICE MAYOR STEWART said they have invested a lot of money in the downtown area and there are other areas in the City that need funding.

COUNCILMEMBER ORLANDO said there are other items on the list that utilized one-time dollars and not bonds. Councilmember Orlando said there were other items that were dropped off the list and asked if some of those could be added back on the list.

MAYOR HARTKE said dollars repurposed may pay for these, but these items can be put as a placeholder as it changes each year.

COUNCILMEMBER ORLANDO said there were concerns about sending this to the voters when there were other things that needed attention that did not make the list.

MS. LANG said it is unusual for Chandler to include these items on the list for bond funding. Ms. Lang said when there is a downturn in the economy it is nice to have the ability to choose bonds versus

General Fund if there are other needs. Ms. Lang said some of the projects on the list did not make sense to put on the list because of the ongoing costs.

MAYOR HARTKE asked if some of the projects may qualify for MAG dollars.

MS. LANG said yes, they have calculated in the grants that are anticipated.

MAYOR HARTKE asked about the street improvement needed for the new Intel project.

MR. DUNBAR said that project has not been included yet.

MAYOR HARTKE asked when that improvement needed to be done.

MR. WRIGHT said 2024.

COUNCILMEMBER ORLANDO asked if State funds could be used for that.

MR. WRIGHT said that is part of the current conversation right now.

COUNCILMEMBER ORLANDO asked when the new project would begin reflect in the budget.

MAYOR HARTKE said towards the end of the year around October.

COUNCILMEMBER ROE asked about the multi-generational facility.

MR. WRIGHT said it is not in there, but it is something they are discussing and would bring more information to Council in a few weeks.

MAYOR HARTKE talked about the regional sales tax and there is a tech pieces that is part of that. Mayor Hartke asked if there were projects to show the City is investing in tech as well.

MS. LANG said the fiber project would allow the City to handle the technology.

COUNCILMEMBER LOPEZ asked when Veteran's Park would be complete.

MS. LANG said this year.

MR. DUNBAR continued the presentation.

- Key Budget Dates
  - Citizen budget Survey Completed
  - Council Budget Kickoff Completed
  - Workshop One with Mayor and Council Completed
  - Budget Input Time (BIT): Citizen Outreach Media Events Completed
  - Workshop Two with Mayor and Council Today
  - All Day budget Brief April 23, 2021

- Council Meetings
  - Amendment Discussion May 13, 2021
  - Tentative Adoption May 27, 2021
  - Public Hearing and Final Adoption June 10, 2021
  - Adoption of Tax Levy June 24, 2021

VICE MAYOR STEWART asked if there were plans to annex land for parks and around Tumbleweed Park.

MR. DUNBAR said there is an item to finalize some of the amenities at Tumbleweed Park depending on the Parks Master Plan outcome.

MR. WRIGHT said the Parks Master Plan would bring recommendations.

VICE MAYOR STEWART asked if there were discussions to annex land.

MR. WRIGHT said he has not seen the final recommendations and see if that is recommended.

COUNCILMEMBER ORLANDO said he agreed with putting a placeholder to purchase land.

VICE MAYOR STEWART said he would like to discuss it further.

MR. WRIGHT said they would bring the recommendations to Council once the Master Plan was completed.

ADJOURNMENT: The Work Session was adjourned at approximately 7:31 p.m.

ATTEST: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

Approval Date of Minutes: April 8, 2021

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the City Council of Chandler, Arizona, held on the 25<sup>th</sup> day of March 2021. I further certify that the meeting was duly called and held and that a quorum was present.

DATED this \_\_\_ day of April, 2021.

\_\_\_\_\_

City Clerk



**City Council Memorandum    City Clerk's Office    Memo No. 21-005**

**Date:** April 5, 2021  
**To:** Vice Mayor and City Council  
**From:** Mayor Kevin Hartke  
**Subject:** Board and Commission Appointments

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**Proposed Motion:**

Move City Council approve the Board and Commission appointments as recommended.

**Airport Commission**

Reappoint Dave Siegel  
Appoint Chad Wakefield

**Arts Commission**

Reappoint Michelle Hirsch  
Appoint Linnsey Amores

**Board of Adjustment**

Reappoint Manuel Ramirez  
Reappoint Chad Wakefield

**Board of Appeals**

Reappoint Jeff Cullumber

**Citizen's Panel for Review of Police Complaints and Use of Force**

Reappoint Betty McGee  
Reappoint Holly Mesnard  
Reappoint Sandra Woods  
Appoint Christopher Heo

**Cultural Foundation**

Reappoint Susan Baker  
Reappoint Mike Halle  
Reappoint Christian Lopez  
Reappoint Julia Marreel

**Domestic Violence Commisison**

Appoint Polly Knape, Arizona's Children Association  
Appoint Chelsea Grieve  
Appoint Teresa Ferguson

### **Economic Development Advisory Board**

Reappoint Julie Trujillo  
Reappoint Cecilia Ashe  
Reappoint Mike Spangenberg  
Reappoint Nick Woodruff  
Appoint Chase Farnsworth  
Appoint Kari Zurn

### **Health Care Benefits Trust Board**

Reappoint Val Gale

### **Historic Preservation Commission**

Reappoint Matt Eberle  
Reappoint Jeff Velasquez

### **Housing and Human Services Commission**

Reappoint Heather Mattisson  
Appoint Ryan Magel  
Appoint Julie Martin

### **Human Relations Commission**

Reappoint Jacob Bello  
Appoint Garry Ong  
Appoint Pamela Morris

### **Industrial Development Authority**

Reappoint Charles Ertl  
Reappoint Lee Kroll  
Reappoint Shannon Wilson

### **Library Board**

Reappoint Karla Palafox  
Reappoint Maria Munoz  
Appoint Dylan Martin  
Appoint Michael McElhany

### **Mayor's Committee for People with Disabilities**

Reappoint Marguerite Smith  
Reappoint Ted Maish  
Reappoint Janet Rosen

### **Merit Board**

Reappoint Lon Miller

### **Museum Foundation**

Reappoint Maris Ann Thomas  
Reappoint Joshua Askey  
Reappoint Martin Sepulveda  
Reappoint Michelle Reid  
Appoint Calvenea Malloy

### **Neighborhood Advisory Committee**

Reappoint Amber Hutchinson  
Reappoint Peter Cwik

**Parks and Recreation Board**

Reappoint Tim Johnson

Appoint John David

**Planning and Zoning Commission**

Reappoint Matt Eberle

Reappoint Gregg Pekau

**Transportation Commission**

Reappoint Ron Hardin

Appoint David Heineking

**Workers' Compensation Trust Board**

Reappoint Val Gale

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**City Council Memorandum    City Manager's Office    Memo No. CM21-79**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
**From:** Joshua H. Wright, Acting City Manager  
**Subject:** FY 2020-21 One-time Exceptional Performance Awards for Employees

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**Proposed Motion:**

Move City Council approve a one-time exceptional performance award of \$3,000 to each full-time employee and \$1,500 to each part-time employee, employed as of December 31, 2020, and remaining employed through March 27, 2021, for an estimated cost of \$5,530,000 across all Funds; and \$3,060,000 in Fund Contingency Transfers to only be used should vacancy savings appropriation not be sufficient in a specific Fund/Cost Center combination, including General Fund of \$2,800,000, to various Cost Centers within General Fund, Special Revenue Funds (i.e. Grant-217, Community Development Block Grant (CDBG)-219, Public Housing Authority (PHA)-224, 227, 230, 232, 233) and Self Insurance Funds (i.e. Workers Compensation-736, Insured Liability-737, Uninsured Liability-738, Short Term Disability-739, and Medical-741); Water Fund 605 of \$200,000; and Solid Waste Fund 625 of \$60,000.

**Background/Discussion**

In FY 2020-21, based on the potential impacts of the COVID-19 pandemic, a decision was made to hold ongoing market increases for general employees until the City was able to fully realize the impact the pandemic would have on City revenues and operations. As has been reported through budget briefings, the City of Chandler has performed better than the revised budget during this unprecedented time. Additionally, vacant City positions were held for several months as part of the budget considerations, which placed additional responsibilities on employees. In a typical year, the City anticipates vacancy savings of 1.5% of total personnel costs. During FY 2020-21, Chandler is estimating vacancy savings of over 3.0% (\$5M) in General Fund or over 4% (\$8M) in all funds due to the high number of vacant positions. In addition to the pandemic, other challenges were faced by the City and its employees. Team Chandler rose to the occasion and maintained a high level of service to Chandler residents while keeping City operations and services functioning.

In light of City employees' outstanding performance over the past year, I am recommending employees who were employed as of December 31, 2020, and who have remained employed through March 27, 2021, receive a one-time exceptional performance award to be included in the April 15, 2021, regular pay check. This award includes 1,522 full-time employees at \$3,000 each and 29 regular part-time employees at \$1,500 each. The total cost, with employer benefits, is estimated to be \$5,530,000 in one-time funding across all funds. Although vacancy savings exists from budgeted positions, Fund Contingency Transfers totaling \$3,060,000 are needed in various funds to ensure adequate appropriation in the cost centers where payments will be applied. If approved, a City-wide

communication will be provided prior to the payment with additional details.

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**City Council Memorandum    Development Services    Memo No. 21-011c**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 Derek D. Horn, Development Services Director  
**From:** Susan Fiala, Senior Planner  
**Subject:** Final Adoption of Ordinance No. 4961 PLH20-0023 Pecos and McQueen Retail  
**Request:** Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses  
**Location:** Southwest corner of Pecos and McQueen roads  
**Applicant:** Reese Anderson, Pew and Lake PLC

**Proposed Motion:**

**Rezoning**

Move City Council adopt Ordinance No. 4961, approving PLH20-0023 Pecos and McQueen Retail located at the southwest corner of Pecos and McQueen roads, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to the conditions as recommended by Planning and Zoning Commission.

**Background Data:**

- The site is approximately 3.5 acres
- The applicant is currently working with the City to acquire an approximate 2,660 sq. ft. City of Chandler-owned parcel located at the immediate corner of the intersection (an ordinance authorizing the sale of this parcel also appears as a separate item on this agenda)
- Site is currently vacant

Ordinance introduced and tentatively adopted on March 25, 2021.

**Surrounding Land Use Data:**

North	Pecos Rd., then commercial	South	Single-family residential
East	McQueen Rd., then single-family residential and vacant commercial	West	Single-family residential

**General Plan and Area Plan Designations:**

	Existing	Proposed
General Plan	Neighborhoods	No change
Chandler Airpark Area Plan	Neighborhood Commercial	No change

## Proposed Development

Site Area	3.5 acres plus future acquisition of approximate 2,660 sq. ft. City parcel
Building Area	Pad A: 2,306 sq. ft. (restaurant) Pad B: 2,800 sq. ft. (restaurant) Pad C: 13,000 sq. ft. (daycare) Total : 18,106 sq. ft.
Building Height (max.)	22 ft.
Building Setbacks	Required: Arterial landscaped intersection 50 ft. by 250 ft Proposed: 35 ft. min. by 223 ft. along Pecos Rd. 23 ft. min. by 250 ft. along McQueen Rd. West:        20ft. Accessory structure 50 ft. Main building South:       50 ft.
Parking Required	101 parking spaces
Parking Provided	112 parking spaces
Building Architecture	Contemporary with stucco, brick veneer, metal railings, and steel
Comprehensive Sign Program	One development sign, two monument signs, wall-mounted signs

## Review and Recommendation

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods and the Chandler Airpark Area Plan designation of Neighborhood Commercial. The General Plan land use designation allows Neighborhood Commercial uses within developments located at arterial intersections to serve commercial needs of low-density residential communities.

The site layout provides three pad sites, including two proposed restaurants and a daycare. Pad site A is proposed as a Starbucks drive-through. Pad site B is proposed as a future restaurant/drive-through and a daycare is proposed for Pad C. Building architecture is contemporary. Building and site layout comply with the intent of the Commercial Design Standards.

Late-hour business policy defines any restaurant that opens its doors to the public one or more hours between midnight and 6 a.m., one or more days a week. Also, the policy is applicable when commercial development is within 300 ft. of existing residential zoning. The proposed Starbucks anticipates business hours from 4:30 a.m. to 10 p.m., daily. These hours and building distance of approximately 206 ft. to the west residentially-zoned parcels require approval of the proposed businesses hours from 4:30 a.m. to 6 a.m. Mitigation proposed includes an 8 ft. tall solid wall along the entire site perimeter and several landscaped areas.

The applicant requests relief from the Zoning Code requirement that initial construction include a minimum of 12,000 sq. ft. of building area in Phase One. The request is to allow the flexibility to construct Pads B and C in future phases. Development Booklet Attachment A (see attached) identifies improvements that will be completed during phase one, which includes Pad A and all site improvements including landscaping, driveways, and parking except for Pad B building area on the south and Pad C and associated parking area to the north of Pad C. Pad sites B and C would be covered with decomposed granite until market conditions allow development.

The second request is to reduce the 50 ft. by 250 ft. landscape intersection along both Pecos and McQueen roads. The reduced landscaped intersection allows the two drive-through pad sites additional distance from existing residential and the proposed daycare. The applicant is currently working with the

City's Real Estate division to purchase the City owned parcel of approximately 2,660 sq. ft. located at the immediate corner of the site.

Staff supports the requested waivers due to the infill nature of the site, site acreage and driveway location constraints. Staff finds the proposal to be consistent with the goals of the General Plan and recommends approval subject to conditions.

### **Traffic Analysis**

A Traffic Impact Analysis was prepared to analyze existing conditions and traffic with the proposed development. Based on the analysis, traffic impacts of the proposed development could be mitigated by making adjustments to the existing traffic signal timing at the McQueen Road/Pecos Road intersection to maintain acceptable levels of service. Additionally, the Transportation Engineering Division will continue to work with the applicant to establish a circulation plan for the Day Care/Pre-K. This is being done in an effort to document pick-up/drop-off procedures and minimize potential implications to the adjacent public roadways that have occurred with similar land uses. Staff recommends a stipulation to address the future daycare's drop off/pick up circulation plan.

### **Public / Neighborhood Notification**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A virtual neighborhood meeting was held on July 21, 2020. Ten residents attended virtually to obtain project information. Questions and concerns voiced relate to traffic, construction timing, existing irrigation ditch, drive through locations, vehicle exhaust, land uses, and children's safety (daycare). No opposition to the request was stated.
- Planning staff received letters from residents in opposition to the proposed Starbucks stating they would rather support local businesses.

### **Planning and Zoning Commission Vote Report**

Planning and Zoning Commission meeting March 3, 2021

Motion to Approve

In Favor: 5 Opposed: 1 (Pekau) Absent: 1 (Kimble)

At the January 20, 2021, Planning and Zoning Commission meeting, the case was continued to conduct a Design Review Committee (DRC). On February 3, 2021, the DRC provided the applicant suggestions on revising the site plan which include shifting Pad sites A and B further away from the proposed daycare. The applicant requested further continuance to the March 3, 2021, Planning and Zoning Commission meeting to allow additional time to address the DRC's guidance. At the March 3 meeting, the Planning and Zoning Commission modified Preliminary Development Plan stipulation number 9 by adding "e", effectively requiring all offsite and onsite improvements during phase one except for building pads B and C. The drive-through lane for Pad B is included as an exception to the required phase one improvements.

### **Recommended Conditions of Approval**

#### **Rezoning**

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
  4. Late hour businesses shall not be open to the public from 10 p.m. to 4:30 a.m., seven days a week.
- 

### **Attachments**

Ordinance No. 4961

Vicinity Maps

Development Booklet, Exhibit A

## ORDINANCE NO. 4961

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING PARCELS FROM AGRICULTURAL DISTRICT (AG-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR NEIGHBORHOOD COMMERCIAL (C-1) USES AS REPRESENTED IN CASE PLH20-0023 (PECOS AND MCQUEEN RETAIL) LOCATED AT THE SOUTHWEST CORNER OF PECOS AND MCQUEEN ROADS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES.

WHEREAS, the application for rezoning certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days' notice of the time, place, and date of the public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to the public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1.      Legal Description of Property:  
**As described in EXHIBIT 'A'**

Said property is hereby rezoned from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Late hour businesses shall not be open to the public from 10 p.m. to 4:30 a.m., seven days a week.

Section 2. The Planning Division of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this Ordinance.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance, or any parts hereof, are hereby repealed.

Section 4. In any case, where any building, structure, or land is used in violation of this Ordinance, the Planning Division of the City of Chandler may institute an injunction or any other appropriate action in proceeding to prevent the use of such building, structure, or land.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and shall have no force or effect.

Section 6. A violation of this Ordinance shall be a Class 1 misdemeanor subject to the enforcement and penalty provisions set forth in Section 1-8.3 of the Chandler City Code. Each day a violation continues, or the failure to perform any act or duty required by this Ordinance or the Zoning Code, shall constitute a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4961 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2021, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY TA

Published:

EXHIBIT 'A'  
Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THE EAST 465 FEET OF THE NORTH 465 FEET OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF MCQUEEN ROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF PECOS ROAD, WHENCE THE NORTHEAST CORNER OF SAID SECTION 3 BEARS NORTH 50 DEGREES 07 MINUTES 56 SECONDS EAST, 51.77 FEET;

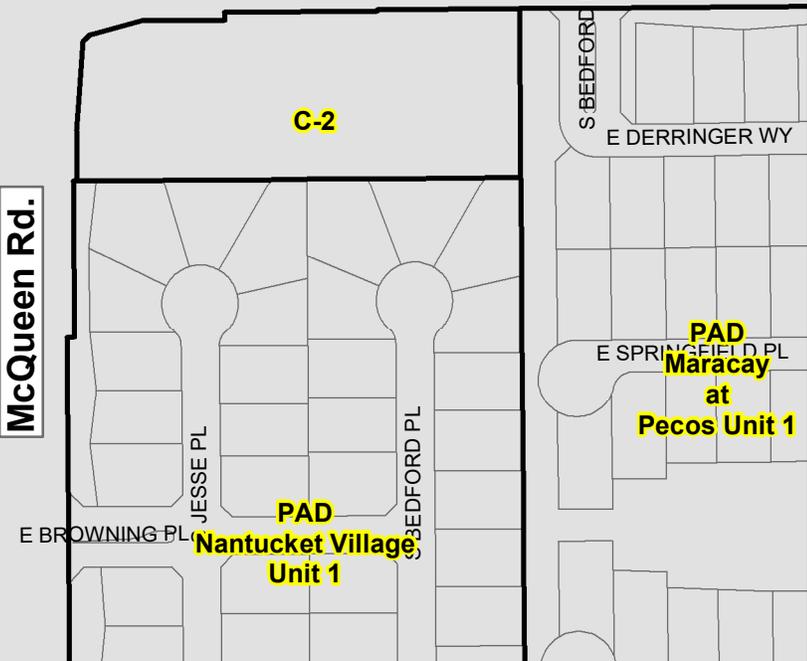
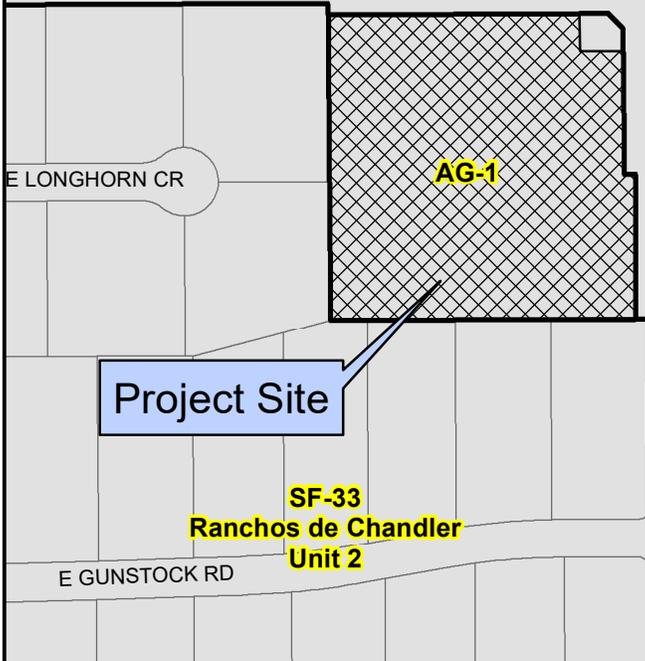
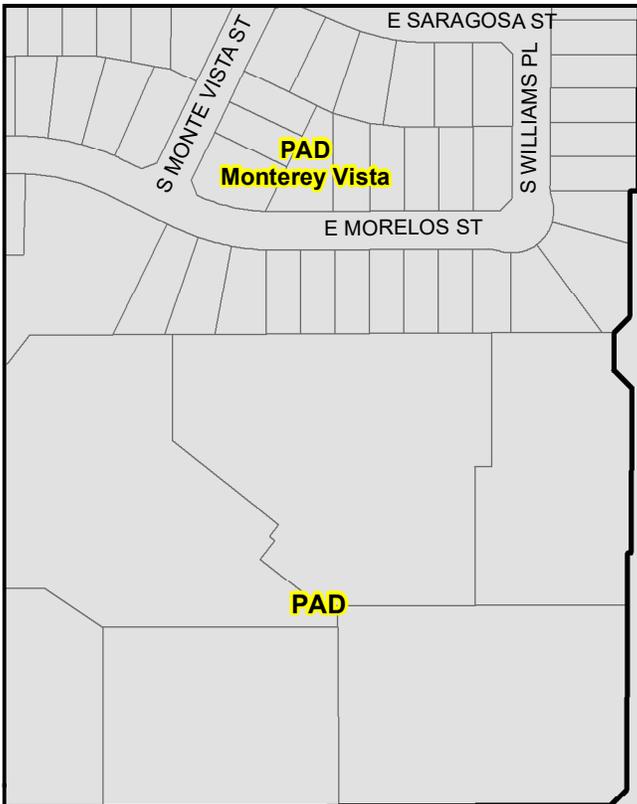
THENCE SOUTH 00 DEGREES 27 MINUTES 30 SECONDS EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF MCQUEEN ROAD, 81.00 FEET TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE OF MCQUEEN ROAD, SOUTH 89 DEGREES 43 MINUTES 55 SECONDS WEST, 96.00 FEET TO THE SOUTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED;

THENCE NORTH 00 DEGREES 27 MINUTES 30 SECONDS WEST, 81.00 FEET TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY LINE OF PECOS ROAD, BEING ALSO THE NORTHWEST CORNER OF THE PARCEL OF LAND HEREIN DESCRIBED;

THENCE NORTH 89 DEGREES 43 MINUTES 55 SECONDS EAST, 96.00 FEET TO THE POINT OF BEGINNING; AND

EXCEPT THAT PORTION CONVEYED TO THE CITY OF CHANDLER, AN ARIZONA MUNICIPAL CORPORATION IN FINAL ORDER OF CONDEMNATION RECORDED IN DOCUMENT NO. 2004-867268, RECORDS OF MARICOPA COUNTY, ARIZONA.

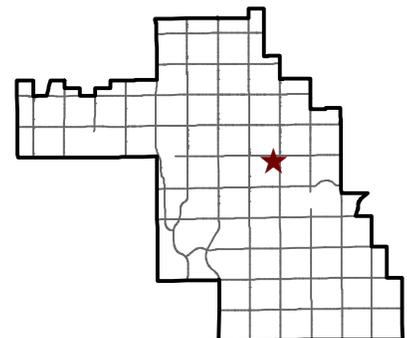


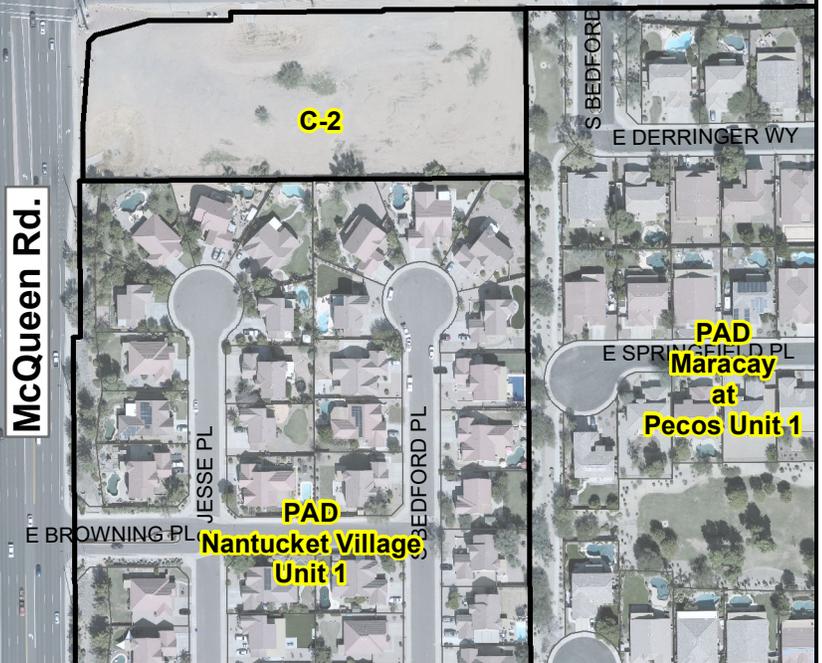
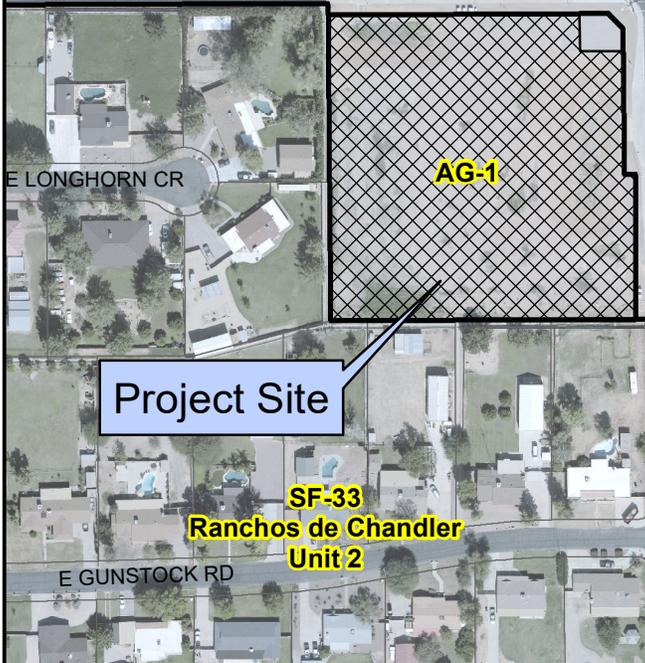
 **PLH20-0023/PLT20-0037 Pecos and McQueen Retail** 

**Proposed Project Details**  
 Rezone/PDP/Pre-Plat  
 3.5 Acres  
 Neighborhood Commercial Center



City of Chandler Planning Division  
[chandleraz.gov/planning](http://chandleraz.gov/planning)  
 For more information visit:  
<https://gis.chandleraz.gov/planning>



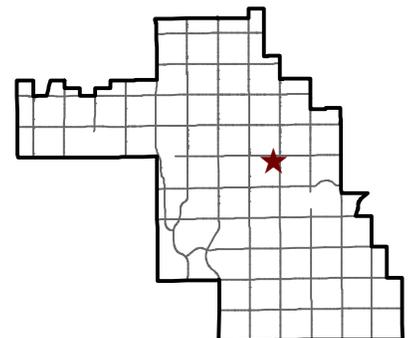


 **PLH20-0023/PLT20-0037 Pecos and McQueen Retail** 

**Proposed Project Details**  
 Rezone/PDP/Pre-Plat  
 3.5 Acres  
 Neighborhood Commercial Center



City of Chandler Planning Division  
[chandleraz.gov/planning](http://chandleraz.gov/planning)  
 For more information visit:  
<https://gis.chandleraz.gov/planning>



# PECOS AND MCQUEEN RETAIL

*Preliminary Development Plan*  
March 3, 2021



## **Development Team**

### ***Developer***

Diversified Partners  
Scott Hintze  
7500 E. McDonald Drive, Ste. 100A  
Scottsdale, AZ 85250

### ***Legal Representation***

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[reese.anderson@pewandlake.com](mailto:reese.anderson@pewandlake.com)

### ***Architect***

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Robert S. Sherman  
7416 Doe Ave.  
Las Vegas, NV 89117

### ***Civil Engineer & Landscape Architect***

EPS Group  
Daniel "Ox" Auxier  
1130 N. Alma School Rd., Ste. 120  
Mesa, AZ 85201

**Rezoning Case Number: PLH20-0023**

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# 1. Narrative

## INTRODUCTION

Pew & Lake, PLC, on behalf of Diversified Partners, LLC, is pleased to submit this project narrative and related exhibits in support of developing 3.54 net acres of vacant real property located at the southwest corner of Pecos Road and McQueen Road in Chandler, Arizona (APN 303-28-252C). The development would provide 18,106 sq. ft. of commercial improvements with neighborhood commercial (C-1) type uses as more fully described in this narrative.

Both the northwest and northeast corners of the busy Pecos Road and McQueen Road intersection are already developed with commercial retail and the southeast corner is currently vacant but has commercial C-2 zoning. Figure 1 below provides an aerial of the subject property and surrounding areas.

*Figure 1 – Site Aerial*



## REQUESTS

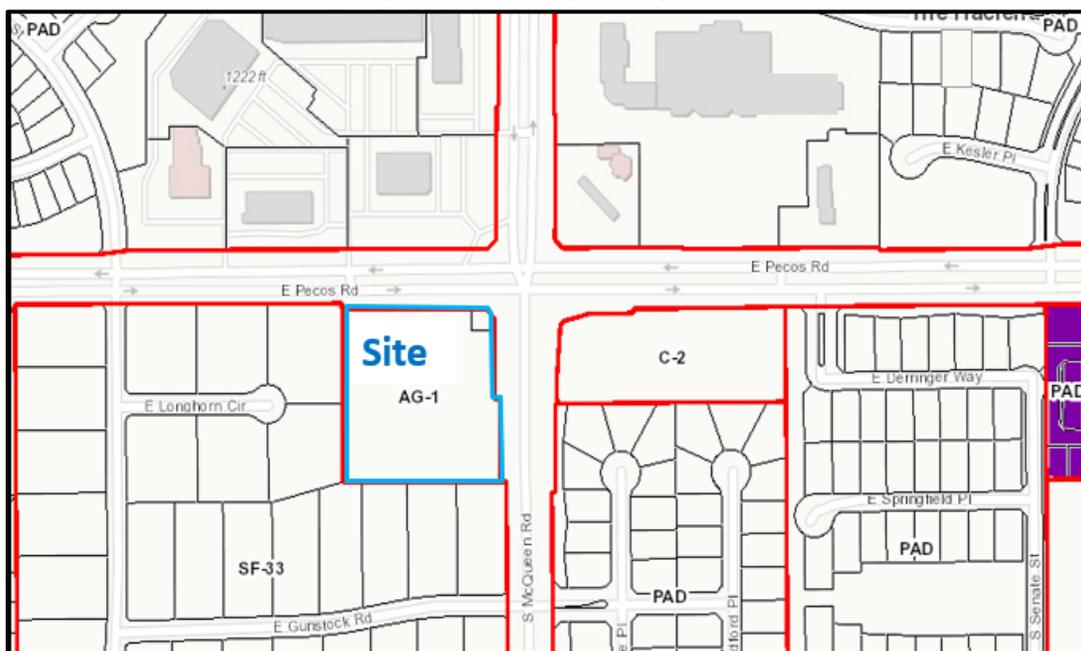
The specific requests to the City of Chandler include the following:

1. Rezone the property from AG-1 to PAD with Neighborhood Commercial (C-1) Uses; and
2. Obtain approval of:
  - (a) a new Preliminary Development Plan (“PDP”) for approximately 18,106 sq. ft. of commercial improvements, including: (i) a 2,306 sq. ft. Starbuck’s restaurant with a drive-through and patio, (ii) a 2,800 sq. ft. restaurant pad with a drive-through, and (iii) a 13,000 sq. ft. daycare building, including site layout and building architecture; and
  - (b) a waiver to the amount of minimum square footage that must be constructed in the first phase of construction due to the unique conditions and small size of the property (See Section 35-1902(8)(c)(2)).

## SITE CONDITIONS AND SURROUNDING PROPERTIES

As noted, the property is located at the southwest corner of Pecos Road and McQueen Road, which are two significant arterial roads in the City of Chandler. The property is also approximately one-half mile north of the McQueen Road and Loop 202 Freeway interchange. The site is unremarkable in its topography and has been vacant for decades, which is why it still holds its AG-1 zoning status from when this property was annexed into the City of Chandler. The current zoning in the area is provided on Figure 2 below.

*Figure 2 – Existing Zoning Map*



To the south and west of the property is existing single-family residential homes that exist on property that is zoned SF-33. A table providing additional information on the surrounding uses is provided below.

*Figure 3 – Surrounding Uses Table*

Direction	General Plan/Area Plan Designation	Existing Zoning	Existing Use
North	Neighborhood/Residential Low-Density (0-6 DU/Acre)	PAD	Pecos Road/CVS Pharmacy/Various Retail
East	Neighborhood	C-2 and PAD	McQueen Road/Vacant/Single-Family Residences
South	Neighborhood	SF-33	Single-Family Residences
West	Neighborhood	SF-33	Single-Family Residences
Project Site	Neighborhood	AG-1	Vacant

## PROJECT DESCRIPTION

As seen on the proposed site plan in Figure 3 on the next page, the 3.54 acre site is intuitively designed to support commercial uses by encouraging direct access from both Pecos Road and McQueen Road. The proposal includes approximately 18,106 sq. ft. of commercial improvements, more specifically (i) a 2,306 sq. ft. Starbucks restaurant with a drive-through, (ii) a 2,800 sq. ft. restaurant pad with a drive-through, and (iii) a 13,000 sq. ft. daycare building.

### *Proposed Uses*

Demand for drive-through uses at this location is largely driven by the site’s prime position in relation to the Loop 202 Freeway. Starbucks coffee is a primary component of the development of this site and has completed its due diligence to identify the site as a premier development location.

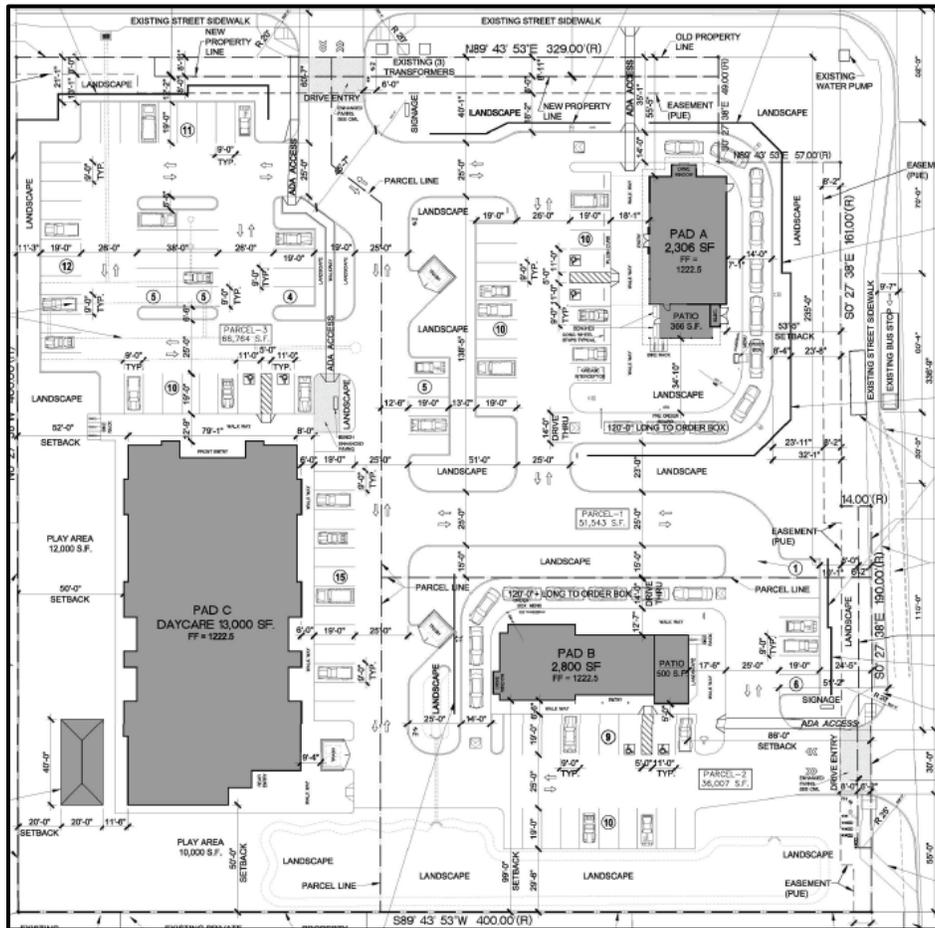
A day care use at this site will support surrounding Chandler residents who need childcare assistance as they work at various industrial and commercial businesses in the larger area. The day care building is located in the southwest corner of the site to help shield the building from noise already emanating from the busy arterial streets and will help provide an appropriate transition from the uses occurring on this site to surrounding residential. The residential properties adjacent to the day care building all built their homes over 50 feet from the shared property line. With the additional 50 feet setback provided to the daycare building, in addition to the to-be-built 8-foot wall, the buffer to surrounding properties is more than adequate.

The day care is designed for walk-in drop-off of children with parking provided directly adjacent to building entrances. Regular daytime hours are proposed for day care operators. The anticipated number of children and childcare specialists is not known at this time but will comply with local and state rules including occupancy limits.

The proposed site plan shows building setbacks in excess of 50 feet on the side and rear of the project. These building setbacks conform with typical C-1 building setbacks per Chandler Zoning Code Section 35-1902(8)(a) which requires 43 feet (25 feet plus 18 feet for the height of the building). Please note that a shade structure to be used in conjunction with the daycare building is shown 20 feet off the property boundary. The developer requests flexibility with the location of the shade structure so long as the structure is placed in conformance with Chandler Zoning Code. The shade structure, though not considered a building under Chandler definitions, is being located 20 feet from the property line to meet the intent of Chandler Zoning Code Section 35-1203(3) which requires a minimum twenty-foot side yard for commercial development.

Given the size of this lot, it certainly does not make sense to develop with AG-1 uses, nor to develop it with residential uses. The best use for this land is something consistent with C-1 uses. The conceptual Site Plan is shown in Figure 4 below.

Figure 4 – Conceptual Site Plan



### *Circulation*

Ingress and egress to the property will be from the adjacent arterial streets. Given the relatively small size of the site, traffic generated from this site will not appreciably impact adjacent businesses or neighborhoods.

A traffic study was performed to analyze the traffic impacts from the proposed development and to also analyze the traffic impacts absent the proposed development. In sum, the traffic engineer has proposed traffic light signal timing changes at the Pecos and McQueen intersection to mitigate existing and anticipated deficiencies. Additionally, the new northbound left turn lane on McQueen necessitates that the southbound left turn queuing lane on Gunstock be reduced to 100 feet which will still sufficiently accommodate the existing and anticipated traffic. The measures suggested in the traffic analysis have been incorporated into the site plan and will sufficiently mitigate traffic impacts.

Internal site circulation includes a coordinated 25-foot wide drive aisle which connects Pecos Road to McQueen Road with an additional loop providing access to the drive-through entrances and parking areas. A logical flow of drive-thru entries and exists will make for harmonious development.

### *Phasing*

The project is anticipated to be built in phases with Phase 1 including construction of the Starbucks improvements along with offsite improvements, perimeter landscaping and construction of the main drive aisle. The development of pads B and C from the site plan will follow but will be landscaped with decomposed granite, certain curb finishes, and placement of shrubbery as shown on the Phasing Plan exhibit attached to this submittal.

### *Parking*

The total number of required parking spaces on site is 101 and the total provided is 112. This meets the requirement for a parking ratio of 5.5 spaces per 1,000 SF of building area for shopping centers under 10 acres (6.8 spaces per 1,000 SF provided). Patron parking is placed near buildings so that significant walking is not required. Overall, the site parking satisfies the code and is suitable for business purposes.

### *Architecture*

The proposed single-story buildings reflect a high-quality building façade which establishes a modern design theme which is complementary with the existing developments across Pecos Road. Balanced use of stucco, glass and brick helps to enhance the overall project.

The buildings have been carefully designed to ensure compliance with the City of Chandler's Architectural Standards. The intent of the design is to provide a creative, innovative, and pedestrian friendly space for all visitors. The building materials have been carefully chosen to provide a heightened design aesthetic on all four sides of the building. More than just aesthetics, these materials will provide the building with minimal maintenance over the long term and will be a timeless structure for many years to come.

The building utility, roof drainage and roof top mechanical units, have been integrated into the building to help clear away some of the less attractive utilities a building requires to function. While these utilities need to be accessible, the design uses parapet screens, landscaping or door panels to mask their appearance. Overall, the building design includes an attractive modern look and appropriately screens utility and mechanical units.

### *Landscape and Open Space*

Landscaping is provided along the site's exterior boundaries. Please note that the proposed daycare building is setback more than 50 foot from the adjacent property lines and will include appropriately sized trees, as an additional means of screening. The proposal, as a whole, has been designed to fit the site and mitigate against any potential impacts on adjacent properties. The site plan complies with the arterial building and landscaping setbacks. Strategically locating the buildings, landscaping and decorative screen walls will also help reduce noise heard from residents emanating from this busy intersection.

The 50-foot landscape area continues along most of the southern boundary before transitioning to a 29-foot area to accommodate parking and expanding again to 50 foot as it approaches McQueen. There is a 99-foot building setback to Pad B which provides significant buffering for the benefit of the residences to the south.

The landscape plan will incorporate arid-region, drought-tolerant trees, shrubs, cacti and ground covers, all from the City of Chandler's Approved Plant List, to provide shade, seasonal color and interesting textures, enhance positive views and screen negative views and enhance the visitor's experience at the restaurants.

An active irrigation ditch is located on the surrounding residential properties adjacent to the entire property line on the south and west, but not on the subject site. An 8-foot block wall will be built along the property line which will protect the irrigation ditch, ensure the safety of commercial patrons and provide a nice buffer for existing residents. Access to the irrigation ditch will not be affected by the wall as the ditch remains solely on the resident's properties.

We note that the City of Chandler currently owns the immediate corner of the McQueen and Pecos Road intersection. The developer is in discussions with the City to add that small parcel to this plan. In any event, the developer is willing to landscape that area and include it on the final landscape plan.

A conceptual Landscape Plan illustrating perimeter landscape intent along with the mixture of plants and materials on the site is shown in Figure 5 on the next page. We note that the Landscape Plan which will be approved by the Planning Commission will accurately align with the Site Plan shown in Figure 4 and attached to this submittal.

Figure 5 – Conceptual Landscape Plan



### Hours of Operation

The development intends to accommodate the Starbucks which is a late hour business occupancy as defined under City of Chandler late night policy. Starbucks drive-throughs may be open from as early as 4:30am to as late as 10:00pm. Under the policy, a “late-night policy” exception is necessary because the drive-through will be open from 4:30am to 6:00am. Our belief is that an exception for an earlier opening is better received than an exception for staying open later.

Early morning use at the Starbucks will primarily be devoted to users who are circulating the drive-through. Therefore, a negligible amount of noise is being added because there is not significant car starting, doors closing, etc. occurring. During certain times of the year the sun has already risen during a portion of these hours which makes headlight glare less of an issue. The proposed 8-foot walls and distance of separation will eliminate the potential effects of headlight glare. With regard to traffic, users of the Starbucks are considered “pass-by” users because Starbucks is not an end destination but rather is typically used as patrons “pass-by” in route to work or other obligations. Site maintenance activities such as waste pick-up or landscaping are not anticipated to fluctuate based on a 4:30am store opening.

Given the minimal impact of Starbucks' being open from 4:30am as opposed to opening at 6:00am and the efforts to protect neighbors already in place under the development plan, we propose that the site be approved to conduct business from 4:30am to 6:00am (and continuing until closing at 10 pm) under the City late hours policy.

### *Signage*

Signage for the property is provided through the comprehensive sign package that accompanies this submittal. All signs shall be consistent with the architectural style and colors of the main buildings.

A total of three (3) freestanding monument signs for the entire site are anticipated with monument tenant signs placed on each arterial street frontage near the main entrances and one sign featuring the generic name of the center at the arterial corner. The monument signs will be shared by the various users of the site. The design of these monument signs will match the building architecture and will be placed out of all sight visibility triangles and out of public right-of-way. In addition to the monument signs, it is anticipated that there will be wall signage on the buildings.

The drive-through menu boards will be located out of the view of any of the adjacent residential property owners and will also be constructed of the same materials and colors as the primary building they are servicing. Finally, we anticipate that there will also be smaller signage on the windows and buildings stating hours of operation, business logos and products, along with parking and directional signage.

If a daycare is developed on site then additional directional signage will be provided to mitigate the traffic flow and ensure daycare patron safety.

### *Neighborhood Outreach*

This project, including the proposed uses, development standards, circulation plan, and other details, was presented to neighbors at a July 21, 2020 neighborhood meeting. Neighbors were given an opportunity to ask questions about the development and to voice any concerns. No major concerns were raised by neighbors and questions about traffic, building height, and treatment of the existing irrigation ditch were sufficiently answered. There is no known opposition to the case.

## DEVELOPMENT STANDARD DEVIATIONS

We kindly ask for the following Site Development Waivers as part of our PDP request:

1. Chandler Zoning Code, Section 35-1902(8)(c)(2), requires each developer to construct a minimum of 12,000 sq. ft. in the first phase of any project on sites less than ten (10) acres in size. Due to the unique nature of this site, its location and the uncertainty of timing of construction, we are requesting a waiver to this requirement to allow the construction of the Starbucks building only in the first phase of development as allowed under Section 35-1902(8)(c)(3). The daycare building and other restaurant pad, along with their associated on-site improvements, driveways and landscape, will be constructed as soon as market conditions dictate.

At 3.54 acres, this site is relatively small compared to typical commercial developments and insufficient to allow a larger planned center. For example, the sites directly north of Pecos Road are approximately 12.7 and 10.7 acres respectively. The small size of the site restrains it to only having space for around three buildings. Full buildout of the site is necessary for the developer, but timing of that buildout can vary according to market demand. Developers of these smaller sites often need to develop cash flow before completing buildout of a site.

Development of the Starbucks building, along with associated open space, parking and drive aisles, will attract users to the site given its popularity and credible brand. The potential operation of a lone Starbucks building will improve the now vacant site and not create an undue amount of vacant land.

2. Chandler Zoning Code, Section 35-1902(4)(a)(2)(a), requires arterial intersections to provide a landscape setback measuring 50 feet from the right-of-way for a distance of 250 feet along both arterial streets. Due to the small size of the commercial site, anticipated right-of-way dedications, the Planning Commission's preference for the Starbucks to be moved to the arterial corner, and the limited locations where drive aisles can be placed, a waiver to this requirement is being sought to allow for a landscape setback which provides a 26'2" landscape setback along Pecos Road. This landscape setback will be continued for 223'6" parallel along Pecos Road. Along McQueen Road, the request is for a 32'11" landscape setback standard which will continue for 226'1". We note that additional landscape will be provided within the ROW which provides for an as-built condition more than 50 feet along Pecos and approximately 46 feet along McQueen. There are no site visibility conflicts and the ROW landscape ensures the intent of the setback is met.

## GENERAL PLAN CONFORMANCE

The proposed development concepts are consistent with the intent of the City of Chandler General Plan. The area is designated as Neighborhood under the General Plan which allows for neighborhood commercial uses. Neighborhood commercial uses are primarily encouraged "at the intersection of major arterial roads and other strategically situated areas to serve the commercial needs of the low-density residential areas." See Chandler General Plan 2016 page 17.

In this case, the compatibility with and transition from surrounding commercial and residential properties warrants approval. As illustrated in the surrounding uses table, the site is a bypassed parcel located between land uses which vary from single-family residence to Community Commercial (C-2). Additionally, the projects generous building setbacks and attention to appropriate transitions, including the use of landscaping, merit approval.

The proposed development is highlighted by its achievement of the following Community Placemaking Policies in the General Plan:

*Land Use and Development (Section 1.1.1.a) Emphasize developing a balance of land uses that support community building and a healthy lifestyle while ensuring a positive overall community benefit.*

As stated above, neighborhood commercial is encouraged at the intersections of major arterial roads and areas where the low-density residential uses need commercial uses. The major arterial intersections within 1 mile of the site do not have commercial uses. Therefore, providing additional commercial uses on this corner will contribute to providing needed services to residences in the area and will be appropriately grouped together.

*Land Use and Development (1.1.1.f) Encourage compatible infill projects.*

The site could be considered infill because it is surrounded by development on three sides which has existed for at least 15 years. The site has lain vacant for these years while surrounding parcels have developed.

*Design and Aesthetics (1.1.3.f) Continue to promote excellence in building and site design.*

The quality of elevations is illustrated with the Starbuck's renderings provided. The Starbuck's brand requires high-quality architecture which utilizes various materials in a visually attractive way. The site design is intuitive and promotes effective traffic flow and access to site offerings.

*Building a World-Class Economy (1.5.b) Continue to optimally use remaining vacant land to ensure the highest and best use for economic opportunities.*

This proposal is the highest and best use for the land because it presents a financially feasible development that promotes practical development of the land, and much better than what could be developed using the AG-1 development standards.

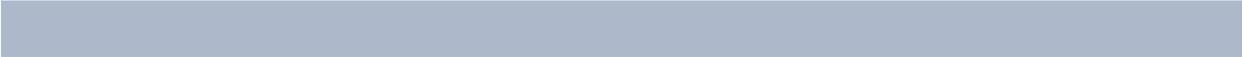
*Building a World-Class Economy (1.5.h) Continue to encourage and facilitate the redevelopment or reuse of vacant or deteriorating commercial properties.*

This long vacant parcel is now ready for commercial development. Market demand justifies utilization of the parcel.

## PAD REZONING ANALYSIS

This development meets the intent, objectives, and general requirements of the PAD designation based on its innovative site planning, usable open space, fulfillment of General Plan policies, and maintenance of reasonable quality of living standards.

Adjacent to the site and within the immediate surrounding area, there are various commercial developments with zoning congruent with this proposal. The proposed development will integrate into the surrounding area and enhance growth patterns in this area while maintaining appropriate transitions to existing residential development.



## CONCLUSION

In summation, the development team has worked to provide a high-quality comprehensive development plan for this bypassed parcel. The ultimate development of this site will provide an excellent opportunity to offer much needed neighborhood facilities and provide a visually appealing project on this corner that has remained vacant for decades.

## 2. Aerial Map



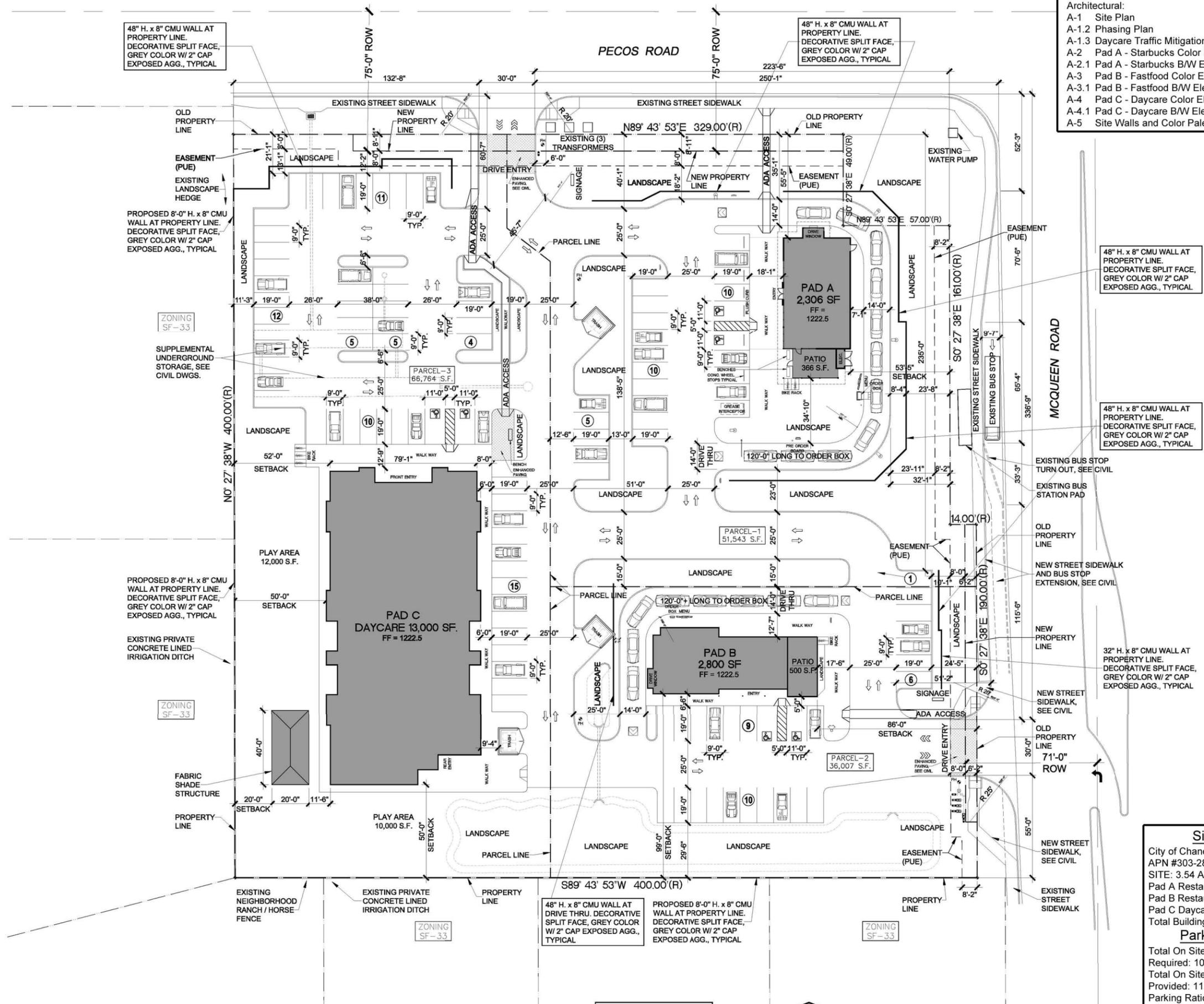
# Map



# 3. Conceptual Site Plan

**Drawing Index**

- Architectural:  
 A-1 Site Plan  
 A-1.2 Phasing Plan  
 A-1.3 Daycare Traffic Mitigation  
 A-2 Pad A - Starbucks Color Elevations  
 A-2.1 Pad A - Starbucks B/W Elevations / Plan  
 A-3 Pad B - Fastfood Color Elevations  
 A-3.1 Pad B - Fastfood B/W Elevations / Plan  
 A-4 Pad C - Daycare Color Elevations  
 A-4.1 Pad C - Daycare B/W Elevations / Plan  
 A-5 Site Walls and Color Palette



NEW BUILDINGS for  
**PECOS AND MCQUEEN RETAIL**  
 at  
 PECOS ROAD and McQUEEN ROAD (SOUTHWEST CORNER LOT)  
 CHANDLER, ARIZONA 85225

**RS SHERMAN ARCHITECTURE**  
 a professional corporation  
 2404 GOLDFIELD DRIVE  
 Las Vegas, Nevada 89134  
 (702) 321-4383



**REVISIONS**

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**A-1**

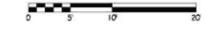
**Site Data**

City of Chandler  
 APN #303-28-252C  
 SITE: 3.54 Acres (154,268 SF)  
 Pad A Restaurant: 2,306 SF  
 Pad B Restaurant: 2,800 SF  
 Pad C Daycare: 13,000 SF  
 Total Buildings (3): 18,106 SF

**Parking Data**

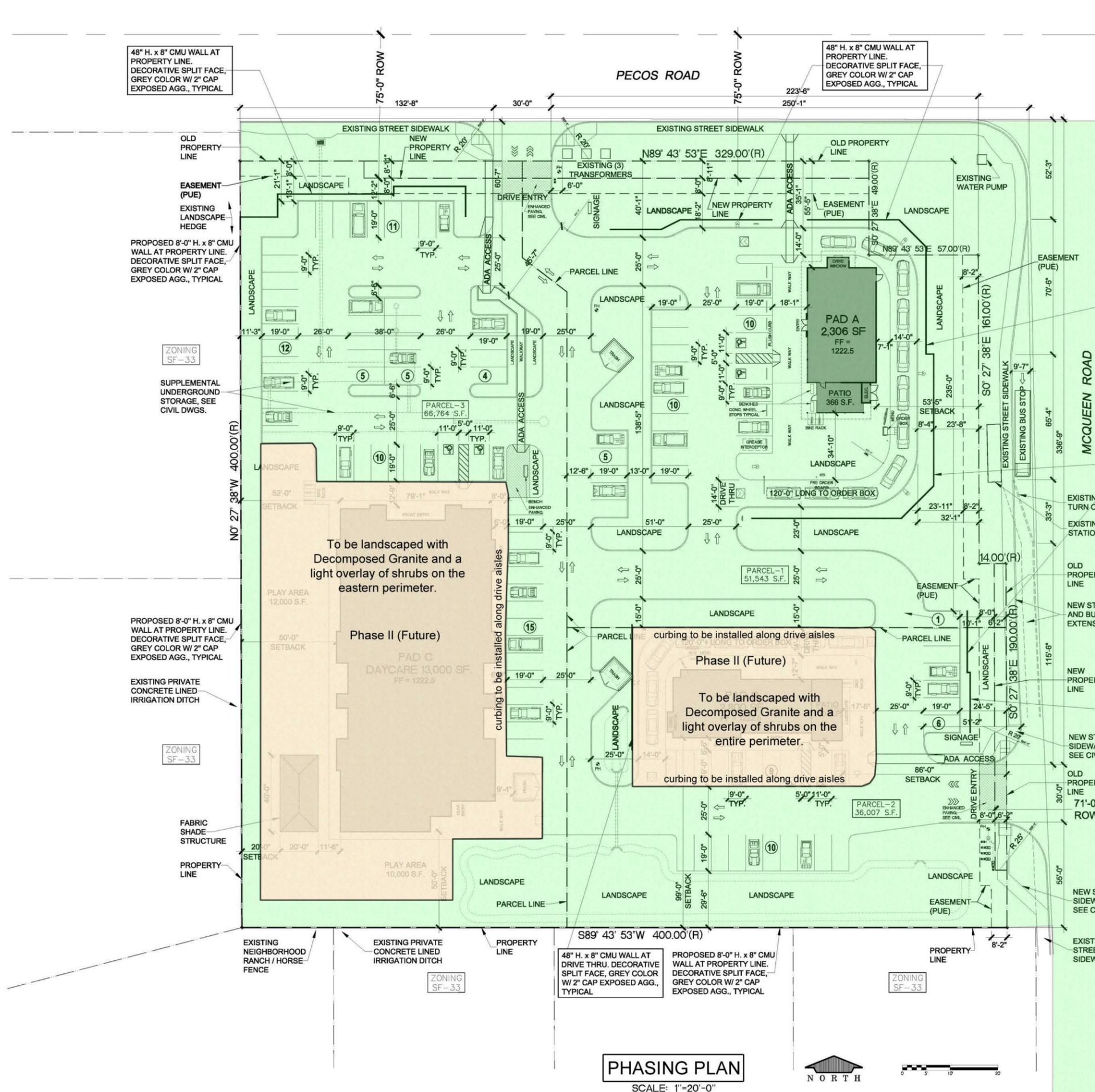
Total On Site Parking Required: 101 Cars  
 Total On Site Parking Provided: 112 Cars  
 Parking Ratio 6.18 Per 1,000 SF

**SITE PLAN**  
 SCALE: 1"=20'-0"



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## 4. Conceptual Phasing Plan



### Phase Legend

**Phase I**  
includes all off sites, median improvements and all utilities stubbed to future pads. Phase 1 area is shaded in green.

**Phase II (Future)**  
to be landscaped with decomposed granite and shrubs along the boundaries as indicated. Curbing to be installed along all drive aisles

48" H. x 8" CMU WALL AT PROPERTY LINE. DECORATIVE SPLIT FACE, GREY COLOR W/ 2" CAP EXPOSED AGG., TYPICAL

48" H. x 8" CMU WALL AT PROPERTY LINE. DECORATIVE SPLIT FACE, GREY COLOR W/ 2" CAP EXPOSED AGG., TYPICAL

48" H. x 8" CMU WALL AT PROPERTY LINE. DECORATIVE SPLIT FACE, GREY COLOR W/ 2" CAP EXPOSED AGG., TYPICAL

To be landscaped with Decomposed Granite and a light overlay of shrubs on the eastern perimeter.

curbing to be installed along drive aisles

curbing to be installed along drive aisles

To be landscaped with Decomposed Granite and a light overlay of shrubs on the entire perimeter.

curbing to be installed along drive aisles

#### Phase I Site Data

City of Chandler  
APN #303-28-252C  
SITE: 3.54 Acres (154,268 SF)  
Pad A Restaurant: 2,306 SF

#### Phase I Parking Data

Total On Site Parking Required: 13 (5.5/1000)  
Total On Site Parking Provided: 42 (18.21/1000)

**PHASING PLAN**  
SCALE: 1"=20'-0"



NEW BUILDINGS for **PECOS AND MCQUEEN RETAIL** at PECOS ROAD and McQUEEN ROAD (SOUTHWEST CORNER LOT) CHANDLER, ARIZONA 85225

**RS SHERMAN ARCHITECTURE** & PROFESSIONAL CORPORATION  
2804 COLLEISE DRIVE  
Las Vegas, Nevada 89134  
(702) 921-4293

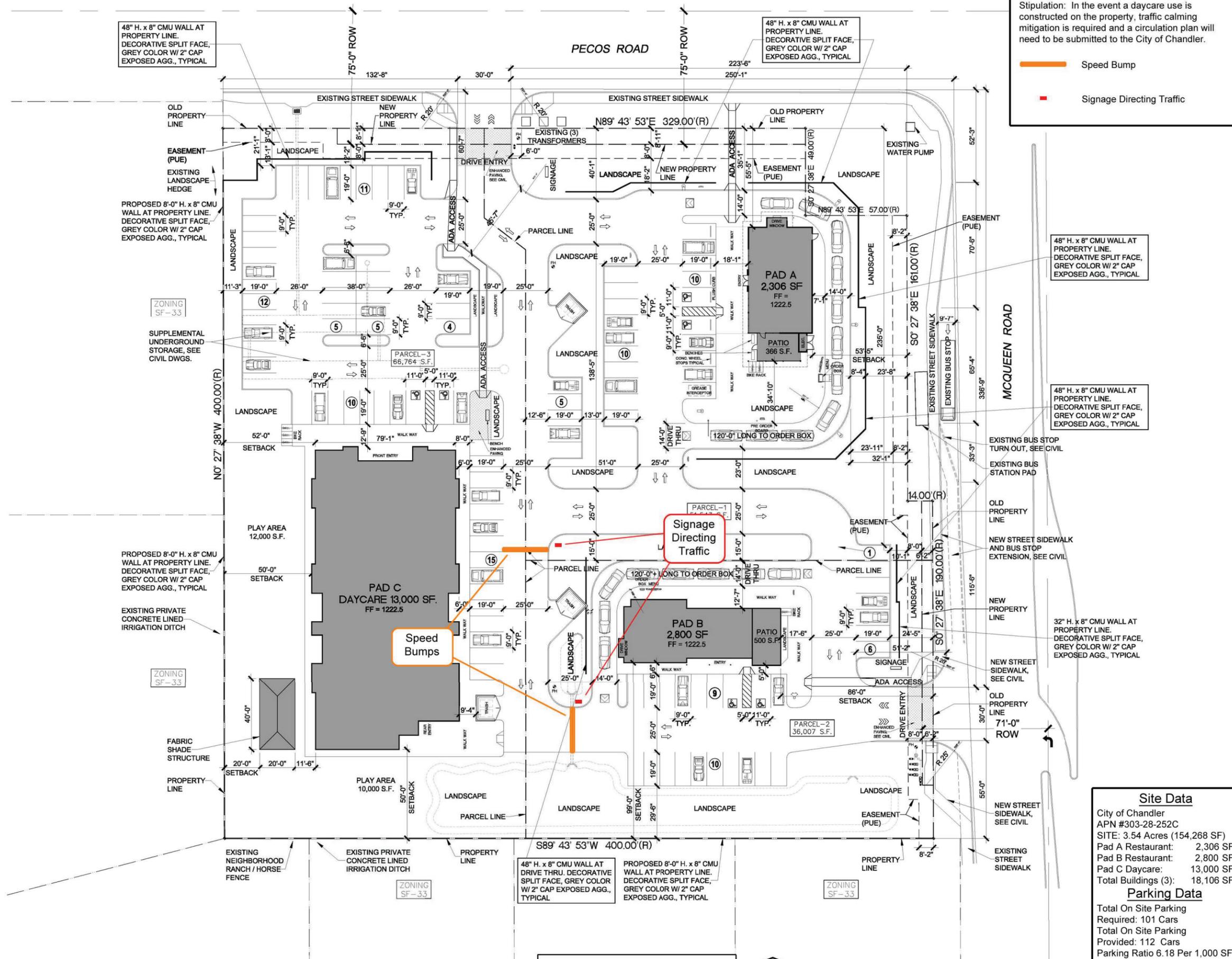
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Sheet No. **A-1.1**

# 5. Conceptual Daycare Mitigation Measures



**Daycare Traffic Mitigation**  
 Stipulation: In the event a daycare use is constructed on the property, traffic calming mitigation is required and a circulation plan will need to be submitted to the City of Chandler.

- Speed Bump
- Signage Directing Traffic

NEW BUILDINGS for  
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**REVISIONS**

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**Site Data**

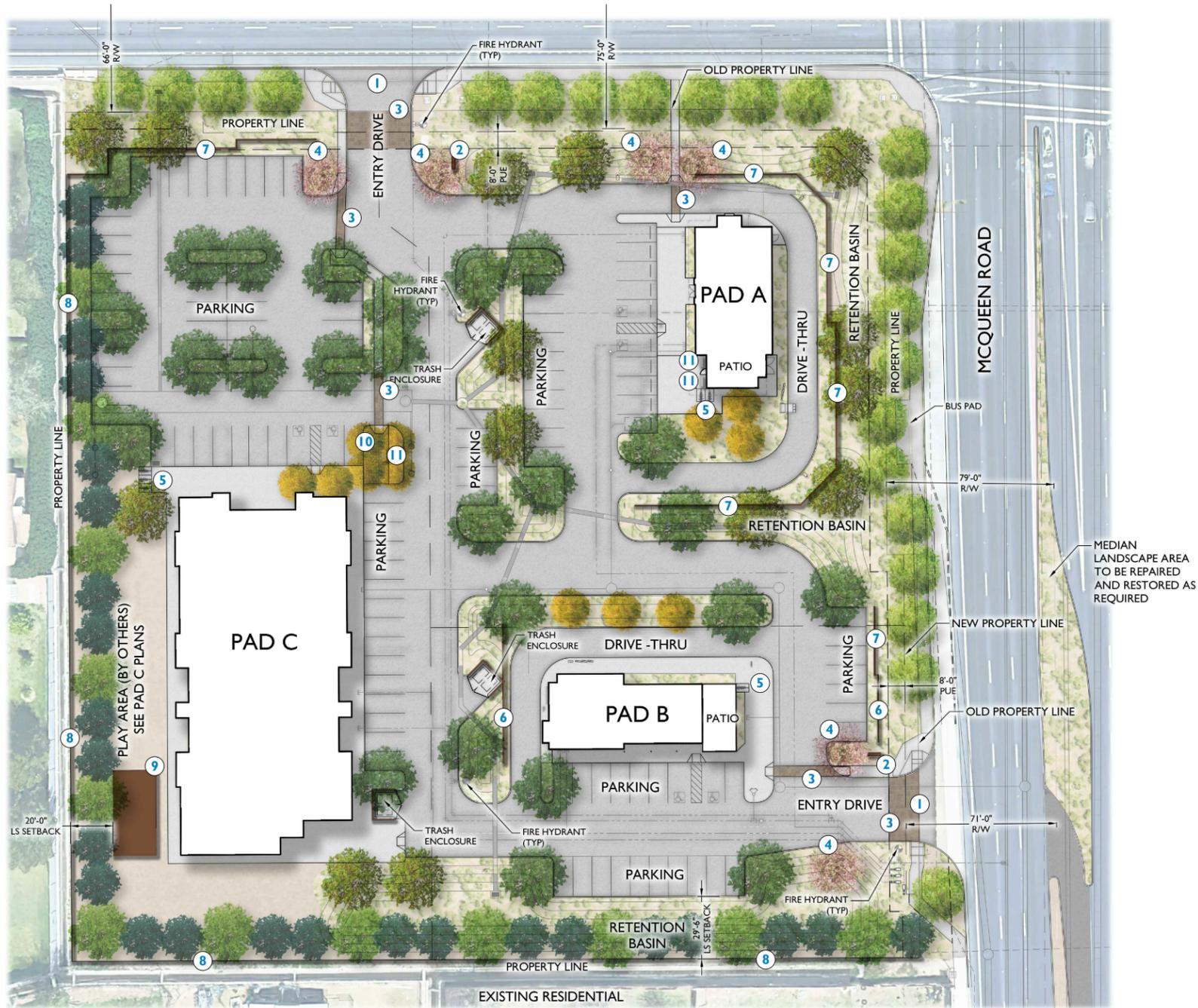
City of Chandler  
 APN #303-28-252C  
 SITE: 3.54 Acres (154,268 SF)  
 Pad A Restaurant: 2,306 SF  
 Pad B Restaurant: 2,800 SF  
 Pad C Daycare: 13,000 SF  
 Total Buildings (3): 18,106 SF

**Parking Data**

Total On Site Parking Required: 101 Cars  
 Total On Site Parking Provided: 112 Cars  
 Parking Ratio 6.18 Per 1,000 SF

**Daycare Traffic Mitigation**  
 SCALE: 1"=20'-0"  
 NORTH

## 6. Conceptual Landscape Plan



**KEYNOTES**

- 1 ENTRY DRIVE
- 2 MONUMENT SIGNAGE, SEE ARCHITECTURE PLANS
- 3 DECORATIVE VEHICULAR PAVING (INTEGRAL COLOR CONCRETE)
- 4 ENTRY ACCENT PLANTING
- 5 BIKE RACK
- 6 32" IN HEIGHT CMU PARKING SCREEN WALL, SEE ARCHITECTURE PLANS
- 7 4' IN HEIGHT CMU PARKING SCREEN WALL, SEE ARCHITECTURE PLANS
- 8 8' IN HEIGHT CMU WALL AT PROPERTY LINE, SEE ARCHITECTURE PLANS
- 9 FABRIC SHADE STRUCTURE, SEE ARCHITECTURE PLANS
- 10 DECORATIVE PAVING, SEE ARCHITECTURE PLANS
- 11 LANDSCAPE BENCH, SEE ARCHITECTURE PLANS

**PLANT LEGEND**

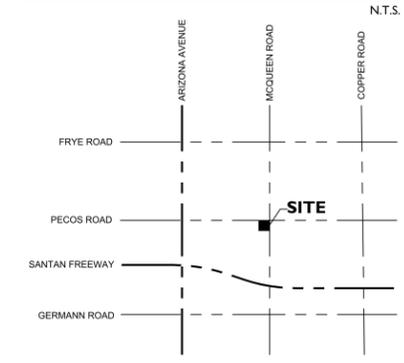
SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	QTY
<b>TREES</b>				
	Acacia farnesiana	Sweet Acacia	24" Box	14
	Acacia salicina	Willow Acacia	24" Box	25
	Caesalpinia cacalaco 'Smoothie'	Thornless Cascalote	24" Box	12
	Chilopsis linearis	Desert Willow	24" Box	6
	Parkinsonia x 'Desert Museum'	Desert Museum Palo Verde	24" Box	23
	Parkinsonia Praecox	Palo Brea	24" Box	12
	Prosopis hybrid 'Phoenix'	Thornless Mesquite	24" Box	26

SHRUBS/ACCENTS	COMMON NAME	SIZE
Agave desmettiana	Smooth Agave	1 Gal
Dasyllirion wheeleri	Desert Spoon	5 Gal
Hesperaloe parviflora 'Brakelights'	'Brakelights' Red Yucca	5 Gal
Justicia californica	Chuparosa	5 Gal
Larrea tridentata	Creosote Bush	5 Gal
Leucophyllum langmaniae 'Rio Bravo'	Rio Bravo Sage	5 Gal
Muhlenbergia lindheimeri 'Autumn Glow'	'Autumn Glow' Muhly	5 Gal
Opuntia violacea 'Santa Rita'	Purple Prickly Pear	5 Gal
Ruellia peninsularis	Desert Ruellia	5 Gal
Senna artemisioides	Feathery Cassia	5 Gal
Simmondsia chinensis 'Vista'	Compact Jojoba	5 Gal
Sphaeralcea ambigua	Globe Mallow	1 Gal

GROUNDCOVERS	COMMON NAME	SIZE
Eremophila prostrata 'Outback Sunrise'	'Outback Sunrise'	1 Gal
Lantana montevidensis	Trailing Purple Lantana	1 Gal
Lantana x 'New Gold'	New Gold Lantana	1 Gal

MATERIAL LEGEND	QTY
Planting with Decomposed Granite	DG: 1/2" Size - 2" Depth Color: Apache Brown 60,710 S.F.

**VICINITY MAP**



**LANDSCAPE CALCULATIONS:**

GROSS AREA:	167,495 S.F. (3.9 AC)
OFF-SITE LANDSCAPE AREA:	13,272 S.F.
NET SITE AREA:	154,268 S.F. (3.54 AC)
ONSITE LANDSCAPE AREA:	47,638 SF
SITE LANDSCAPE COVERAGE:	30%
TOTAL LANDSCAPE AREA:	60,710 SF

**PLANT DATA:**

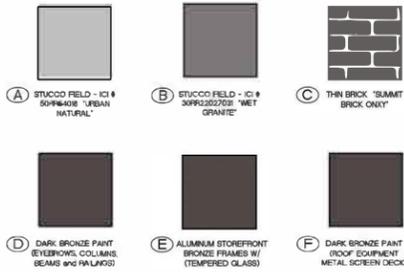
STREET RIGHT OF WAY:	REQUIRED	PROVIDED
E. PECOS RD (313 LF) 1 TREE PER 30 LF	11 TREES	11 TREES
S. MCQUEEN (342 LF) 1 TREE PER 30 LF	12 TREES	12 TREES
<b>LANDSCAPE BUFFER:</b>		
LANDSCAPE BUFFER (800 LF) 1 EVERGREEN TREE PER 20 LF	40 TREES	40 TREES
<b>PARKING AREAS:</b>		
9' x 19' PARKING ISLANDS (22 EACH) 1 TREE PER ISLAND	22 TREES	22 TREES



# 7. Conceptual Building Elevations and Floor Plans

**EXTERIOR COLORS SCHEDULE**

**PAD A (STARBUCKS):**



**EXTERIOR KEYNOTES**

- 1 STUCCO, SAND FINISH
- 2 REVEAL JOINT, 1/12" WIDE, EXTRUDED ALUM. FRY REGLET DCS 50-50, DARK BRONZE ALUM. FINISH
- 3 FLASHING, 24 GA, PAINT TO MATCH WALL
- 4 SIGNAGE BY TENANT



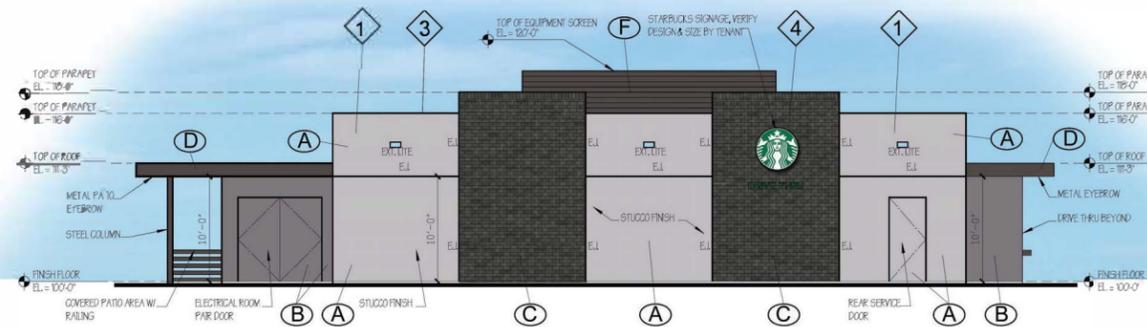
**WEST ELEVATION**

1/8"=1'-0"



**NORTH ELEVATION**

1/8"=1'-0"



**EAST ELEVATION**

1/8"=1'-0"



**SOUTH ELEVATION**

1/8"=1'-0"



NEW BUILDINGS for  
**PECOS AND MCQUEEN RETAIL**  
at  
PECOS RD AD and MCQUEEN ROAD (SOUTHWEST CORNER LOT)  
CHANDLER, ARIZONA 85225

**RS SHERMAN ARCHITECTURE**  
a Professional Corporation  
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Las Vegas, Nevada, 89134  
(702) 321-4383



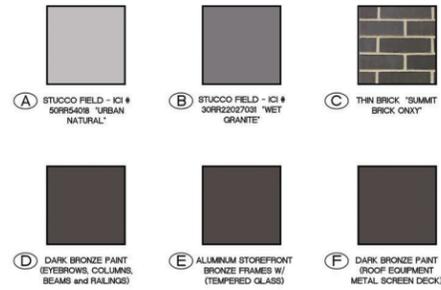
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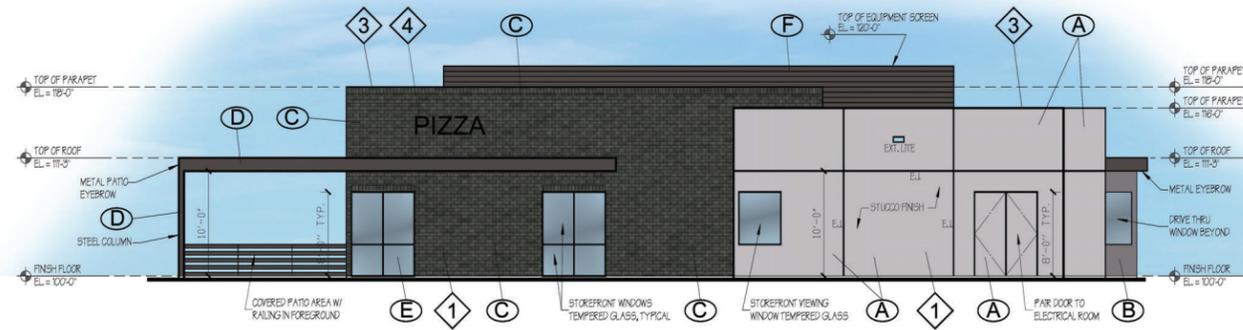
**EXTERIOR COLORS SCHEDULE**

**PAD B (FASTFOOD):**



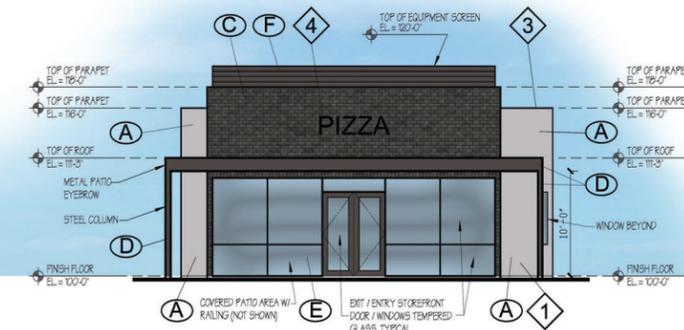
**EXTERIOR KEYNOTES**

- 1 STUCCO, SAND FINISH
- 2 REVEAL JOINT, 1-1/2" WIDE, EXTRUDED ALUM. FRY REGLET DCS 50-150, DARK BRONZE ALUM. FINISH
- 3 FLASHING, 24 GA, PAINT TO MATCH WALL
- 4 SIGNAGE BY TENANT



**NORTH ELEVATION**

1/8"=1'-0"



**EAST ELEVATION**

1/8"=1'-0"



**SOUTH ELEVATION**

1/8"=1'-0"



**WEST ELEVATION**

1/8"=1'-0"

NEW BUILDINGS for  
**PECOS AND MCQUEEN RETAIL**  
 at  
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 CHANDLER, ARIZONA 85225

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 a professional corporation  
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**REVISIONS**


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**EXTERIOR COLORS SCHEDULE**

**PAD C (DAYCARE):**

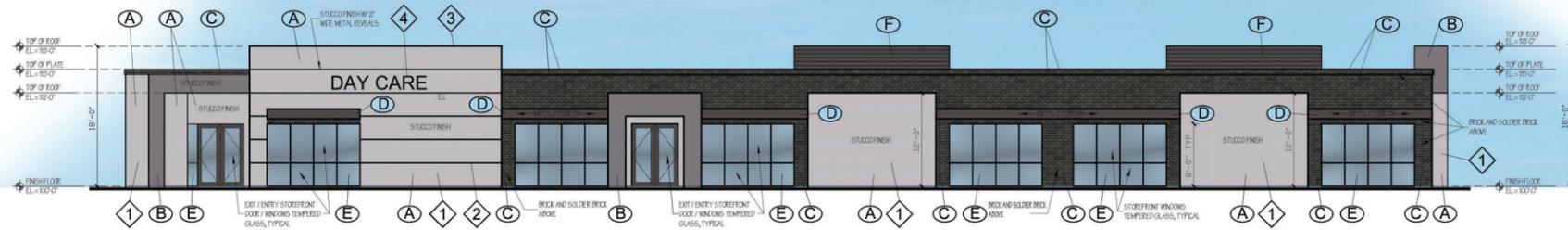
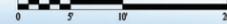

**EXTERIOR KEYNOTES**

- 1 STUCCO, SAND FINISH
- 2 REVEAL JOINT, 1-1/2" WIDE, EXTRUDED ALUM. FRY REGLET DCS 50-150, DARK BRONZE ALUM. FINISH.
- 3 FLASHING, 24 GA., PAINT TO MATCH WALL
- 4 SIGNAGE BY TENANT



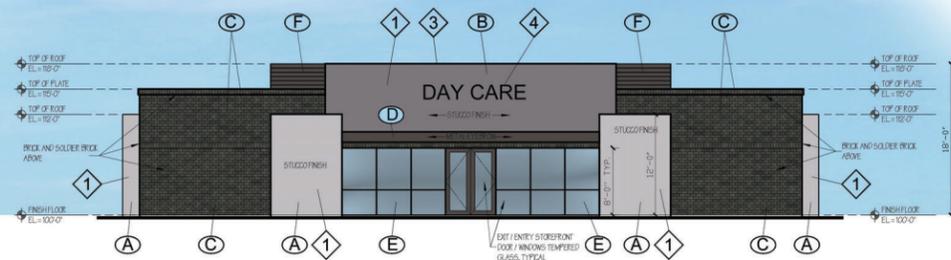
**SOUTH ELEVATION**

1"=10'-0"



**EAST ELEVATION WEST ELEVATION SIMILIAR**

1"=10'-0"



**NORTH ELEVATION**

1"=10'-0"



NEW BUILDINGS  
for  
**PECOS AND MCQUEEN RETAIL**  
at  
PECOS ROAD and McQUEEN ROAD (SOUTHWEST CORNER LOT)  
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**RS SHERMAN ARCHITECTURE**  
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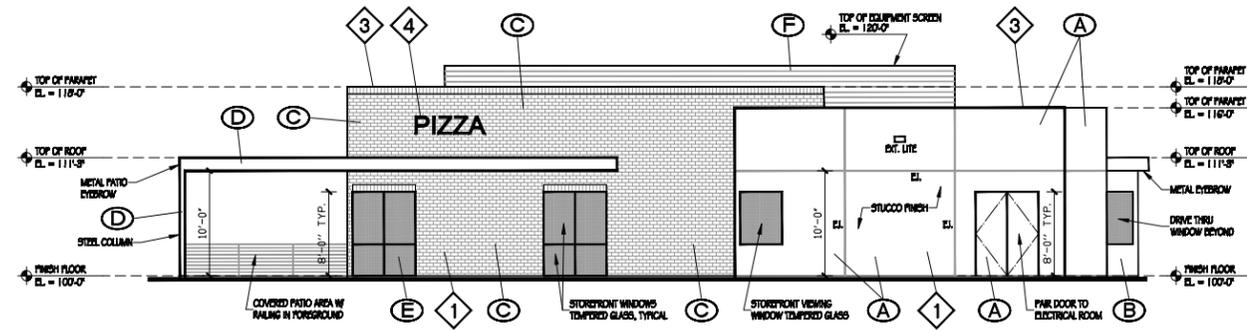
**EXTERIOR COLORS SCHEDULE**

PAD B (FASTFOOD):

- (A) STUCCO FIELD - ICI # 50RR54016 'URBAN NATURAL'
- (B) STUCCO FIELD - ICI # 30RR2207031 'WET GRANITE'
- (C) THIN BRICK 'SUMMIT BRICK ONLY'
- (D) DARK BRONZE PAINT (EYEBROWS, COLUMNS, BEAMS & RAILINGS)
- (E) ALUMINUM STOREFRONT BRONZE FRAMES W/ (TEMPERED GLASS)
- (F) DARK BRONZE PAINT (ROOF EQUIPMENT METAL SCREEN DECK)

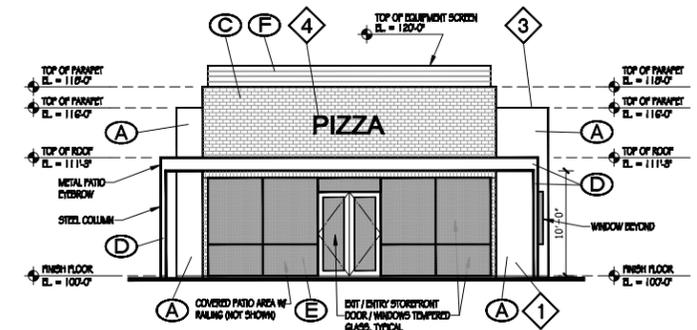
**EXTERIOR KEYNOTES**

- 1 STUCCO, SAND FINISH
- 2 REVEAL JOINT, 1-1/2" WIDE, EXTRUDED ALUM. FRY REGLET DCS 50-150, DARK BRONZE ALUM. FINISH.
- 3 FLASHING, 24 GA., PAINT TO MATCH WALL
- 4 SIGNAGE BY TENANT



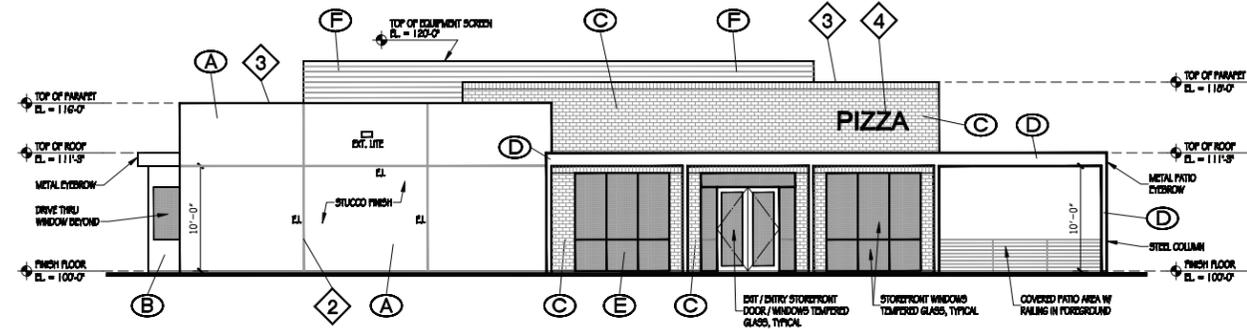
**NORTH ELEVATION**

1/8"=1'-0"



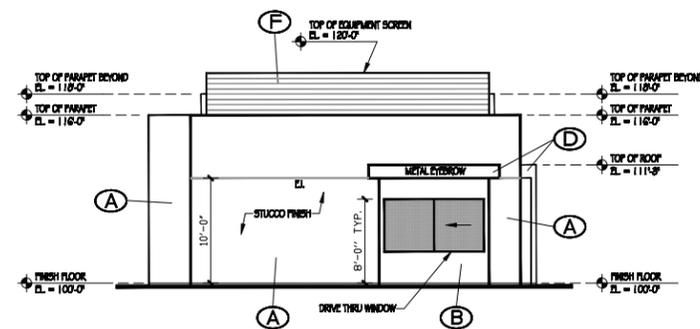
**EAST ELEVATION**

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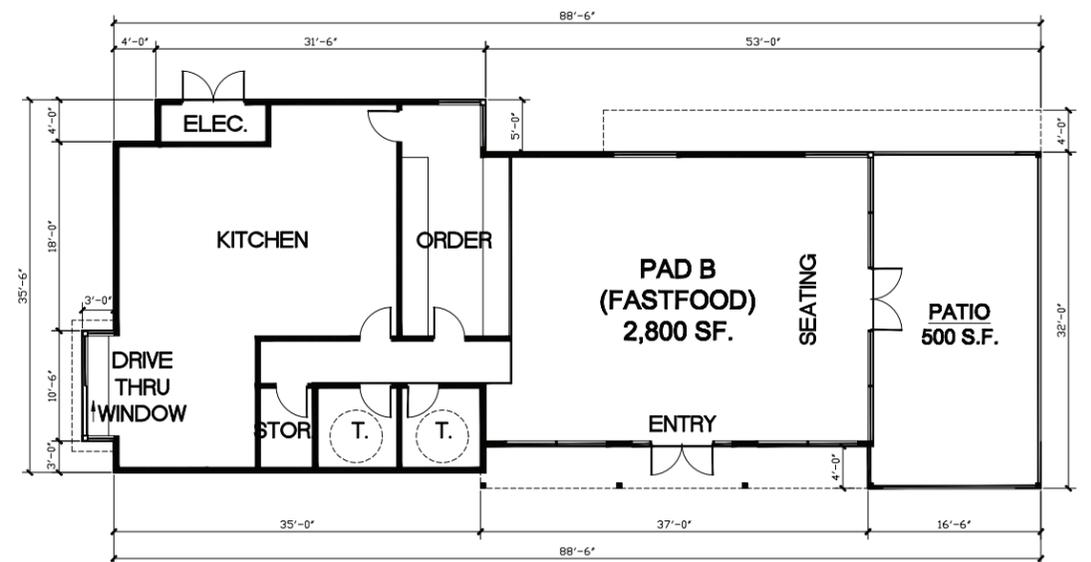
**SOUTH ELEVATION**

1/8"=1'-0"



**WEST ELEVATION**

1/8"=1'-0"



**FLOOR PLAN**

1/8"=1'-0"



NEW BUILDINGS for  
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 at  
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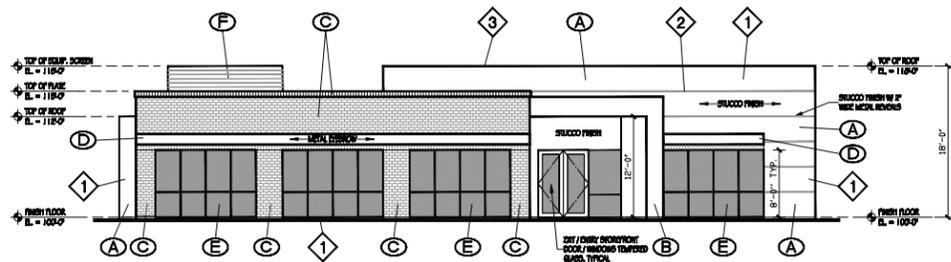
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Sheet No.  
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EXTERIOR COLORS SCHEDULE	
PAD C (DAYCARE):	
(A)	STUCCO FIELD - ICI # 50RR54018 'URBAN NATURAL'
(B)	STUCCO FIELD - ICI # 30RR2202703 'WET GRANITE'
(C)	THIN BRICK 'SUMMIT BRICK ONLY'
(D)	DARK BRONZE PAINT (EYEBROWS, COLUMNS, BEAMS & RAILINGS)
(E)	ALUMINUM STOREFRONT BRONZE FRAMES W/ (TEMPERED GLASS)
(F)	DARK BRONZE PAINT (ROOF EQUIPMENT METAL SCREEN DECK)

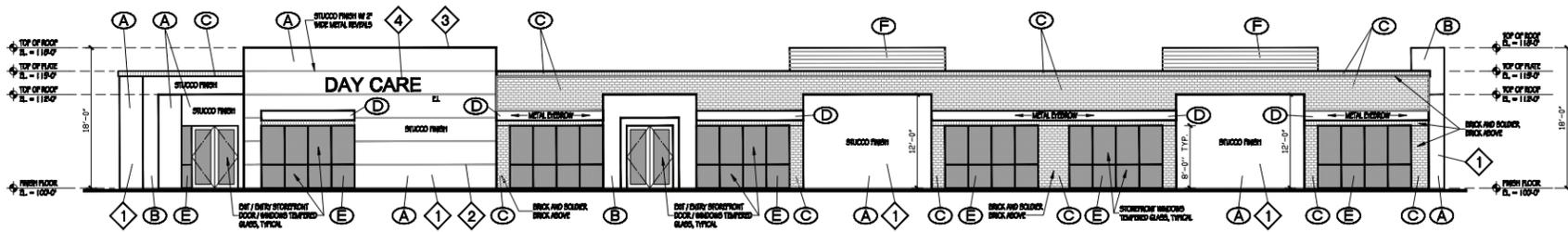
  

EXTERIOR KEYNOTES	
1	STUCCO, SAND FINISH
2	REVEAL JOINT, 1-1/2" WIDE, EXTRUDED ALUM. FRY REGLET DC3 50-150, DARK BRONZE ALUM. FINISH.
3	FLASHING, 24 GA., PAINT TO MATCH WALL
4	SIGNAGE BY TENANT



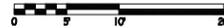
### SOUTH ELEVATION

1"=10'-0"

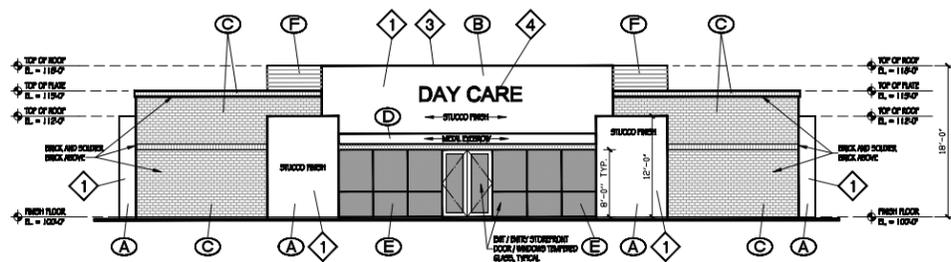


### EAST ELEVATION

1"=10'-0"

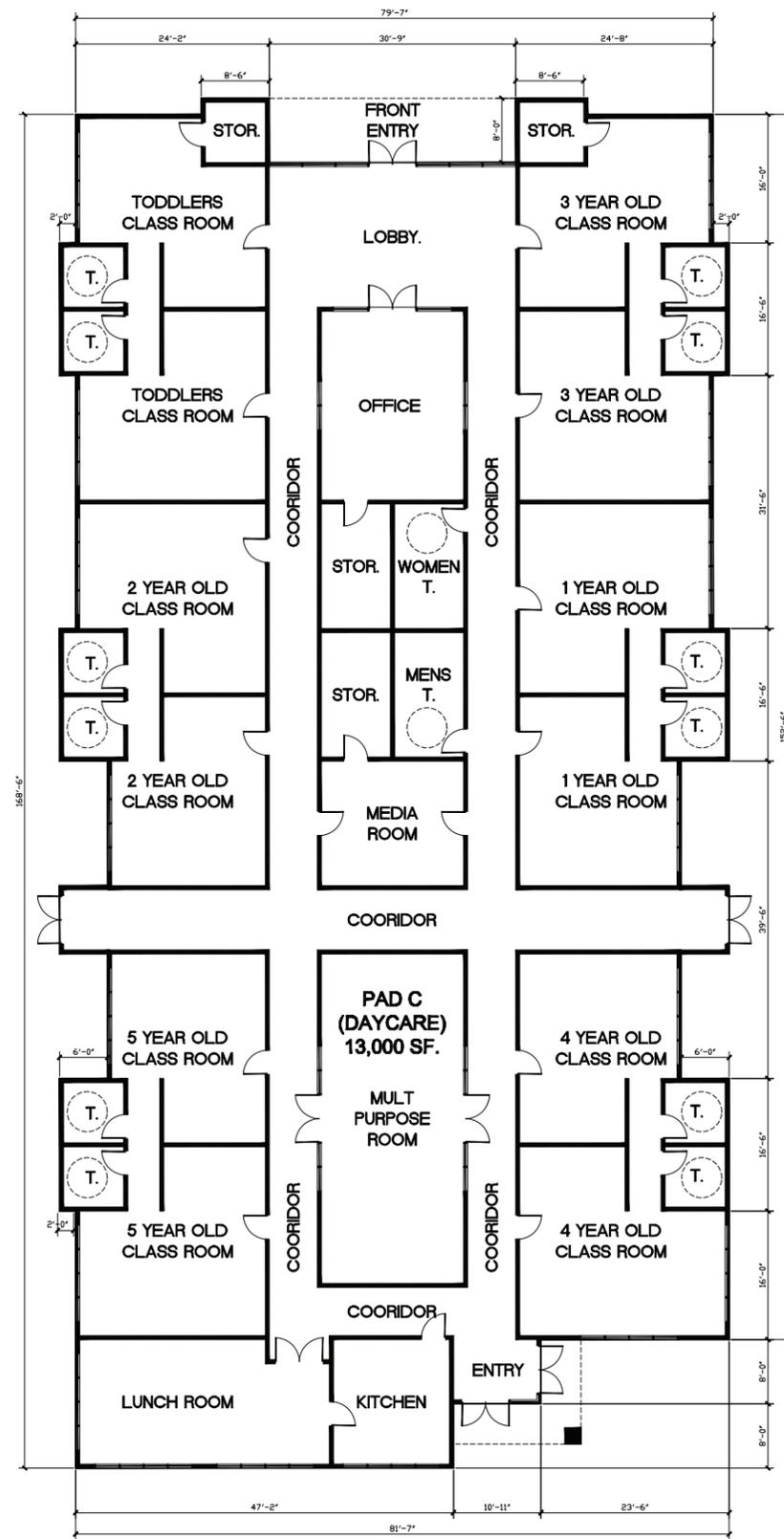


WEST ELEVATION SIMILIAR



### NORTH ELEVATION

1"=10'-0"



### FLOOR PLAN

1"=10'-0"



NEW BUILDINGS for  
**PECOS AND McQUEEN RETAIL**  
 PECOS ROAD and McQUEEN ROAD (SOUTHWEST CORNER LOT)  
 CHANDLER, ARIZONA 85225

**RS SHERMAN ARCHITECTURE**  
 a professional corporation  
 2804 GOLDFIELD DRIVE  
 Las Vegas, Nevada 89134  
 (702) 921-4383

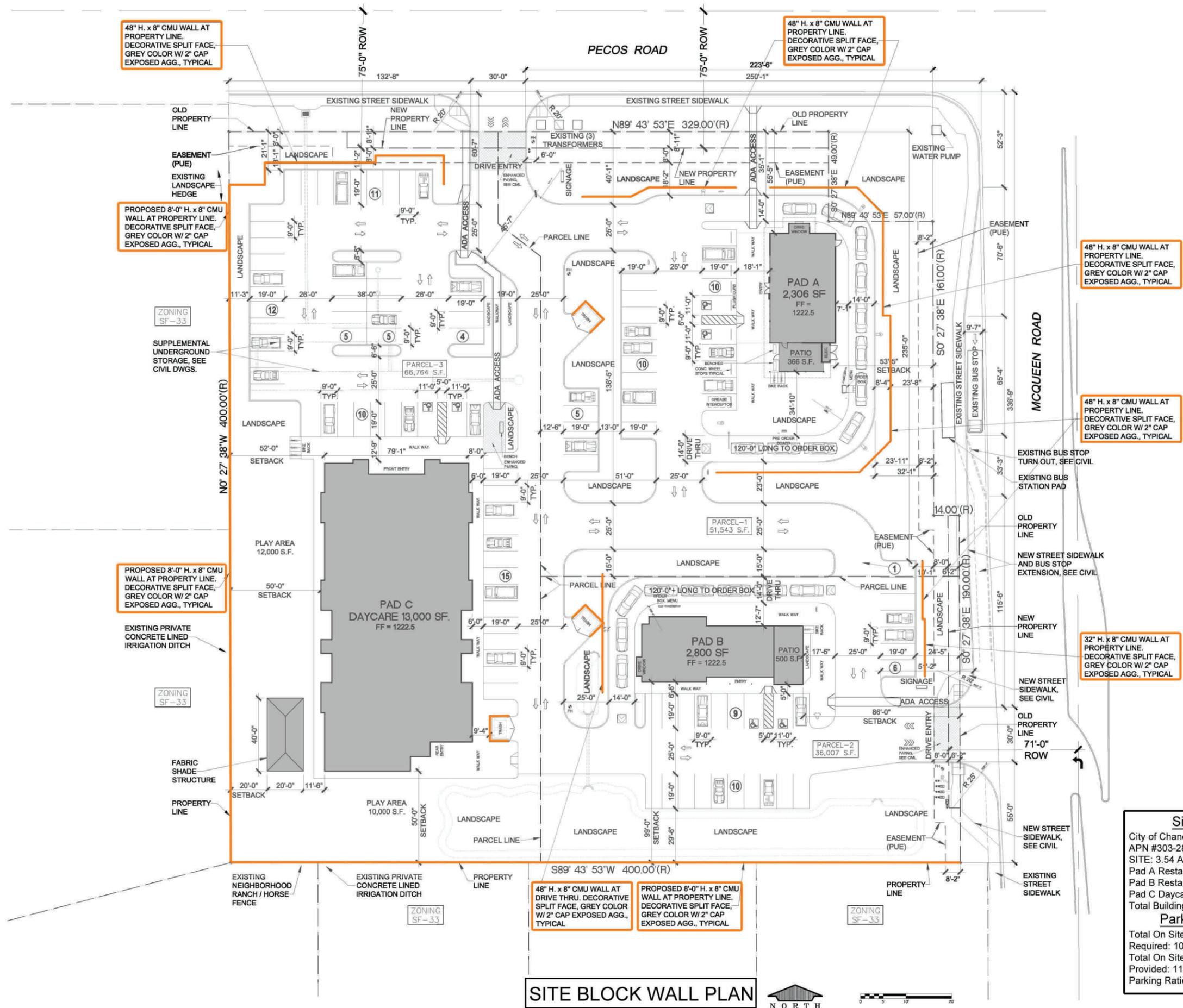


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 Job No: -  
 Date: 12-9-20  
 Scale: 1"=10'-0"  
 Drawn: GS  
 Checked:

Sheet No.  
**A-4.1**

# 8. Wall Elevations and Site Details



**SITE BLOCK WALL PLAN**

SCALE: 1"=20'-0"



Site Data	
City of Chandler	
APN #303-28-252C	
SITE: 3.54 Acres (154,268 SF)	
Pad A Restaurant:	2,306 SF
Pad B Restaurant:	2,800 SF
Pad C Daycare:	13,000 SF
Total Buildings (3):	18,106 SF
Parking Data	
Total On Site Parking Required:	101 Cars
Total On Site Parking Provided:	112 Cars
Parking Ratio	6.18 Per 1,000 SF

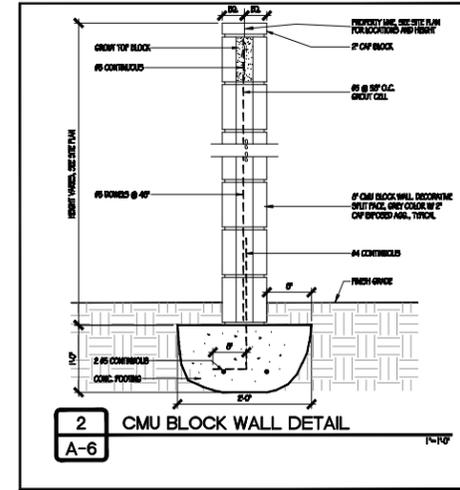
**RS SHERMAN ARCHITECTURE**  
 a professional corporation  
 2804 COLLETSIDE DRIVE  
 Las Vegas, Nevada 89134  
 (702) 321-4383



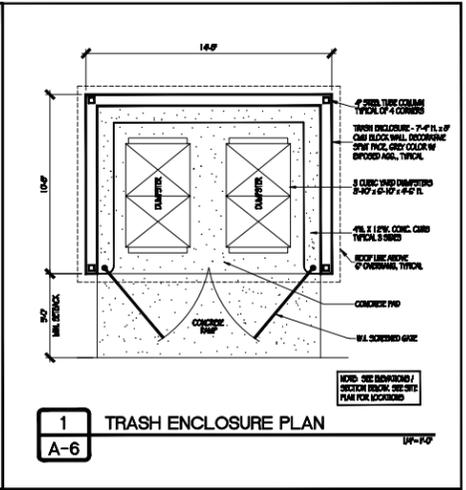
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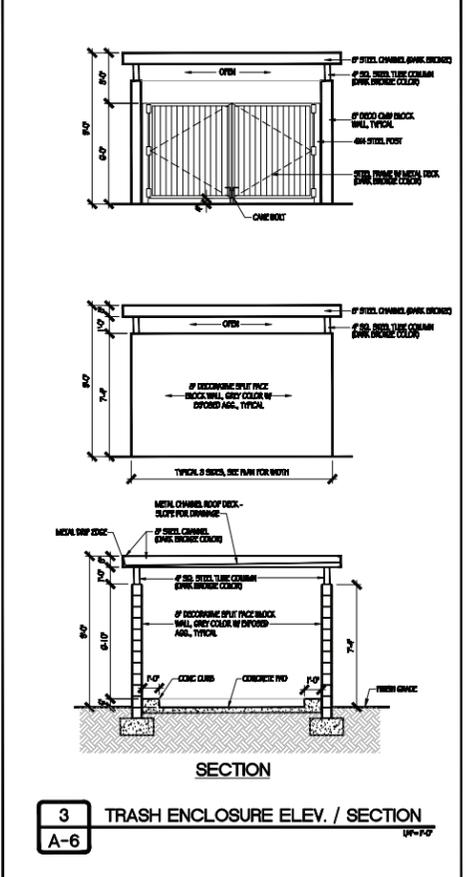
NEW BUILDINGS for  
**PECOS AND MCQUEEN RETAIL**  
 at  
 PECOS ROAD and MCQUEEN ROAD (SOUTHWEST CORNER LOT)  
 CHANDLER, ARIZONA 85225



**2** CMU BLOCK WALL DETAIL  
**A-6**



**1** TRASH ENCLOSURE PLAN  
**A-6**



**3** TRASH ENCLOSURE ELEV. / SECTION  
**A-6**

NEW BUILDINGS for  
**PECOS AND McQUEEN RETAIL**  
at  
PECOS ROAD and McQUEEN ROAD (SOUTHWEST CORNER LOT)  
CHANDLER, ARIZONA 85225

**RS SHERMAN ARCHITECTURE**  
a professional corporation  
2804 OCHLIFE DRIVE  
Las Vegas, Nevada 89134  
(702) 321-4383

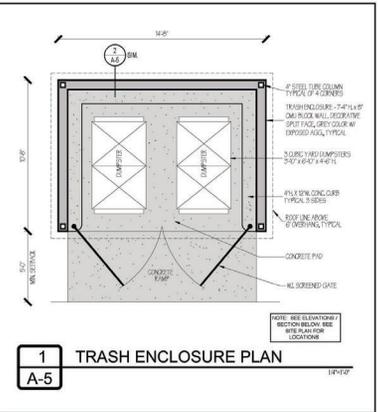
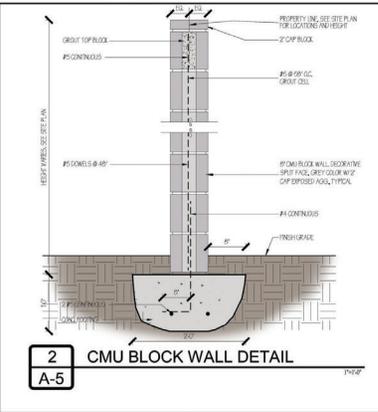
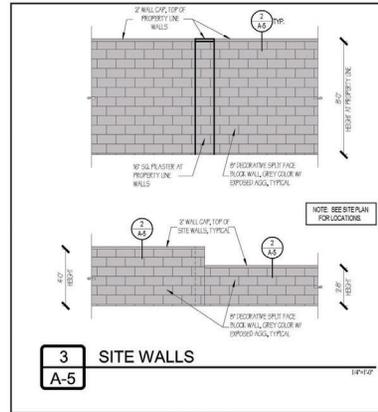


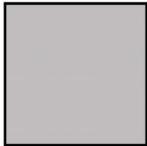
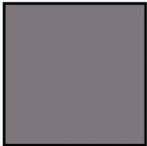
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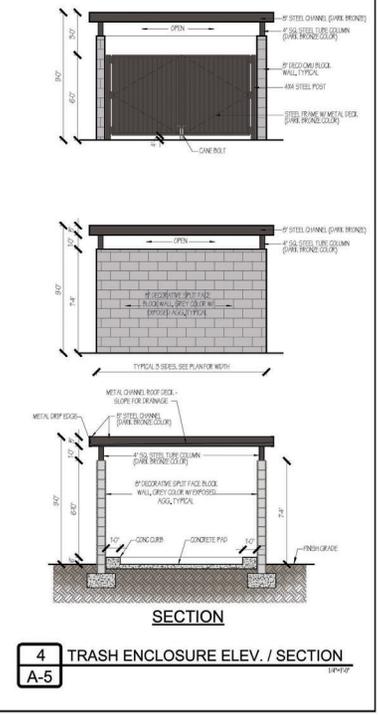
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Drawn: GS  
Checked:

Sheet No.  
**A-6**

# 9. Color and Materials Palette



-   
**A** STUCCO FIELD - ICI # 50RR54018 "URBAN NATURAL"
-   
**B** STUCCO FIELD - ICI # 30RR22027031 "WET GRANITE"
-   
**C** THIN BRICK "SUMMIT BRICK ONXY"
-   
**D** DARK BRONZE PAINT (EYEBROWS, COLUMNS, BEAMS and RAILINGS)
-   
**E** ALUMINUM STOREFRONT BRONZE FRAMES W/ (TEMPERED GLASS)
-   
**F** DARK BRONZE PAINT (ROOF EQUIPMENT METAL SCREEN DECK)



NEW BUILDINGS  
for  
**PECOS AND McQUEEN RETAIL**  
PECOS ROAD and McQUEEN ROAD, (SOUTHWEST CORNER LOT)  
CHANDLER, ARIZONA 85225

**RS SHERMAN  
ARCHITECTURE**  
a professional corporation  
2804 COLLETSIDE DRIVE  
Las Vegas, Nevada 89134  
(702) 321-4838



NO.	DATE	DESCRIPTION

File Name: CHANDLER SITE  
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**A-5**

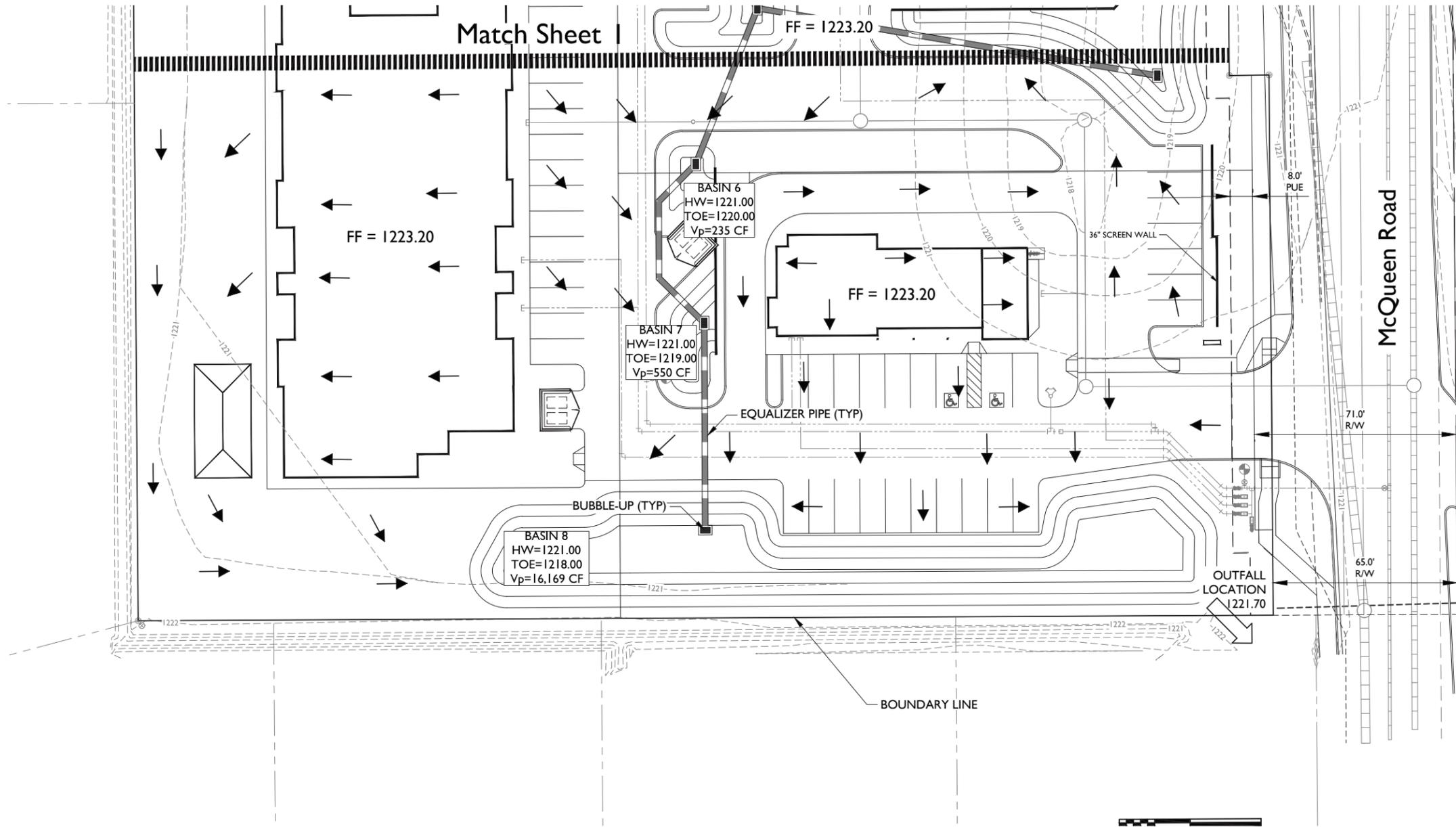
This drawing is the property of RS SHERMAN ARCHITECTURE and shall not be reproduced or applied to any project without written authorization from RS SHERMAN ARCHITECTURE.

# 10. Preliminary Grading and Drainage Plan



# 20-0298 - Pecos McQueen Retail - Preliminary

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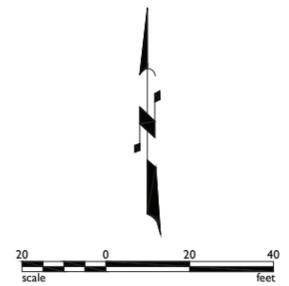
## RETENTION CALCULATIONS

REQUIRED VOLUME:	RETENTION:			
AREA= 216,306 SF	UGR (150 LF)	Vp = 11,781 CF	-	-
C = 0.90	BASIN 1	Vp = 762 CF	-	-
P = 2.20 IN	BASIN 2	Vp = 3,419 CF	-	-
Vr = 39,313 CF	BASIN 3	Vp = 401 CF	-	-
	BASIN 4	Vp = 1,207 CF	-	-
	BASIN 5	Vp = 5,172 CF	-	-
	BASIN 6	Vp = 235 CF	-	-
	BASIN 7	Vp = 550 CF	-	-
	BASIN 8	Vp = 16,169 CF	-	-
	TOTALS =	Vp = 39,695 CF	Vr = 39,313 CF	EXCESS VOLUME = 382 CF

NOTE: ALL BASINS AND UNDERGROUND RETENTION ARE COMBINED BY EQUALIZER PIPES.

## LEGEND

	SEWER LINE		SLOPE DIRECTION
	SEWER MANHOLE		STORM DRAIN PIPE
	WATER LINE		TRENCH DRAIN PIPE
	FIRE HYDRANT		CATCH BASIN
	WATER VALVE		DRYWELL
FF=	FINISHED FLOOR		GUTTER



1130 N Alma School Road  
Suite 120  
Mesa, AZ 85201  
T: 480.503.2250 | F: 480.503.2258  
www.epsgroupinc.com



Project: Pecos McQueen Retail  
SVC of E. Pecos Road and S. McQueen Rd.  
Chandler, Arizona

Preliminary Grading and Drainage

Revisions:

No.	Description

Designer: EPS  
Drawn by: EPS



Job No. 20-0298

PG02

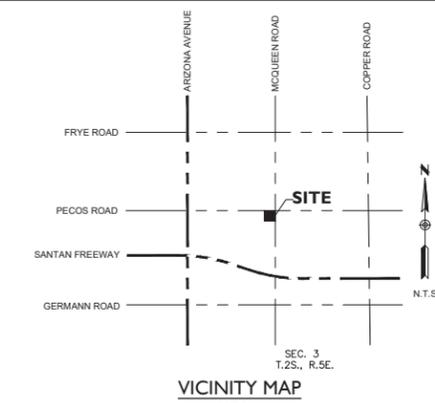
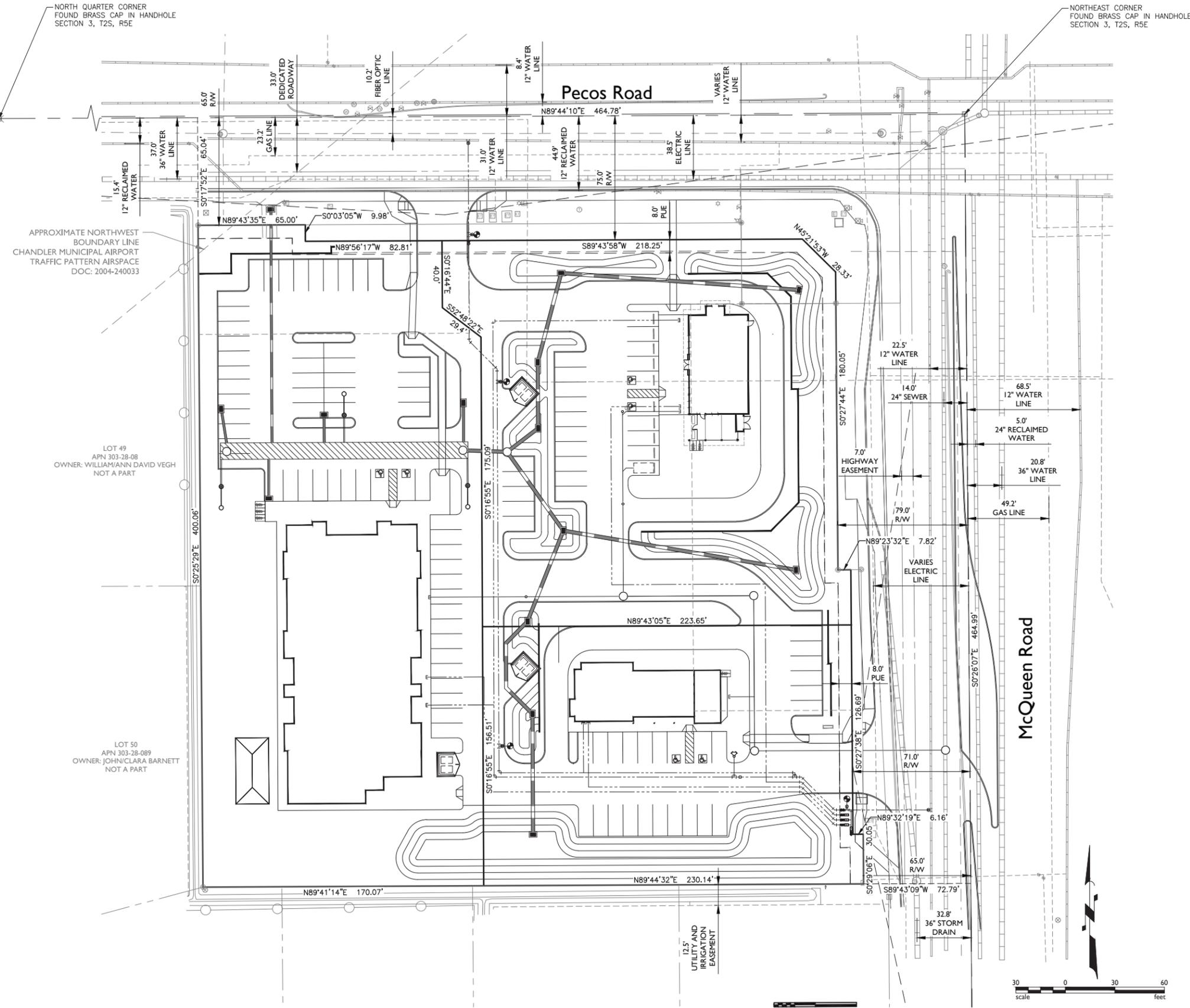
Sheet No. 2 of 2

C.O.C. Log No.: PRE20-0018

# 11. Preliminary Plat

# PRELIMINARY PLAT FOR PECOS & MCQUEEN RETAIL

A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 5 EAST  
OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



## PROJECT TEAM

**DEVELOPER**  
DIVERSIFIED PARTNERS, LLC  
7500 E. McDONALD DR., STE. 100A  
SCOTTSDALE, AZ 85260  
TEL: (480) 947-8800  
CONTACT: SCOTT HINTZE  
EMAIL: SCOTT@DPCRE.COM

**ARCHITECT:**  
RS SHERMAN ARCHITECTURE  
2804 GOLFSIDE DRIVE  
LAS VEGAS, NV 89134  
TEL: (702) 321-4383  
CONTACT: ROBERT S. SHERMAN  
EMAIL: NVARCHITECT@OUTLOOK.COM

**ENGINEER:**  
EPS GROUP, INC.  
2045 S. VINEYARD, SUITE 101  
MESA, AZ 85210  
TEL: (480)-503-2250  
CONTACT: DAN 'OX' AUXIER  
EMAIL: DAN.AUXIER@EPSGROUPINC.COM

## PROJECT DATA

A.P.N.: 303-28-252C  
CURRENT LAND USE: UNDEVELOPED  
EXISTING ZONING: AG-1  
PROPOSED ZONING: PAD

GROSS AREA: +/- 4.6090 ACRES (200,770 SF)  
NET AREA: +/- 3.4662 ACRES (150,986 SF)

NO. OF LOTS: 3

## GENERAL NOTES

- THIS SUBDIVISION IS WITHIN THE CHANDLER MUNICIPAL AIRPORT IMPACT OVERLAY DISTRICT. AN AVIATION OR AVIGATION EASEMENT SHALL BE PROVIDED AT THE TIME OF FINAL PLATTING.
- THE IMPROVEMENTS ON THIS PLAT WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE WILL NOT BE ISSUED UNTIL THE OVERHEAD UTILITY LINE UNDERGROUND REQUIREMENTS HAS BEEN SATISFIED.
- THE IMPROVEMENTS SHOWN ON THIS SET OF PLAN WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED UNTIL IRRIGATION FACILITY UNDERGROUND REQUIREMENTS HAS BEEN SATISFIED.
- THE FINAL PLAT FOR THIS SUBDIVISION WILL NOT BE APPROVED OR RECORDED UNTIL A RECLAIMED WATER USE AGREEMENT IS EXECUTED BY THE DEVELOPER AND APPROVED BY THE CITY.
- THERE ARE NO EXISTING WELLS ON SITE.
- DRAINAGE CONCEPTS ARE SHOWN ON THE PRELIMINARY GRADING AND DRAINAGE PLAN.

## NARRATIVE STATEMENT

THIS PROJECT REQUEST IS FOR PRELIMINARY PLAT REVIEW TO CONSTRUCT A RETAIL DEVELOPMENT ON APPROXIMATELY 3.4 NET ACRES LOCATED AT THE SOUTHWEST CORNER OF PECOS AND MCQUEEN ROADS AND WILL CONSIST OF 3 LOTS.

## UTILITIES

WATER	CITY OF CHANDLER
SEWER	CITY OF CHANDLER
GAS	SOUTHWEST GAS
ELECTRIC	SALT RIVER PROJECT
TELEPHONE	CENTURYLINK / COX COMMUNICATION
REFUSE	CITY OF CHANDLER
CABLE TV	CENTURYLINK / COX COMMUNICATION

## BASIS OF BEARING

THE BASIS OF BEARING IS THE MONUMENT LINE ON MCQUEEN ROAD, ALSO BEING THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 23.

SAID BEARING IS SOUTH 00°27'30" WEST PER THE DESCRIPTION.

## BENCHMARK

CITY OF CHANDLER VERTICAL CONTROL BENCHMARK #36A  
ARIZONA AVE AND PECOS RD; 4' WEST OF BACK OF SIDEWALK.

SECTION 4, T2S, R5E, 3" BRASS CAP IN CONCRETE, 150' SOUTH, 75' WEST OF INTERSECTION OF ARIZONA AVE AND PECOS RD; 4' WEST OF BACK OF SIDEWALK.

NGVD 29 ELEVATION = 1215.120'  
NAVD 88 ELEVATION (NGVD 29 ELEV + 1.732') = 1216.85'

NOTE: ELEVATIONS DEPICTED ON THIS PLAN ARE BASED ON NAVD88

## RETENTION VOLUME

RETENTION VOLUME REQUIRED = 29,746 CUBIC FEET  
RETENTION VOLUME PROVIDED = 30,890 CUBIC FEET

NOTE:  
VISIBILITY EASEMENTS RESTRICTIONS: ANY OBJECT, WALL STRUCTURE, MOUND OR LANDSCAPING (MATURE) OVER 24" IN HEIGHT IS NOT ALLOWED WITHIN THE EASEMENT EXCEPT TREES TRIMMED TO NOT LESS THAN 6' ABOVE GROUND. TREES SHALL BE SPACED NOT LESS THAN 8' APART.

20-0298 - Pecos McQueen Retail - Preliminary

Mar. 02., 2021 7:52pm S:\Projects\2020-0298\Civil\Preliminary\20-0298 - PP01.dwg

1130 N. Alma School Road  
Suite 120  
Mesa, AZ 85201  
T: 480.503.2250 | F: 480.503.2258  
www.epsgroupinc.com

**Pecos McQueen Retail**  
SVC of E. Pecos Road and S. McQueen Rd.  
Chandler, Arizona

**Preliminary Plat**

Project: \_\_\_\_\_

Revisions:

Designer:	EPS
Drawn by:	EPS

Job No.  
**20-0298**

PP01

Sheet No.  
**1**  
of 1

C.O.C. Log No.: PRE20-0018

# 12. Perspective Renderings















# 13. Signage

# Pecos Corner

## **PRELIMINARY DEVELOPMENT PLAN** **COMPREHENSIVE SIGN PROGRAM**

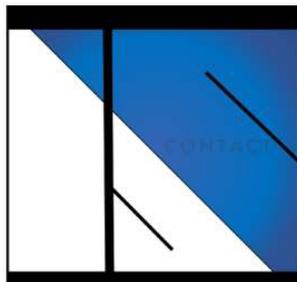
### **OWNER INFORMATION**

WNDG, LLC  
7500 E McDonald Dr #100A  
Scottsdale AZ 85250

Owner Representative  
Diversified Partners, LLC  
7500 E McDonald Dr #100A  
Scottsdale AZ 85250  
Office: (480) 947-8800

### **SIGN CONSULTANT**

Indie Signage Sales, LLC dba Indie Signage  
20118 N 67th Ave, Ste 300-218  
Glendale AZ 85308  
Jose Villanueva, President  
(623) 302-4545  
[jose@indiesignage.com](mailto:jose@indiesignage.com)



## Table Contents

1	Introduction & General Requirements
2	Specifications Tenant Signs & Design Requirements
3	General Construction Requirements, Sign Lighting & Prohibited Signage
4	Cross Section Details
5	Sign Type 1
6	Sign Type 2
7	Pad A - North Elevation
8	Pad A - South Elevation
9	Pad A - East Elevation
10	Pad A - West Elevation
11	Pad A - Floor Plan
12	Pad B - North Elevation
13	Pad B - South Elevation
14	Pad B - East Elevation
15	Pad B - West Elevation
16	Pad B - Floor Plan
17	Pad C - North Elevation
18	Pad C - South Elevation
19	Pad C - East / West Elevation
20	Pad C - Floor Plan
21	Site Location
22	Site Map - Monument Sign Types 1 & 2 Locations
23	Colors & Materials

## **Introduction**

The intent of this Sign Criteria is to provide guidelines necessary to achieve a visually coordinated, balanced, and appealing signage environment at Pecos Corner for the mutual benefit of all tenants and the public, regulations of the City of Chandler sign ordinance, building and electrical codes of any government authority having jurisdiction.

Conformance of the Sign Criteria shall be rigorously enforced and any non-conforming sign(s) shall be removed or brought into conformance at the sole cost and expense of the tenant.

This criteria is subject to final approval by the City of Chandler as part of a Preliminary Development Plan. If a conflict is found to exist between these criteria and the final criteria approved by the City of Chandler, the latter shall prevail.

All signage shall comply with signage criteria found within the I. General Requirements, II. Specifications - Tenant Signs, III. Design Requirements, IV. General Construction Requirements, V. Sign Lighting & VI. Prohibited Signage below, and meet all applicable local codes. Tenant will be responsible for submitting sign permit application, shop drawings, and all other necessary paperwork with the City of Chandler.

The tenant shall obtain all necessary permits, and shall be the owner of record for all signs, shall pay for all signs their installation (including permit fees, engineering fees, final connection, transformers, and other labor, materials, maintenance).

### **I. General Requirements**

- A. Tenant shall submit or cause to be submitted to Landlord, for approval, prior to fabrication, detailed drawings indicating the location, size, layout, design color, illumination materials and method of attachment of the signage plans shall be designed on an 11" x 17" size PDF, the drawings shall be clearly legible and may be delivered by email to the designated representative of the Landlord. Should the Tenant decide to deliver a printed set of drawings, the Tenant shall submit or cause to be submitted to Landlord, four (4) copies of detailed drawings as described above, printed in full color on 11" x 17" paper.
- B. Tenant or Tenant's representative shall obtain all permits for signs and their installation.
- C. All signs shall be constructed and installed at Tenant's sole expense.
- D. Tenant shall be responsible for the fulfillment of all requirements and specifications, including those of the local municipality.
- E. All signs shall be reviewed for conformance with these criteria and overall design and quality. Approval or disapproval of sign submittals based on aesthetics of design shall remain the sole right of Landlord or Landlord's authorized representative.
- F. Tenant shall be responsible for the installation and maintenance of Tenant's sign. Should Tenant's sign require, maintenance or repair, Landlord shall give Tenant thirty (30) days written notice to effect said maintenance or repair. Should Tenant fail to do the same, Landlord may undertake repairs and Tenant shall reimburse Landlord within ten (10) days from receipt of Landlord's invoice.
- G. Advertising devices such as attraction boards, posters, banners and flags shall not be permitted.

## II. SPECIFICATIONS - TENANT SIGNS

### A. General Specifications

1. No animated, flashing or audible signs shall be permitted.
2. All signs and their installation shall comply with all local building and electrical codes.
3. No exposed raceways, crossovers or conduit shall be permitted.
4. All cabinets, conductors, transformers, power drivers, power supplies and other equipment shall be concealed.
5. Painted lettering shall not be permitted except as approved by the Landlord and the City of Chandler.
6. Any damage to the sign band face or roof deck resulting in Tenant's sign installation shall be repaired at Tenant's sole cost.

### B. Location of Signs

1. All signs or devices advertising an individual use, business or building shall be on same building as leased space, but not required to be over actual leased space. Specific sign location to be directed by Landlord.

## III. DESIGN REQUIREMENTS

A. Individual illuminated letters and logos may include pan channel metal letters with acrylic sign faces, reverse pan channel "backlit" illuminated letters, or any combination thereof. Electrical connections shall be concealed to remote power supply. All signage shall be installed in compliance to City of Chandler electrical code and UL2161/UL 48 specifications. Any sign installation found to be non-compliant shall be repaired immediately by the Tenant at Tenant's sole expense.

### B. Sign Area/Multi-Tenant Building

Signs shall not exceed two (2) square feet in area for each linear foot of business frontage. Said signs shall be wall- or window-mounted, on or under an architectural projection. The sign shall not project more than two (2) feet from the building, or structure to which it is attached. No attached sign shall exceed two hundred (200) square feet in area.

### C. Letter Style or Logo Restrictions

Copy and/or logos utilized shall be Tenant's choice, subject to the approval of Landlord and/or Landlord's agents and the City of Chandler, with respect to surrounding area and existing signage. Signage is to be aesthetically pleasing in, but not limited to, letter/architectural style, and placement.

D. Cabinet signs, other than corporate logos, shall be prohibited. Signs shall be integrated with building facades and shall be proportional to the scale of the facades so that they are not the dominant architectural features.

E. Traffic directional signs are permitted, provided they are no higher than three (3) feet. The sign may be internally illuminated or non-illuminated.

F. Illumination

Tenant building signage shall be internally illuminated, either face-lit, or back-lit to create a silhouette, or a combination of both face-lit and back-lit is allowed. No exposed neon or other lighting method allowed.

G. Non-Illumination

Non-illuminated signage is not allowed.

#### IV. GENERAL CONSTRUCTION REQUIREMENTS

A. All exterior signs shall be secured by concealed fasteners, stainless steel, or nickel or cadmium plated.

B. All signs shall be fabricated using full welded construction.

C. All penetrations of the building structure required for sign installation shall be neatly sealed in a watertight condition.

D. No labels or other identification shall be permitted on the exposed surface of signs except those required by local ordinance, must be readily visible from public property or property accessible to the public after the sign is erected.

E. Tenant shall be fully responsible for the operations of Tenant's sign contractors and shall indemnify, defend and hold Landlord harmless for, from and against damages or liabilities on account thereof.

#### V. SIGN LIGHTING

A. All lighting to tenants signage shall be controlled by a 24-hour time clock photo sensor.

B. Sign illumination shall be internal and self-contained.

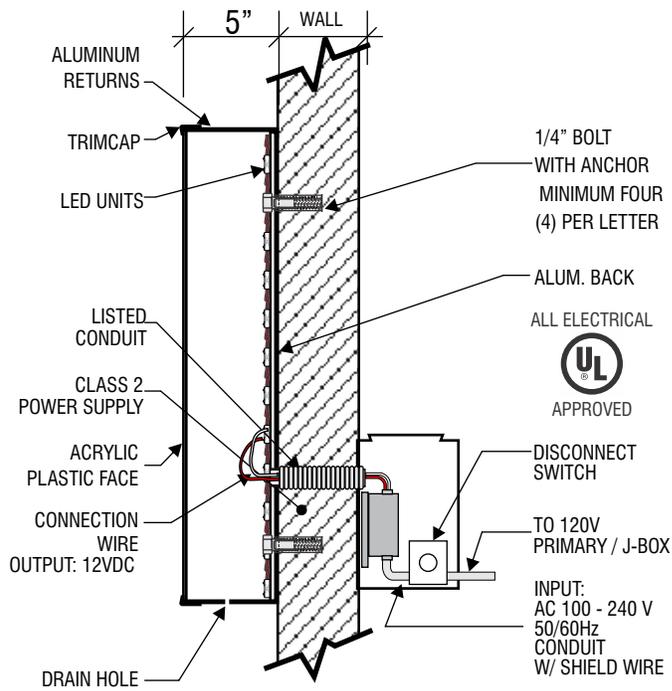
C. All electrical and install methods must meet UL standards and contain UL labels. UL Labels are not required to be visible from the ground.

#### VI. PROHIBITED SIGNAGE

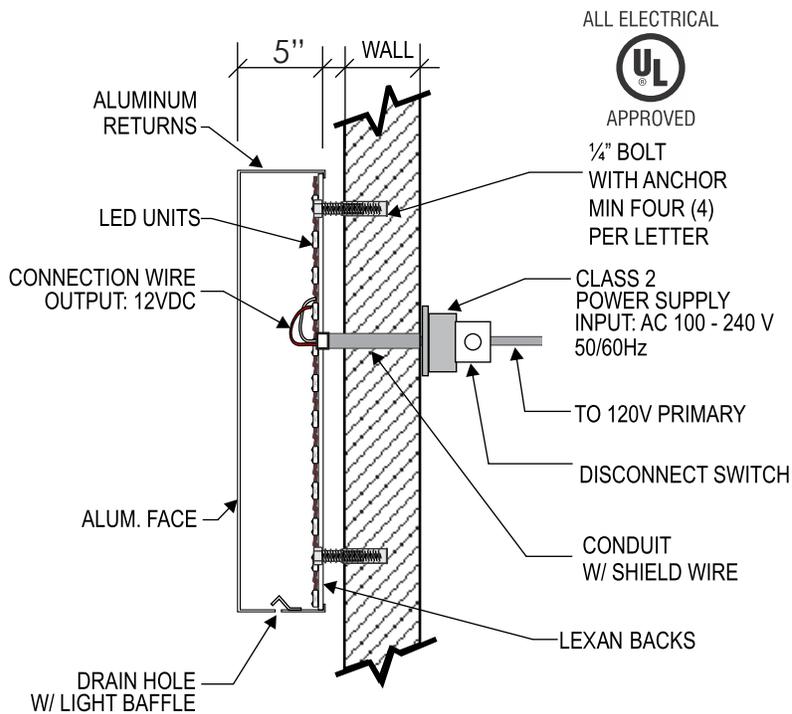
- signs using poor-quality materials, i.e. plastic applique letters, non-fade resistant materials, etc
- light boxes, cabinet signs, formed plastic or injection-molded letters
- flashing, moving, audible, or odor making signage
- cluttered signs
- banners, pennants, inflatable displays or sandwich boards
- 2nd story signs above the parapet
- rooftop signage
- awnings with printed letters
- window decals such as credit card acceptability
- advertising or promotional signs on parked vehicles
- exposed neon or any other exposed light source
- signs with exposed conduit, tubing, raceways, conductors, transformers or other such equipment
- pre-manufactured signs, such as franchise signs, that have not been modified to meet these criteria
- no cloth, paper, cardboard, or similar stickers or decals around or on surfaces on the storefront.

## V. Cross Section Details

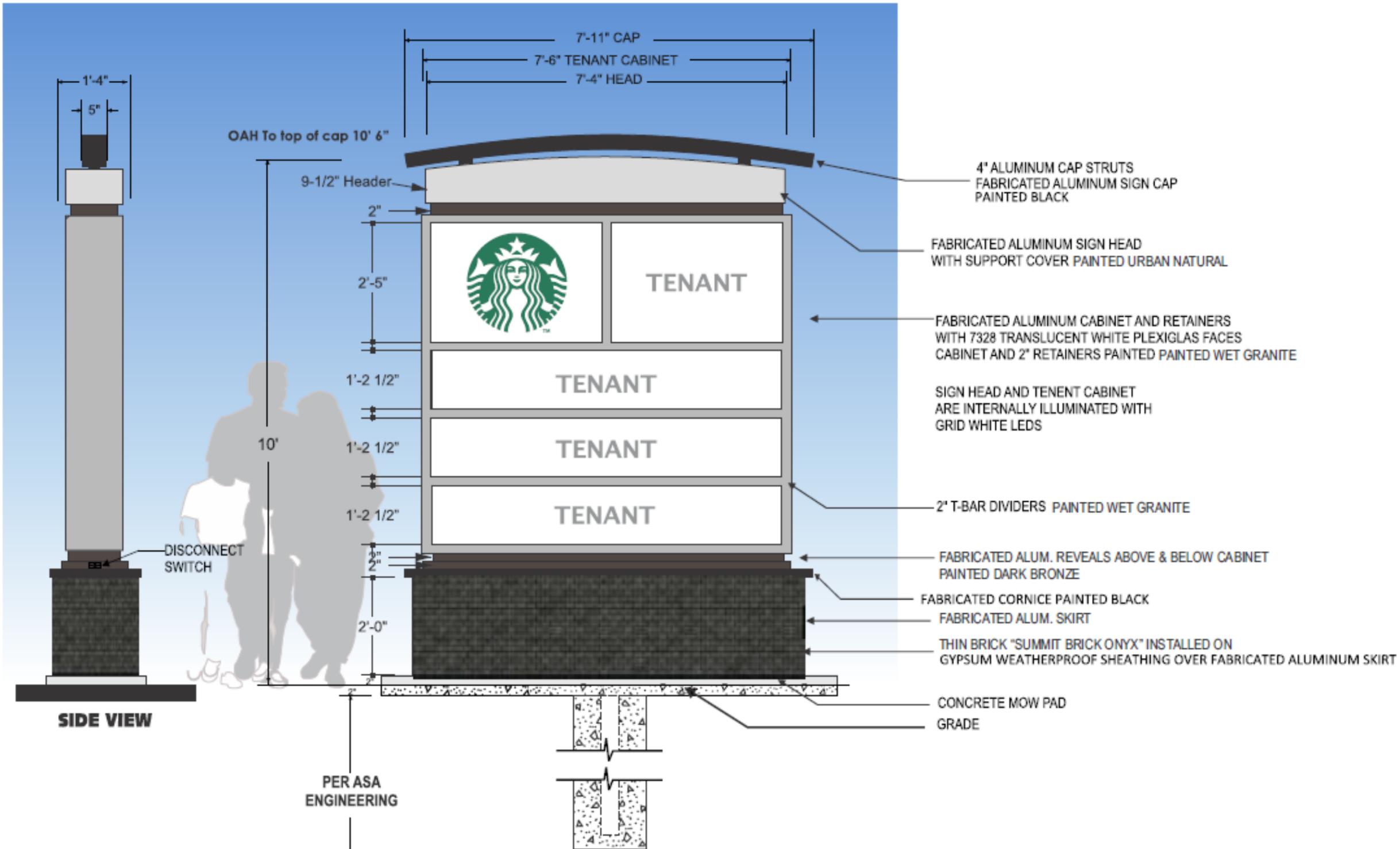
### PC Letter / LED Illumination / Face-Lit



### RPC Letter / LED Illumination / Halo-Lit / Reverse-Lit



# Acrylic Faces in Retainer



## SIGN TYPE 1



**ILLUMINATED D/F MONUMENT SIGN  
10 FT. MONUMENT**

**QTY: ONE (1) SIGN**

**Electrical requirements**

(1) 277V 20A circuit req'd  
UL labels required away from public view.

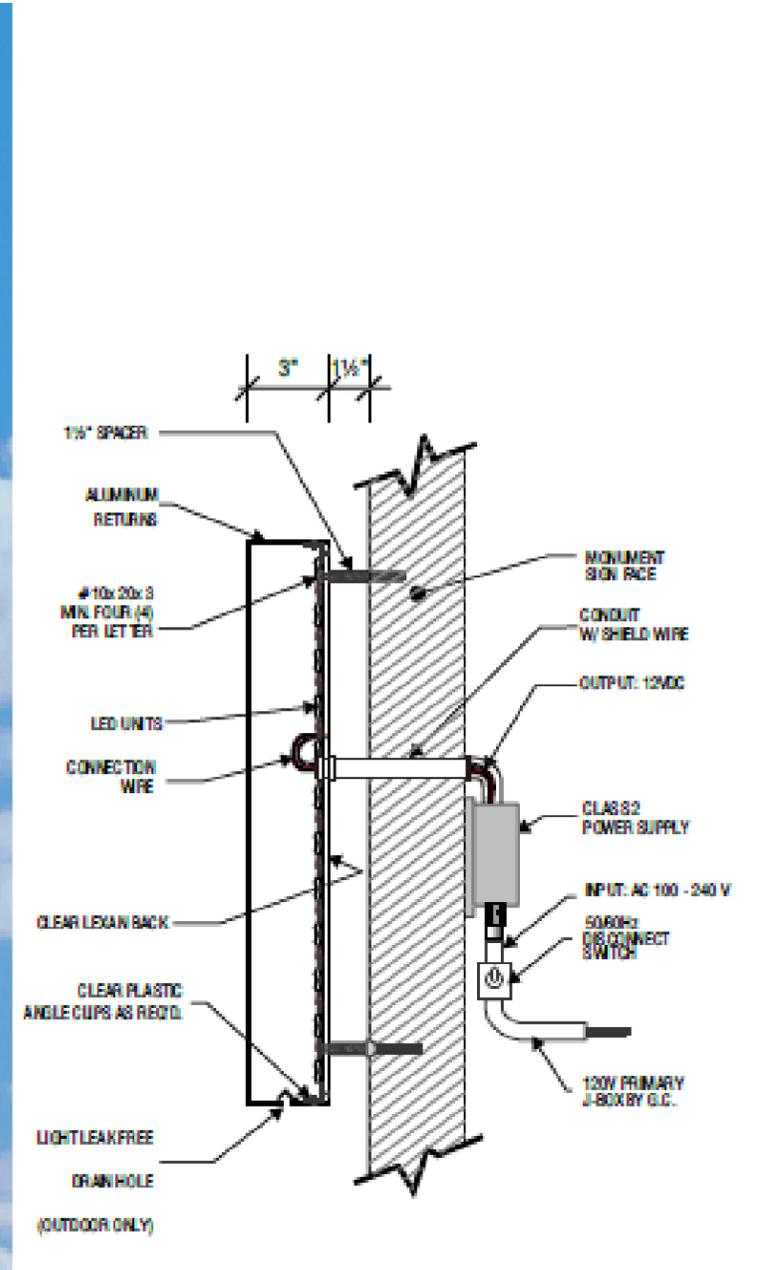
**IMPORTANT NOTE**

ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED ISOLATED CIRCUITS PROVIDED BY CLIENT/ OTHER.

GC TO PROVIDE ACCESSIBILITY TO REMOTE TRANSFORMERS FOR INSTALL AND SERVICE.

FINAL ELECTRICAL HOOK UP BY OTHERS.





**Electrical requirements**

(1) 277V 20A circuit req'd  
 UL labels required away from public view.

**IMPORTANT NOTE**

ALL ELECTRICAL PRIMARY CIRCUITS MUST BE DEDICATED ISOLATED CIRCUITS PROVIDED BY CLIENT/OTHER.

GC TO PROVIDE ACCESSIBILITY TO REMOTE TRANSFORMERS FOR INSTALL AND SERVICE.

FINAL ELECTRICAL HOOK UP BY OTHERS.

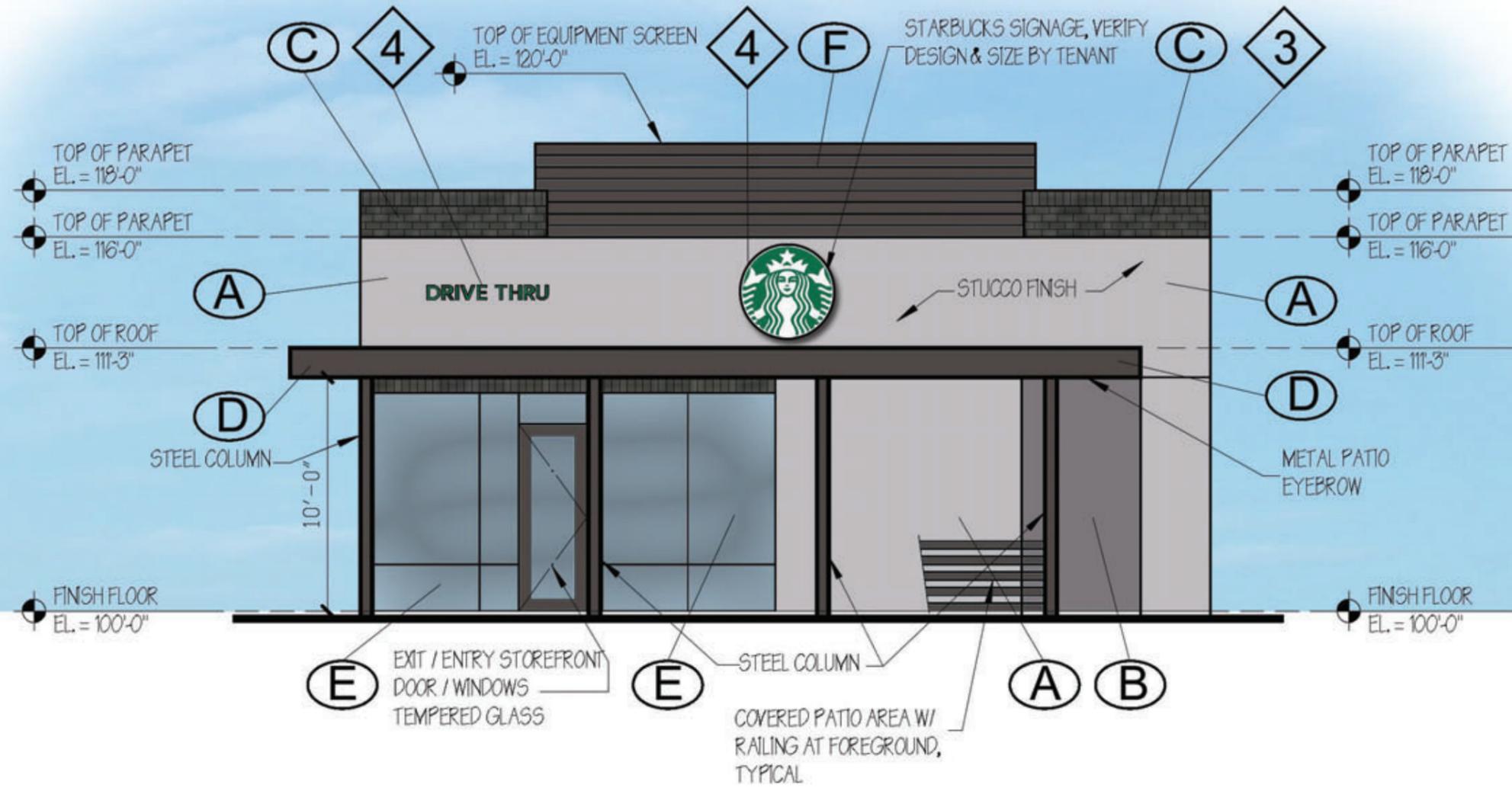
ALL ELECTRICAL



APPROVED



Size: 6.0' tall by 16.0' overall width  
 Reverse Pan Channel Letters painted black with white halo-lighting  
 Aluminum Cabinet painted "Wet Granite" with face painted "Urban Natural" with White Border  
 Trim pop-outs painted "Dark Bronze"  
 Header painted "Urban Natural"  
 Aluminum skirt base with weatherproof underlayment board covered with Thin Brick "Summit Brick Onxy"



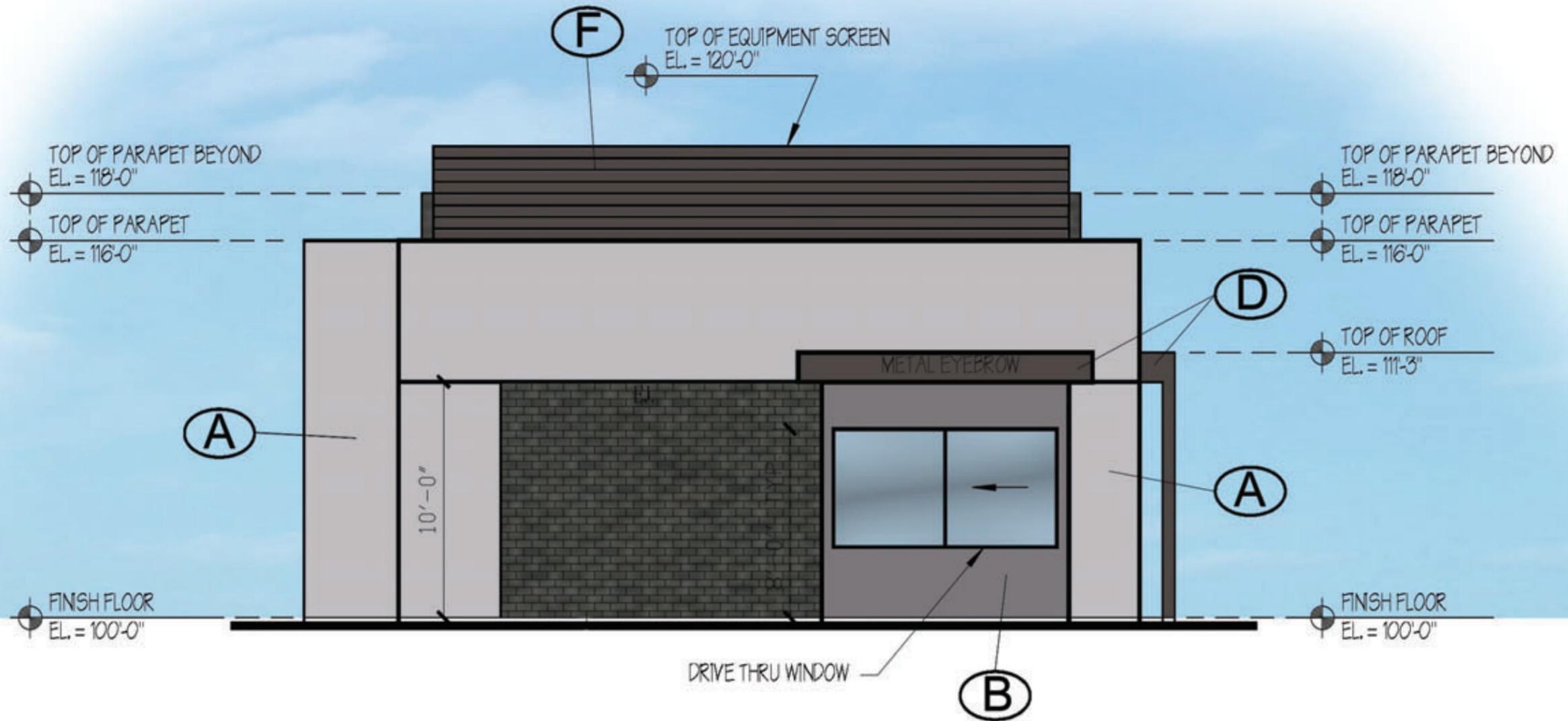
**NORTH ELEVATION**



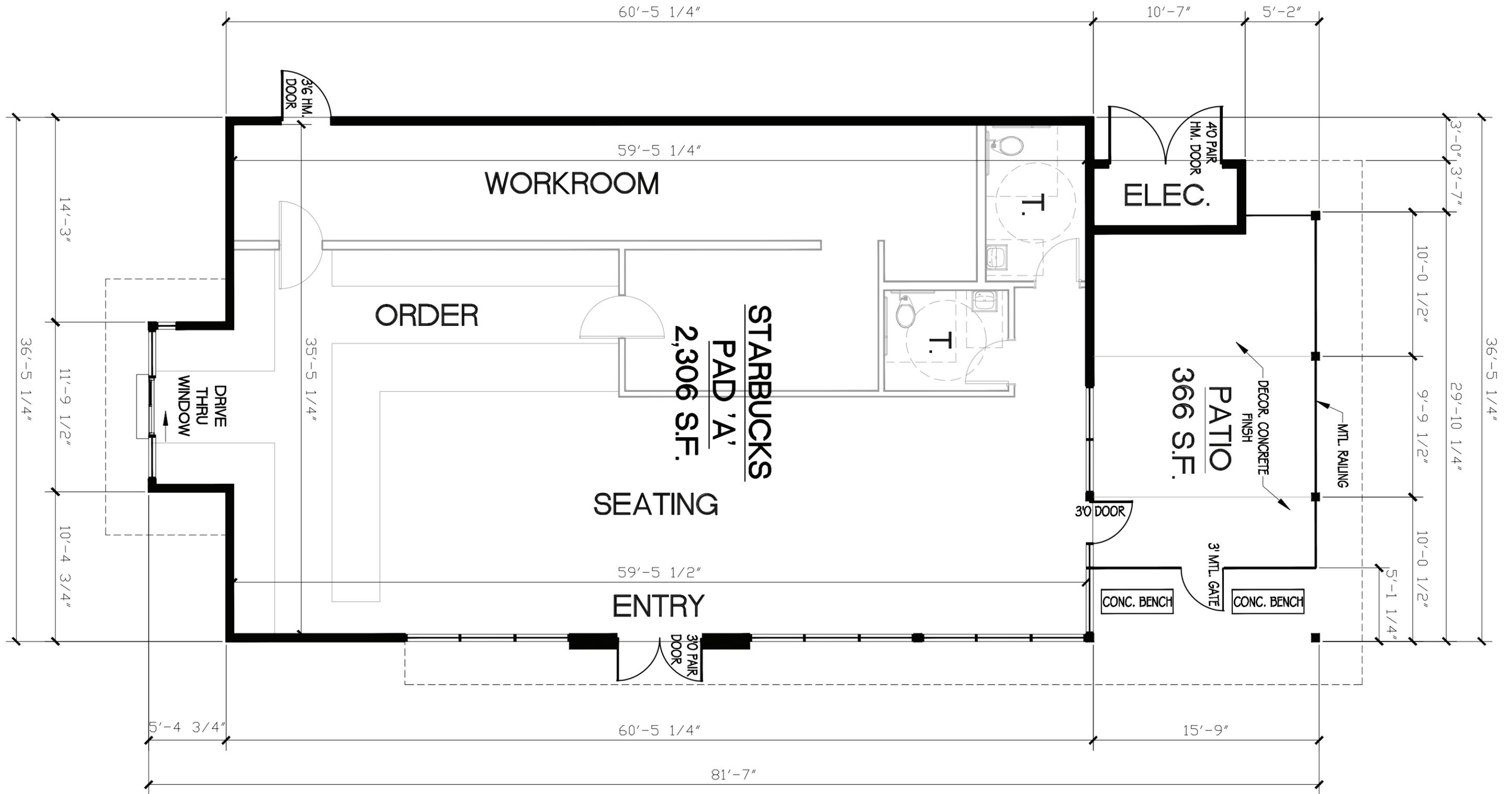
SOUTH ELEVATION

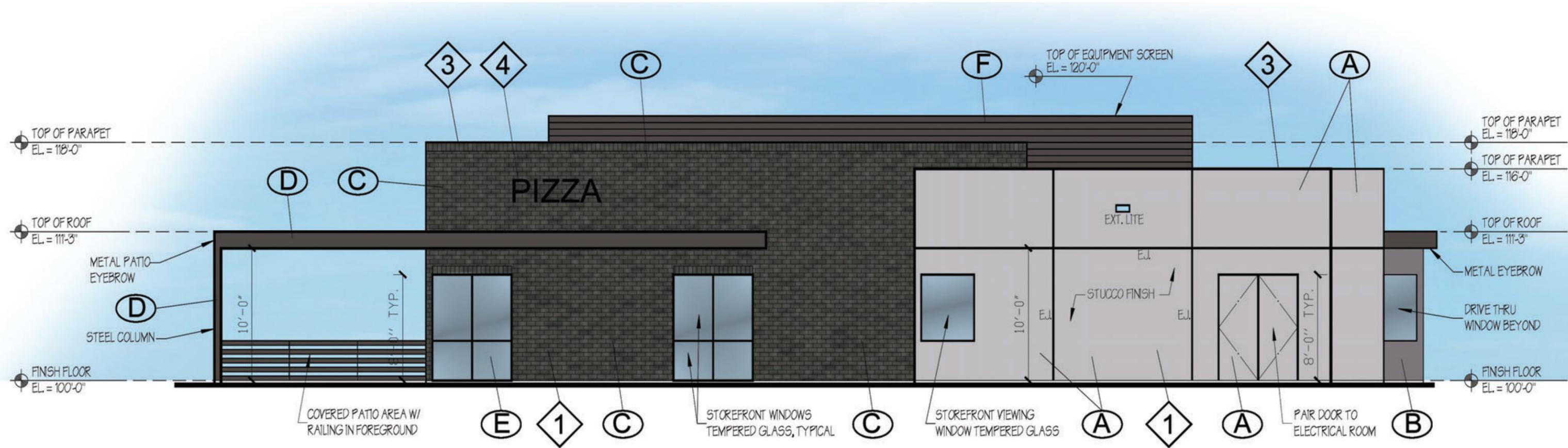


## EAST ELEVATION



**WEST ELEVATION**

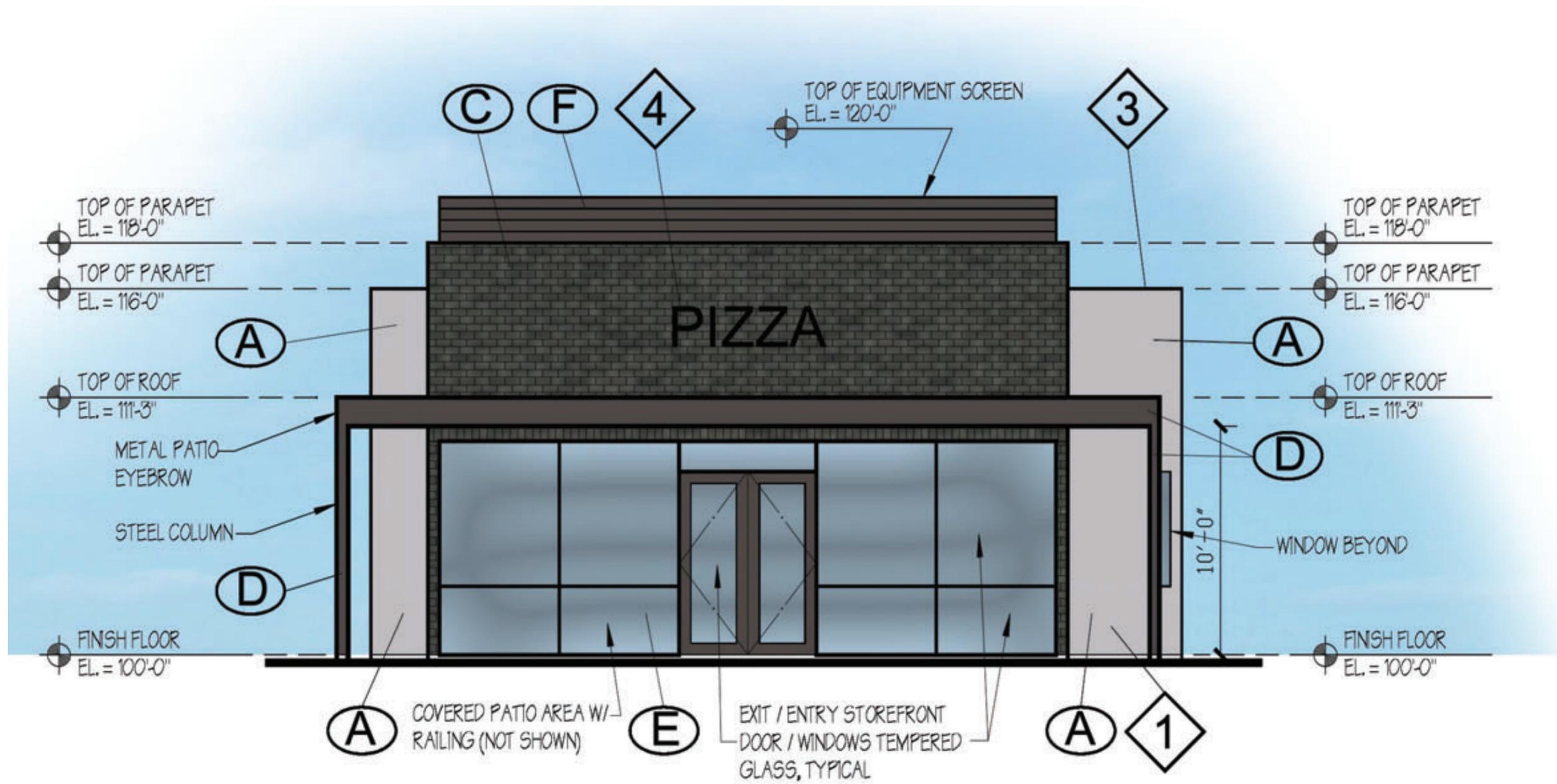




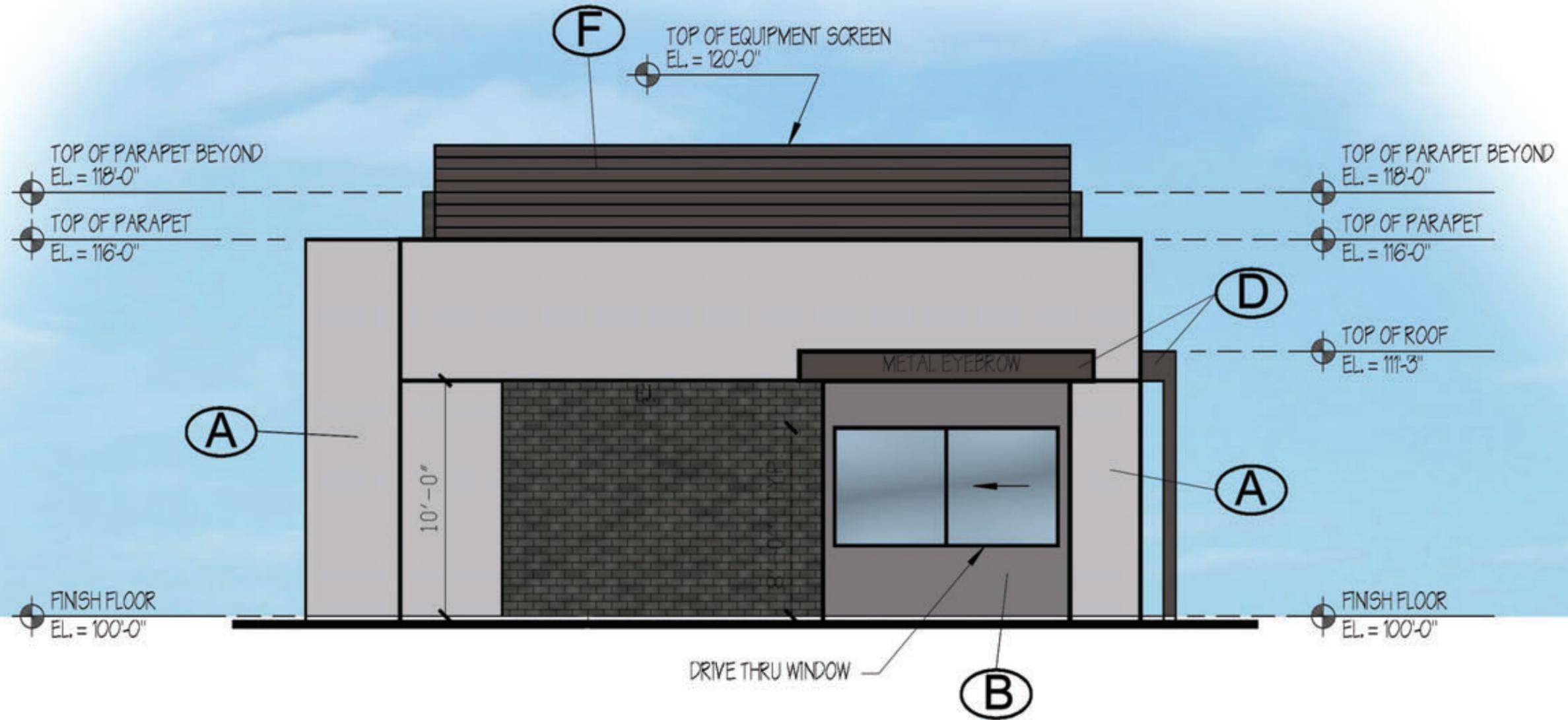
**NORTH ELEVATION**



**SOUTH ELEVATION**

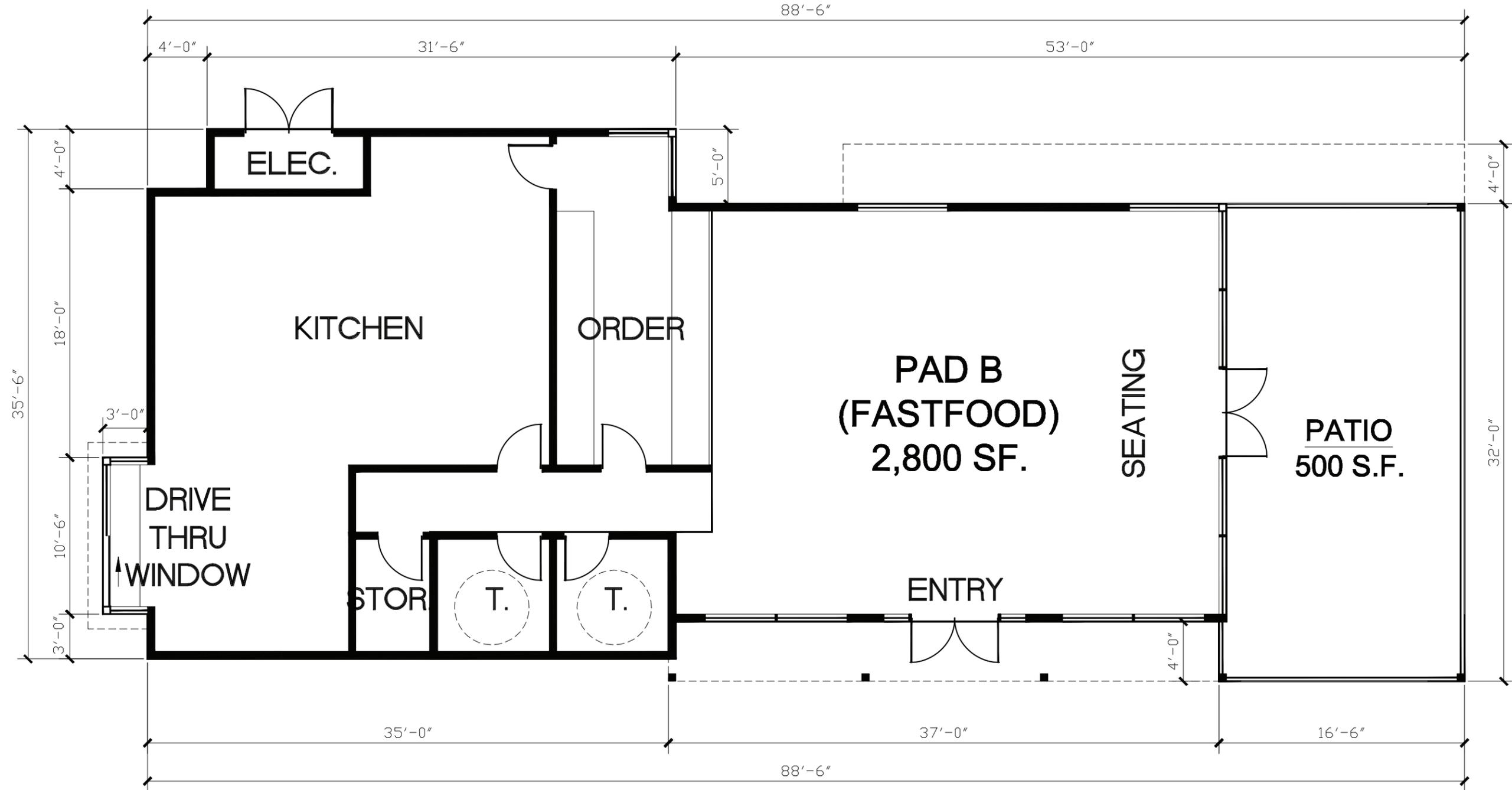


EAST ELEVATION



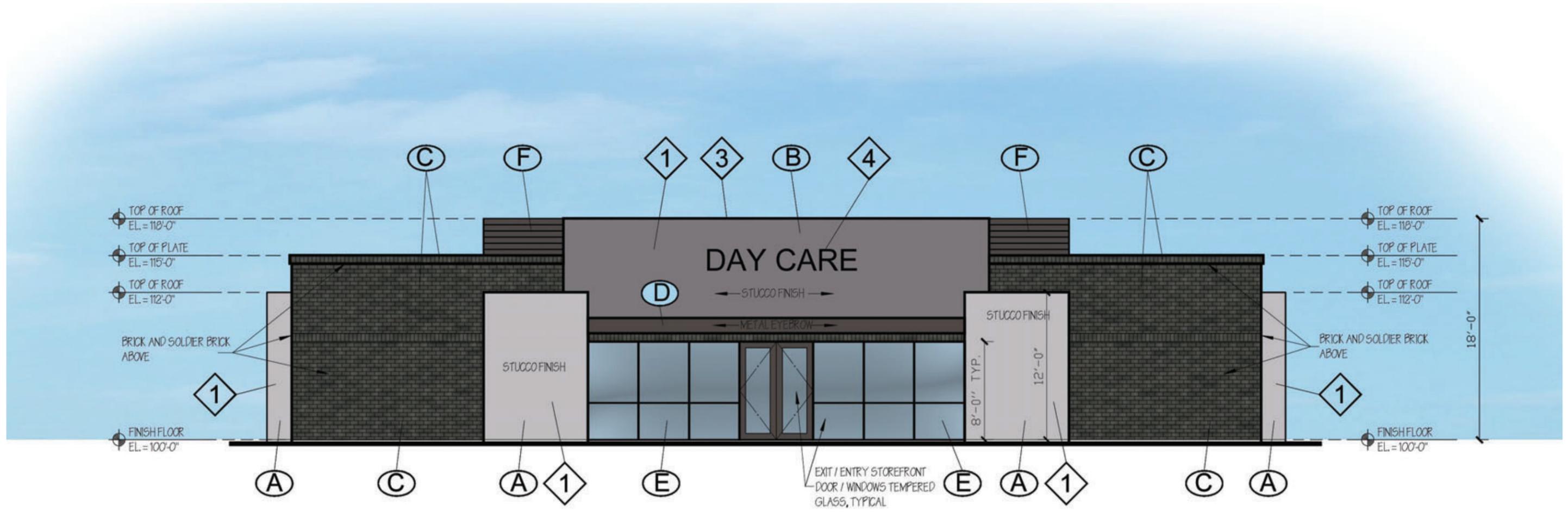
**WEST ELEVATION**

# PAD B

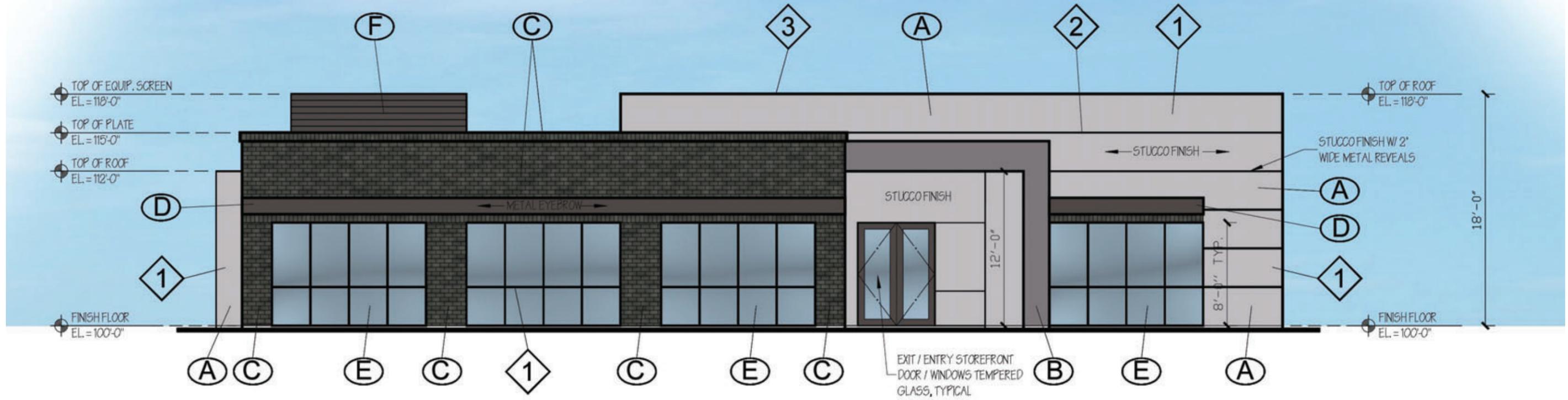


**FLOOR PLAN**





NORTH ELEVATION



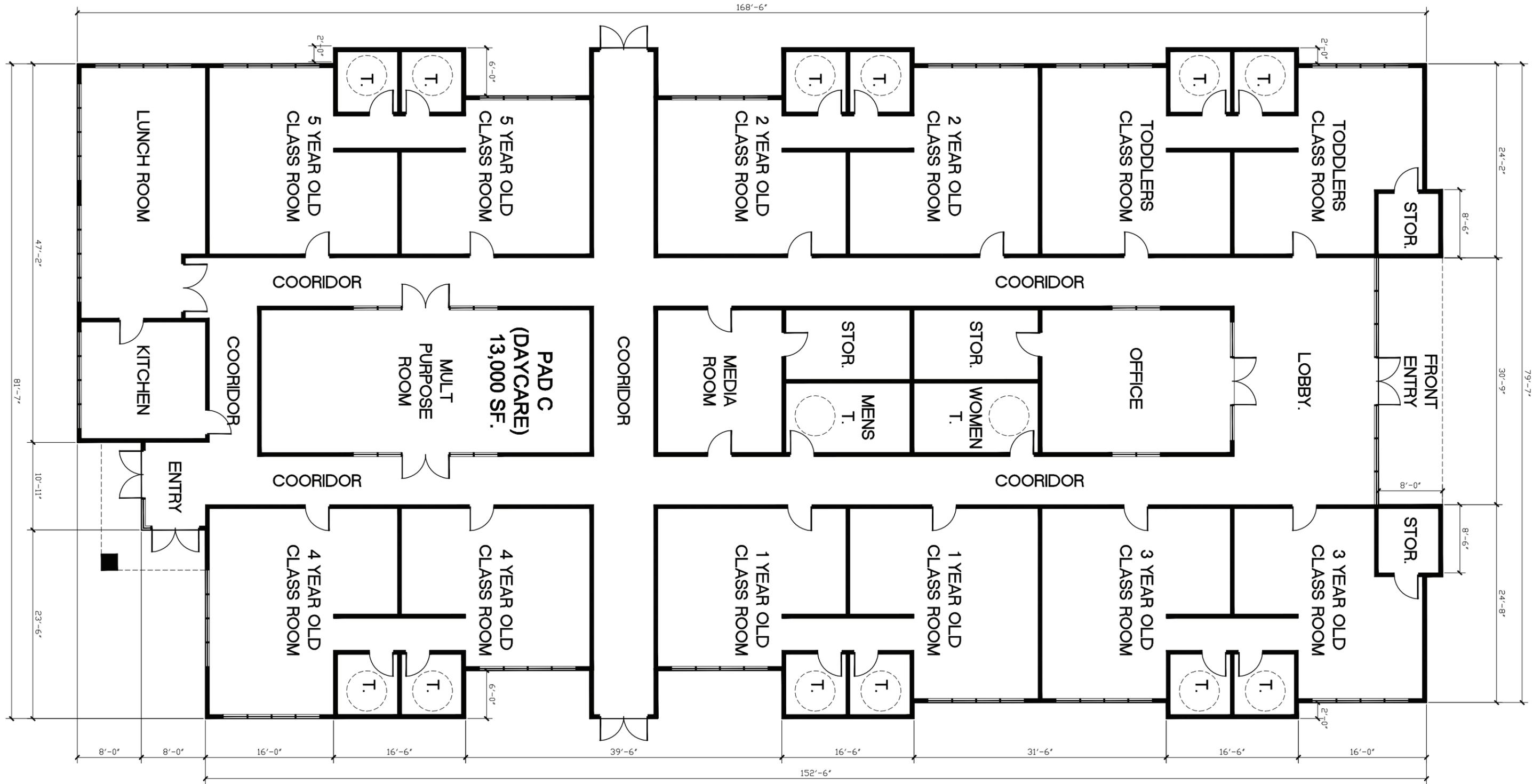
**SOUTH ELEVATION**



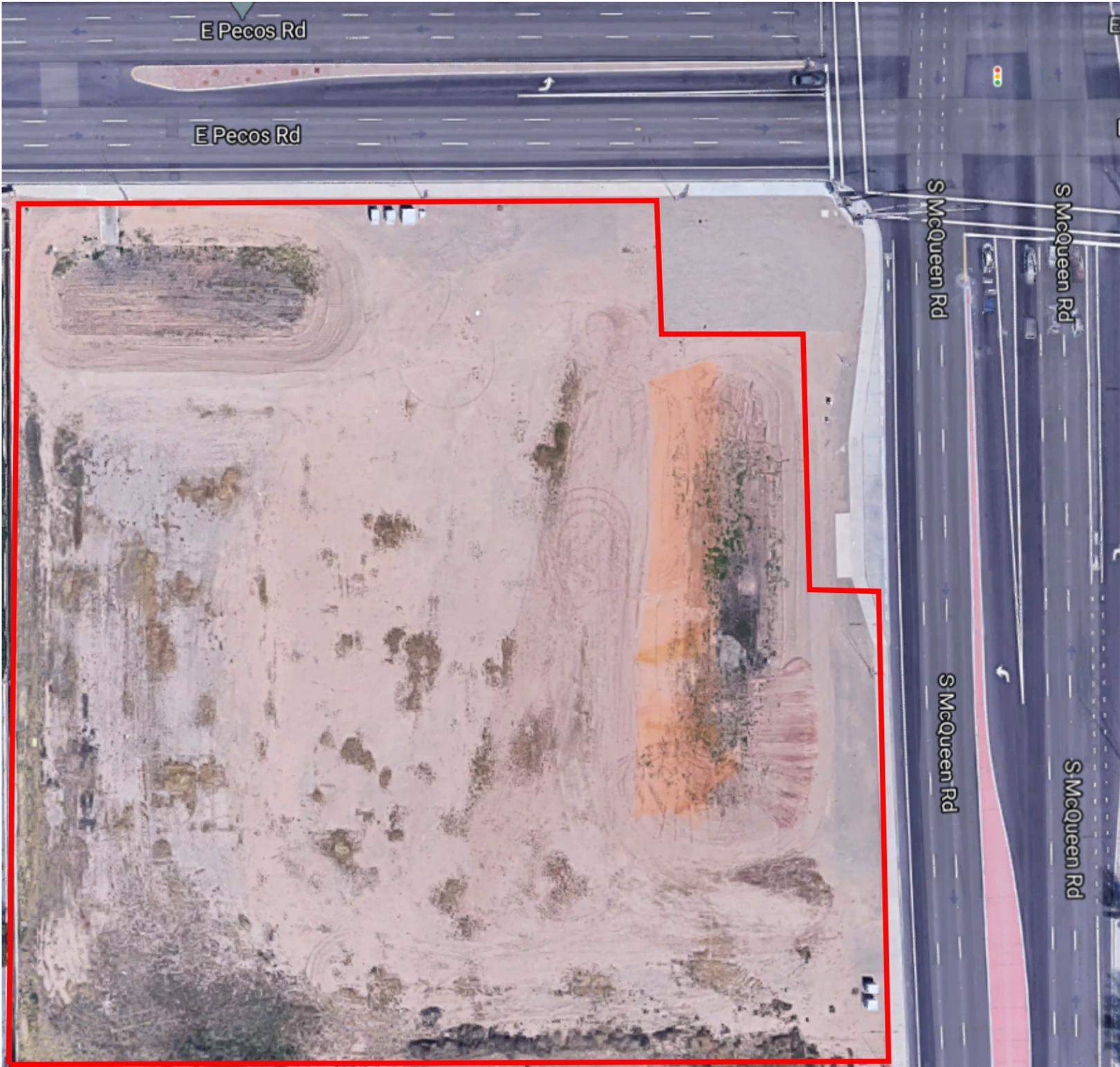
**EAST ELEVATION** WEST ELEVATION SIMILIAR

# PAD C

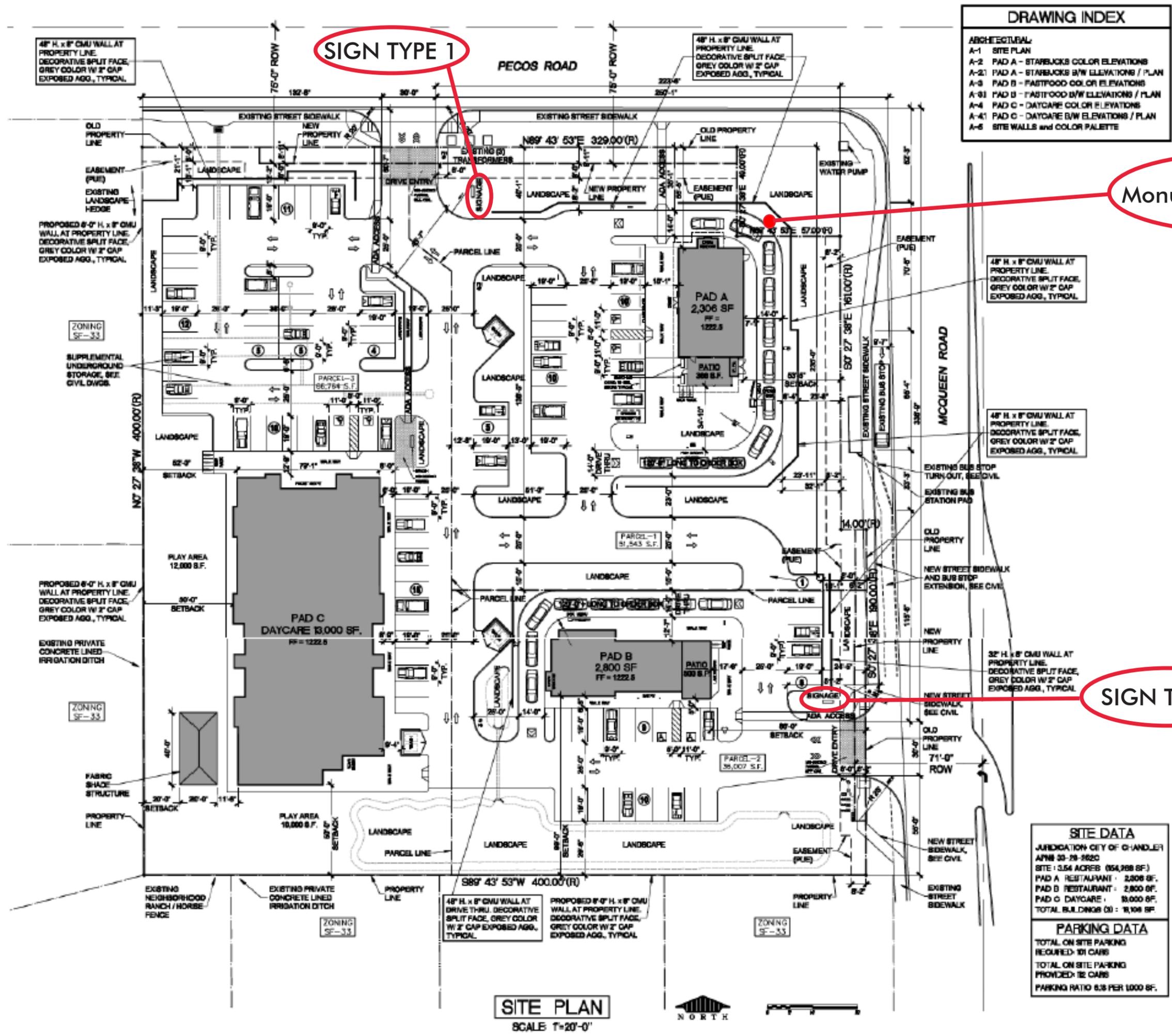
## FLOOR PLAN



Site Location

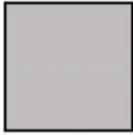


Site Map - Monument Sign Type 1 & 2 Locations



**EXTERIOR COLORS SCHEDULE**

**PAD A (STARBUCKS):**

		
(A) STUCCO FIELD - ICI # 50RR54018 'URBAN NATURAL'	(B) STUCCO FIELD - ICI # 30RR22027031 'WET GRANITE'	(C) THIN BRICK 'SUMMIT BRICK ONXY'
		
(D) DARK BRONZE PAINT (EYEBROWS, COLUMNS, BEAMS and RAILINGS)	(E) ALUMINUM STOREFRONT BRONZE FRAMES W/ (TEMPERED GLASS)	(F) DARK BRONZE PAINT (ROOF EQUIPMENT METAL SCREEN DECK)

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**EXTERIOR KEYNOTES**

- 1 STUCCO, SAND FINISH
- 2 REVEAL JOINT, 1-1/2" WIDE, EXTRUDED ALUM.  
FRY REGLET DCS 50-150, DARK BRONZE ALUM.  
FINISH.
- 3 FLASHING, 24 GA., PAINT TO MATCH WALL
- 4 SIGNAGE BY TENANT

**EXTERIOR COLORS SCHEDULE**

**PAD B (FASTFOOD):**

		
(A) STUCCO FIELD - ICI # 50RR54018 'URBAN NATURAL'	(B) STUCCO FIELD - ICI # 30RR22027031 'WET GRANITE'	(C) THIN BRICK 'SUMMIT BRICK ONXY'
		
(D) DARK BRONZE PAINT (EYEBROWS, COLUMNS, BEAMS and RAILINGS)	(E) ALUMINUM STOREFRONT BRONZE FRAMES W/ (TEMPERED GLASS)	(F) DARK BRONZE PAINT (ROOF EQUIPMENT METAL SCREEN DECK)

---

**EXTERIOR KEYNOTES**

- 1 STUCCO, SAND FINISH
- 2 REVEAL JOINT, 1-1/2" WIDE, EXTRUDED ALUM.  
FRY REGLET DCS 50-150, DARK BRONZE ALUM. FINISH.
- 3 FLASHING, 24 GA., PAINT TO MATCH WALL
- 4 SIGNAGE BY TENANT

**EXTERIOR COLORS SCHEDULE**

**PAD C (DAYCARE):**

		
(A) STUCCO FIELD - ICI # 50RR54018 'URBAN NATURAL'	(B) STUCCO FIELD - ICI # 30RR22027031 'WET GRANITE'	(C) THIN BRICK 'SUMMIT BRICK ONXY'
		
(D) DARK BRONZE PAINT (EYEBROWS, COLUMNS, BEAMS and RAILINGS)	(E) ALUMINUM STOREFRONT BRONZE FRAMES W/ (TEMPERED GLASS)	(F) DARK BRONZE PAINT (ROOF EQUIPMENT METAL SCREEN DECK)

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**EXTERIOR KEYNOTES**

- 1 STUCCO, SAND FINISH
- 2 REVEAL JOINT, 1-1/2" WIDE, EXTRUDED ALUM.  
FRY REGLET DCS 50-150, DARK BRONZE ALUM. FINISH.
- 3 FLASHING, 24 GA., PAINT TO MATCH WALL
- 4 SIGNAGE BY TENANT



**City Council Memorandum    Development Services    Memo No. 21-021**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 Derek D. Horn, Development Services Director  
**From:** Lauren Schumann, Senior Planner  
**Subject:** PLH20-0063/PLT21-0008 McKinley Glenn  
 Introduction and Tentative Adoption of Ordinance No. 4968  
**Request:** Rezoning from Agricultural (AG-1) district to Planned Area Development (PAD) for single family residential  
 Preliminary Development Plan (PDP) for subdivision layout  
 Preliminary Plat approval for a 22-lot subdivision  
**Location:** East of the southeast corner of Chandler Heights and Cooper roads  
**Applicant:** Alex Stedman; RVi Planning + Landscape Architecture

**Proposed Motion:**

Move City Council continue PLH20-0063 McKinley Glenn, located east of the southeast corner of Chandler Heights and Cooper roads to the May 13, 2021, Council meeting, as recommended by Planning and Zoning Commission.

**Background Data:**

At the March 17, 2021, Planning and Zoning Commission Meeting, staff recommended a continuance to allow the applicant more time to complete the preliminary plat for the proposed development.

**Surrounding Land Use Data:**

N/A

**Review and Recommendation**

Planning and Zoning Commission recommends the City Council continue PLH20-0063/PLT21-0008 McKinley Glenn to the May 13, 2021, City Council meeting.

**Planning and Zoning Commission Vote Report**

Planning and Zoning Commission meeting March 17, 2021  
 Motion to Approve continuance to the April 21, 2021, Planning & Zoning Commission meeting

In Favor: 5 Opposed: 0 Absent: 2 (Rose, Pekau)

**Recommended Conditions of Approval**

N/A

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## Attachments

Vicinity Maps

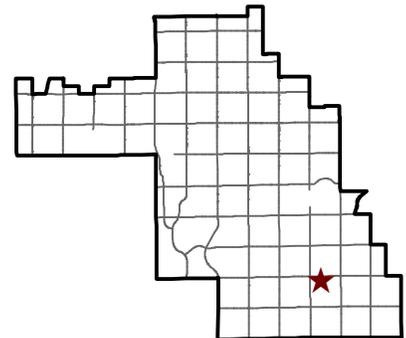


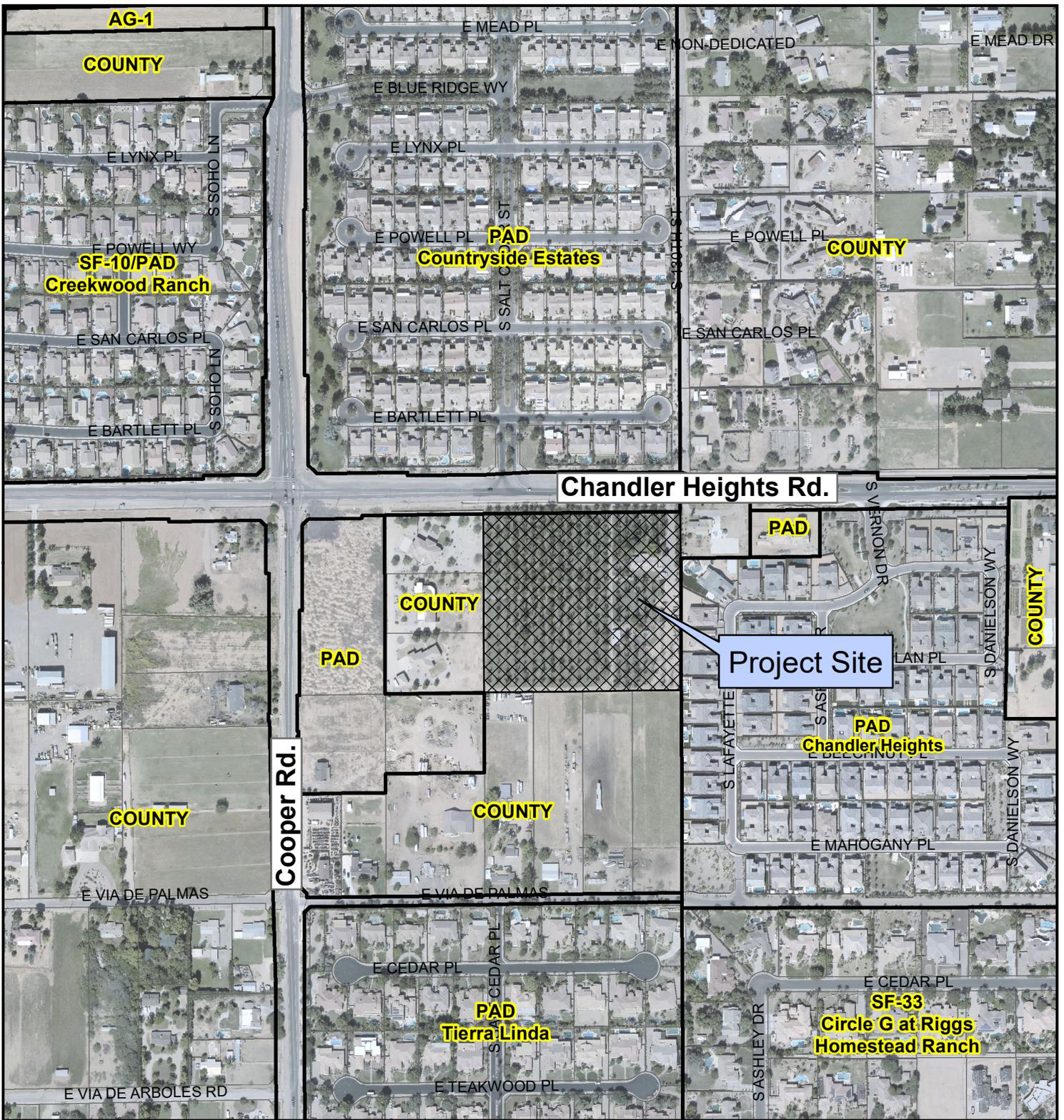
 **PLH20-0063/PLT21-0008 McKinley Glenn**

**Proposed Project Details**  
**REZONE/PDP**  
 9 acres  
 22 Lot Single Family  
 2.4 dwelling units per acre (du/ac)



City of Chandler Planning Division  
[chandleraz.gov/planning](http://chandleraz.gov/planning)  
 For more information visit:  
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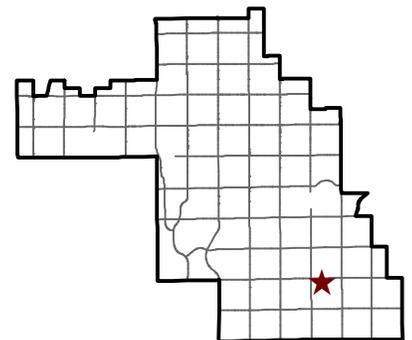
**PLH20-0063/PLT21-0008 McKinley Glenn**



**Proposed Project Details**  
**REZONE/PDP**  
 9 acres  
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[chandleraz.gov/planning](http://chandleraz.gov/planning)  
 For more information visit:  
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**City Council Memorandum    Development Services    Memo No. 21-020**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 Derek D. Horn, Development Services Director  
**From:** Lauren Schumann, Senior Planner  
**Subject:** PLH20-0052/PLT20-0039 Serene Estates  
 Introduction and Tentative Adoption of Ordinance No. 4967

**Request:** Rezoning from Neighborhood Commercial (C-1) district to Planned Area Development (PAD) for single-family residential  
 Preliminary Development Plan (PDP) for subdivision layout and housing product  
 Preliminary Plat approval for a 15-lot subdivision

**Location:** Northwest of the northwest corner of Galveston and Hartford streets

**Applicant:** Charles Huellmantel; Huellmantel & Affiliates

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**Proposed Motion:**

**Rezoning**

Move City Council introduce and tentatively adopt Ordinance No. 4967 approving PLH20-0052 Serene Estates, Rezoning from Neighborhood Commercial (C-1) to Planned Area Development for single-family residential, located northwest of the northwest corner of Galveston and Hartford streets, subject to the conditions as recommended by Planning and Zoning Commission.

**Preliminary Development Plan**

Move City Council approve Preliminary Development Plan PLH20-0052 Serene Estates for subdivision layout and housing product, located northwest of the northwest corner of Galveston and Hartford streets, subject to the conditions as recommended by Planning and Zoning Commission.

**Preliminary Plat**

Move City Council approve Preliminary Plat PLT20-0039 Serene Estates, located northwest of the northwest corner of Galveston and Hartford streets, subject to the condition recommended by Planning and Zoning Commission.

**Background Data:**

- Approximately 2.3 net acres and undeveloped
- Site zoned C-1, allowing for commercial uses to support the immediate neighborhood
- Subject site wraps an existing commercial corner with a laundromat, convenience store, and restaurant
- A Use Permit to allow a U-Haul facility on a portion of the subject site was denied in 2012
- General Plan designates the site as Neighborhoods and is considered infill

- Project consist of 15 lots totaling 6.4 du/ac

**Surrounding Land Use Data:**

North	Alley then single family	South	Galveston Street then single-family and two-story apartments
East	Hartford Street then two-story apartments	West	Alley then single family

**General Plan and Area Plan Designations:**

	Existing	Proposed
General Plan	Neighborhoods	No Change

**Proposed Development**

	Single family subdivision
# of Lots	15 single family lots
Density	6.4 dwelling units per acre
Building Setbacks (min.)	<ul style="list-style-type: none"> <li>• Front – 8.6 ft. to livable, 20 ft. to garage from back of sidewalk</li> <li>• Sides – 5 ft. &amp; 5 ft.</li> <li>• Rear - 10 ft., designated lots in exhibit allow for single-story, attached patios to encroach 5 ft. into 10 ft. setback</li> </ul>
Lot Size	Lots range from 3,612 sq. ft. to 6,748 sq. ft.
Lot Coverage (max.)	65 percent
Building Height (max.)	All homes two-story; 28 ft. to midpoint of peak
Architecture Theme	Contemporary and Farmhouse
Number of Elevations	6
House Size	1,795 sq. ft. to 2,292 sq. ft.
Number of Floor Plans	3
Parking Spaces	<ul style="list-style-type: none"> <li>• Each lot provides a two-vehicle garage with driveways</li> <li>• On-street parking provided on both sides of street; subdivision is not gated</li> </ul>

**Review and Recommendation**

Planning staff finds the proposal consistent with the General Plan. Due to the infill nature of the site, the lots are smaller than adjacent single-family homes to the west and north. However, a twenty-foot alley separates the existing homes and the proposed development. The proposed two-story product is an appropriate transition from the neighborhood commercial to the single family lots. The proposed single family subdivision will provide a public local street through the development, which allows for parking on both sides of the street for guests and residents. An amenity is not proposed due to size constraints of providing a public street, but a public park (Navarrete Park) and two schools are within walking distance of the proposed development.

Due to the infill nature of the site, the Residential Development Standards (RDS) for subdivision layout

are not applicable. However, the RDS guidelines remain applicable to the architectural design of the homes. The proposed single family residential subdivision meets the intent of development standards and residential design guidelines. In order to provide private covered patios for each lot, eight lots request to encroach five (5) feet into the rear yard setback to provide an adequate patio cover. Some of these lots have the ability to build the private patio in the side yard with the appropriate floor plan. As recommended by Planning staff, all lots are required to provide a covered patio in either the rear or side yard at the time of construction.

Staff finds the proposal to be consistent with the goals of the General Plan and Planning & Zoning Commission recommends approval subject to conditions.

### **Public / Neighborhood Notification**

- This request was noticed in accordance with the requirements of the Chandler Land Use and Zoning Code.
- To comply with CDC social distancing guidelines, the applicant hosted a digital neighborhood meeting on February 10, 2021. Ten (10) households attended the virtual meeting; two residents asked questions about the proposal. One resident asked about the proposed walls along the alley, construction timelines and cost of homes. The other resident had concerns with two-story homes adjacent to single-story homes regarding privacy issues, as well as concerns with having a Homeowner's Association (HOA) for the new subdivision as they thought it meant excluding the proposed subdivision from the City's rules.
- Planning staff has received one phone call after the neighborhood meeting from the concerned resident who attended the meeting and asked questions. Staff discussed their concerns regarding: the proposed architecture of the homes is "too modern" for the surrounding neighborhood; two-story homes adjacent to single-story; and the resident thought the property should develop as a community center or library for the neighborhood children. The resident is opposed to the request and has surveyed adjacent homeowners: four letters are attached. Additionally, a video was made by the resident and emailed to Mayor and Council.
- Planning staff has received a letter of support from a resident who attended the neighborhood meeting: their statement of support is attached.

### **Planning and Zoning Commission Vote Report**

Planning and Zoning Commission meeting March 17, 2021  
Motion to Approve

In Favor: 5 Opposed: 0 Absent: 2 (Rose, Pekau)

During the Planning and Zoning Commission Study Session, additional Preliminary Development Plan stipulations 10-15 were added to enhance the proposed housing elevations and add monument signs at both entries. Both items will be reviewed by staff administratively.

### **Recommended Conditions of Approval**

#### **Rezoning**

Planning and Zoning Commission recommends the City Council approve of rezoning from C-1 to PAD for single family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled, "Serene Estates" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0052, 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 Chandler City

Council.

2. 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.
3. 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.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. Minimum setbacks shall be as provided below and further detailed in the development booklet:

Front yard setbacks	8.6 ft. to livable; 20 ft. to garage from back of sidewalk
Side yard setbacks	5 ft. and 5 ft.
Rear yard setback	10 ft., designated lots in "Exhibit B" allow for single-story, attached patios to encroach 5 ft. into 10 ft. setback

**Preliminary Development Plan**

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

1. Development shall be in substantial conformance with the Development Booklet, entitled "Serene Estates" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0052, 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 in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter

walls shall be approved by the Planning Administrator.

6. The covenants, conditions and restrictions (CC & R's) to be filed and recorded with the subdivision shall mandate the installation of front yard landscaping within 180 days from the date of occupancy with the homeowners' association responsible for monitoring and enforcement of this requirement.
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.
9. All lots shall provide a cover patio in either the rear or side yard at the time of construction.
10. Add more articulation to roof such as a dormer to 2072 farmhouse plan.
11. Left elevation on both 1795 plans shall be enhanced to create more articulation.
12. The front elevation of the 1795 contemporary plan shall break up the horizontal element of the porch roof to create vertical elements.
13. Plan 2292 contemporary shall create more articulation on the rear to mimic the front elevation.
14. Monument signs shall be added to both entrances to be architecturally compatible with the materials and colors of the homes.
15. Same elevation shall not be built side by side.

### **Preliminary Plat**

Planning and Zoning Commission recommends the 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.
-

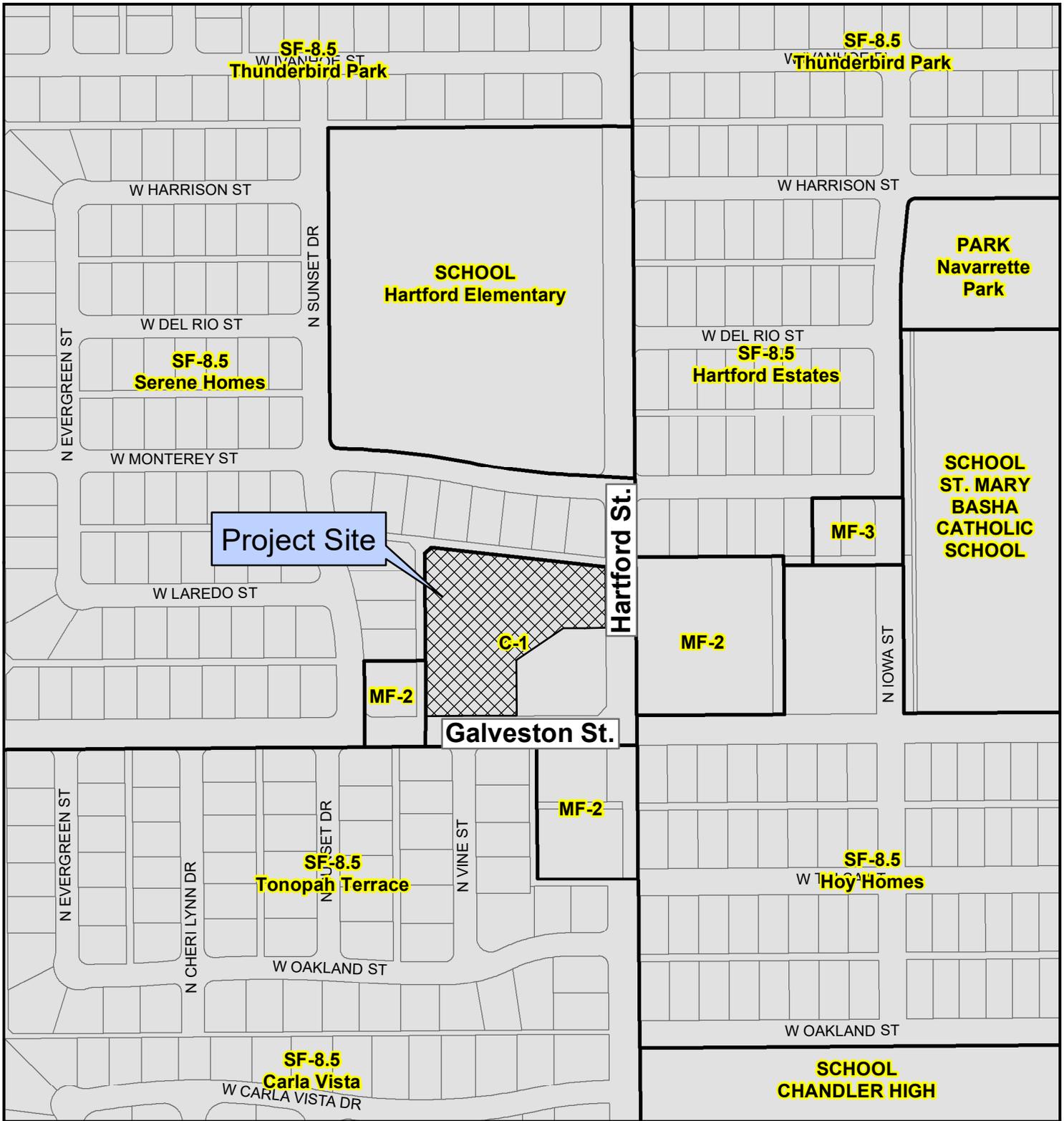
## **Attachments**

Vicinity Maps

Ordinance No. 4967

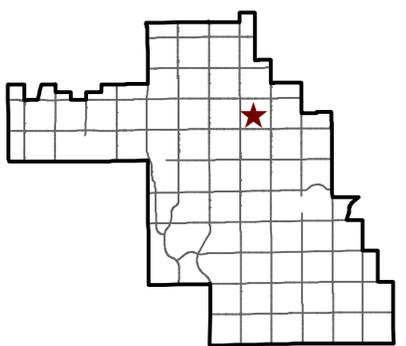
Development Booklet

Letters from Neighbors

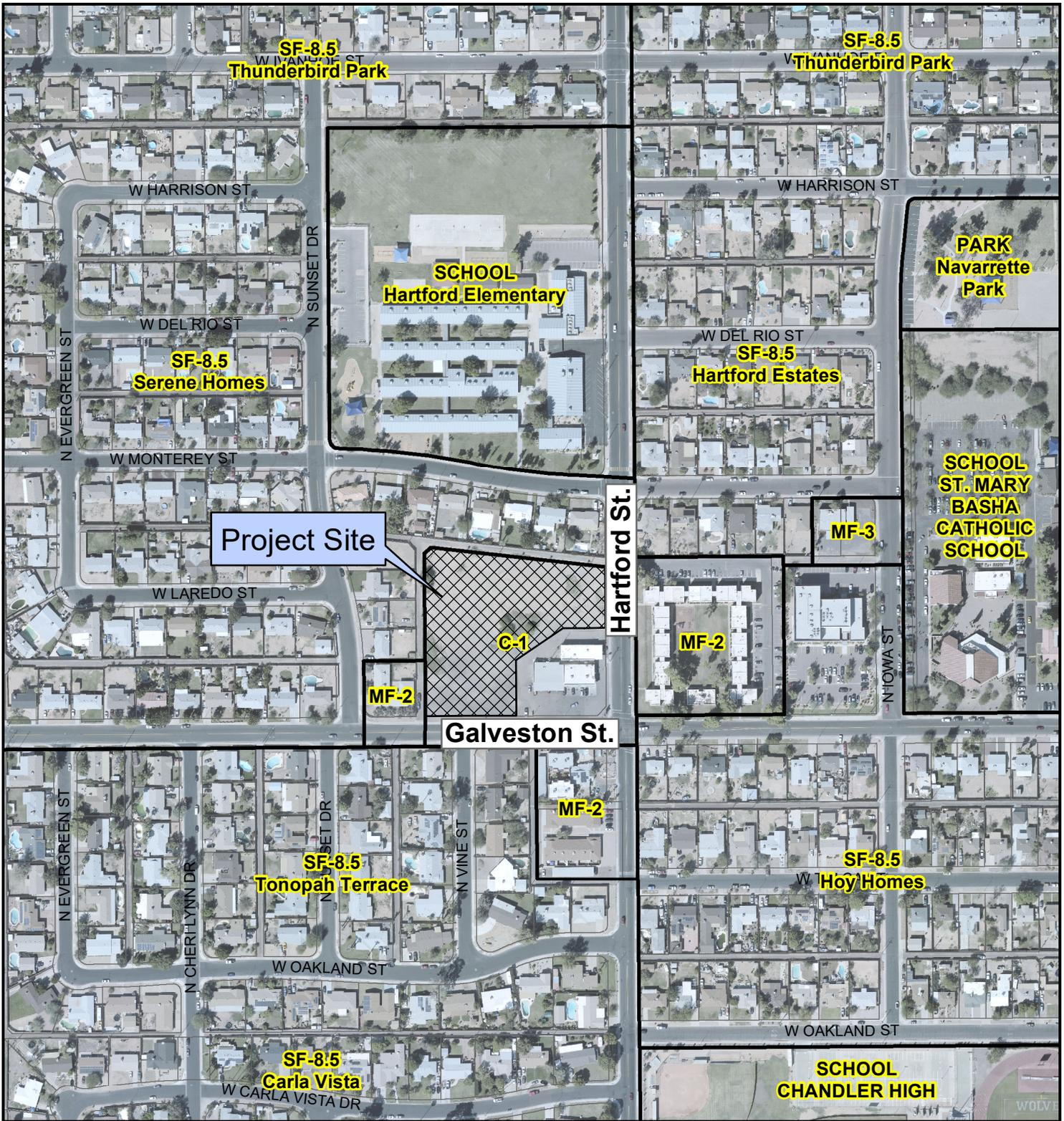


 **PLH20-0052/PLT20-0039 Serene Estates**

**Proposed Project Details**  
**REZONE/PDP**  
 2.3 acres  
 15 Lot Single Family  
 6.41 dwelling units per acre (du/ac)



City of Chandler Planning Division  
[chandleraz.gov/planning](http://chandleraz.gov/planning)  
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**PLH20-0052/PLT20-0039 Serene Estates**



**Proposed Project Details**

**REZONE/PDP**

**2.3 acres**

**15 Lot Single Family**

**6.41 dwelling units per acre (du/ac)**



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**ORDINANCE NO. 4967**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING PARCELS FROM NEIGHBORHOOD COMMERCIAL (C-1) TO PLANNED AREA DEVELOPMENT (PAD) FOR SINGLE-FAMILY AS REPRESENTED IN CASE PLH20-0052 (SERENE ESTATES) LOCATED NORTHEAST OF THE NORTHWEST CORNER OF GALVESTON AND HARTFORD STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES.

WHEREAS, the application for rezoning certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days' notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1.     Legal Description of Property:  
                  **As described in *EXHIBIT 'A'***

Said property is hereby rezoned from Neighborhood Commercial (C-1) to Planned Area Development (PAD) for single-family, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Serene Estates" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0052, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.

3. The developer shall be required to install landscaping in the arterial street median(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.
4. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
5. Minimum setbacks shall be as provided below and further detailed in the Development Booklet:
 

Building setbacks (min.)	
Front	8.6 ft. to livable, 20 ft. to garage from back of sidewalk
Sides	5 ft. & 5 ft.
Rear	10 ft., with those designated lots depicted in "Exhibit B" allowing for a single-story, attached patio to encroach 5 ft. into 10 ft. setback.

- Section 2. The Planning Division of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this Ordinance.
- Section 3. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance, or any parts hereof, are hereby repealed.
- Section 4. In any case, where any building, structure, or land is used in violation of this Ordinance, the Planning Division of the City of Chandler may institute an injunction or any other appropriate action in proceeding to prevent the use of such building, structure, or land.
- Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, then this entire ordinance is invalid and shall have no force or effect.
- Section 6. A violation of this Ordinance shall be a Class 1 misdemeanor subject to the enforcement and penalty provisions set forth in Section 1-8.3 of the Chandler City Code. Each day a violation continues, or the failure to perform any act or duty required by this Ordinance or the Zoning Code, shall constitute a separate offense.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4967 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2021, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY TA

Published:

EXHIBIT 'A'  
Legal Description

LEGAL DESCRIPTION

A PARCEL OF LAND BEING ALL OF LOT 1 AS SHOWN ON THE MINOR LAND DIVISION MAP OF TRACT A OF SERENE HOMES RECORDED IN BOOK 953, PAGE 1, MARICOPA COUNTY RECORDS AS CONVEYED TO CAPITAL INVESTMENTS, LLC BY DEED OF RECORD INSTRUMENT NUMBER 2017-0968329, MARICOPA COUNTY RECORDS (MCR) AND LYING WITHIN THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA & SALT RIVER MERIDIAN, CITY OF CHANDLER, MARICOPA COUNTY ARIZONA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 FROM WHICH POINT A SOUTHEAST CORNER THEREOF BEARS N89°36'21"E A DISTANCE OF 196.87 FEET;

THENCE ALONG THE RIGHT-OF-WAY LINE OF AN ALLEY THE FOLLOWING THREE (3) COURSES AND DISTANCES

- 1) N0°27'37"W A DISTANCE OF 354.69 FEET;
- 2) N47°57'44"E A DISTANCE OF 19.91 FEET;
- 3) S83°36'56"E A DISTANCE OF 379.74 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HARTFORD STREET;

THENCE S0°28'41"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 134.06 FEET TO THE NORTHEAST CORNER OF LOT 2 AS SHOWN ON SAID MINOR LAND DIVISION MAP;

THENCE ALONG THE PERIMETER OF SAID LOT 2 THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) S89°29'40"W A DISTANCE OF 92.14 FEET;
- 2) S55°50'54"W A DISTANCE OF 123.79 FEET;
- 3) S0°28'41"E A DISTANCE OF 120.07 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GALVESTON STREET;

THENCE S89°36'21"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 196.87 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 102,341.18 S.F. (2.3494 ACRES) OF LAND, MORE OR LESS INCLUDING ANY EASEMENTS OF RECORD.



# SERENE ESTATES

## REZONING AND PRELIMINARY DEVELOPMENT PLAN

620 NORTH HARTFORD STREET  
APN: 302-50-098

CASE #: PLH20-0052



**H**UELLMANTEL  
AFFILIATES

P.O. Box 1833, Tempe, Arizona 85280-1833 ✦ T: (480) 921-2800 ✦ E: [charles@huellmantel.com](mailto:charles@huellmantel.com)

## SUMMARY

Capital Investments, LLC has owned the vacant land northwest of the northwest corner of Galveston Street and Hartford Street for a number of years and has been working with the City of Chandler to develop the land into single-family homes since 2018. The proposal, Serene Estates, received Preliminary Site Plan Technical Review comments from the City in June 2018 (PRE18-0048) and this will be the first formal Rezoning and Preliminary Development Plan submittal for the site.

Our proposal includes 15 single-family homes on approximately 2.34 acres (APN 302-50-098), designed around a through street – north Vine Street in the north/south direction and west Laredo Street in the east/west direction:



The site is currently zoned C-1, Neighborhood Commercial District and consists of a vacant lot:



We plan to rezone the site to PAD zoning, which will allow for the unique setbacks proposed based on the parcel layout, which surrounds an existing commercial use at the corner.

## REZONING

We would like to rezone the site from C-1 to PAD to allow for the construction of fifteen single-family residences on approximately 2.34 acres (6.41 dwelling units per acre). The site is located on the north side of Galveston Street and on the west side of Hartford Street (highlighted in blue below), surrounding a commercial use at the corner:



The single-family residences will be built facing two newly created streets, north Vine Street, running north and south and west Laredo Street, running east and west. Five of the residences will be located southeast of Vine and Laredo Streets and the other ten residences will be located north and west of Vine and Laredo.

Each residential lot will consist of one home, a front yard, side yards and a rear yard. The lots on the north and west sides of Vine and Laredo will back up to an existing alley. Three separate tracts have been dedicated on the site for retention. East residential lot will vary in size and the minimum proposed setbacks are as follows: Rear yard - 10 feet, Side yards - 5 feet, Front yard – 8feet, 6 inches. Lots #1, #4, #6, #7, #8, #9, #10, and #12 will have a reduced rear yard setback of 5 feet to allow homebuyers to build a rear yard patio. The maximum height proposed is 28 feet, with the minimum height of the homes 24 feet, 8 inches. All of the homes will have their own private attached garage, and additional parking will be allowed / provided on both sides of Vine and Laredo Streets.

Per the City of Chandler ***Residential Development Standards*** guidelines for single-family development, our request of PAD zoning should be considered for our site despite the average lot size based on the following circumstances:

- 1) *An infill proposal involving a small or irregularly shaped parcel, located within a developed residential neighborhood and immediate contiguous to existing land uses and physical barriers, such as streets, canals, etc., which otherwise preclude expansion*  
The subject site is considered infill development – the site is irregularly shaped, and located adjacent to an existing neighborhood, bordered by Hartford and Galveston Streets and the existing commercial use on the corner:



These existing barriers preclude expansion of the site. Additionally, the proposed Serene Estates development will replace underutilized commercial property with aesthetically pleasing, vibrant housing which will activate the area.

- 2) *Parcels with boundaries limited only by ownership lines caused by lot splits and indiscriminate parcel divisions shall not be considered as infill*  
The parcel of the subject site was not platted by Capital Investments, the property owner, and is not subject to indiscriminate parcel divisions.
- 3) *Geographically, such parcels are usually limited to developed areas located ½ mile north of the San Tan Freeway (nothing south of Pecos Road) and ½ mile east of Price Road, and generally range in size from one (1) to ten (10) acres.*  
Although the site is located north of Pecos Road, it is not within ½ mile east of Price Road. The site is approximately 2.34 acres and surrounded by existing commercial and residential uses, which qualifies the land as infill.
- 4) *Minimum lot size, average lot size and lot range shall be determined in conjunction with the most diverse lot pattern possible under the circumstances.*  
Our architecture team has designed the site to use the land in the most useful way possible, while including a through street for safe and convenient circulation for both fire

and refuse. The lots are shaped to provide adequate room for the location of the residence while providing useful outdoor space in a variety of configurations – some home buyers may prefer smaller yards to keep up than other home buyers. As there will be parking opportunities provided on both sides of Vine and Laredo Streets, the lots are an adequate size and provide parking for one (or two cars) in attached garages and in each lot's driveway.

- 5) *Finding that the proposed intensity, pattern, and quality meets or exceeds that of the surrounding environment.*

The majority of the surrounding homes were built from the late 1950s to the 1970s, which means that no newer home stock is offered in the neighborhood. The construction of Serene Estates will provide a new, quality home option for Chandler residents. Additionally, the site is located approximately 200 feet from the Hartford Sylvania Encinas Elementary School, less than ½ a mile from Blueprint High School and Arizona College Prep (Oakland Campus) and one block from Navarette Park– the proximity to these family-oriented services makes this an appropriate location for single-family homes.

## PRELIMINARY DEVELOPMENT PLAN

The site is a vacant, undeveloped infill lot located on the east side of Hartford Street and the north side of Galveston Street, at 620 North Hartford Street:

*Facing west from Hartford Street:*



*Facing north from Galveston Street:*



The parcel is located approximately 1.5 miles from Downtown Chandler, and in close proximity to commercial, residential and civic uses. Capital Investments would like to construct 15 single-family residences on the approximately 2.34 acre site and provide three landscapes retention basins. The site is designed with a through street, Laredo Street going east and west and Vine Street going north and south, with ingress and egress on Hartford Street and Galveston Street. The lots on the north and west sides of Laredo and Vine will back onto an existing alley and the lots on the south and east sides of Laredo and Vine will be backed by new 6-foot CMU walls.

The proposed residences will range from 1,795 to 2,292 square feet of living space, with two stories and enclosed garages. Buyers will have the opportunity to choose from three different models, in either a contemporary or farmhouse aesthetic. Each of the six elevation / model options will have three different color schemes to choose from. This variety of finish options will

provide an assortment of home styles, creating an interesting and aesthetically appealing neighborhood without monotony. The elevations below are a sample of the 18 different possible elevation color and style combinations homeowners can choose from:

*Elevation 1795 (Farmhouse):*



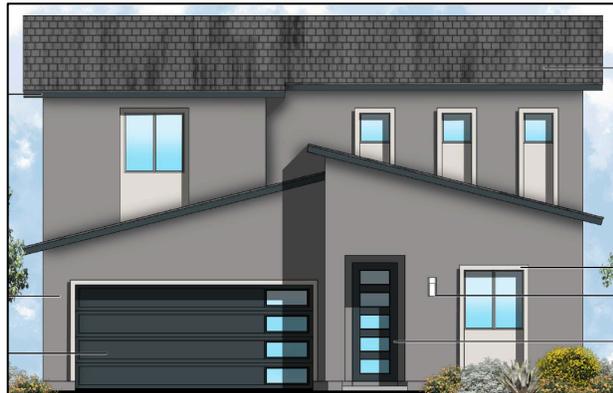
*Elevation 1795 (Contemporary):*



*Elevation 2072 (Farmhouse):*



*Elevation 2072 (Contemporary):*



*Elevation 2292 (Farmhouse):*



*Elevation 2292 (Contemporary):*



The building design schemes, “Contemporary” and “Farmhouse” will use different material palettes that include brick, shutters and sidings for the Farmhouse options and stucco in grey or white, blue, grey or brown color front doors and white painted window frames. The Contemporary homes will feature more angles, elongated windows and architecturally interesting front and garage doors.

The proposed landscape palette for the site in the common areas includes Red Push Pistache, Willow Acacia, and Chitalpa trees, Green Cloud, Orange Jubilee bushes and Red Yucca, Desert Spoon, and Gold Mound plants:



# aerial map

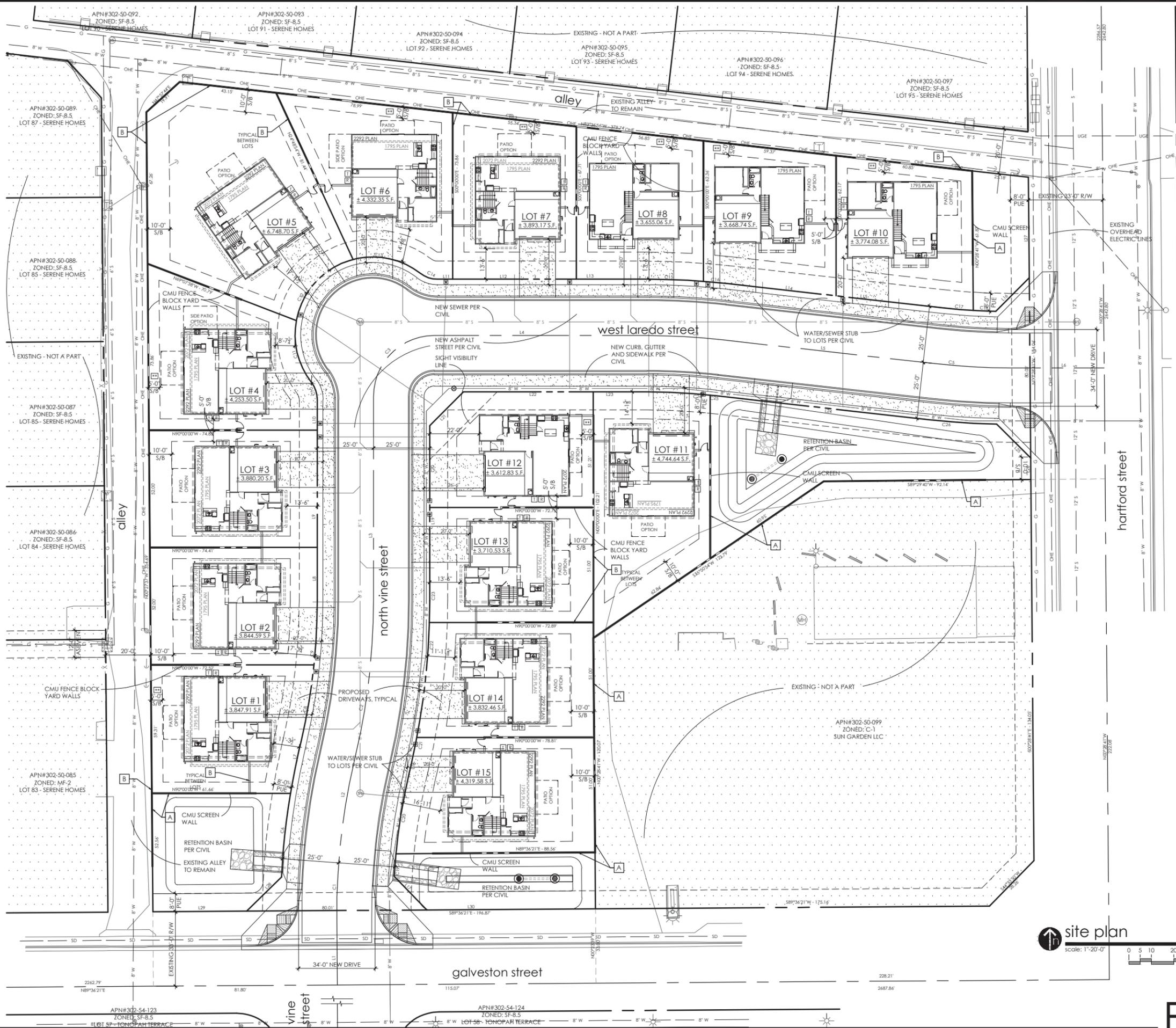
## Serene Homes

**Name:** Serene Homes  
**Location:** 620 N. Hartford Street, Chandler, AZ (N.W.C. of Galveston and Hartford streets)  
**APN #** 302-50-098



1810 W. Loemann Drive, Queen Creek, AZ 85142 • 480.206.8229 / 480.244.0269 • [www.finnarchitects.com](http://www.finnarchitects.com)

FINN architects, llc

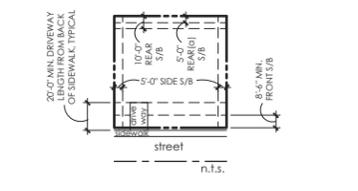


### LEGEND

- CENTERLINE
- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- EXISTING CURB
- PAINT STRIPING
- CONCRETE SIDEWALK
- ACCESSIBLE ROUTE PLAN
- RAMP, VARIES SEE PLAN
- SITE WALL
- EXISTING SITE WALL
- SITE FENCING
- EXISTING SITE FENCING
- RIP RAP, VARIES SEE PLANS
- BIKE RACK
- FIRE HYDRANT
- EXISTING FIRE HYDRANT
- FDC
- FIRE RISER
- LIGHT POLE
- EXISTING LIGHT POLE
- UTILITY TRANSFORMER
- 10'x20' VISIBILITY TRIANGLE

### PROJECT DATA

SCOPE: NEW SINGLE FAMILY SUBDIVISION  
 ADDRESS: 620 N. HARTFORD STREET, CHANDLER, AZ  
 APN: 302-50-098  
 SITE AREA: +/- 102,068 S.F. (+/- 2.34 AC.)  
 LOT DU/AC: 6.41 DU/AC  
 ZONING: C-1 - REZONE TO PAD  
 LOT COVERAGE: 50% MAX.  
 STORIES: (2) STORY  
 CONSTRUCTION TYPE: V.B  
 OCCUPANCY: RESIDENTIAL  
 BUILDING HEIGHT: 28'-0" MAX.  
 BUILDING SETBACKS:  
 FRONT: 8'-6" MINIMUM\*  
 \*see also driveway length requirement below  
 SIDE(S): 5'-0" MINIMUM  
 REAR: 10'-0" MINIMUM  
 REAR(a) only at lots per (a) below: 5'-0" MINIMUM

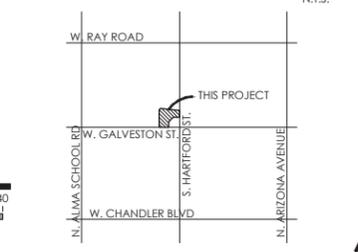


\*DRIVEWAY LENGTH: MIN. 20'-0" CLEAR FROM BACK OF SIDEWALK TO GARAGE ENTRY/DOOR  
 REAR(a) AT LOTS 1, 4, 6, 7, 8, 9, 10, 12 ONLY - see plan for designation as per

### single family residential

NET AREA:	±102,068 S.F.	±2,343 AC.
LOT SITE:	VARIES	VARIES
NUMBER OF LOTS:	15	15
TOTAL:		

### VICINITY MAP



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- august 21, 2020  
schematic design
- august 31, 2020  
design development
- september 04, 2020  
city submittal
- december 03, 2020  
site plan revisions



serene homes  
 620 n. hartford street,  
 chandler, arizona



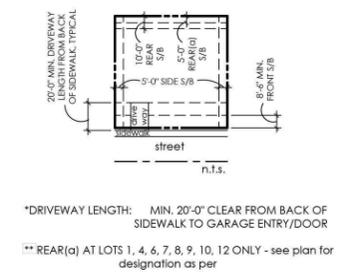


### LEGEND

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### PROJECT DATA

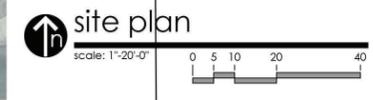
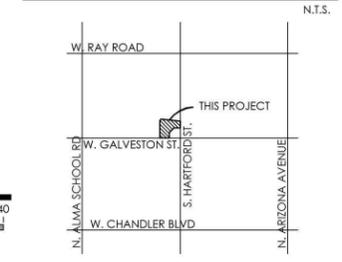
SCOPE: NEW SINGLE FAMILY SUBDIVISION  
 ADDRESS: 620 N. HARTFORD STREET, CHANDLER, AZ  
 APN: 302-50-078  
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 ZONING: C-1 - REZONE TO PAD  
 LOT COVERAGE: 50% MAX.  
 STORIES: (2) STORY  
 CONSTRUCTION TYPE: V-B  
 OCCUPANCY: RESIDENTIAL  
 BUILDING HEIGHT: 28'-0" MAX.  
 BUILDING SETBACKS:  
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 SIDE(S): 5'-0" MINIMUM  
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 REAR(a) only at lots per (a) below: 5'-0" MINIMUM\*\*



### single family residential

NET AREA:	±102,068 S.F.	±2,343 AC.
LOT SIZE:	VARIES	
NUMBER OF LOTS:	15	15
TOTAL:	15	

### VICINITY MAP



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- august 21, 2020 schematic design
- august 31, 2020 design development
- september 04, 2020 city submittal
- december 03, 2020 site plan revisions



serene homes  
 620 n. harford street,  
 chandler, arizona





VICINITY MAP



La.01

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LEGEND

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- 10'x20' VISIBILITY TRIANGLE
- SCREEN WALLS - SEE A1.2

ALL TREES SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE ARIZONA NURSERY ASSOCIATION RECOMMENDED TREE SPECIFICATIONS. SEE SECTION 1903(6)(a) ZONING CODE.

LANDSCAPE LEGEND

- PISTACHE CHINENSIS 'RED PUSH'
- RED PUSG PISTACHE
- 36" BOX, 2" CALIP., 7.0T, 4.5W
- ACACIA SALICINA
- WILLOW ACACIA
- 24" BOX, 1" CALIP., 6T, 3.5W.
- CHITALPA TASKENTIS
- CHITALPA
- 24" BOX 1.5" CALIP., 5.5T, 4.4W
- LEUCOPHYLLUM FRUTESCENS
- 'GREEN CLOUD'
- 5 GALLON
- TECOMA 'ORANGE JUBILEE'
- 'ORANGE JUBILEE'
- 5 GALLON
- HESPERALOE PARVIFLORA
- RED YUCCA
- 5 GALLON
- DASYLIRION WHEELERII
- DESERT SPOON
- 5 GALLON
- LANTANA MONTEVIDENSIS
- 'GOLD MOUND'
- 1 GALLON
- 1/2" SCREENED SADDLEBACK BROWN
- DECOMPOSED GRANITE
- 2" DEPTH IN ALL LANDSCAPE AREAS
- MID-IRON
- TURF
- SOD
- 6" EXTRUDED CURB
- CONCRETE HEADER
- SEE DETAIL

CITY OF CHANDLER LANDSCAPE NOTES:

1. ALL SITE IMPROVEMENTS, INCLUDING LANDSCAPE AND SITE CLEANUP MUST BE COMPLETED PRIOR TO CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN A PHASE.
2. NO OBSTRUCTIONS TO VIEW SHALL BE ERCTED, CONSTRUCTED OR PARKED WITHIN THE SIGHT VISIBILITY AREA. ALL TREES WITHIN THE LINE OF SIGHT WILL MAINTAIN A CANOPY HEIGHT ABOVE 6'. ALL SHRUBS IN THIS AREA MAY NOT A MATURITY HEIGHT OVER 24"
3. ALL PLANT MATERIALS ARE GUARANTEED FOR A MINIMUM PERIOD OF SIXTY (60) DAYS FROM THE DATED OF FINAL APPROVAL BY THE CITY. ANY PLANT MATERIAL, WHICH ARE NOT APPROVED BY THE CITY PRIOR TO OCTOBER 1 OF THE CALENDAR YEAR IN WHICH THEY ARE INSTALLED, SHALL BE FURTHER GUARANTEED UNTIL MAY 20 OF THE FOLLOWING CALENDAR YEAR.
4. TREES, SHRUBS, VINES, GROUND COVER AND TURF THAT HAVE TO BE REPLACED UNDER THE TERMS OF THE GUARANTEE, SHALL BE GUARANTEED FOR AN ADDITIONAL 60 DAYS FROM DATE OF REPLACEMENT.
5. ALL PLANT MATERIALS MUST BE MAINTAINED IN HEALTH AND VIGOR AND BE ALLOWED TO ATTAIN NATURAL SIZE AND SHAPE IN ACCORDANCE WITH THE ORIGINALLY APPROVED LANDSCAPE PLANS. SEE SECTION 1902 (6)(H)
6. PARKING LOT TREES ARE TO HAVE A MINIMUM CLEAR CANOPY DISTANCE OF FIVE (5) FEET. SEE SECTION 1903 (6)(G)(C)(4), ZONING CODE.
7. ALL LANDSCAPE AREAS SHALL BE GRADED SO THAT FINISHED GRADE SURFACES OF ALL NONLIVING MATERIALS (I.E. DECOMPOSED GRANITE, CRUSHED ROCK, MULCH ETC.) ARE ONE AND ONE HALF (1 1/2) INCHES BELOW CONCRETE OR OTHER PAVED SURFACES. SEE SECTION 1903(6)(C)(11), ZONING CODE
8. TREES MUST BE PLACED MIN. OF 5' FROM SIDEWALKS, PUBLIC ACCESS WAYS. SHRUBS MUST BE AT MATURITY, 3' FROM ALL SIDES OF A FIRE HYDRANT, P.I.V. OR FDC. SEE SECTION 1903 (6)(J)(1), ZONING CODE
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11. ALL TRANSFORMER BOXES, METER PANELS AND ELECTRIC EQUIPMENT, BACK FLOW DEVICES OR ANY OTHER UTILITY EQUIPMENT NOT ABLE OR REQUIRED TO BE SCREENED BY LANDSCAPING OR WALLS SHALL BE PAINTED TO MATCH THE BUILDING COLOR.
12. ALL WALLS OVER 7' IN HEIGHT, SITE LIGHTING, SIGNAGE, RAMADAS, AND SHADE STRUCTURES REQUIRE A SEPARATE SUBMITTAL AND PERMITS.

LANDSCAPE CALCULATIONS:

TOTAL SITE AREA:	102,068 SQ.FT.	3.34 AC (LIMITS OF CONSTRUCTION)
TOTAL BUILDING AREA:	N/A SQ.FT.	N/A % OF SITE AREA
TOTAL LANDSCAPE AREA:	17,087 SQ.FT.	N/A % OF SITE AREA
TOTAL PARKING AREA:	N/A SQ.FT.	N/A % OF SITE AREA
LANDSCAPE IN PARKING AREA:	N/A SQ.FT.	N/A % OF SITE AREA
LANDSCAPE IN PARKING AREA:	N/A SQ.FT.	N/A % OF SITE AREA
TOTAL TURF AREA:	2,888 SQ.FT.	17 % OF LS AREA
SHRUBS/GROUNDCOVERS:	9,229 SQ.FT.	65 % OF LS AREA
INORANGIC GRANITE:	14,199 SQ.FT.	100 % OF NON TURF LS AREA
DECOMPOSED GRANITE IS TO EXTEND UNDER ALL PLANTINGS		



T.J. McQUEEN & ASSOCIATES, INC.

LANDSCAPE ARCHITECTURE  
 URBAN DESIGN  
 SITE PLANNING

10450 N. 74th Street, Suite 120  
 Scottsdale, Arizona 85258  
 P. (602) 265-0320

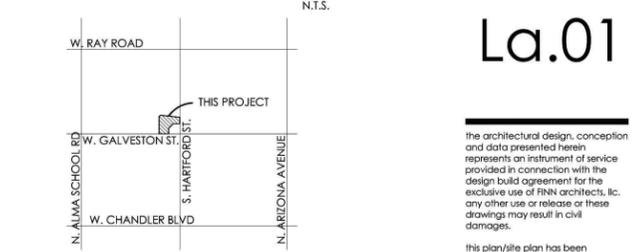
EMAIL: timcqueen@tjma.net



serene homes  
 620 n. hartford street,  
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## LEGEND

	CENTERLINE		BIKE RACK
	PROPERTY LINE		FIRE HYDRANT
	SETBACK LINE		EXISTING FIRE HYDRANT
	EASEMENT LINE		FDC
	CURB		FIRE RISER
	EXISTING CURB		LIGHT POLE
	PAINT STRIPING		EXISTING LIGHT POLE
	CONCRETE SIDEWALK		UTILITY TRANSFORMER
	ACCESSIBLE ROUTE		10x20' VISIBILITY TRIANGLE
	RAMP, VARIES SEE PLAN		
	SITE WALL		
	EXISTING SITE WALL		
	SITE FENCING		
	EXISTING SITE FENCING		
	RIP RAP, VARIES SEE PLANS		
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	PISTACHE CHINENSIS 'RED PUSH'
	RED PUSG PISTACHE
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	ORANGE JUBILEE
	HESPERALOE PARVIFLORA
	RED YUCCA
	DASYLIION WHEELERII
	DESERT SPOON
	LANTANA MONTEVIDENSIS 'GOLD MOUND'
	GOLD MOUND
	1/2\"/>
	MID-IRON TURF SOD
	6\"/>

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TOTAL BUILDING AREA:	N/A SQ.FT.	N/A % OF SITE AREA
TOTAL LANDSCAPE AREA:	17,087 SQ.FT.	N/A % OF SITE AREA
TOTAL PARKING AREA:	N/A SQ.FT.	N/A % OF SITE AREA
LANDSCAPE IN PARKING AREA:	N/A SQ.FT.	N/A % OF SITE AREA
TOTAL TURF AREA:	2,888 SQ.FT.	17 % OF LS AREA
SHRUBS/GROUND COVERS:	9,229 SQ.FT.	65 % OF LS AREA
INORANGIC GRANITE:	14,199 SQ.FT.	100 % OF NON TURF LS AREA
DECOMPOSED GRANITE IS TO EXTEND UNDER ALL PLANTINGS		



T.J. McQUEEN & ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 URBAN DESIGN  
 SITE PLANNING  
 10450 N. 74th Street, Suite 120  
 Scottsdale, Arizona 85258  
 P. (602)265-0320  
 EMAIL: timmqueen@tjmla.net

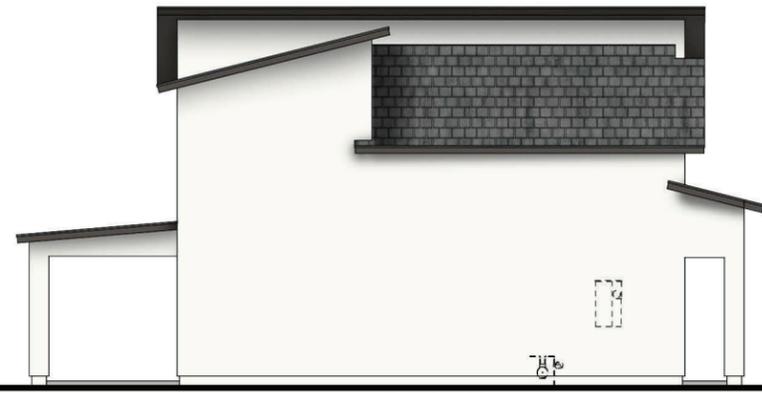


serene homes  
 620 n. hartford street,  
 chandler, arizona

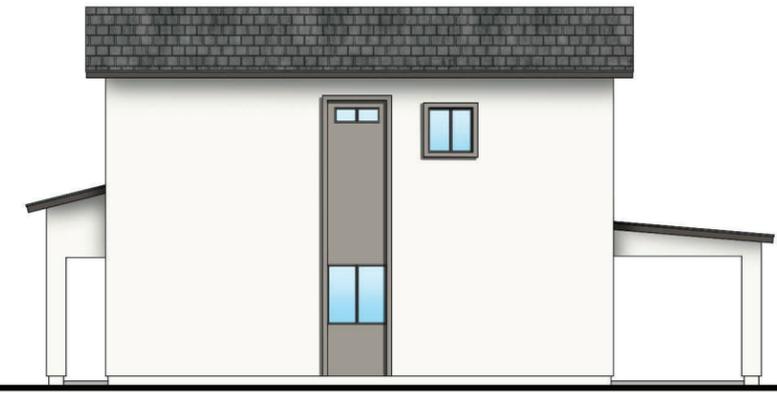




REAR



LEFT



RIGHT



EAGLE ROOF TILE  
(PONDEROSA TEXTURED FLAT TILE #5503  
SIERRA MADRE)

POPOUT  
(SW7566 WESTHIGHLAND WHITE)

COACH LIGHT

BODY  
(SW7858 GRAY CLOUDS)

GARAGE DOOR  
(SW7566 WESTHIGHLAND WHITE)

FASCIA  
(SW7566 WESTHIGHLAND WHITE)

SHUTTERS  
(SW6251 OUTERSPACE)

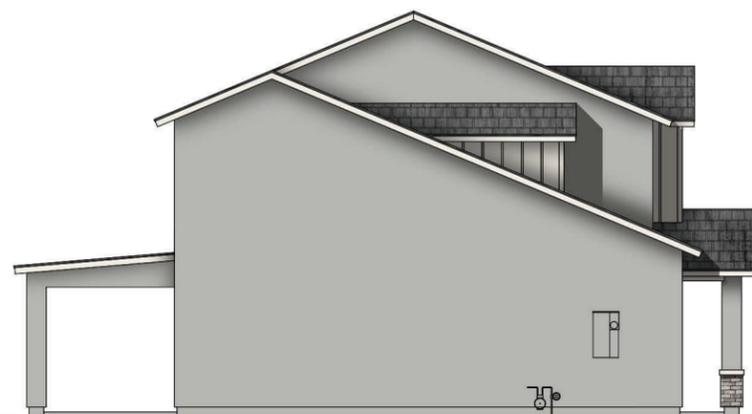
SIDING  
(SW7566 WESTHIGHLAND WHITE)

FRONT DOOR  
(SW6251 OUTERSPACE)

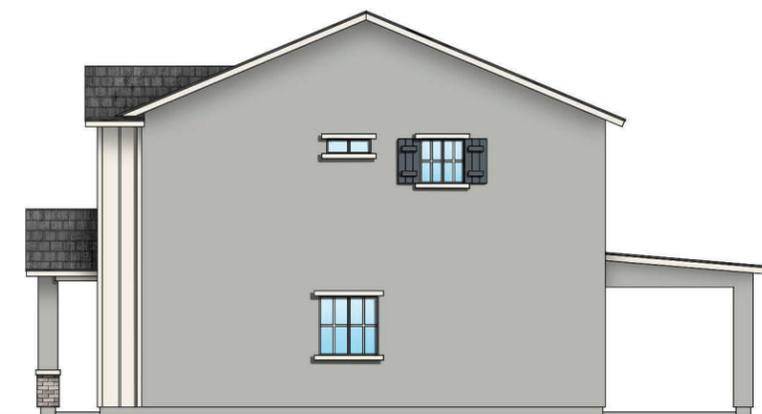
CORONADO STONE PRODUCTS  
(WOLF GREY - WIRECUT BRICK)



REAR



LEFT



RIGHT



FASCIA  
(SW7625 MOUNT ETNA)

BODY  
(SW7670 GRAY SHINGLE)

GARAGE DOOR  
(SW7625 MOUNT ETNA)

EAGLE ROOF TILE  
(BEL AIR TEXTURED FLAT TILE #4503  
SIERRA MADRE)

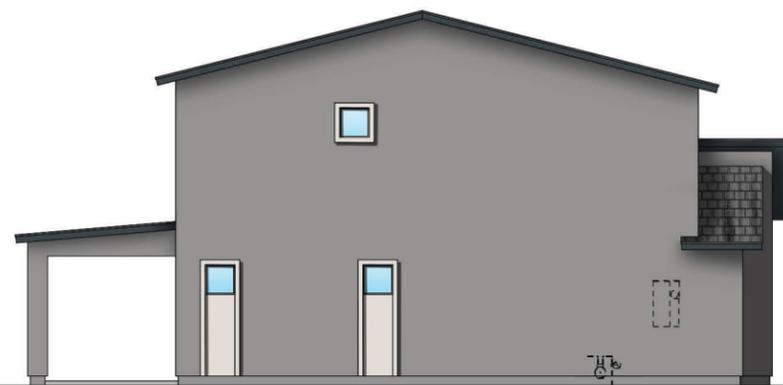
POPOUT  
(SW7028 INCREDIBLE WHITE)

COACH LIGHT

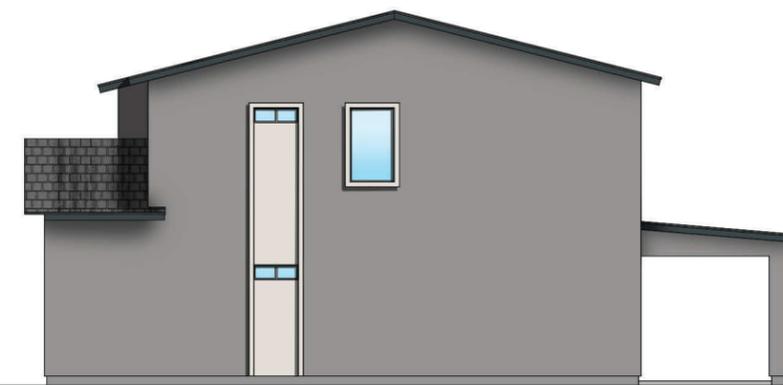
FRONT DOOR  
(SW7625 MOUNT ETNA)



REAR



LEFT



RIGHT



FASCIA  
(SW7019 GAUNTLET GRAY)

SHUTTERS  
(SW7615 SEA SERPENT)

BODY  
(SW6003 PROPER GRAY)

POPOUT  
(SW7019 GAUNTLET GRAY)

GARAGE DOOR  
(SW7019 GAUNTLET GRAY)

EAGLE ROOF TILE  
(PONDEROSA TEXTURED FLAT TILE #5699  
CHARCOAL RANGE)

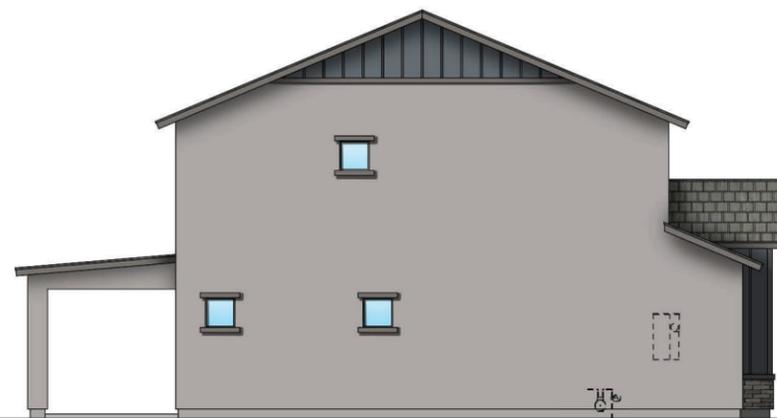
COACH LIGHT

SIDING  
(SW7665 WALL STREET)

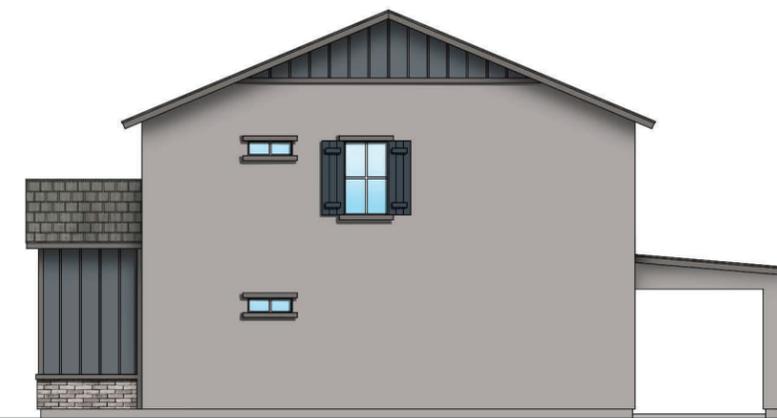
FRONT DOOR  
(SW7615 SEA SERPENT)  
CORONADO STONE PRODUCTS  
(WOLF GREY - WRECUT BRICK)



REAR



LEFT



RIGHT



FASCIA  
(SW7505 MANOR HOUSE)

BODY  
(SW7627 WHITE HERON)

GARAGE DOOR  
(SW7505 MANOR HOUSE)

EAGLE ROOF TILE  
(BEL AIR TEXTURED FLAT TILE #4503  
SIERRA MADRE)

POPOUT  
(SW7505 MANOR HOUSE)  
COACH LIGHT

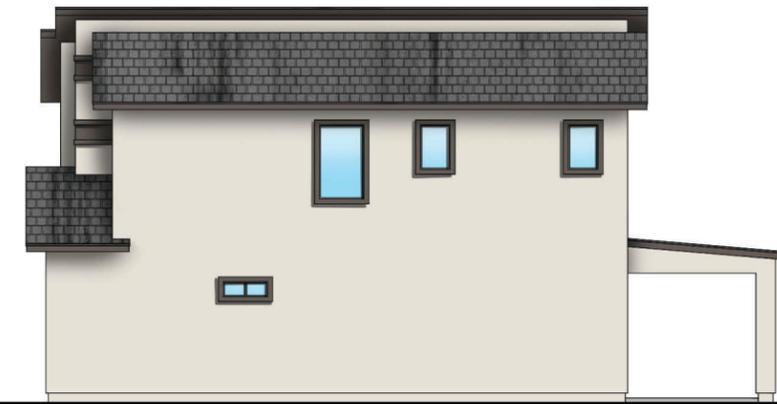
FRONT DOOR  
(SW2803 ROOKWOOD TERRA COTTA)



REAR



LEFT



RIGHT



FASCIA  
(SW7674 PEPPERCORN)

SIDING  
(SW7674 PEPPERCORN)

BODY  
(SW7669 SUMMIT GRAY)

POPOUT  
(SW7674 PEPPERCORN)

GARAGE DOOR  
(SW7674 PEPPERCORN)

EAGLE ROOF TILE  
(PONDEROSA TEXTURED FLAT TILE #5503  
SIERRA MADRE)

COACH LIGHT

SHUTTERS  
(SW2837 AURORA BROWN)

FRONT DOOR  
(SW2837 AURORA BROWN)

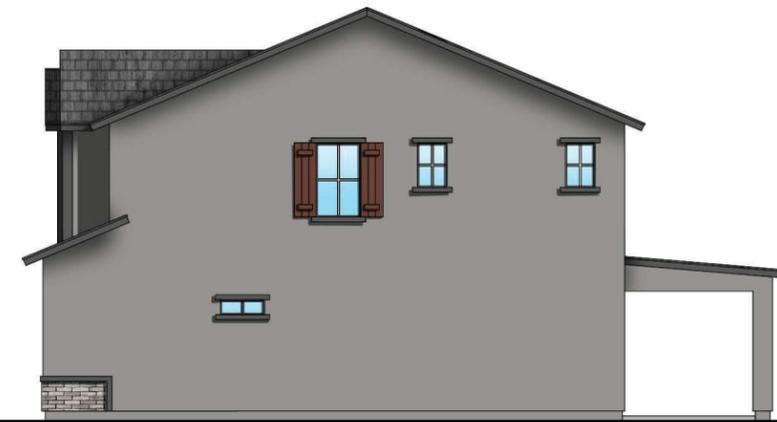
CORONADO STONE PRODUCTS  
(WOLF GREY - WRECUT BRICK)



REAR



LEFT



RIGHT



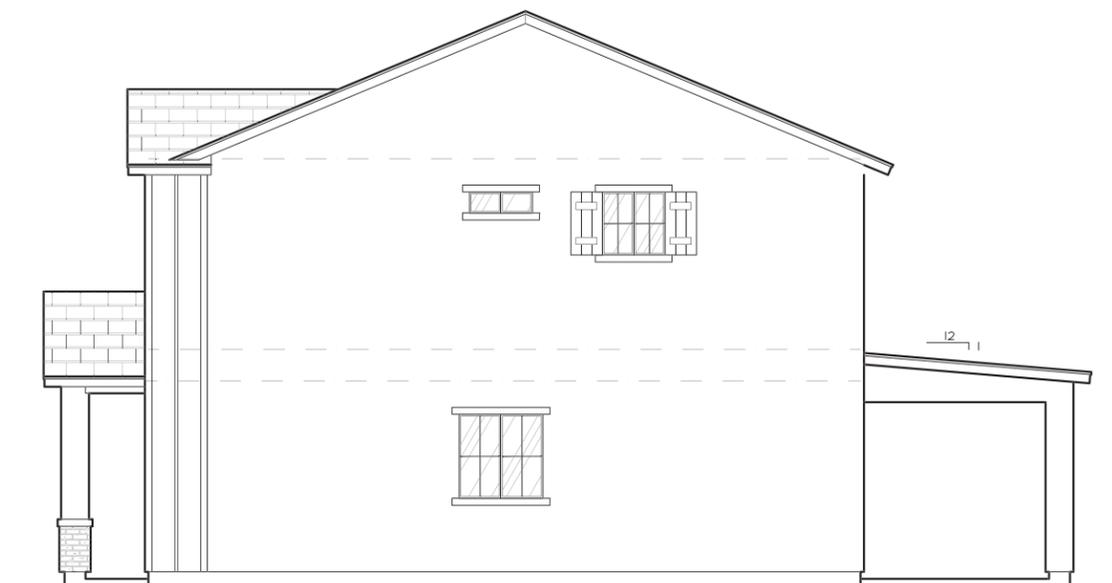




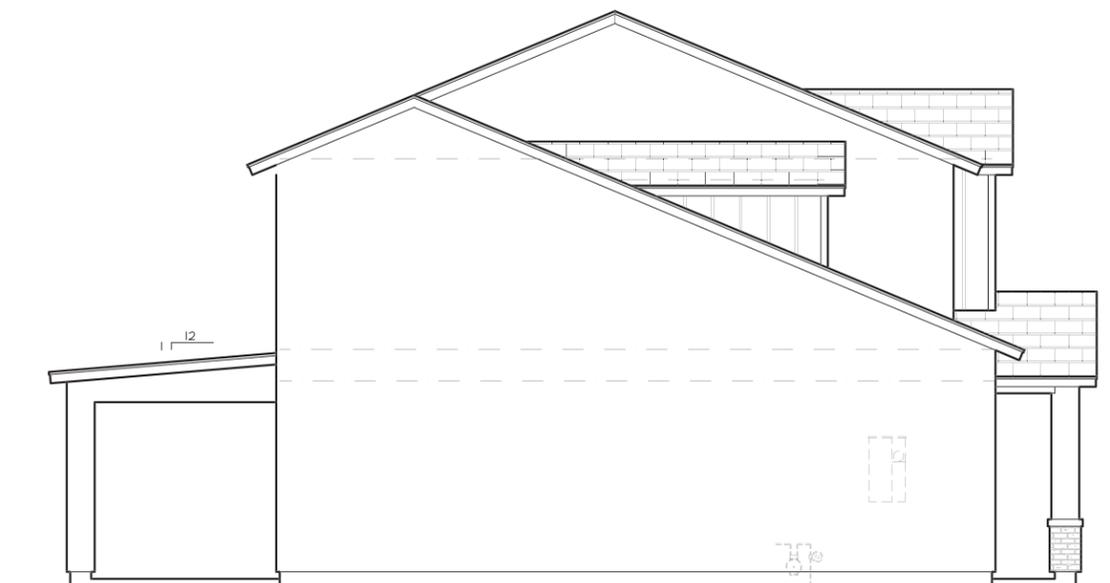
**REAR ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"

**SERENE ESTATES**  
MOUNTAIN TOP BUILDERS, LLC  
16211 North Scottsdale Road, AGA 605  
Scottsdale, Arizona 85254  
(602) 466-0959

2190 east southern avenue  
apache junction, az 85119  
studio . . . 480.326.7543  
jmdesignllc@gmail.com  
**JM** e s i g n

**EXTERIOR ELEVATION 'B'**

PLOT DATE: 2-10-21

Rev.	DATE
1	
2	
3	
4	

PLAN #  
**1795**

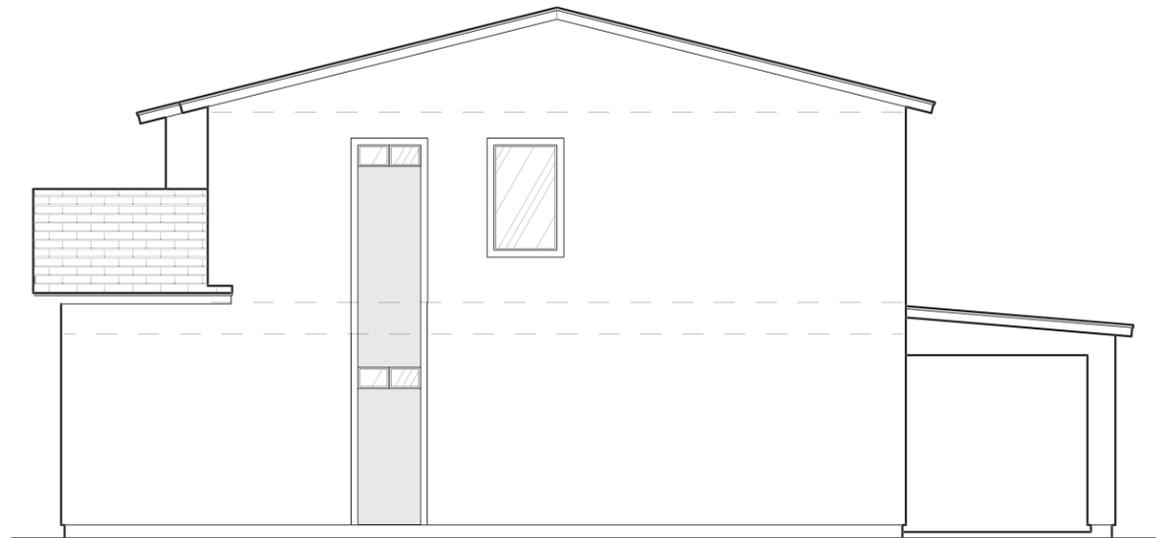
SHEET NO.  
**A3.1**



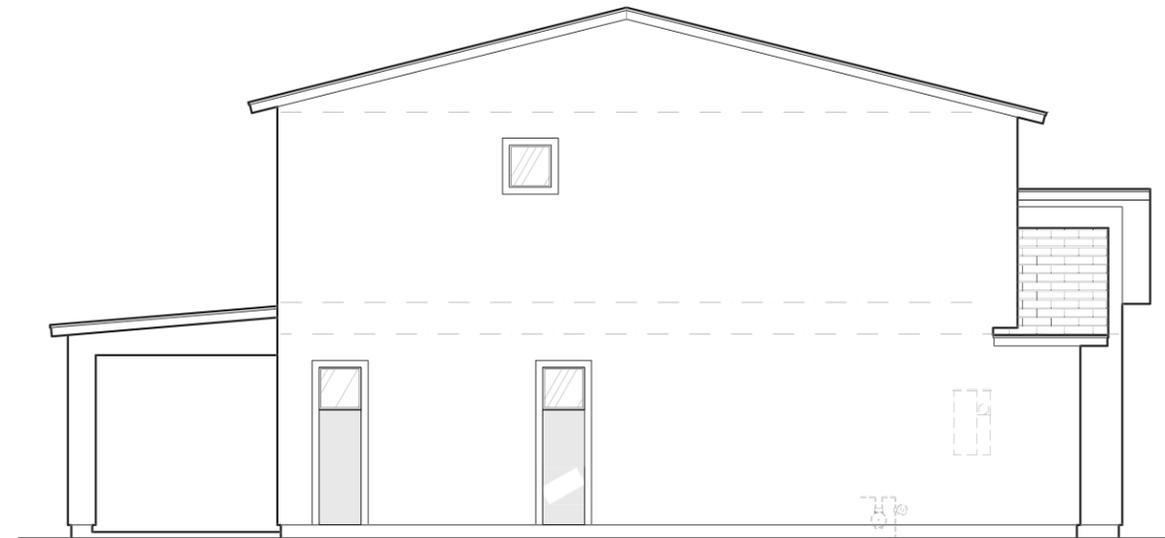
**REAR ELEVATION 'A'**  
CONTEMPORARY SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**  
CONTEMPORARY SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION 'A'**  
CONTEMPORARY SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**  
CONTEMPORARY SCALE: 1/4" = 1'-0"

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(602) 466-0959

**JM** DESIGN  
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apache junction, az 85119  
studio . . . 480.326.7543  
jmdesignllc@gmail.com

**EXTERIOR ELEVATION 'A'**

PLOT DATE: 2-10-21

Rev.	DATE
1	
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PLAN #  
**2072**

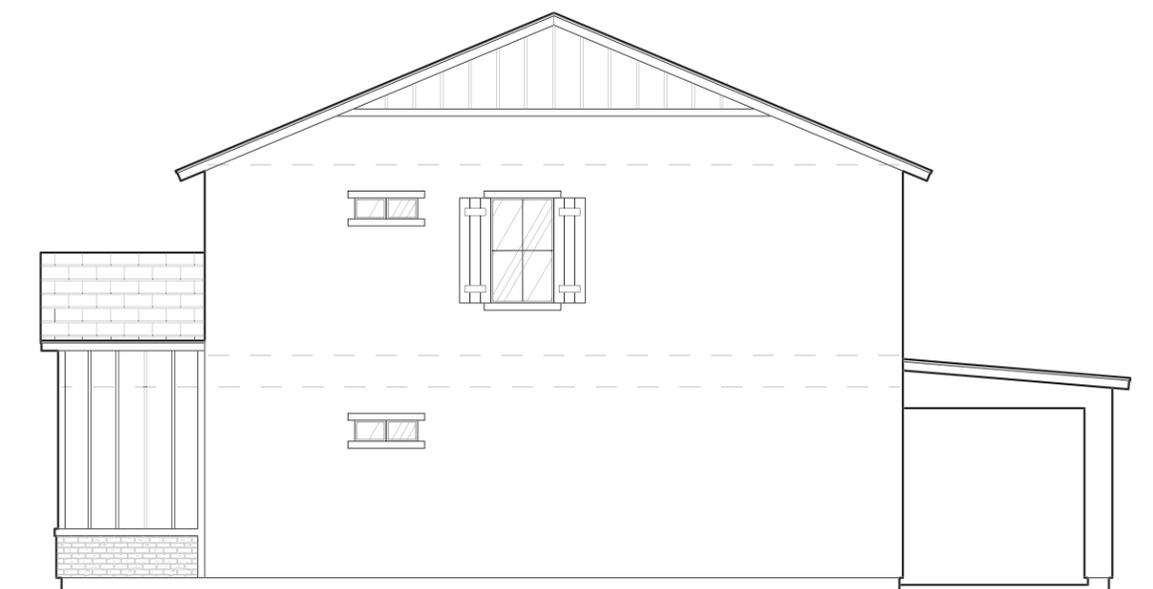
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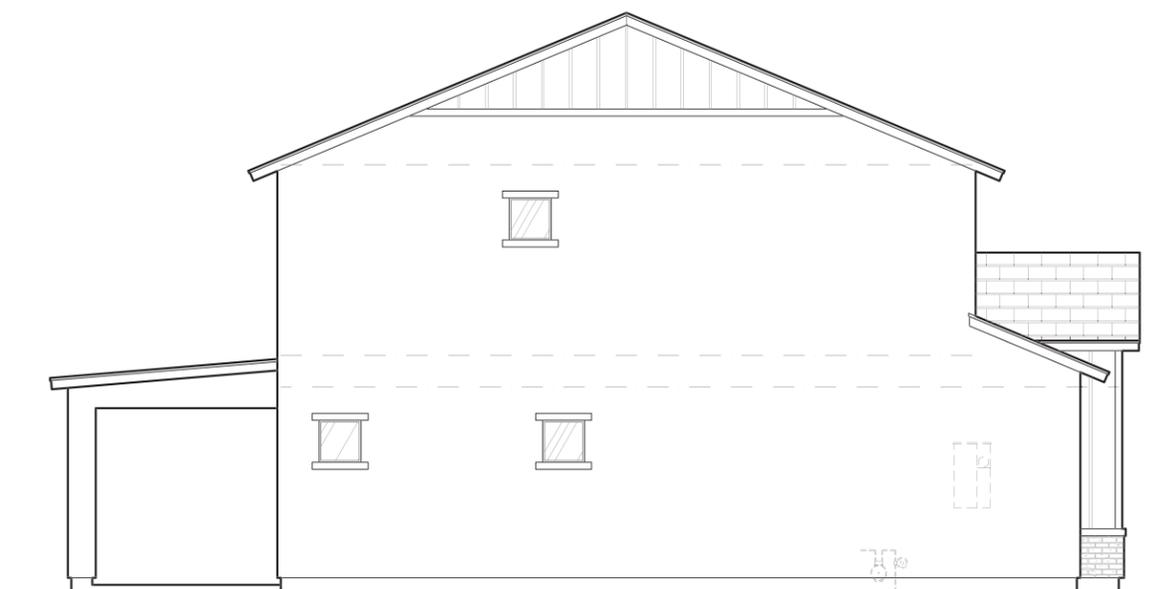
**REAR ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"

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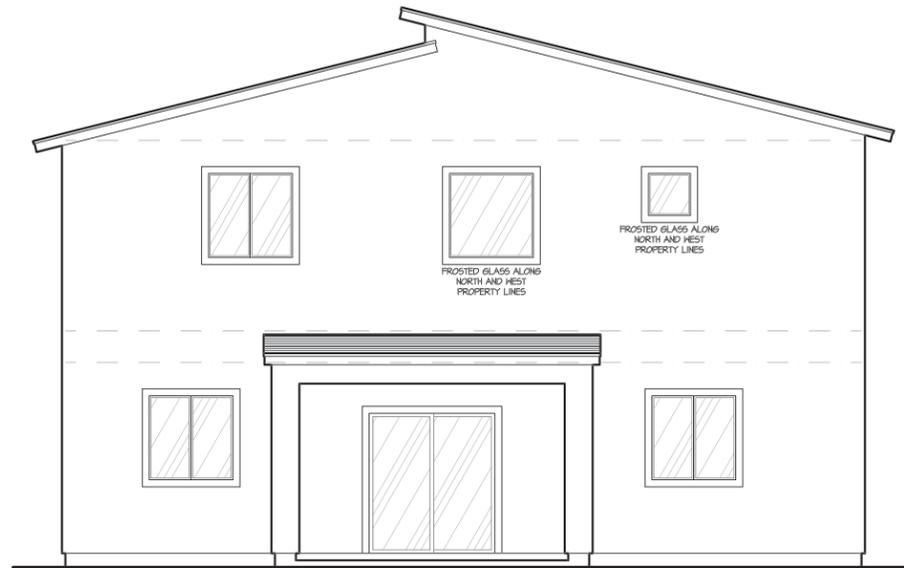
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PLOT DATE: 2-10-21

Rev.	DATE
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PLAN #  
**2072**

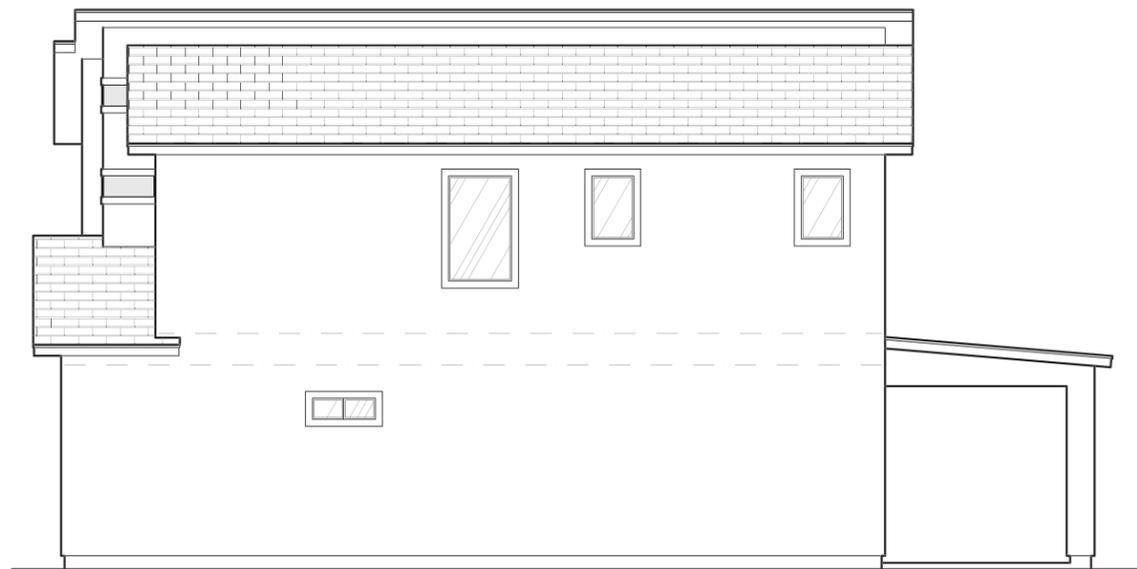
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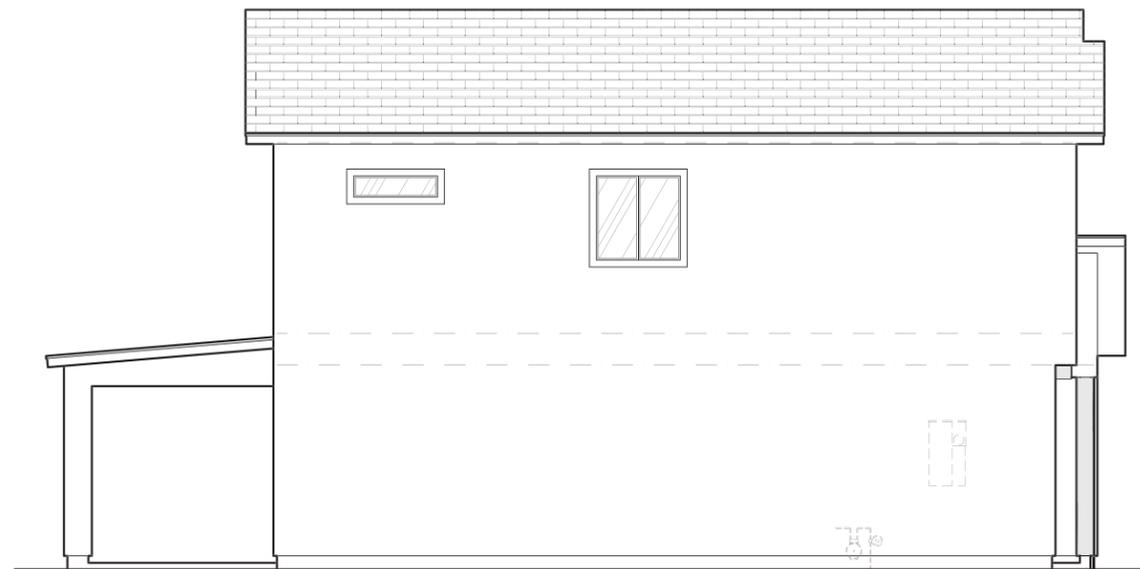
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 CONTEMPORARY SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'A'**  
 CONTEMPORARY SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION 'A'**  
 CONTEMPORARY SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'A'**  
 CONTEMPORARY SCALE: 1/4" = 1'-0"

**SERENE ESTATES**  
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**EXTERIOR ELEVATION 'A'**

PLOT DATE: 2-10-21

Rev.	DATE
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PLAN #  
**2292**

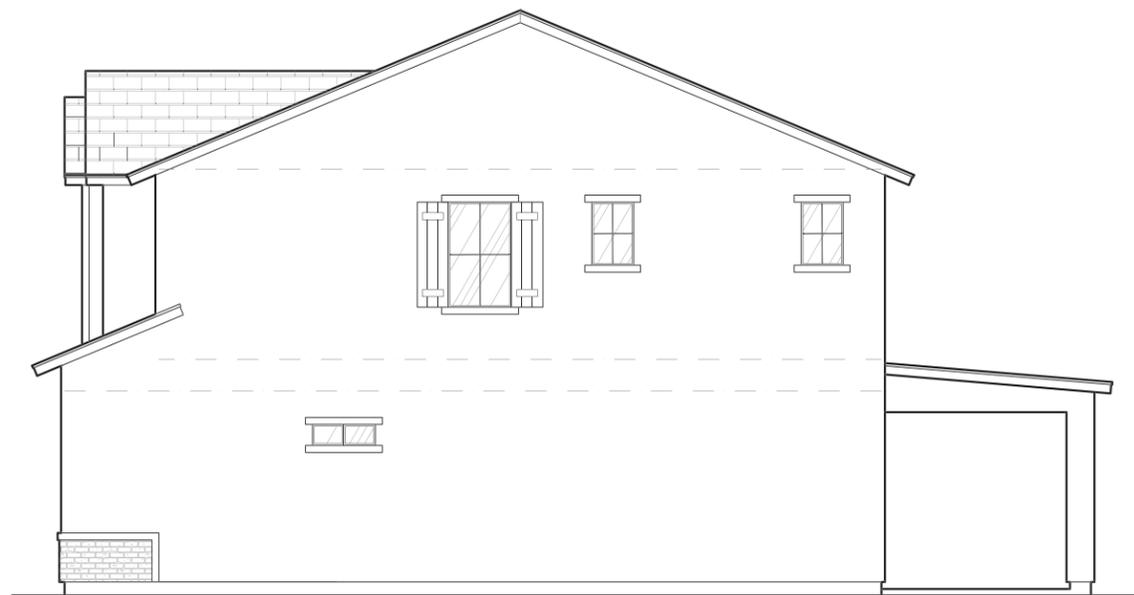
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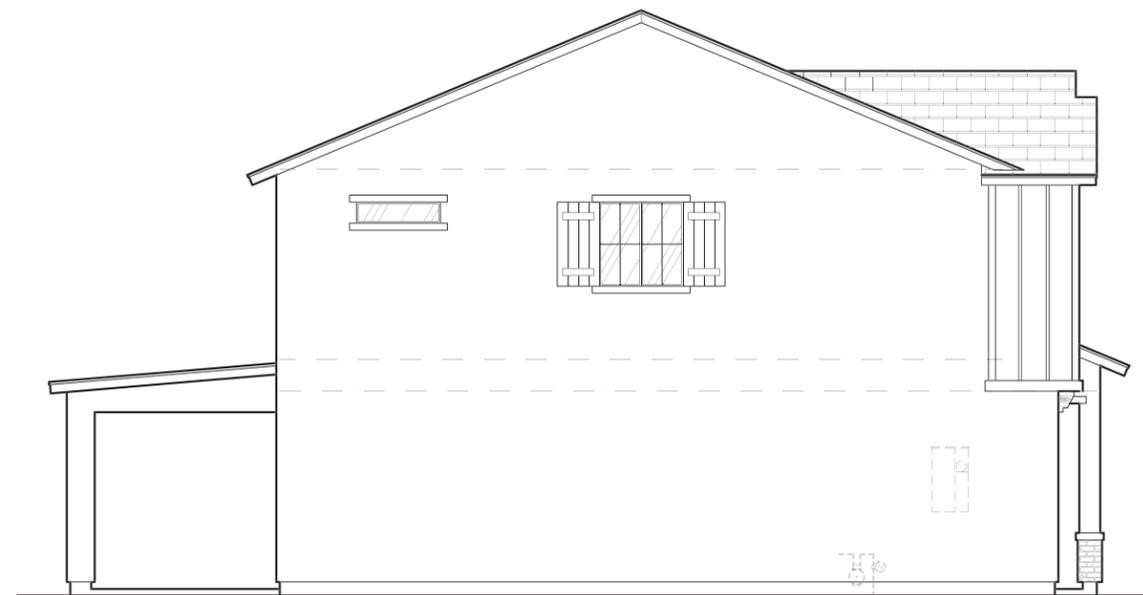
**REAR ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**FRONT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**RIGHT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"



**LEFT ELEVATION 'B'**  
FARMHOUSE SCALE: 1/4" = 1'-0"

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Scottsdale, Arizona 85254  
(602) 466-0959

2190 east southern avenue  
apache junction, az 85119  
studio . . . 480.326.7543  
jmdesignllc@gmail.com  
**JM** e s i g n

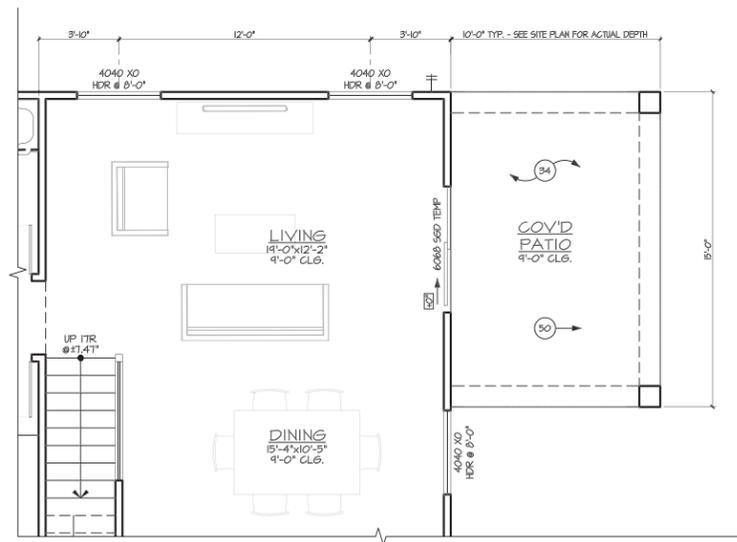
**EXTERIOR ELEVATION 'B'**

PLOT DATE: 2-10-21

Rev.	DATE
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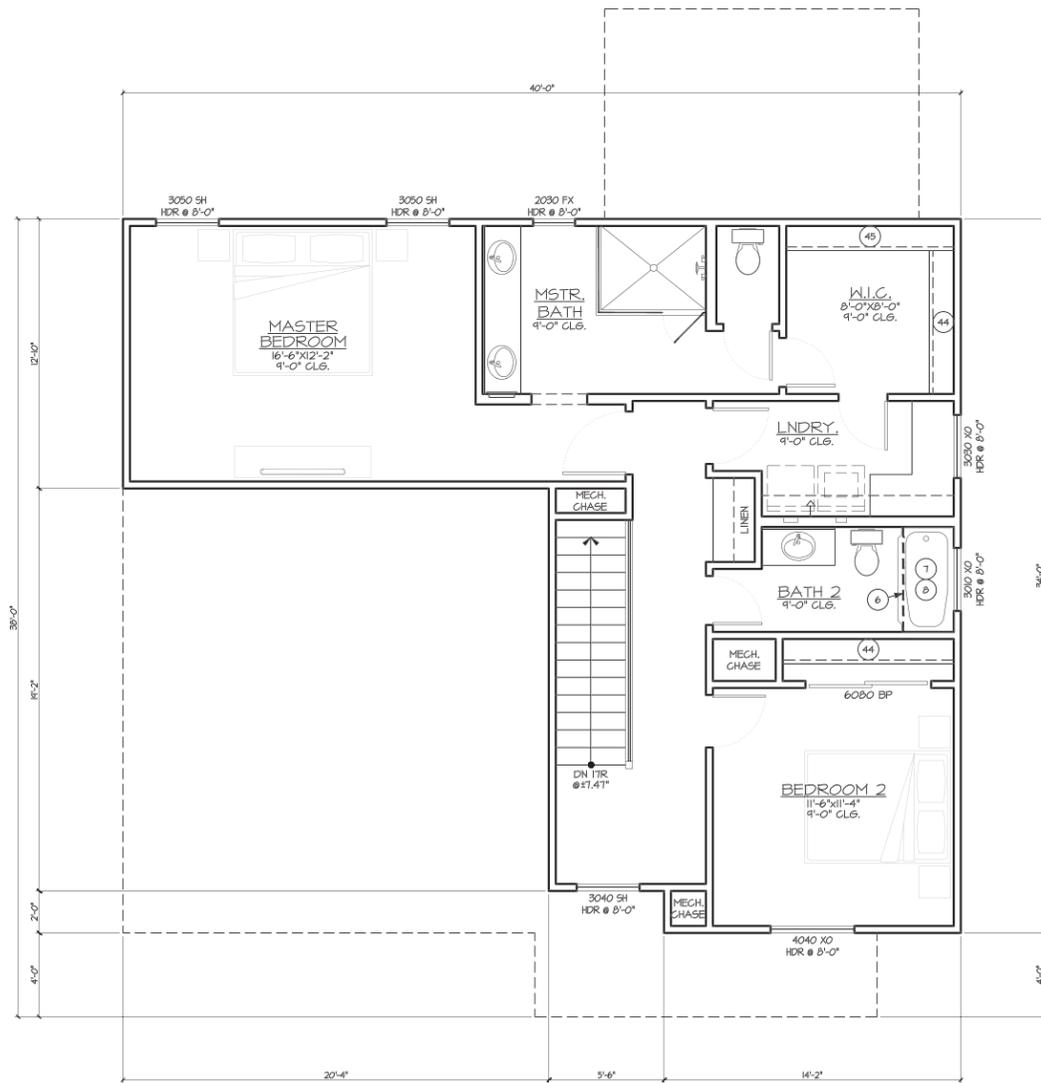
PLAN #  
**2292**

SHEET NO.  
**A3.1**



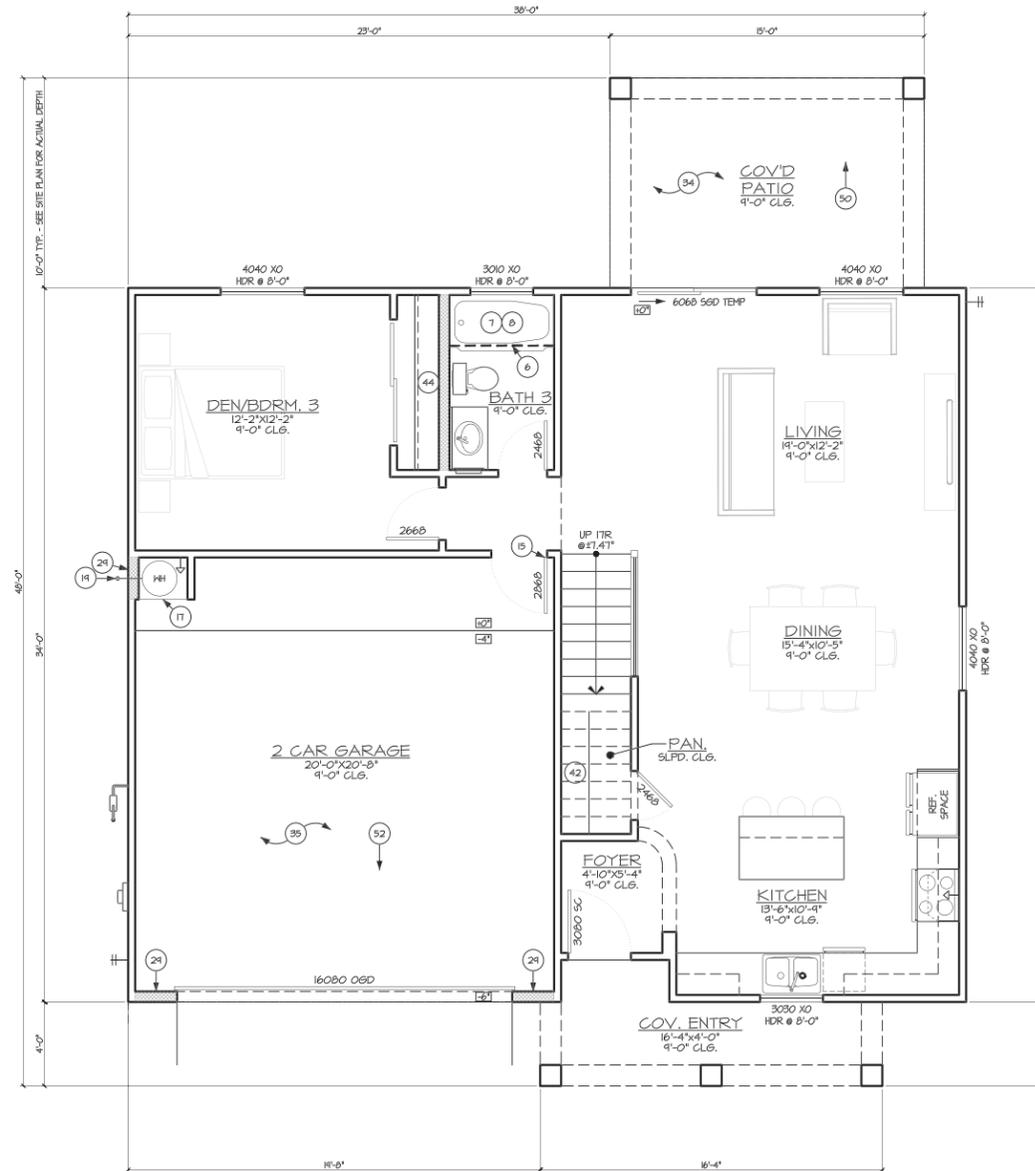
OPT. SIDE PATIO

1/4"=1'-0"



UPPER FLOOR PLAN

1/4"=1'-0"



MAIN FLOOR PLAN

1/4"=1'-0"

AREA CALC'S.

LIVABLE AREAS:	
MAIN LIVABLE	919 SQ.FT.
UPPER LIVABLE	876 SQ.FT.
TOTAL LIVABLE	1,795 SQ.FT.
COVERED AREAS:	
COVERED ENTRY	76 SQ.FT.
REAR COVERED PATIO	150 SQ.FT.
GARAGE:	
2 CAR GARAGE	431 SQ.FT.
TOTAL AREA	2,673 SQ.FT.
TOTAL FOOTPRINT/ROOF AREA	1,576 SQ.FT.

**SERENE ESTATES**  
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 Scottsdale, Arizona 85254  
 (602) 466-0959

2180 east southern avenue  
 apache junction, az 85119  
 studio...480.326.7543  
 jmdesignllc@gmail.com

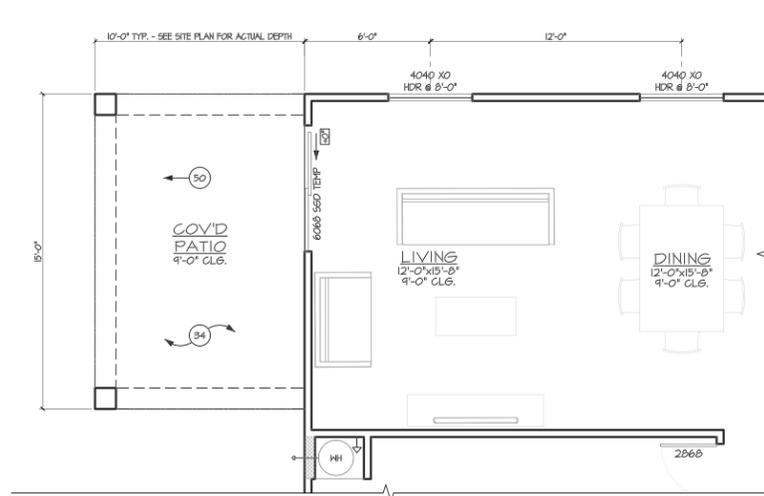
FLOOR PLANS

PLOT DATE: 3-09-21

Rev.	DATE
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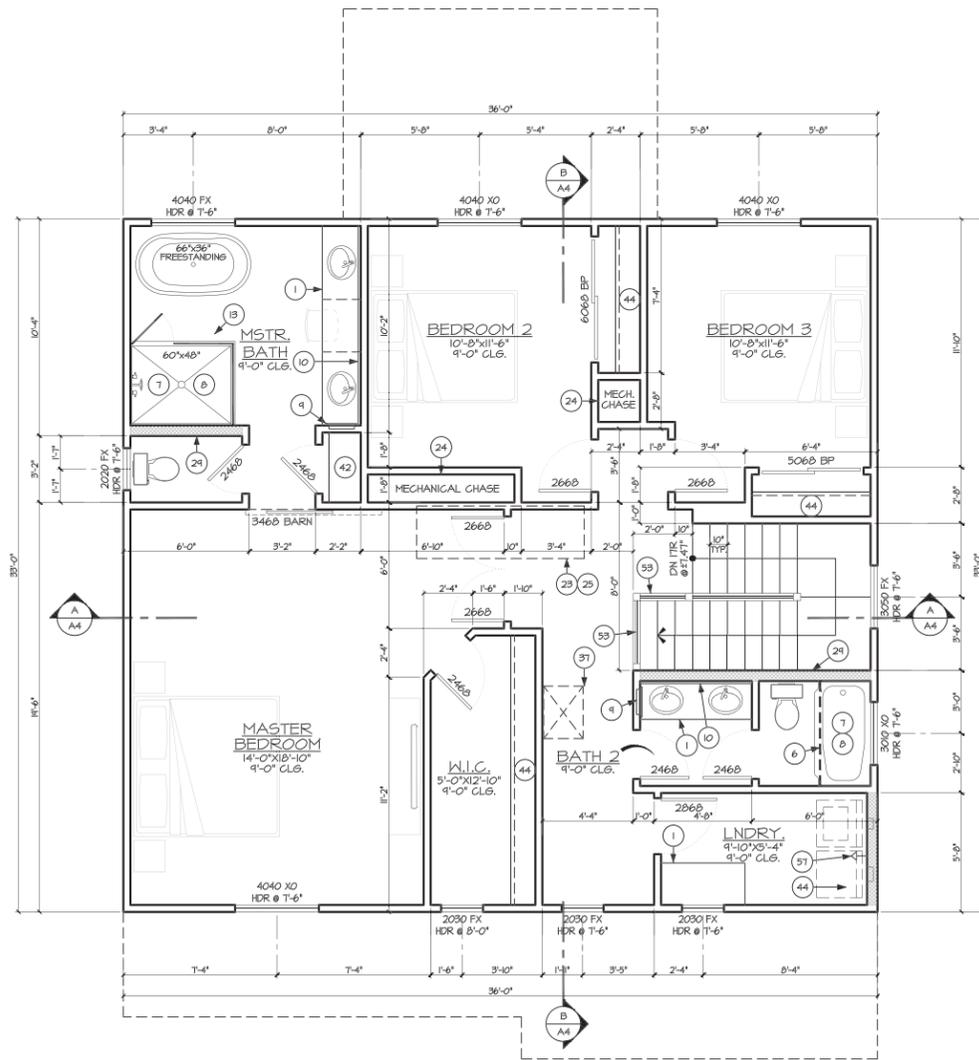
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**1795**

SHEET NO.  
**A1**



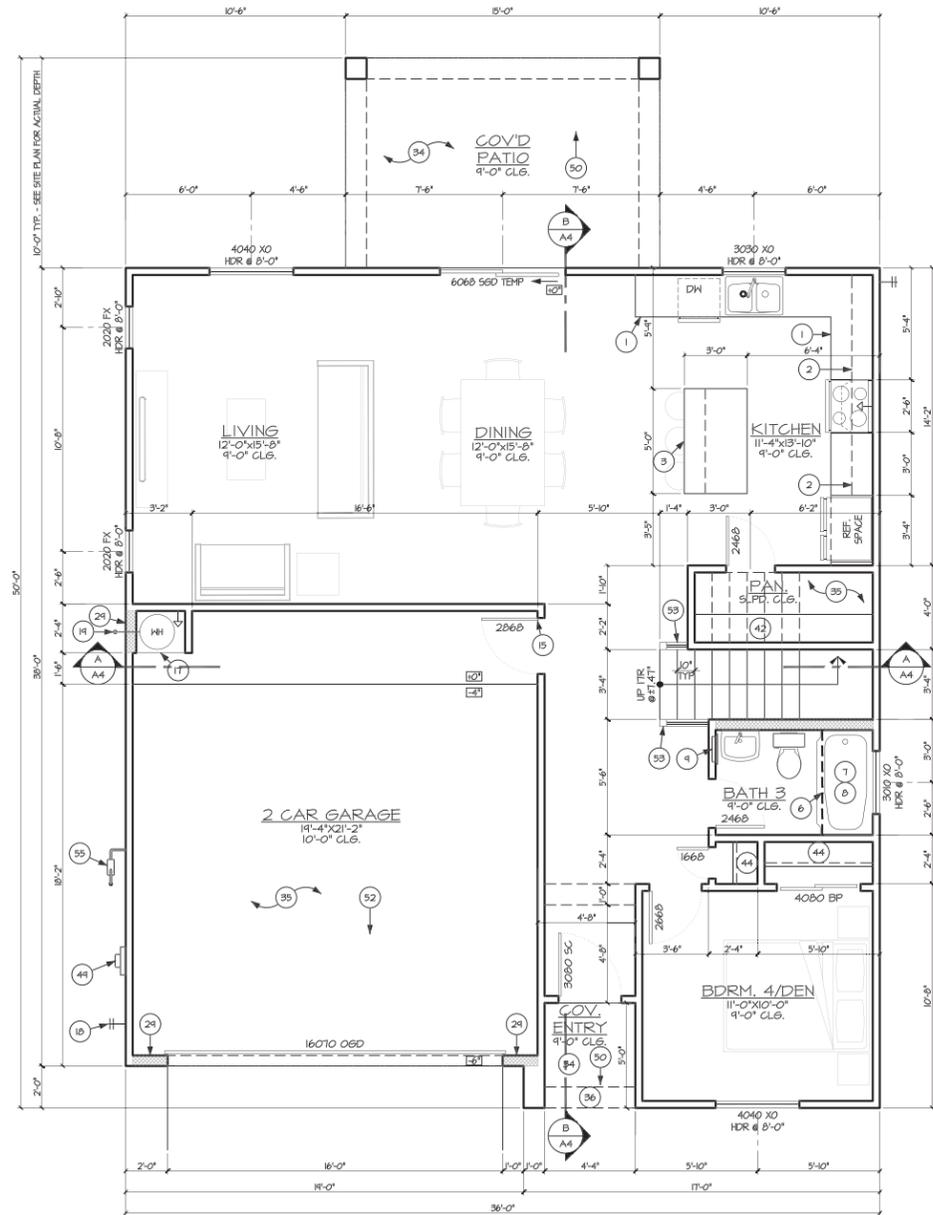
OPT. SIDE PATIO

1/4"=1'-0"



UPPER FLOOR PLAN

1/4"=1'-0"



MAIN FLOOR PLAN

1/4"=1'-0"

**AREA CALC'S.**

LIVABLE AREAS:	
MAIN LIVABLE	951 SQ.FT.
UPPER LIVABLE	1,121 SQ.FT.
TOTAL LIVABLE	2,072 SQ.FT.
COVERED AREAS:	
COVERED ENTRY	24 SQ.FT.
REAR COVERED PATIO	150 SQ.FT.
GARAGE:	
2 CAR GARAGE	427 SQ.FT.
TOTAL AREA	2,673 SQ.FT.
TOTAL FOOTPRINT/ROOF AREA	1,552 SQ.FT.

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MOUNTAIN TOP BUILDERS, LLC  
16211 North Scottsdale Road, AGA 605  
Scottsdale, Arizona 85254  
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2180 east southern avenue  
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jmdesignllc@gmail.com

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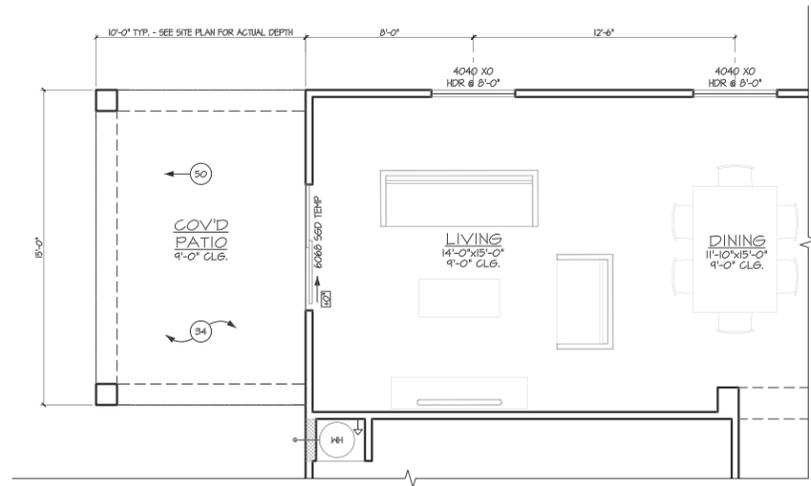
**FLOOR PLANS**

PLOT DATE: 3-09-21

Rev.	DATE
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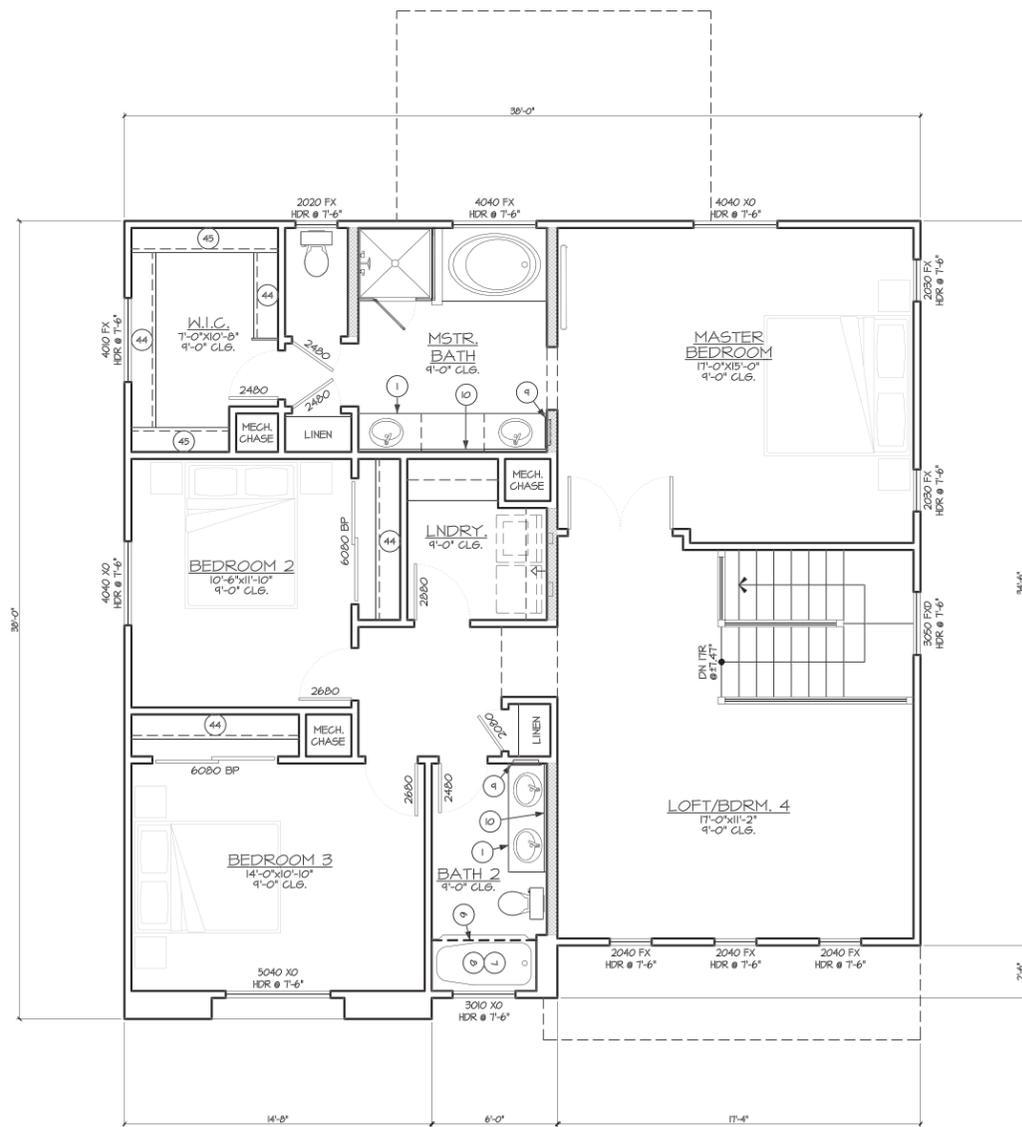
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**2072**

SHEET NO.  
**A1**



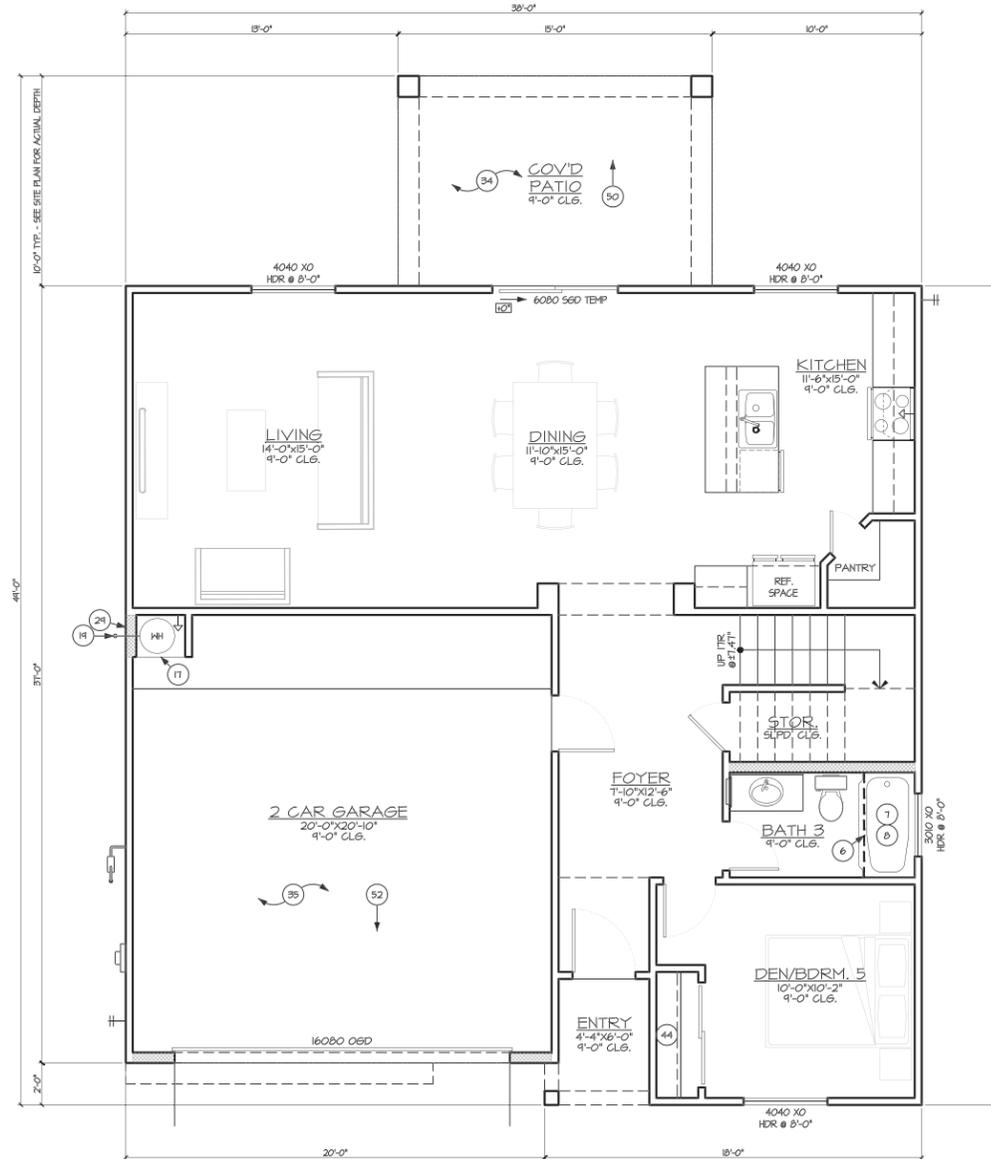
OPT. SIDE PATIO

1/4"=1'-0"



UPPER FLOOR PLAN

1/4"=1'-0"



MAIN FLOOR PLAN

1/4"=1'-0"

AREA CALC'S.

LIVABLE AREAS:	
MAIN LIVABLE	980 SQ.FT.
UPPER LIVABLE	1,312 SQ.FT.
TOTAL LIVABLE	2,292 SQ.FT.
COVERED AREAS:	
COVERED ENTRY	27 SQ.FT.
REAR COVERED PATIO	150 SQ.FT.
GARAGE:	
2 CAR GARAGE	435 SQ.FT.
TOTAL AREA	2,904 SQ.FT.
TOTAL FOOTPRINT/ROOF AREA	1,592 SQ.FT.

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 MOUNTAIN TOP BUILDERS, LLC  
 16211 North Scottsdale Road, AGA 605  
 Scottsdale, Arizona 85254  
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FLOOR PLANS

PLOT DATE: 3-09-21

Rev.	DATE:
1	
2	
3	
4	

PLAN #  
**2292**

SHEET NO.  
**A1**

## LEGAL DESCRIPTION

A PARCEL OF LAND BEING ALL OF LOT 1 AS SHOWN ON THE MINOR LAND DIVISION MAP OF TRACT A OF SERENE HOMES RECORDED IN BOOK 953, PAGE 1, MARICOPA COUNTY RECORDS AS CONVEYED TO CAPITAL INVESTMENTS, LLC BY DEED OF RECORD INSTRUMENT NUMBER 2017-0968329, MARICOPA COUNTY RECORDS (MCR) AND LYING WITHIN THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA & SALT RIVER MERIDIAN, CITY OF CHANDLER, MARICOPA COUNTY ARIZONA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 FROM WHICH POINT A SOUTHEAST CORNER THEREOF BEARS N89°36'21"E A DISTANCE OF 196.87 FEET;

THENCE ALONG THE RIGHT-OF-WAY LINE OF AN ALLEY THE FOLLOWING THREE (3) COURSES AND DISTANCES

- 1) N0°27'37"W A DISTANCE OF 354.69 FEET;
- 2) N47°57'44"E A DISTANCE OF 19.91 FEET;
- 3) S83°36'56"E A DISTANCE OF 379.74 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HARTFORD STREET;

THENCE S0°28'41"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 134.06 FEET TO THE NORTHEAST CORNER OF LOT 2 AS SHOWN ON SAID MINOR LAND DIVISION MAP;

THENCE ALONG THE PERIMETER OF SAID LOT 2 THE FOLLOWING THREE (3) COURSES AND DISTANCES:

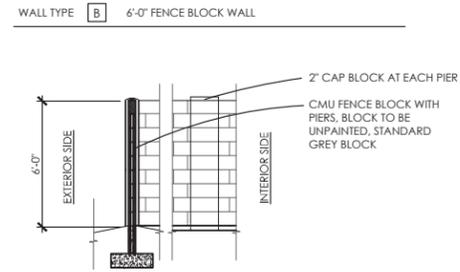
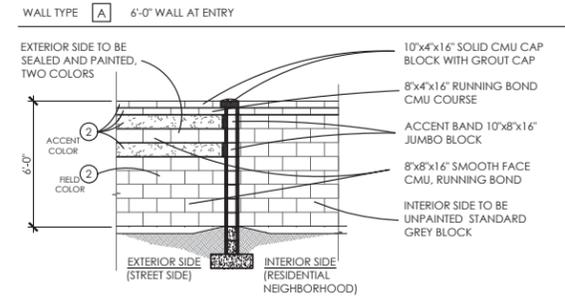
- 1) S89°29'40"W A DISTANCE OF 92.14 FEET;
- 2) S55°50'54"W A DISTANCE OF 123.79 FEET;
- 3) S0°28'41"E A DISTANCE OF 120.07 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GALVESTON STREET;

THENCE S89°36'21"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 196.87 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 102,341.18 S.F. (2.3494 ACRES) OF LAND, MORE OR LESS INCLUDING ANY EASEMENTS OF RECORD.

# SITE SCREEN WALL SCHEDULE

1/4" = 1'-0"



## SITE SCREEN WALL NOTES

PARKING SCREEN WALLS ARE TO BE 36"/48"/72" AS OCCURS ABOVE PAVED/LANDSCAPE AREA OR HIGHEST FINISHED GRADE OF PARKING AREA OR STREET CURB, WHICHEVER IS HIGHER

CONTRACTOR TO COORDINATE STEPPED FOOTINGS WITH CIVIL AND STRUCTURAL DRAWINGS. PROVIDE STEPS AT 2'-6" DECORATIVE PIERS.

PROVIDE WEEPS, OPENINGS IN WALLS AS REQUIRED, SEE CIVIL DRAWINGS

ALL CELLS BELOW GRADE TO BE GROUTED SOLID

SEE PLANS, CIVIL AND STRUCTURAL FOR STEPS, FOOTINGS, ETC.

1 site screen wall schedule  
scale: 1/4" = 1'-0"

the architectural design, conception and data presented herein represents an instrument of service provided in connection with the design build agreement for the exclusive use of FINN architects, llc. any other use or release of these drawings may result in civil damages.

this plan/site plan has been prepared without the benefit of a survey. depictions may not be accurate or fully reflect all dimensions, data, etc. which may affect the design and usability of this site. all design shown here is strictly conceptual.

august 21, 2020
schematic design
august 31, 2020
design development
september 04, 2020
city submittal

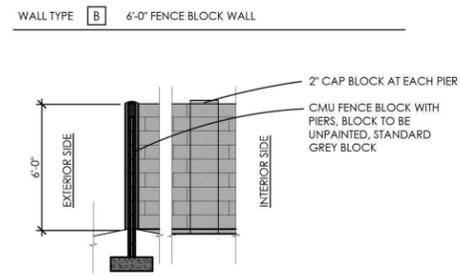
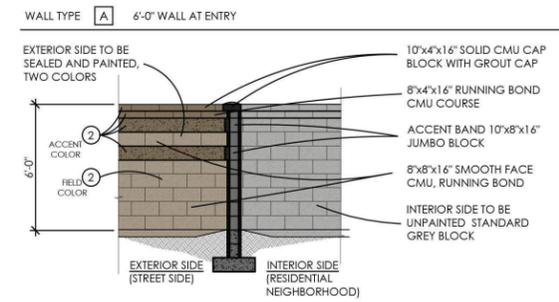


serene homes  
620 n. hartford street,  
chandler, arizona



# SITE SCREEN WALL SCHEDULE

1/4" = 1'-0"



## SITE SCREEN WALL NOTES

PARKING SCREEN WALLS ARE TO BE 36"/48"/72" AS OCCURS ABOVE PAVED/LANDSCAPE AREA OR HIGHEST FINISHED GRADE OF PARKING AREA OR STREET CURB, WHICHEVER IS HIGHER

CONTRACTOR TO COORDINATE STEPPED FOOTINGS WITH CIVIL AND STRUCTURAL DRAWINGS, PROVIDE STEPS AT 2'-8" DECORATIVE PIERS.

PROVIDE WEEPS, OPENINGS IN WALLS AS REQUIRED, SEE CIVIL DRAWINGS

ALL CELLS BELOW GRADE TO BE GROUTED SOLID

SEE PLANS, CIVIL AND STRUCTURAL FOR STEPS, FOOTINGS, ETC.

1 site screen wall schedule  
scale: 1/4" = 1'-0"

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august 21, 2020  
schematic design  
august 31, 2020  
design development



serene homes  
620 n. hartford street,  
chandler, arizona



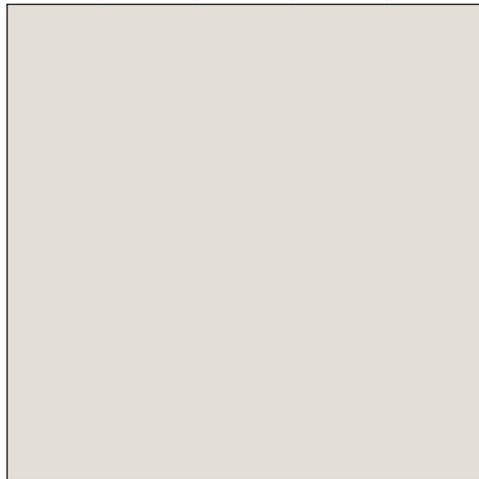




ENTRY DOOR



ROOFING



POPOUTS, RECESSES,  
HEADERS, BEAMS



BASE STUCCO  
COLOR



FASCIA, EAVES, GARAGE

# SERENE ESTATES

Chandler, Arizona  
MOUNTAIN TOP BUILDERS, LLC  
09/21/20

## SCHEME 1

'A' Elevations Only  
Contemporary

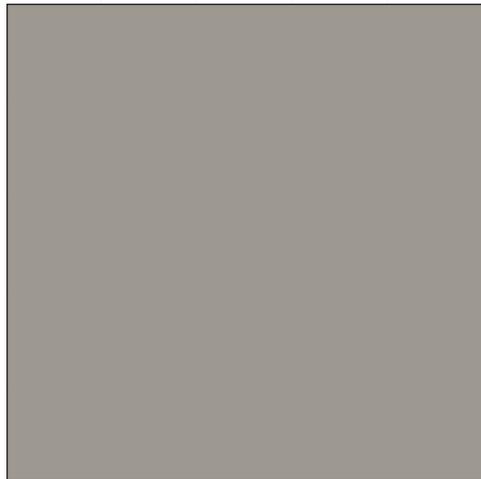
For exact color refer to manufacturer actual samples.



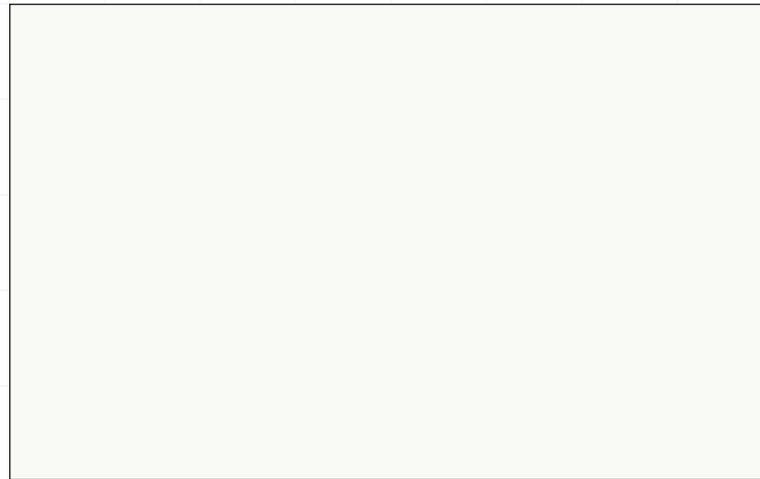
ENTRY DOOR



ROOFING



POPOUTS, RECESSES,  
HEADERS, BEAMS



BASE STUCCO  
COLOR



FASCIA, EAVES, GARAGE

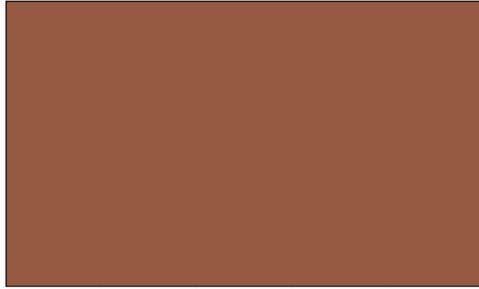
# SERENE ESTATES

Chandler, Arizona  
MOUNTAIN TOP BUILDERS, LLC  
09/21/20

# SCHEME 2

'A' Elevations Only  
Contemporary

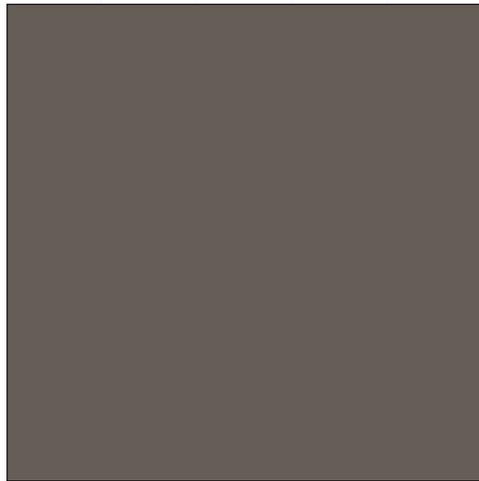
For exact color refer to manufacturer actual samples.



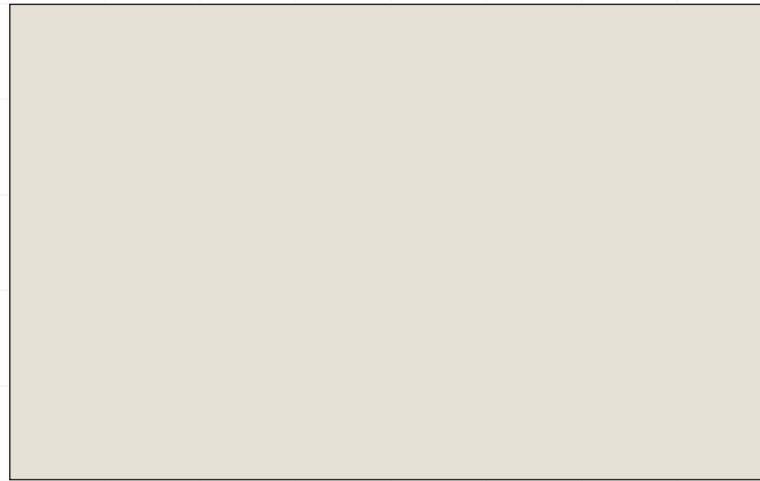
ENTRY DOOR



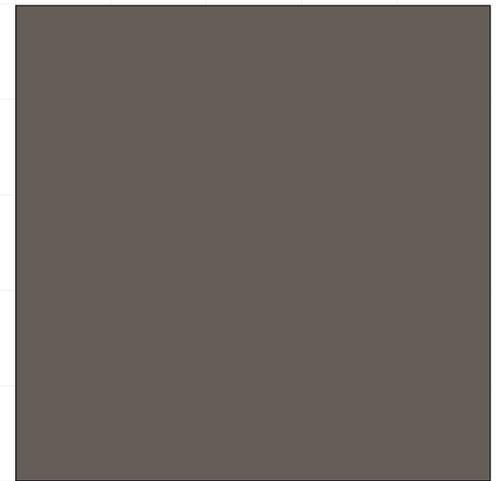
ROOFING



POPOUTS, RECESSES,  
HEADERS, BEAMS



BASE STUCCO  
COLOR



FASCIA, EAVES, GARAGE

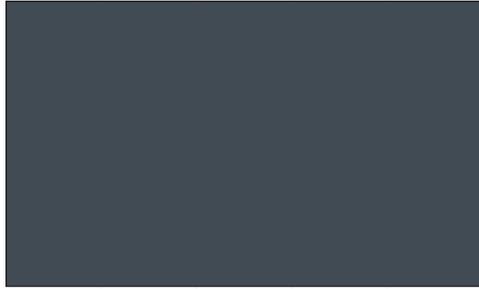
# SERENE ESTATES

Chandler, Arizona  
MOUNTAIN TOP BUILDERS, LLC  
09/21/20

## SCHEME 3

'A' Elevations Only  
Contemporary

For exact color refer to manufacturer actual samples.



ENTRY DOOR, SHUTTERS



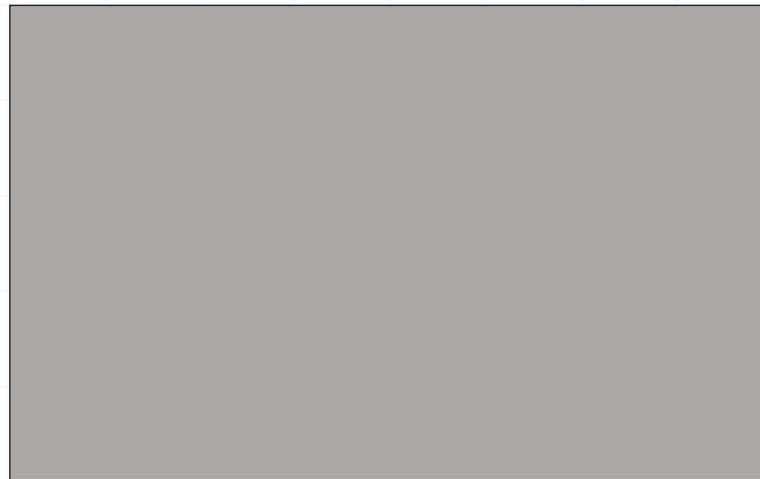
ROOFING



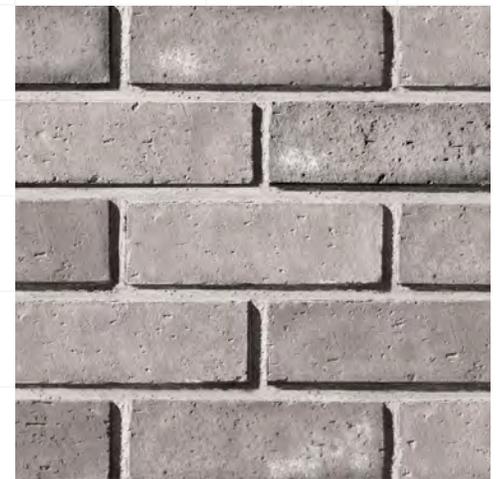
SIDING



POPOUTS, FASCIA, EAVES,  
GARAGE, HEADERS, BEAMS



BASE STUCCO  
COLOR



BRICK

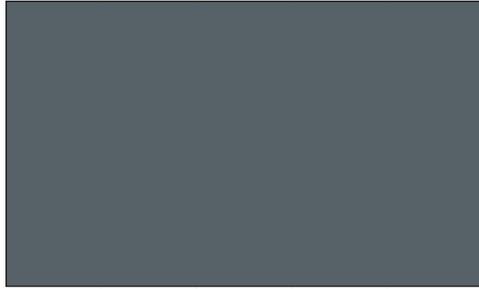
# SERENE ESTATES

Chandler, Arizona  
MOUNTAIN TOP BUILDERS, LLC  
09/21/20

# SCHEME 4

'B' Elevations Only  
Farmhouse

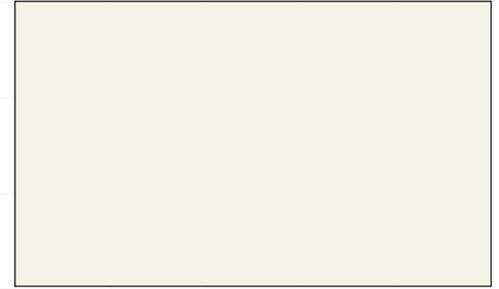
For exact color refer to manufacturer actual samples.



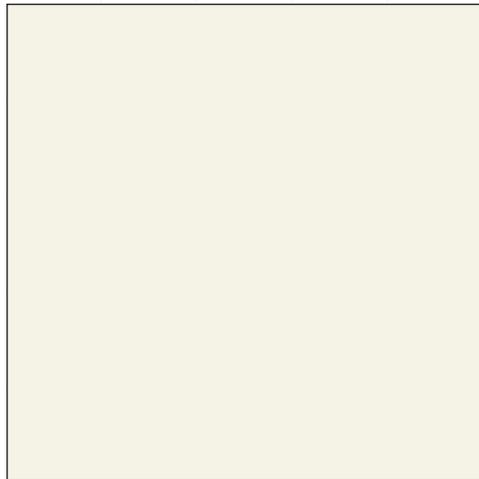
ENTRY DOOR, SHUTTERS



ROOFING



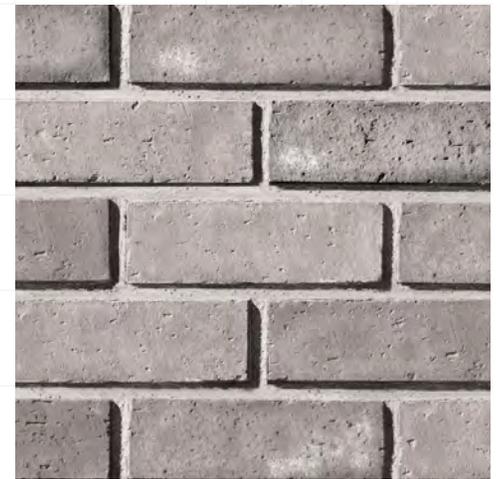
SIDING



POPOUTS, FASCIA, EAVES,  
GARAGE, HEADERS, BEAMS



BASE STUCCO  
COLOR



BRICK

# SERENE ESTATES

Chandler, Arizona  
MOUNTAIN TOP BUILDERS, LLC  
09/21/20

# SCHEME 5

'B' Elevations Only  
Farmhouse

For exact color refer to manufacturer actual samples.



ENTRY DOOR, SHUTTERS



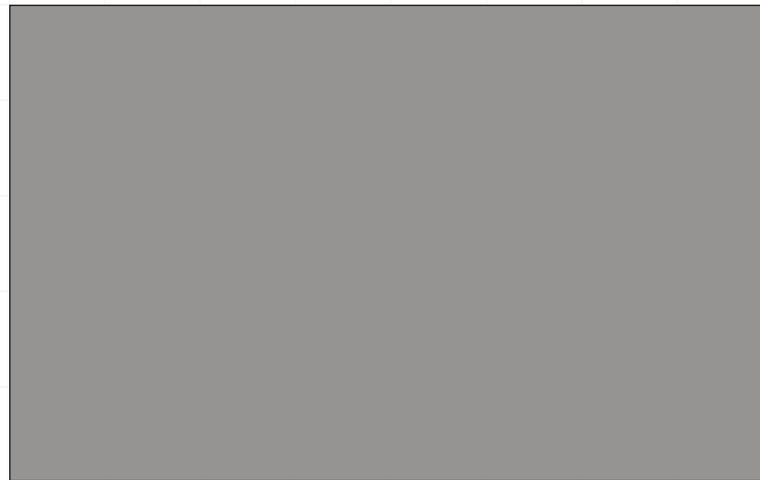
ROOFING



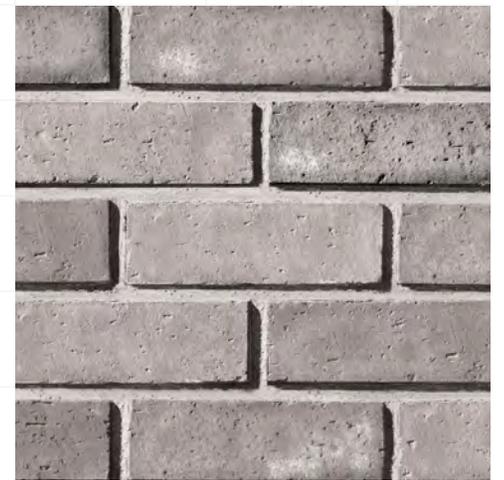
SIDING



POPOUTS, FASCIA, EAVES,  
GARAGE, HEADERS, BEAMS



BASE STUCCO  
COLOR



BRICK

# SERENE ESTATES

Chandler, Arizona  
MOUNTAIN TOP BUILDERS, LLC  
09/21/20

# SCHEME 6

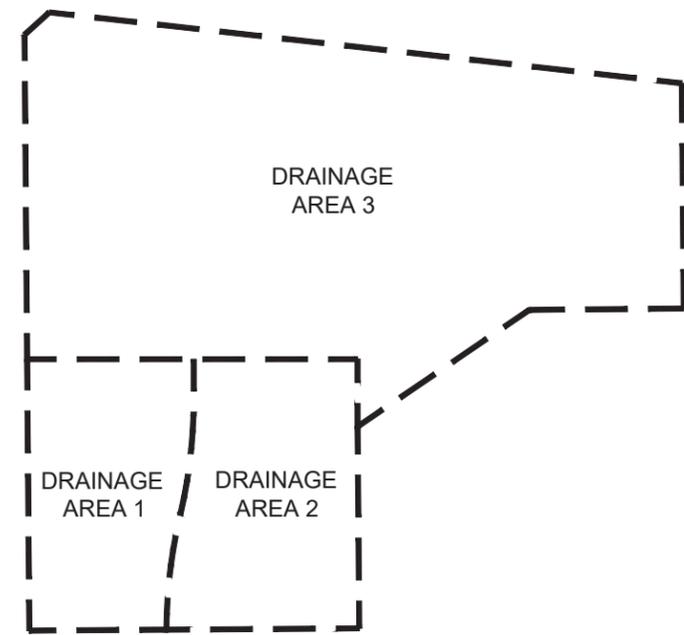
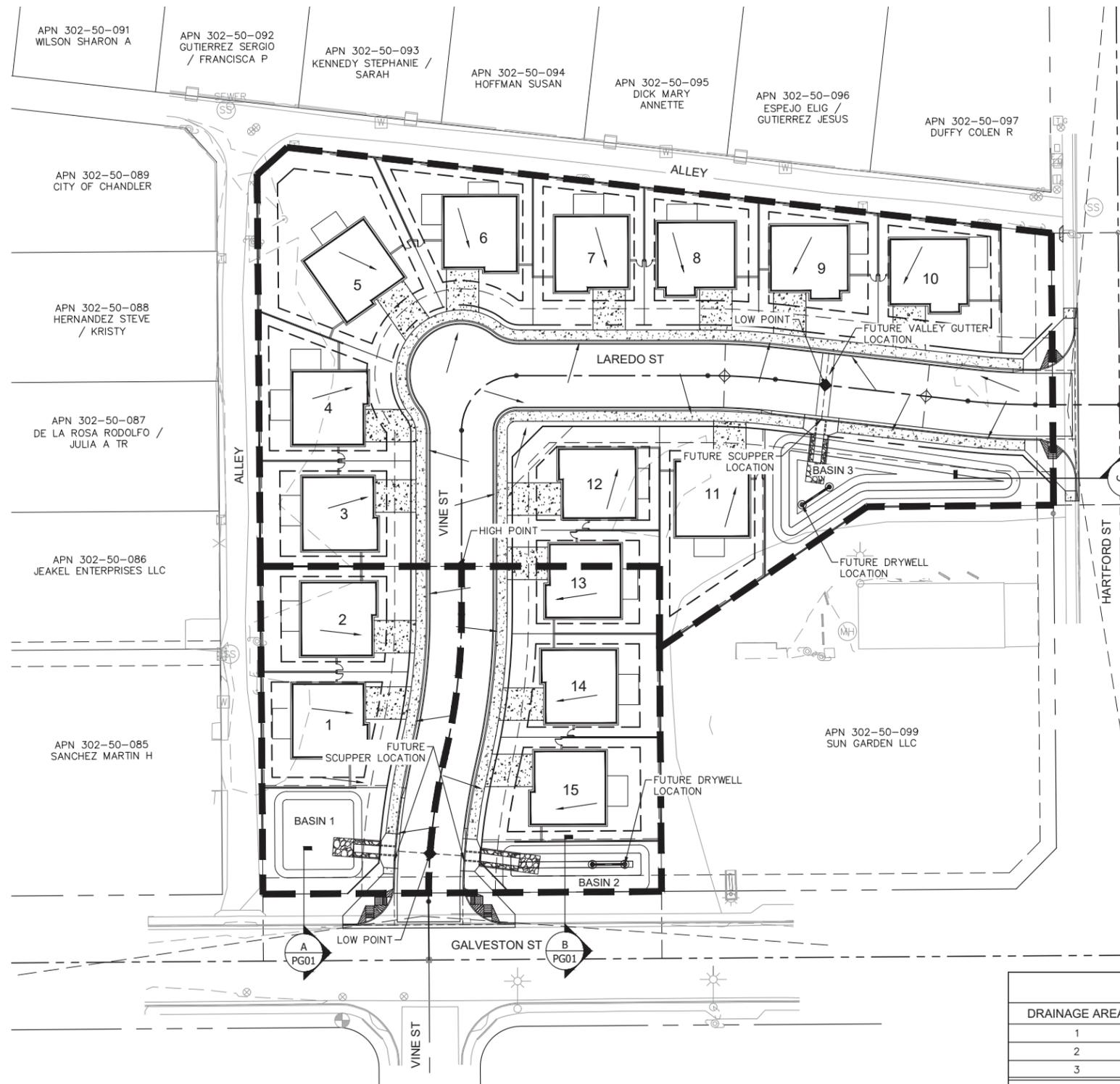
'B' Elevations Only  
Farmhouse

For exact color refer to manufacturer actual samples.

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august 21, 2020  
schematic design  
august 31, 2020  
design development



**RETENTION CALCULATIONS:**

THIS PROJECT FALLS WITHIN THE GALVESTON BASIN AREA FOR THE CITY OF CHANDLER. AS SUCH, THE RAINFALL INTENSITY IS GIVEN BY C.O.C. TDM3 TABLE 6.8 TO BE 1.2". THE REQUIRED RETENTION VOLUME WAS DERIVED AS SHOWN IN THE CALCULATIONS BELOW.

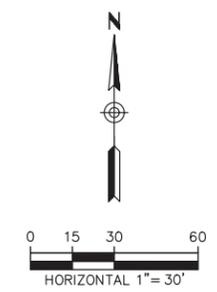
$$V_R = C \frac{P}{12} A = 7,676 \text{ CF (10\% INCREASE} = 8,443 \text{ CF)}$$

$$C = 0.75$$

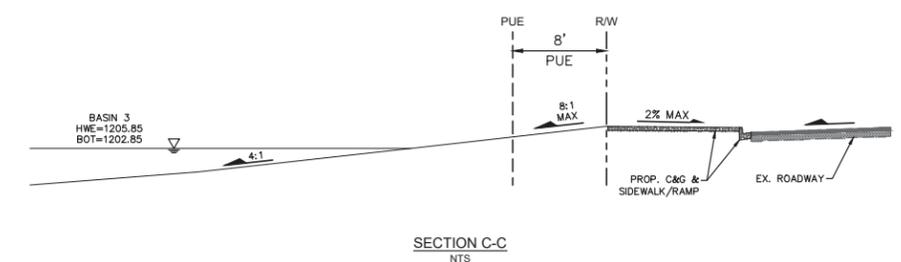
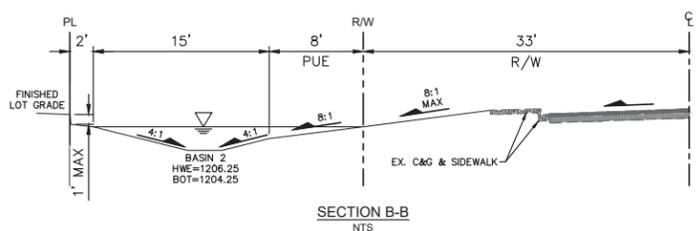
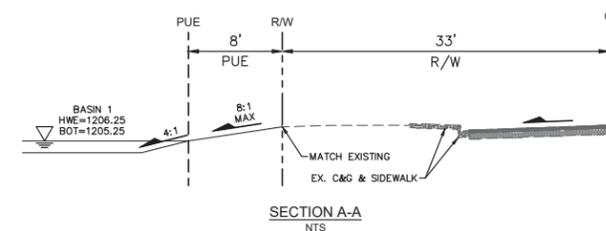
$$P = 1.20"$$

$$A = 102,341 \text{ SF}$$

$$V_p = 9,065 \text{ CF}$$

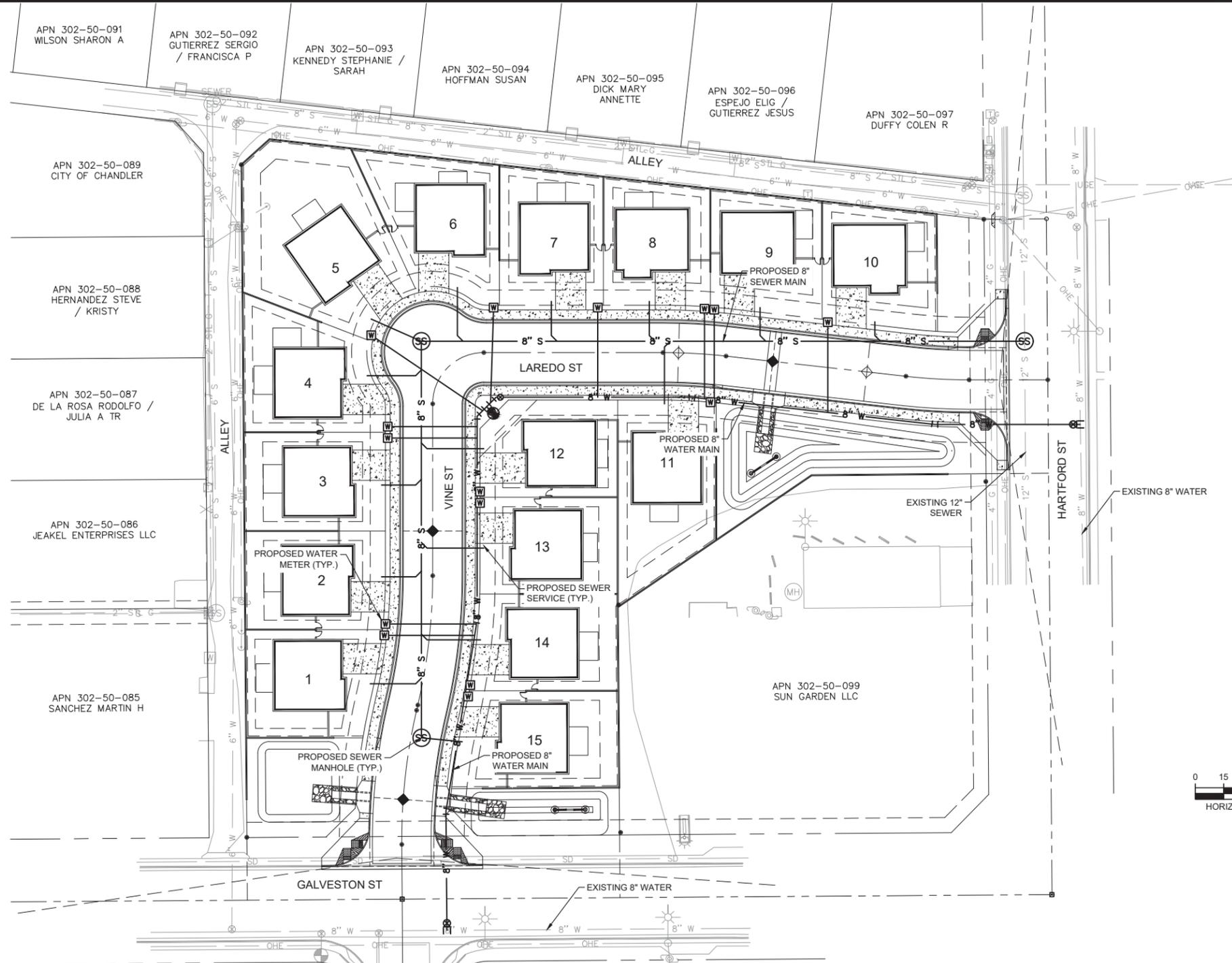


RETENTION BASIN TABLE				
DRAINAGE AREA	AREA	VOLUME REQUIRED	BASIN DEPTH	VOLUME PROVIDED
1	14,815 SF	1,222 CF	1'	1,495 CF
2	16,861 SF	1,391 CF	2'	1,611 CF
3	70,665 SF	5,830 CF	3'	5,960 CF
TOTAL	102,341 SF	8,443 CF		9,065 CF



serene estates  
 preliminary grading exhibit  
 620 n. hartford street,  
 chandler, arizona

PRELIMINARY FOR BIDDING PROPOSES ONLY. NOT FOR CONSTRUCTION

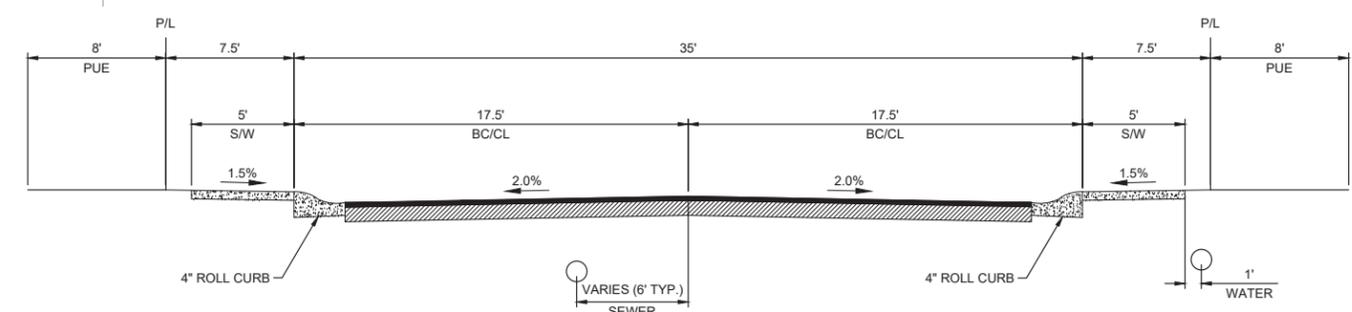
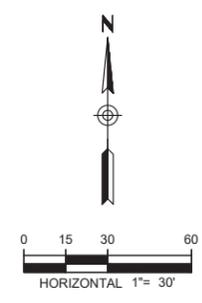


- LEGEND**
- ☒ TAPPING SLEEVE AND VALVE
  - ⊗ WATER VALVE
  - ⊞ WATER METER
  - ⊝ SANITARY SEWER MANHOLE
  - SANITARY SEWER SERVICE

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august 21, 2020  
 schematic design  
 august 31, 2020  
 design development



TYPICAL LOCAL PRIVATE STEET  
 N.T.S.  
 (LOOKING NORTH & EAST)

serene estates  
 preliminary utility exhibit  
 620 n. hartford street,  
 chandler, arizona

PRELIMINARY FOR  
 BIDDING PROPOSES  
 ONLY.  
 NOT FOR CONSTRUCTION

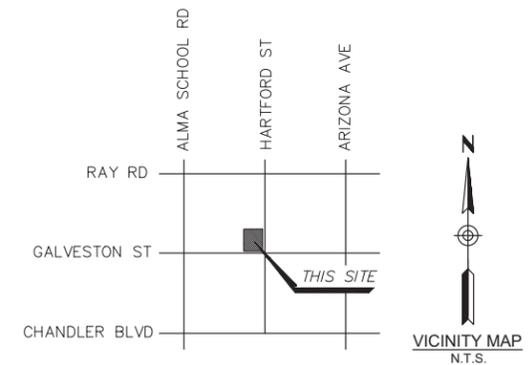
LEGEND

Table with 2 columns: Symbol and Description. Includes symbols for existing fence, storm drain, irrigation pipe, overhead electric, water line, sewer line, storm drain, telephone service, cable service, underground electric, gas line, power pole, sign, junction box, water meter, sewer manhole, storm drain manhole, fire hydrant, water valve, water meter, sewer manhole, overhead light, handhole, and brass cap/aluminum cap.

PRELIMINARY PLAT
SERENE ESTATES SUBDIVISION
CHANDLER, ARIZONA

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

N 1/4 CORNER SEC. 28, T1S, R5E FND BRASS CAP IN HH N=844323.59 E=720360.37



DEVELOPER/OWNER: CAPITAL INVESTMENTS, LLC
OWNER: BLAKE JENSEN AND ROB HENKEL
ATTN: KELLY JENSEN
2857 E. SANDY COURT
GILBERT, ARIZONA 85297
PHONE: 480-459-0353
KJSELLSAZ@GMAIL.COM

ENGINEER / SURVEY: RITTOCH-POWELL & ASSOCIATES
63 E MAIN ST, STE 502
MESA, AZ 85201
PHONE: 480-539-7497
ENGINEER: JOHN CATT, PE
PROJECT MGR: JOHN CATT, PE
EMAIL: JCATT@RPAENG.COM

LAND USE TABLES

Table with 3 columns: Description, Area (SF), Area (AC). Includes rows for Gross Area, Net Area, Area of Tracts, Area of Row, Area of Lots, Total Number of Lots, Average Area per Lot, Existing Zoning, and Minimum Lot Area.

TRACT USES

Table with 4 columns: Tract Name, Area (SF), Area (AC), Use. Lists uses for Tract A (Drainage, Landscape, and Open Space), Tract B (Drainage, Landscape, and Open Space), Tract C (Drainage, Landscape, and Open Space), and Tract D (Landscape, and Open Space).

UTILITY SERVICES

Table with 2 columns: Service and City. Lists Sewer, Water, Gas, Electricity, Telephone, Police, Fire, and Solid Waste services provided by the City of Chandler.

BENCHMARKS:

BENCHMARK NO.1 - COC BM#28A SECTION 28, T1S, R5E, CITY OF CHANDLER BRASS CAP FLUSH AT THE INTERSECTION OF MONTEREY ST. AND IOWA ST.; ONE HALF MILE NORTH OF CHANDLER BLVD. AND 2100' WEST OF ARIZONA AVE. (NAVD88) ELEVATION=1208.30

BASIS OF BEARING:

FOR THIS PROJECT IS N00°13'19"W FOR THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA & SALT RIVER MERIDIAN AS CALCULATED FROM AN PLSS SUBDIVISION RECORD OF SURVEY MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY RECORDED IN BOOK 669, PAGE 47, MARICOPA COUNTY RECORDS.

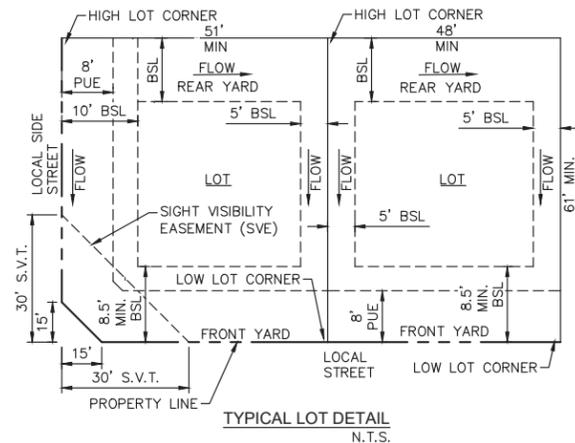
FLOODPLAIN STATEMENT:

PER FERMA FLOOD INSURANCE RATE MAP NO. 04013C2730M, DATED NOVEMBER 4, 2015, THE SUBJECT PROPERTY IS LOCATED IN ZONE X. ZONE X IS DESCRIBED AS: AREAS OF 0.2% ANNUAL CHANCE OF FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

REQUIRED RETENTION:

THIS PROJECT FALLS WITHIN THE GALVESTON BASIN AREA FOR THE CITY OF CHANDLER, AS SUCH, THE RAINFALL INTENSITY IS GIVEN BY C.O.C. TDM3 TABLE 6.8 TO BE 1.2". THE REQUIRED RETENTION VOLUME WAS DERIVED AS SHOWN IN THE CALCULATIONS BELOW.

Formulas for retention volume: Vp = C X P/12 X A = 7,676 CF (10% INCREASE = 8,443 CF)
WHERE: C=0.75, P=1.20", A=102,341 SF
Vp = 9,065 CF



PHASING OF LOTS ONLY:

- 1. PHASE 1 IS LOTS 1-5
2. PHASE 2 IS LOTS 6-10
3. PHASE 3 IS LOTS 11-15

NOTE: INFRASTRUCTURE WILL BE CONSTRUCTED ALL AT ONCE. ONLY HOMES WILL BE PHASED.

SETBACKS

FRONT: 8'-6" FEET MIN. (\*)
SIDE(S): 5 FEET MIN.
REAR: 10 FEET MIN.
REAR (A): 5 FEET MIN. (\*\*)

\* DRIVEWAY LENGTH: 20 FEET MIN. CLEAR FROM BACK OF SIDEWALK TO GARAGE ENTRY/DOOR

\*\* REAR (A) ON LOTS 1,4,6,7,8,9,10 AND 12 ONLY



LEGAL DESCRIPTION

A PARCEL OF LAND BEING ALL OF LOT 1 AS SHOWN ON THE MINOR LAND DIVISION MAP OF TRACT A OF SERENE HOMES RECORDED IN BOOK 953, PAGE 1, MARICOPA COUNTY RECORDS AS CONVEYED TO CAPITAL INVESTMENTS, LLC BY DEED OF RECORD INSTRUMENT NUMBER 2017-0968329, MARICOPA COUNTY RECORDS (MCR) AND LYING WITHIN THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 5 EAST OF THE GILA & SALT RIVER MERIDIAN, CITY OF CHANDLER, MARICOPA COUNTY ARIZONA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1 FROM WHICH POINT A SOUTHEAST CORNER THEREOF BEARS N89°36'21"E A DISTANCE OF 196.87 FEET;

THENCE ALONG THE RIGHT-OF-WAY LINE OF AN ALLEY THE FOLLOWING THREE (3) COURSES AND DISTANCES

- 1) N0°27'37"W A DISTANCE OF 354.69 FEET;
2) N47°57'44"E A DISTANCE OF 19.91 FEET;
3) S83°36'56"E A DISTANCE OF 379.74 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF HARTFORD STREET;

THENCE S0°28'41"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 134.06 FEET TO THE NORTHEAST CORNER OF LOT 2 AS SHOWN ON SAID MINOR LAND DIVISION MAP;

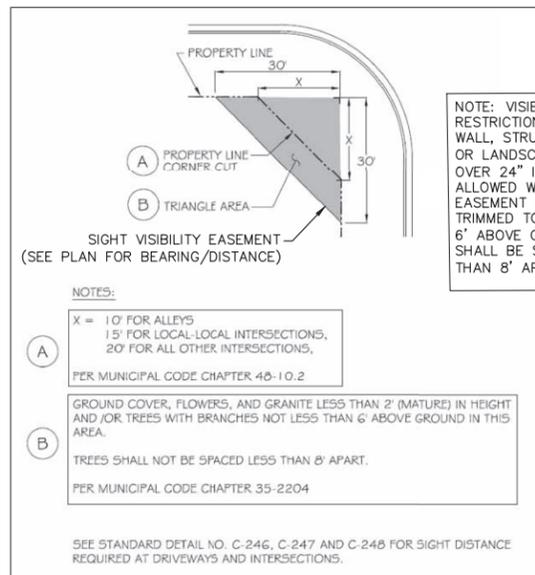
THENCE ALONG THE PERIMETER OF SAID LOT 2 THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) S89°29'40"W A DISTANCE OF 92.14 FEET;
2) S55°50'54"W A DISTANCE OF 123.79 FEET;

3) S0°28'41"E A DISTANCE OF 120.07 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF GALVESTON STREET;

THENCE S89°36'21"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 196.87 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 102,341.18 S.F. (2.3494 ACRES) OF LAND, MORE OR LESS INCLUDING ANY EASEMENTS OF RECORD.



NOTE: VISIBILITY EASEMENT RESTRICTIONS: ANY OBJECT, WALL, STRUCTURE, MOUND OR LANDSCAPING (MATURE) OVER 24" IN HEIGHT IS NOT ALLOWED WITHIN THE EASEMENT EXCEPT TREES TRIMMED TO NOT LESS THAN 6' ABOVE GROUND. TREES SHALL BE SPACED NOT LESS THAN 8' APART.

NOTES:

X = 10' FOR ALLEYS
15' FOR LOCAL-LOCAL INTERSECTIONS,
20' FOR ALL OTHER INTERSECTIONS,
PER MUNICIPAL CODE CHAPTER 48-10.2

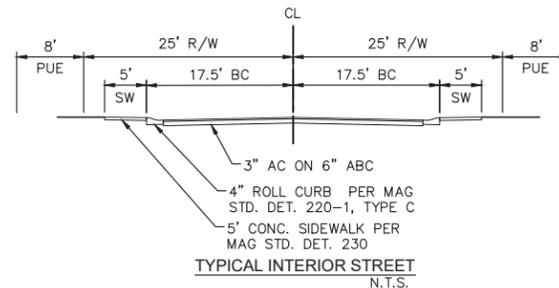
GROUND COVER, FLOWERS, AND GRANITE LESS THAN 2' (MATURE) IN HEIGHT AND/OR TREES WITH BRANCHES NOT LESS THAN 6' ABOVE GROUND IN THIS AREA.

TREES SHALL NOT BE SPACED LESS THAN 8' APART.
PER MUNICIPAL CODE CHAPTER 35-2204

SEE STANDARD DETAIL NO. C-246, C-247 AND C-248 FOR SIGHT DISTANCE REQUIRED AT DRIVEWAYS AND INTERSECTIONS.

NOTES:

- 1. THE IMPROVEMENTS SHOWN ON THIS PLAT WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY OR ACCEPTANCE WILL NOT BE ISSUED UNTIL THE OVERHEAD UTILITY LINE UNDERGROUNDING REQUIREMENT HAS BEEN SATISFIED.
2. THE IMPROVEMENTS SHOWN ON THE SET OF PLANS WILL NOT BE FULLY APPROVED BY THE CITY AND THE CERTIFICATE OF OCCUPANCY WILL NOT BE ISSUED UNTIL THE IRRIGATION FACILITY UNDERGROUNDING REQUIREMENT HAS BEEN SATISFIED.
3. THE FINAL PLAT FOR THIS SUBDIVISION WILL NOT BE APPROVED OR RECORDED UNTIL A RECLAIMED WATER USE AGREEMENT IS EXECUTED BY THE DEVELOPER AND APPROVED BY THE CITY.
4. VISIBILITY EASEMENT RESTRICTIONS: ANY OBJECT, WALL, STRUCTURE, MOUND OR LANDSCAPING (MATURE) OVER 24" IN HEIGHT IS NOT ALLOWED WITHIN THE EASEMENT EXCEPT TREES TRIMMED TO NOT LESS THAN 6' ABOVE GROUND. TREES SHALL BE SPACED NOT LESS THAN 8' APART.



RITTOCH-POWELL & Associates logo and contact information: 602-263-1177, www.ritchpowell.com



SERENE ESTATES SUBDIVISION
PRELIMINARY PLAT
COVER SHEET

Table with 4 columns: Job No., Design By, Drawn By, Checked, Date. Includes job number 220076 and date 3/10/21.



# Request Detail Report

2/25/2021

12:04 PM

**Request #:** 21-02-0576      **Status:** Completed      **As Of:** 2/25/2021 12:04 PM

<b>Requestor</b>			
<b>Phone Number:</b>	4808219935	<b>Util Acct #:</b>	
<b>Name:</b>	John Biewer	<b>Business:</b>	
<b>Address:</b>	420 N EVERGREEN ST		
<b>X Street:</b>			
<b>City, State Zip:</b>	Chandler AZ 85225	<b>Parcel:</b>	
<b>Country:</b>	USA	<b>Email:</b>	jbiewer2@hotmail.com
<b>Building Type:</b>		<b>Work Phone:</b>	
<b>Home Phone:</b>	4808219935	<b>Phone 2:</b>	
<b>Phone 1:</b>			

<b>Category:</b>	Planning Admin	<b>Follow-up Date:</b>	2/24/2021
<b>Problem:</b>	Citizen Input		
<b>Cause:</b>			
<b>Priority:</b>	Five Day	<b>Facility:</b>	
<b>Address:</b>			
<b>Address2:</b>			
<b>Gen Location:</b>			
<b>City:</b>	Chandler	<b>Parcel Number:</b>	
<b>State:</b>		<b>Zip Code:</b>	
<b>Department:</b>		<b>Building Type:</b>	
<b>Supervisor:</b>	Catherine Flores	<b>Location X:</b>	
<b>Affected Utility:</b>		<b>Location Y:</b>	

**Scripts**  
Atten> Lauren Schumann. I just listened to the meeting about Serene Estates. I hope it is approved as is. I have lived in the neighborhood for 20 years, the city for 45. I also work at Hartford Elementary the past eight years, 20 with cusd. We need to breathe new life and ideas into these older neighborhoods. Contrary to some people, there are some two story homes in the neighborhood. Not alot but some. Plus some of there older homes are eyesores. I think it is unrealistic to have new homes with similar lot sizes, etc. Let's see new growth! This project can only help and improve the neighborhood. Thank you.

**Comments:**  
Showed up in queue  
Refer to Planning L.S.  
Information passed on to Planner.

Michael Fisher + Allison Fisher

We dont support the Sarone Estates  
project I dont want the 2-story built behind  
our house

601 W. Monterey St  
Chandler, AZ 85225

**To:** Chandler City Council

**From:** Marc Van Horne

**Address:** 643 W. Monterey St. Chandler, AZ 85225

**Date:** 3/16/21

**Subject:** Serene Estates 2-Story detached townhome project

The Serene Estates project will add over density problems and lower neighbor's home values.

We currently have difficulties within our neighborhood due to three apartment complexes located in the same street. In addition to the social challenges, these apartment complexes bring in, additional police and first responder services will be required due to Hartford Elementary and Chandler High School traffic located along the same street.

**Encroaching** fifteen detached townhomes in a land parcel where five or six median-sized detached homes fit will bring traffic, coexistence, and quality of life issues to a neighborhood currently moving up. Repeatedly Chandler citizens have asked the local government to stop building apartments because they are ruining our quality of life. Serene Estates is just another "new apartment" building style that attempts to transform a beautiful 1950's historical single-detached home neighborhood into an urban center. The project fails to adapt to the current decor and architecture.

This neighborhood is currently 98% one-story single-family homes. The only exception being two apartment complexes in each corner. It is unfair to steal neighbors home equity by building two-story townhomes.



To: Chandler City Council

From: Katie Moser

Address: 619 N. Sunset dr. Chandler AZ 85225

Date: 03/16/21

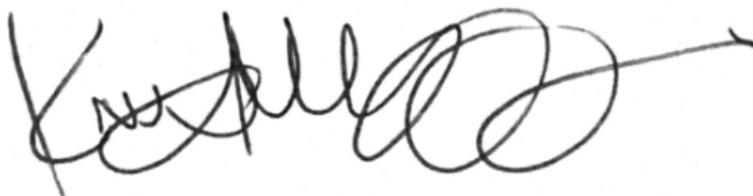
**Subject:** Serene Estates 2-Story detached townhome project

The Serene Estates project will add over density problems and lower neighbor's home values.

We currently have difficulties within our neighborhood due to three apartment complexes located in the same street. In addition to the social challenges, these apartment complexes bring in, additional police and first responder services will be required due to Hartford Elementary and Chandler High School traffic located along the same street.

**Encroaching** fifteen detached townhomes in a land parcel where five or six median-sized detached homes fit will bring traffic, coexistence, and quality of life issues to a neighborhood currently moving up. Repeatedly Chandler citizens have asked the local government to stop building apartments because they are ruining our quality of life. Serene Estates is just another "new apartment" building style that attempts to transform a beautiful 1950's historical single-detached home neighborhood into an urban center. The project fails to adapt to the current decor and architecture.

This neighborhood is currently 98% one-story single-family homes. The only exception being two apartment complexes in each corner. It is unfair to steal neighbors home equity by building two-story townhomes.



**To:** Chandler City Council

**From:** Jesus Gutierrez

**Address:** 615 W Monterey

**Date:**

**Subject:** Serene Estates 2-Story detached town home project

I do not support the Serene Estates Project. It will bring down the value of my home.



**City Council Memorandum    Development Services    Memo No. 21-018**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 Derek D. Horn, Development Services Director  
**From:** Zachary Werdean, Associate Planner  
**Subject:** PLH20-0054 BAR @118W  
**Request:** Use Permit approval for bar and Entertainment Use Permit for speakers in an outside courtyard.  
**Location:** 118 W Boston St., approximately 500 feet west of Arizona Avenue, between Chandler Boulevard and Frye Road  
**Applicant:** Yash Chaudhry, Arcore Group Inc

**Proposed Motion:**

Move City Council approve Use Permit and Entertainment Use Permit, PLH20-0054 Bar @118W, located at 118 W. Boston Street, subject to the conditions recommended by Planning and Zoning Commission.

**Background Data:**

- Zoned as City Center District (CCD).
- Zoning Code requires Use Permit approval for bar or cocktail lounge in all zoning districts.
- Zoning Code requires Entertainment Use Permit approval when outdoor speakers and/or live entertainment is provided and the establishment is located within 1,320 feet of residential property. The subject site is located approximately 292 feet east of existing residential properties.

**Surrounding Land Use Data:**

North	Abandoned building (CCD)	South	Commercial stores and restaurants (CCD)
East	Eyelash extensions & offices (CCD)	West	Chiropractic office (CCD)

**Proposed Development:**

Building/Suite Area	757 sq. ft. building & 1,150 sq. ft. courtyard
# of employees	10-12 employees
Hours of operation	10:00AM-2:00AM Daily

Hours of entertainment	5 small outdoor speakers will provide background music during hours of operation 10:00 AM-2:00 AM  No live entertainment will be provided
# of seats	Approximately 29 indoor seats and 25 patio seats

**Review and Recommendation:**

Planning staff finds the use permit request for a bar compatible with the surrounding uses. The hours of operation do conflict with the commercial and office uses. The omission of live entertainment will further help the bar blend into the commercial/office strip. The entertainment use permit is for background music only in their courtyard. The bar expects to be busier at night after 5:00 P.M., when the commercial and office uses are closed for the night. The establishment shall provide a contact phone number for a responsible person to any interested neighbors and property owners to resolve any noise complaints that may occur.

Planning staff finds the proposal to be consistent with the goals of the General Plan and Area Plan and Planning & Zoning Commission recommends approval subject to conditions.

General Plan and Area Plan Designations

2016 General Plan	Neighborhood & Downtown Chandler Growth Area
Downtown - South Arizona Avenue Area Plan	Urban commercial & Future Growth Area

Planning staff finds the proposal to be consistent with policies of the General Plan that call for a variety of non-residential uses such as commercial, institutional, public facilities, and commercial offices. The General Plan Downtown Chandler Growth Area is called out as a destination for arts, entertainment, tourism, specialty retail, and special events.

Planning staff also finds the proposal to be consistent with policies of the Downtown-South Arizona Avenue Area Plan as urban commercial denotes areas that are appropriate for retail, restaurant, and personal services. The future growth area denotes that the area is intended for future expansion of the cultural and entertainment category, which includes support uses such as performing arts, art galleries, hotels, retail, restaurant, dance clubs, cinemas, and amusement arcades.

**Public / Neighborhood Notification**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on March 3, 2021, via Zoom. There was one attendee.
- One neighbor was concerned about live entertainment potentially being provided; the applicant advised the neighbor that there will be none.
- As of the writing of this memo, Planning staff is unaware of opposition to the request.

**Planning and Zoning Commission Vote Report**

Planning and Zoning Commission meeting March 17, 2021  
Motion to Approve

In Favor: 4 Opposed: 0 Absent: 2 (Pekau & Rose)

**Recommended Conditions of Approval**

Planning staff finds the request is in compliance with the General Plan and the Planning & Zoning Commission recommends approval of Use Permit for bar and Entertainment Use Permit for speakers on outside courtyard, subject to the following conditions:

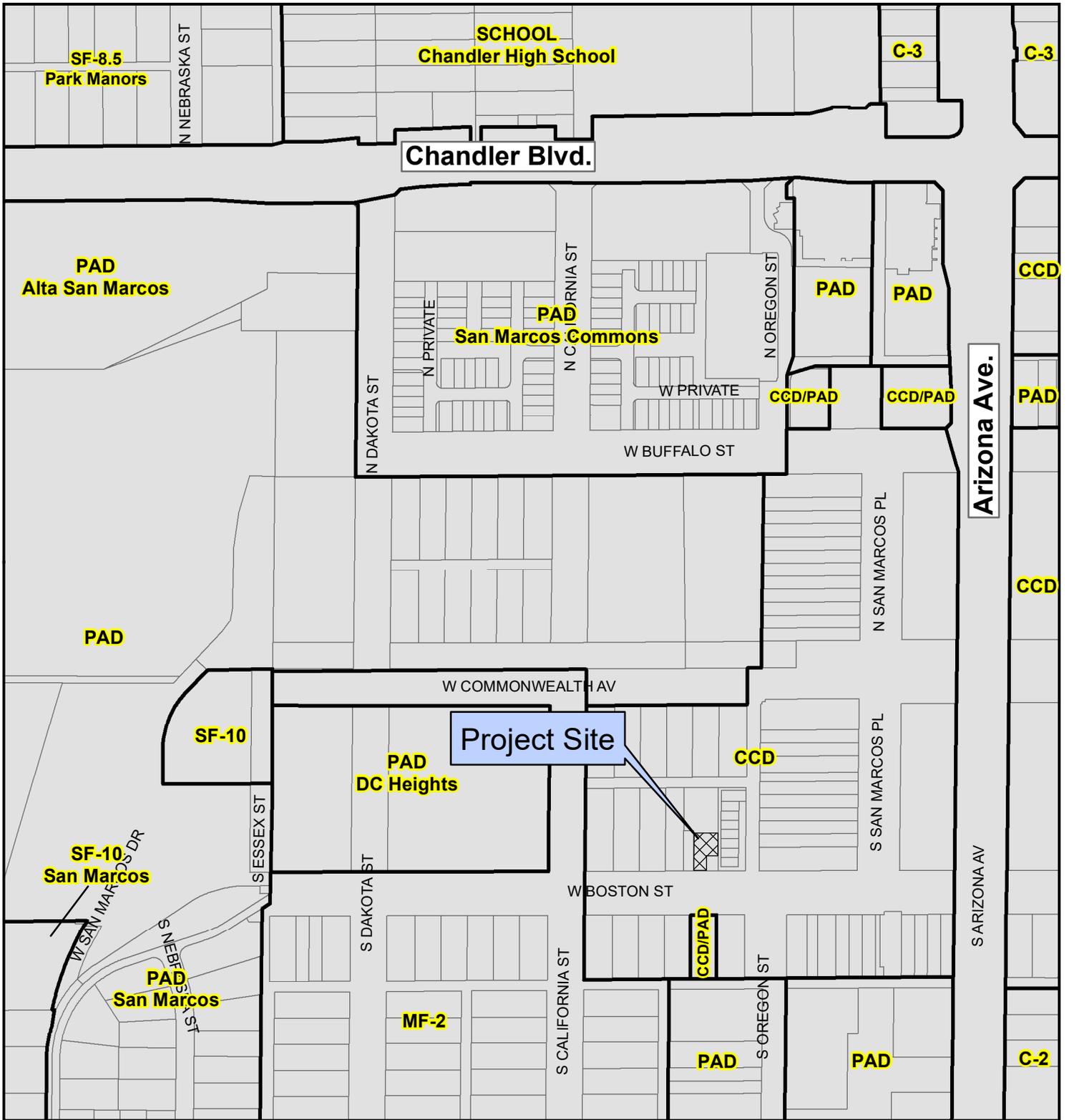
1. Substantial expansion or modification beyond the approved attachments (Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval for a bar.
2. Substantial expansion or modification beyond the approved attachments (Floor Plan and Narrative) shall void the Entertainment Use Permit and require new Entertainment Use Permit application and approval.
3. The Use Permit is non-transferable to any other location.
4. The Entertainment Use Permit is non-transferable to any other location.
5. The site shall be maintained in a clean and orderly manner.
6. No noise shall be emitted from external speakers or live entertainment in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs adjacent businesses and residential areas.
7. The establishment shall provide a contact phone number for a responsible person (i.e., bar owner and/or manager) to any interested neighbors and property owners to resolve noise complaints quickly and directly.
8. The Use Permit for a bar shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Use Permit for a bar beyond the expiration date shall require reapplication to and approval by the City of Chandler.
9. The Entertainment Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Entertainment Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

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### **Attachments**

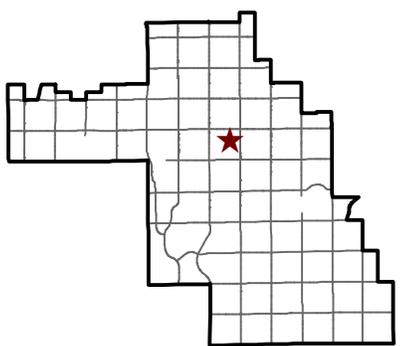
Vicinity Maps

Narrative, Site Plan, Pictures

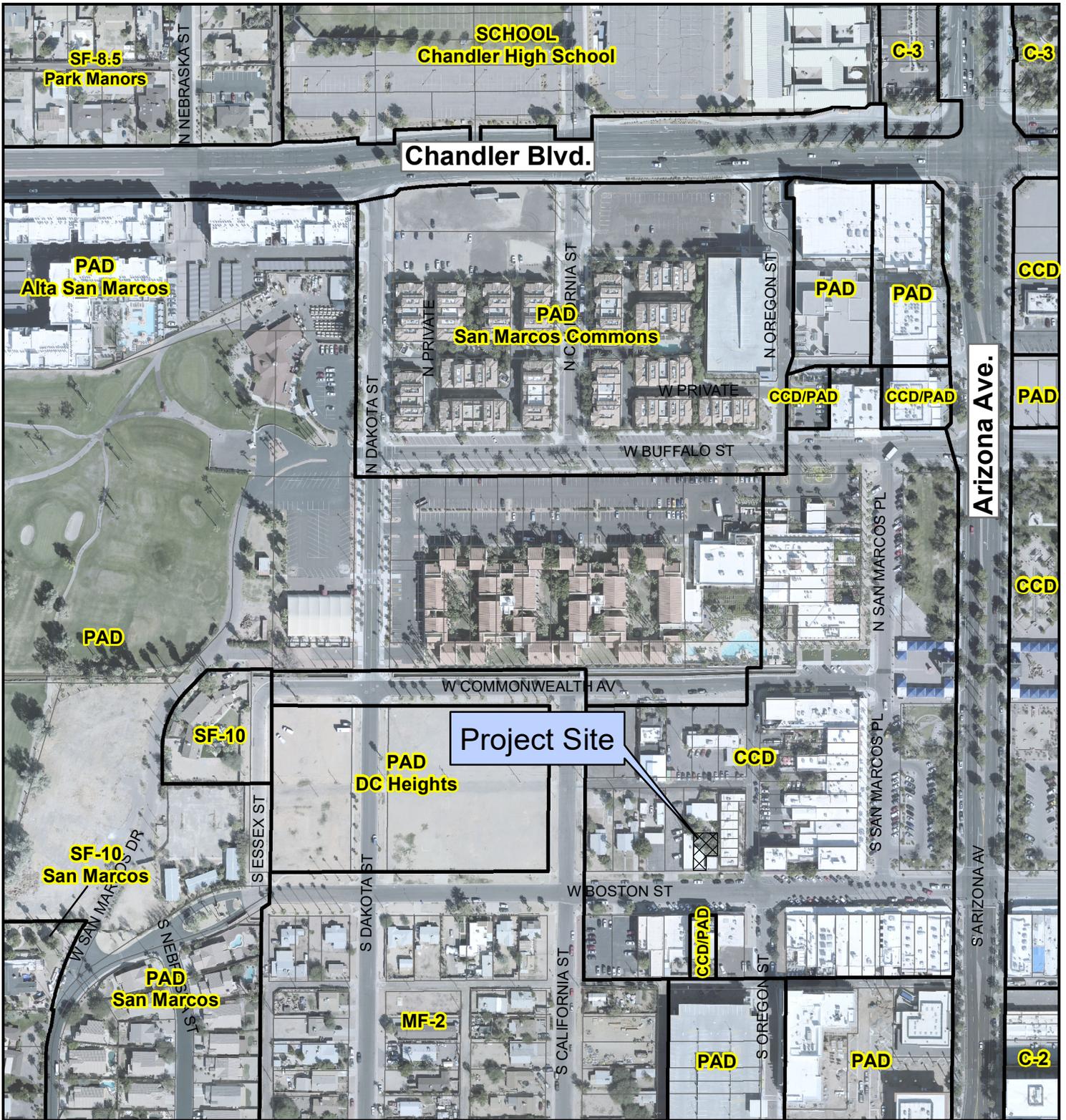


 **PLH20-0054 Bar @ 118W**

**Proposed Project Details**  
 118 W. Boston St.  
 Use Permit for a bar and an  
 Entertainment Use Permit for  
 outside speakers in a courtyard

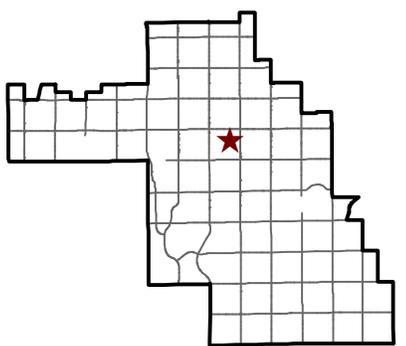


City of Chandler Planning Division  
[chandleraz.gov/planning](http://chandleraz.gov/planning)  
 For more information visit:  
<https://gis.chandleraz.gov/planning>



 **PLH20-0054 Bar @ 118W**

**Proposed Project Details**  
 118 W. Boston St.  
 Use Permit for a bar and an  
 Entertainment Use Permit for  
 outside speakers in a courtyard



City of Chandler Planning Division  
[chandleraz.gov/planning](http://chandleraz.gov/planning)  
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**Project: The Stanley, 118 W. Boston**

**Narrative:**

The project is located in downtown Chandler at 118 W. Boston and is called "THE STANLEY". The site is zoned as City Center District – CCD. We are requesting two use permits: one to operate a Bar and the other one is for outside entertainment/speakers at courtyard area.

The site has three structures on it. The addresses of these three structures are 108 W. Boston, 112 W. Boston and 118 W. Boston. The structure at 108 W. Boston is used as a beauty salon. 112 W. Boston is a residential unit with potentially being used as a wedding venue in the future (not under this use permit). The use of structure at 118 W. Boston is under this use permit. Existing building area is 757sf. There is a roughly 1,150sf courtyard squeezed between buildings in front. There is 8' high wall between buildings to the north and building in the south with a pass through door.

The look and feel of existing building from outside will remain the same. Existing use of the building was office and the Owner wants to convert it to a Bar. This project involves renovating the inside of the building to suit the needs for a Bar use. It will have small Bar area along with seating for 10 at the counter and 19 on tables and chairs. The courtyard area has a small trellis structure and a big mature tree and will be used for outdoor seating for Bar. The outdoor area will have roughly seating for 35 on tables and chairs. This area will not be covered and will have natural setting with tree and trellis providing shade. The inside area and outdoor seating area will have speakers for music but will not have any live band playing. The courtyard area will have maximum of 5 small outdoor speakers but will have no television. The north end of the building will have folding aluminum door so indoor space can be extended to outside. Also, on the east side, there is a counter which opens onto the courtyard area.

There is on-street surface parking available along Boston Street and City of Chandler's Oregon Street Parking Garage within walking distance of the property. There is plenty of free City of Chandler parking in the neighborhood.

Proposed hours of operation will be from 10AM to 2AM daily. The business will employ 10-12 employees including all shifts.

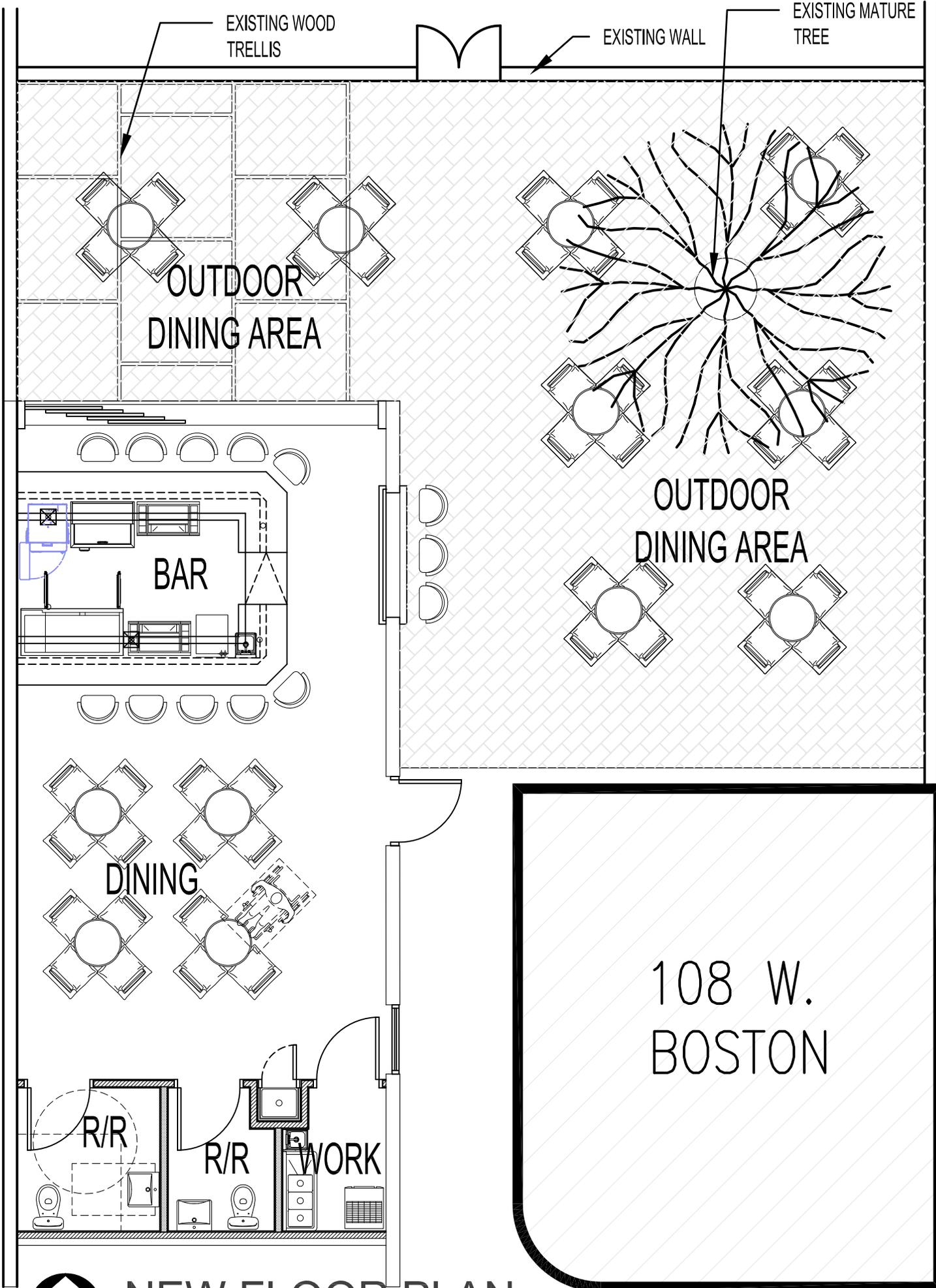
The downtown area is currently served by a variety of bars and restaurants, and this business is consistent with the surrounding commercial businesses. This business use is consistent with the goals and objectives of downtown district and will not contribute negatively to the neighborhood but will be an asset to the surrounding area by providing another unique dining experience.

We feel that this use fits the neighborhood. The granting of Use Permit will not cause any significant vehicular or pedestrian traffic in adjacent areas. This Bar will cater to the business and residential crowd already in the downtown walkable area and therefore will not cause any significant traffic.

The granting of Use permit to allow a bar will not result in any disruptive behavior which might create a nuisance to the surrounding area or general public. The staff will be well trained at identifying the types of behavior that may become disruptive and have policies in place to prevent disruptive behavior from occurring and creating a nuisance to the surrounding area.

No smoking will be permitted inside and in courtyard area of the establishment and will have appropriate signage for that, thus complying with Smoke-Free Arizona Act.





**NEW FLOOR PLAN**

3/16" = 1'-0"











**City Council Memorandum    Development Services    Memo No. 21-019**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H, Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 Derek D. Horn, Development Services Director  
**From:** Benjamin Cereceres, City Planner  
**Subject:** PLH20-0067 The Johnathan  
**Request:** Preliminary Development Plan approval to amend a comprehensive sign plan for an existing office/retail building  
**Location:** 55 N. Arizona Place, generally located east of the southeast corner of Arizona Avenue and Buffalo Street  
**Applicant:** Julie Kulka - Airpark Signs & Graphics

**Proposed Motion:**

Move City Council approve Preliminary Development Plan, PLH20-0067 The Johnathan, located at 55 N. Arizona Place, subject to the conditions as recommended by Planning and Zoning Commission.

**Background Data:**

- 38,400 Square Foot Site, 105,000 Square Foot Building
- Subject site zoned Planned Area Development (PAD) for Office, Retail and Parking Garage Development in 1997
- The original Preliminary Development Plan (PL98-0142 Chandler Office Center) for signage was approved in 1999

**Surrounding Land Use Data:**

North	Across Buffalo Street: Vacant lot zoned CCD	South	Across Commonwealth Avenue: Existing building zoned PAD
East	City Facilities including Library and Development Services Building	West	Across Arizona Place: City Park Zoned CCD

**Proposed Development:**

**Signage**

	<b>Existing (PL98-0142)</b>	<b>Proposed</b>
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<p>Type of signage</p>	<p><b>Major Tenant:</b> 17,500 square feet of leased space or more</p> <p><b>Minor Tenant:</b> First-floor occupancy and 5,000 square feet or more of leased space</p>	<p><b>Major Tenant:</b> 15,000 square feet of leased space or more</p> <p><b>Minor Tenant:</b> 15,000 square feet or less of leased space</p> <p><b>Retail Sign:</b> Retail Tenants</p> <p><b>Center ID Sign:</b> The Johnathan</p> <p><b>Entry Wall Sign:</b> The Johnathan</p>
<p>Maximum number of signs allowed per tenant</p>	<p><b>Major Tenant:</b> Two (2)</p> <p><b>Minor Tenant:</b> One (1)</p>	<p><b>Major Tenant:</b> Two (2)</p> <p><b>Minor Tenant:</b> One (1)</p> <p><b>Retail Tenant:</b> One (1)</p> <p><b>Center ID Sign:</b> One (1)</p> <p><b>Entry Wall Sign:</b> One (1)</p>
<p>Maximum number of signs allowed on the building concurrently</p>	<p>Four (4)</p>	<p><b>Major Tenant:</b> Four (4)</p> <p><b>Minor Tenant:</b> Four (4)</p> <p><b>Retail:</b> Six(6)</p> <p><b>Center ID:</b> One (1)</p> <p><b>Entry Wall:</b> One (1)</p>
	<p><b>Major Tenant:</b> -Between 2nd and 3rd floor &amp; above the</p>	<p><b>Major Tenant:</b> Above the 5th floor</p> <p><b>Minor Tenant:</b> Above 2nd floor (If a minor tenant is located on the 3rd floor, their sign may be placed on the upper sign band)</p>

Signage type location	<p style="text-align: center;">3rd floor</p> <p style="text-align: center;"><b>Minor Tenant:</b> Between 2nd and 3rd floor</p>	<p style="text-align: center;"><b>Retail Sign:</b> Above colonnade</p> <p style="text-align: center;"><b>Center ID Sign:</b> Above first-floor entry wall</p> <p style="text-align: center;"><b>Entry Wall Sign:</b> Mounted on entry block wall</p>
Maximum Sign Dimensions	<p style="text-align: center;"><b>Major Tenant &amp; Minor Tenant:</b> -Minimum letter height of 24" and maximum letter height of 36"</p> <p style="text-align: center;">-Maximum sign width varies by sign band location</p>	<p style="text-align: center;"><b>Major Tenant:</b> 36" x 504"</p> <p style="text-align: center;"><b>Minor Tenant:</b> 24" x 301.6"</p> <p style="text-align: center;"><b>Retail Tenant:</b> 20" x 176.3"</p> <p style="text-align: center;"><b>Center ID Sign:</b> 20" x 216.8"</p> <p style="text-align: center;"><b>Entry Wall Sign:</b> 18" x 81"</p>
Sign Material & Finish	<p style="text-align: center;"><b>Major Tenant:</b> -Non-illuminated letters to fabricated from a brush stainless steel reverse pan channel letter/logo with 5" deep returns</p> <p style="text-align: center;">-Illuminated letters Logo with brushed stainless steel returns and 3/4" stainless steel trim caps</p> <p style="text-align: center;">-Letter style and logo are subject to landlord approval</p> <p style="text-align: center;"><b>Minor Tenant:</b> -5" deep-pan channel letters</p> <p style="text-align: center;">-Logo with brushed stainless steel returns and 3/4" stainless steel trim caps</p> <p style="text-align: center;">-Letter style and logo are subject to landlord approval</p>	<p style="text-align: center;"><b>Major Tenant:</b> 3" deep individual pan channel letters</p> <p style="text-align: center;">Letter style and logo are subject to the landlord</p> <p style="text-align: center;"><b>Minor Tenant:</b> 3" deep individual pan channel letters</p> <p style="text-align: center;">Letter style and logo are subject to the landlord</p> <p style="text-align: center;"><b>Retail Tenant:</b> 3" deep individual pan channel letters with finished backs</p> <p style="text-align: center;">Letter style and logo are subject to the landlord</p> <p style="text-align: center;"><b>Center ID Sign:</b> 3" deep, panel channel lettering. Returns finished backs and thin trim retailer painted white</p> <p style="text-align: center;"><b>Entry Wall Sign:</b> 1/4" thick flat cut out aluminum lettering painted black</p>

Illumination	<p>Signs located above the 5th floor are to be non-illuminated &amp; Signs located between the 2nd and 3rd floor are to be illuminated</p> <p><b>Major Tenant:</b> Internal illumination (white neon)</p> <p><b>Minor Tenant:</b> Internal illumination (white neon)</p>	<p><b>Major Tenant:</b> Halo illuminated with white LED</p> <p><b>Minor Tenant:</b> Halo illuminated with white LED</p> <p><b>Retail Tenant:</b> Non illuminated</p> <p><b>Center ID Sign:</b> Face illuminated with white LED</p> <p><b>Entry Wall Sign:</b> Non illuminated</p>
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**Review and Recommendation:**

Changes to the signage have not occurred since originally approved in 1999. The Preliminary Development Plan (PDP) to amend the existing sign plan comes at a time when the building is being updated to provide a more modern look.

Planning staff finds that the request for the amendment to the existing Comprehensive Sign Plan meets the intent of the Sign Code and the proposed signage is architecturally integrated with the building and provides an updated appearance that is harmonious with the building's remodel.

**Public / Neighborhood Notification**

- The request was noticed in accordance with the requirements of the Chandler Zoning Code
- A neighborhood meeting was held on March 9, 2021. No neighbors were in attendance.
- Planning staff received one (1) comment in support of the request.
- As of the writing of this memo, Planning staff is not aware of any opposition to the request.

**Planning and Zoning Commission Vote Report**

Planning and Zoning Commission meeting March 17, 2021  
Motion to Approve

In Favor: 5 Opposed: 0 Absent: 2 (Rose & Pekau)

**Recommended Conditions of Approval**

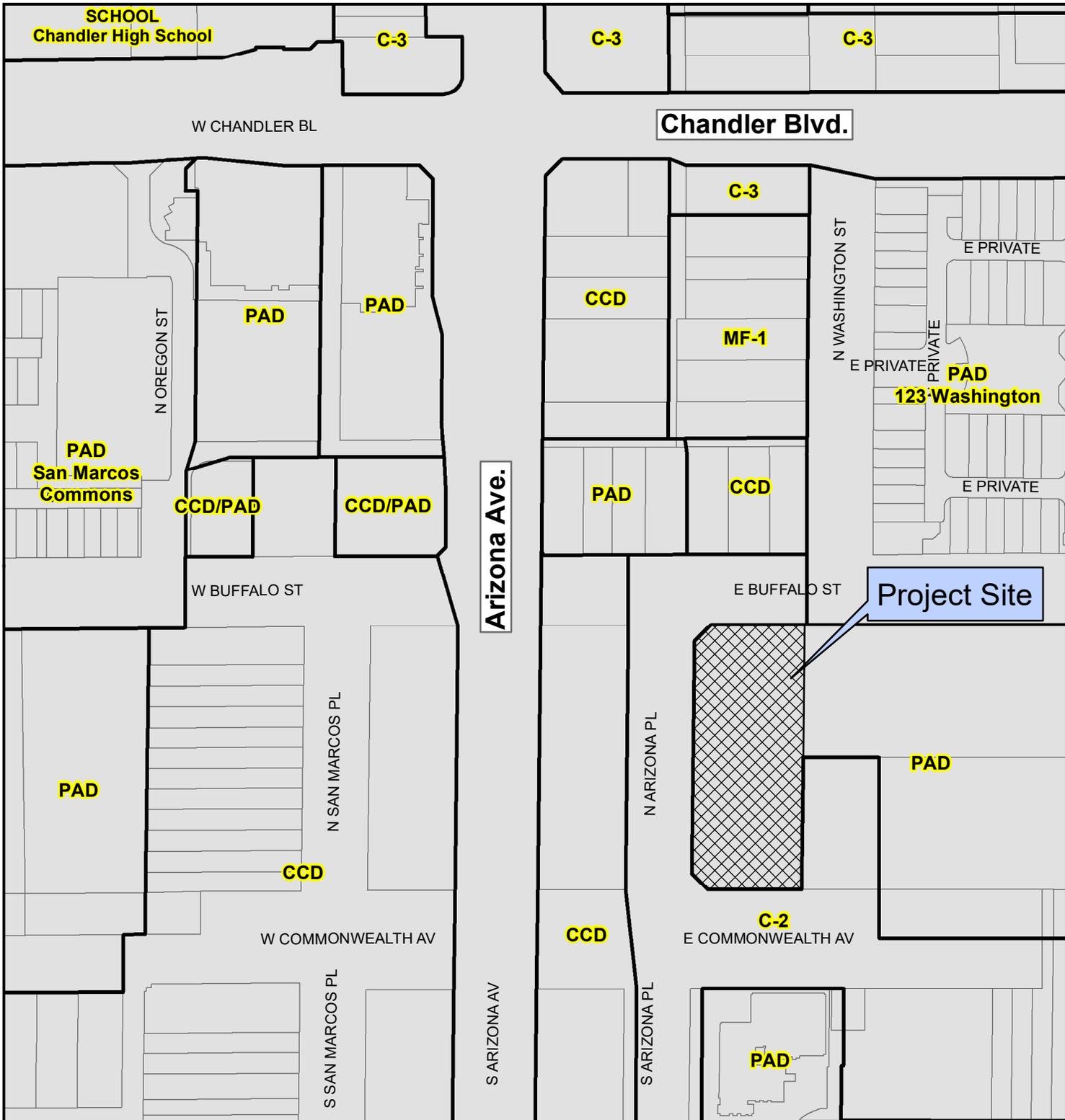
Planning staff finds the request is in compliance with the General Plan and the Planning and Zoning Commission recommends approval of the Preliminary Development Plan, subject to the following conditions:

1. Signage shall be in substantial conformance with the elevations, entitled Exhibits and kept on file in the City of Chandler Planning Division, in File No. PLH20-0067, modified by such conditions included at the time the exhibit was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. 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.

Vicinity Maps

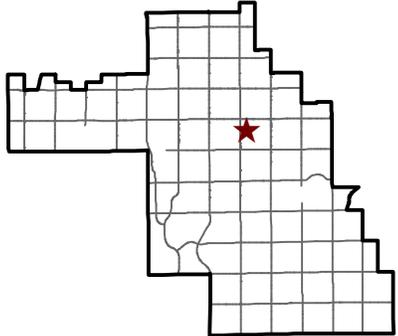
Narrative

Comprehensive Sign Plan

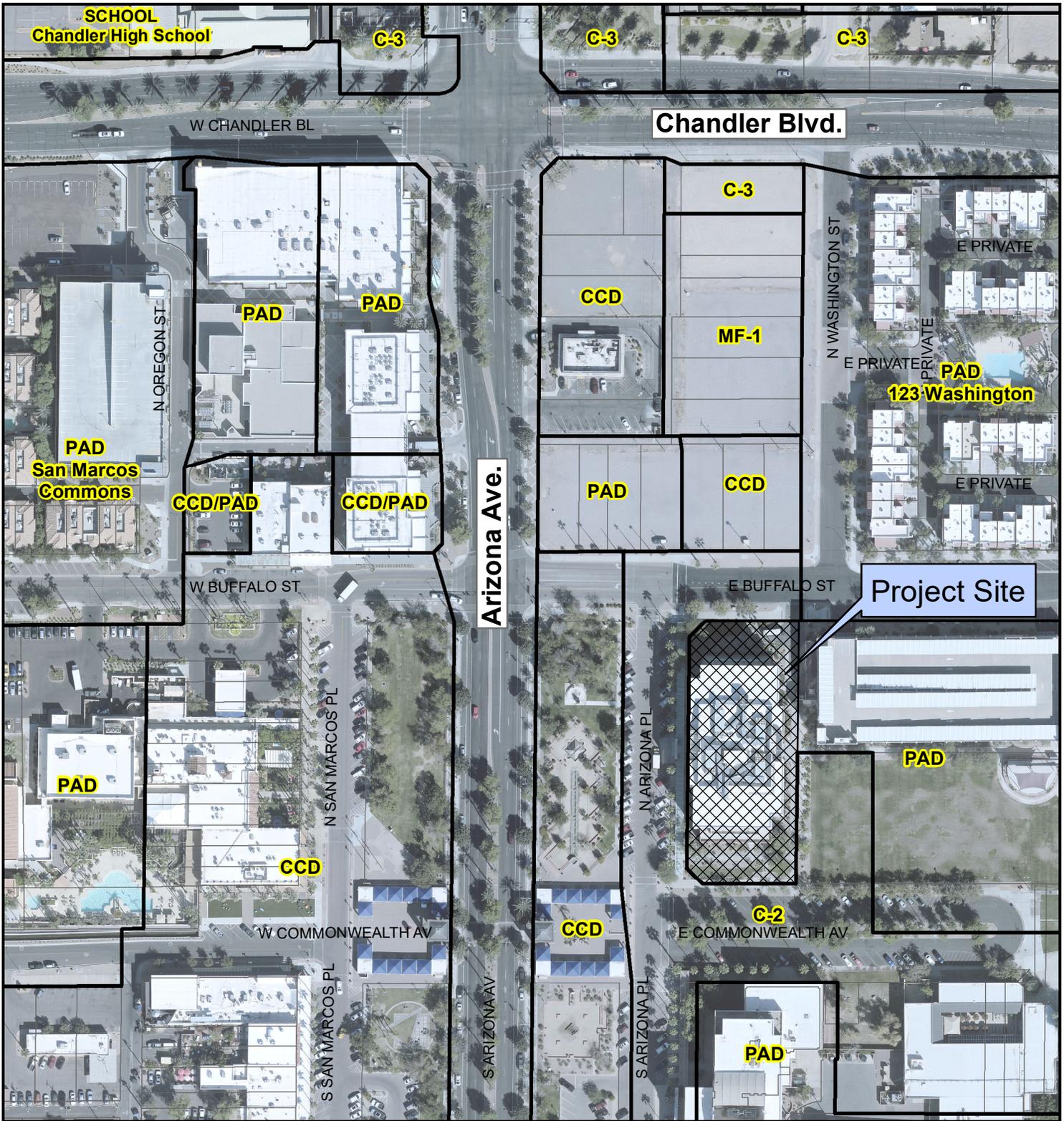


**PLH20-0067 The Johnathan**
N

**Proposed Project Details**  
 55 N. Arizona Pl.  
 Preliminary Development Plan



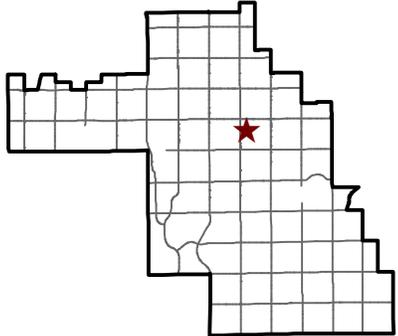
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**PLH20-0067 The Johnathan**



**Proposed Project Details**  
 55 N. Arizona Pl.  
 Preliminary Development Plan



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December 3, 2020

City of Chandler  
Development Services Department  
250 W. Buffalo Street  
Chandler, Arizona 85225

### **Narrative for Amendment to CSP**

To Whom It May Concern,

Our request is to amend the existing Comprehensive Sign Plan (CSP) for 55 North Arizona Place, Chandler, AZ 85225. The property was purchased by new owners in 2019 and is undergoing remodeling. As a result of this purchase, the new Ownership has renamed the building as The Johnathan and as part of their effort to modernize and update the property we present the proposed changes to the CSP.

Along with The Johnathan, the new owners have also purchased the property to the south located at 25 North Arizona Place, known as The Alexander. Together the two properties will have a similar contemporary look and feel to create a cohesive presence in Downtown Chandler.

The existing CSP calls out for a total of eight sign bands on the building: two each on the north and south elevations, and four on the west elevation. Ownership of The Johnathan would like to maintain the current sign band locations, but with the criteria change that a Major Tenant will be tenants that occupy 15,000 SF or more of leased space and may be allowed a maximum of two (2) building mounted signs, while Minor Tenants will apply to tenants with first floor occupancy and 7,500 SF or more of leased space. Minor tenants shall be allowed a maximum of one (1) sign. Major Tenant Sign bands shall measure 3' (h) x 36' (w) and a maximum of 108 SF. Minor Tenant sign bands shall measure 2' (h) x 24' (w) and a maximum of 84 SF.

Also proposed in the updated CSP are two Building Identification signs to the main entry similar to that of The Alexander. One Building Identification sign shall be a single faced sign of individual letters post mounted to the entry surround, and shall be face illuminated with white LED. The second Building Identification sign shall consist of flat-cut-out letters mounted to a planter on the ground at the building entrance and shall be non-illuminated.

In addition to the two new Building Identification signs, we also propose to add retail tenant signage to the canopy in front of the building for retail tenants. The retail sign bands will match the same canopy retail signage on The Johnathan's sister property to the south, maintaining continuity between the buildings. Like that of The Alexander, The Johnathan's retail tenant signage shall be reserved for retail tenants only, and shall consist of non-illuminated individual reverse pan channel letters with finished backs mounted on top of the existing canopy. Retail tenant sign locations are limited to proposed sign band locations, measuring 1'-8" (h) x 20' (w) and a maximum of 30 SF each., with corporate logos allowed. Total retail signage allowed is not to exceed 180 SF.



Building signage has become an important factor for prospective tenants looking to locate in downtown Chandler. At the present time, the building lacks any sort of freestanding signage, thus tenant identification is limited to building mounted signage. The proposed updates to the CSP gives Ownership options to give existing and prospective tenants adequate identification to visitors to the Downtown Chandler area. All signage would remain adherent to any other criteria set forth in the CSP and the City of Chandler Sign Ordinance.

In our effort to meet the expectations of the ownership of The Johnathan, we respectfully request the approval of our proposed amendment to the Comprehensive Sign Plan. Thank you for considering our proposal, and feel free to contact us with any questions or concerns you may have.

Respectfully,

Julie Kulka  
Applicant/Owner's Representative



## COMPREHENSIVE SIGN PLAN

THE JOHNATHAN  
55 N. ARIZONA PLACE CHANDLER, AZ 85225

UPDATED  
03.16.2021



1205 N. Miller Road  
Tempe, AZ 85281  
480.966.6565  
airparksigns.com

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13. Major Tenant Sign Example
14. Retail Sign Example
15. Sign Band Elevations
16. Site Plan

# PROJECT INFORMATION

**Project Name and Location:**

The Johnathan  
55 North Arizona Place  
Chandler, AZ 85225

**Landlord Information:**

George Oliver  
7525 E. Camelback Rd. #203  
Scottsdale, AZ 85251

**Zoning:**

PAD

**Land Use:**

Commercial / Institutional

**Maricopa County Assessor Parcel Number:**

303-06-138

**Building Height:**

5 Floors, 167'-0"

# Tenant Signage

The Johnathan has been designed to create and maintain a prestigious atmosphere, which blends with and compliments the historic architecture of downtown Chandler. Criteria have been established to maintain this quality for the City of Chandler and the benefit of the entire center's tenants. To this end, strict conformance is required.

Tenant signage at The Johnathan should identify the tenant name and/or logo and contribute to the aesthetics of the project. The design, materials and construction of all tenant signage must be reviewed and approved by the Landlord according to procedures outlined in the attached requirements.

Signing may occur, within the limits of the signage areas as noted on the attached elevations.

The Landlord will only consider signage designs and materials outlined in the attached Tenant Signage Narrative, and reserves the right to reject any signing that, in its sole and absolute discretion, is detrimental to The Johnathan.

# GENERAL SPECIFICATIONS

Tenant shall be responsible for the fulfillment of all requirements and specifications.

Any contracted signage design services shall be at tenant's expense. All signs shall be reviewed for conformance with the criteria stated and the overall design quality. Approval or disapproval of sign submittals based on aesthetics of design shall remain the sole right of the Landlord.

All signs are to be installed under the direction of the Landlord or Landlord's representative. Signs installed without written approval of the Landlord may be subject to removal and reinstallation at tenant's expense.

All signage and their installation shall comply with all local building and zoning codes. Nothing in these criteria shall imply a waiver of requirements by local authorities.

The tenant or his representative shall obtain all permits for signs and their installation.

Tenant shall be responsible for the installation and maintenance of all signs.

No signmaker's labels or other identification shall be permitted on the exposed surface of the signs, except those required by local ordinance. If required by local ordinance, such as labels and other identification shall be in an inconspicuous location.

When tenant is required to remove its sign, tenant shall patch and repair any damage to the building to Landlord's satisfaction.

Tenant's sign contractor shall repair any damage caused by said contractor's work, or by its agents or employees and tenant shall be liable for the operations of the tenant's sign contractor.

No animated, flashing or audible signs shall be permitted.

No exposed lamps or tubing shall be permitted.

No exposed raceways, crossovers or conduit shall be permitted.

All cabinets, conductors, transformers and other equipment shall be concealed.

Door/Window Vinyl on the ground floor is permitted for 1st. floor tenant's only with exclusive pedestrian entrance from the building exterior.

# DOOR LETTERING CRITERIA

This criteria applied to tenants with first floor occupancy, not of any minimum size of leased space, who have exclusive pedestrian entrance for direct access to their premises from the building exterior.

## TYPE OF SIGN

First surface vinyl lettering applied to glass entrance door window. Logos are not permitted.

## CONSTRUCTION MATERIALS

### LETTERS

Gerber #220-10 'White' vinyl.

### LETTER STYLE

All letter styles are subject to Landlord approval.

### LETTER HEIGHT

Letter height not to exceed 4".

# CENTER ID SIGN

## TYPE OF SIGN

Single faced sign of individual letters post mounted to entry surround. Face illuminated with white LED.

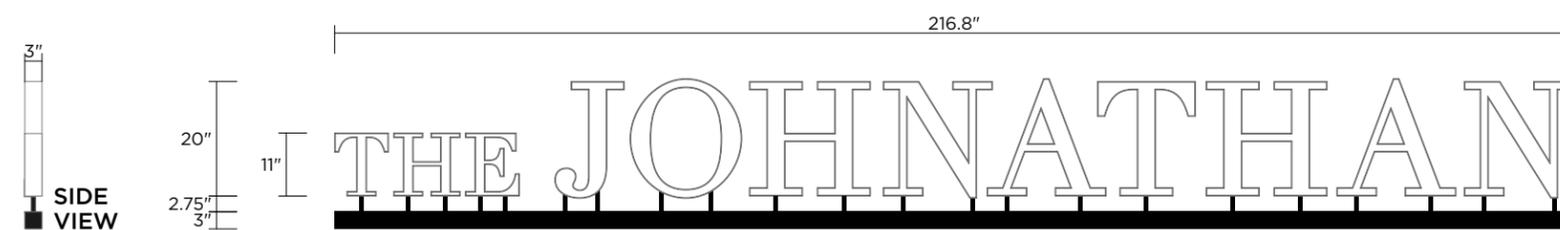
## CONSTRUCTION MATERIALS

### LETTERS

3" deep, face illuminated, "thin trim" pan channel lettering. Returns finished backs and thin trim retailer painted 'white'.

### INSTALLATION

Post mounted to 3" x 3" aluminum raceway. Mechanically fastened to top of entry surround. Posts and raceway painted 'black'.



ILLUMINATED SIGN AT NIGHT

CENTER ID  
scale: 3/8" = 1'-0"



West Elevation | scale: 1/16" = 1'-0"

# ENTRY WALL SIGN

## TYPE OF SIGN

Single faced sign of individual flat cut out letters stud mounted flush to entry wall.

## CONSTRUCTION MATERIALS

### LETTERS

1/4" thick flat cut out aluminum lettering painted black.

### INSTALLATION

Stud mounted flush to CMU wall.



CENTER ID  
scale: 3/4" = 1'-0"



West Elevation | scale: 1/16" = 1'-0"

# MAJOR TENANT DESIGN CRITERIA

This criteria applies to tenants with 15,000 square feet or more of leased space. Major tenants are allowed a maximum of two (2) signs. Signs may be non-contiguous to the tenant's leasehold.

## TYPE OF SIGN

Single faced sign of individual letters on existing building wall in established sign band. Letters/Logo may be either halo illuminated with white LED, or non illuminated. Logo details may be routed out and backed in white acrylic for visibility as needed.

## CONSTRUCTION MATERIALS

### WALLS

Existing Drivit

### LETTERS

Non illuminated letters to be 3" deep individual reverse pan channel letters painted DET611 'Iron-ic to contrast with facade colors.

Halo illuminated letters to be 3" - 4" deep individual reverse pan channel letters painted DET611 'Iron-ic to contrast with facade colors. Halo illuminated with white LED.

### LETTER STYLE AND LOGOS

Major tenant's letters styles and logos are subject to Landlord approval.

### LETTER HEIGHT

Letters to be a minimum height of 18" and a maximum height of 36". Business names containing upper and lower case characters may extend above and below the 36" sign band a maximum of 12" but no character shall exceed 36".

# MINOR TENANT DESIGN CRITERIA

This criteria applies to any tenants with less than 15,000 square feet of leased space. Minor tenants are allowed a maximum of one (1) sign. Signs may be non-contiguous to the tenant's leasehold.

## TYPE OF SIGN

Single faced sign of individual letters on existing building wall in established sign band. Letters to be non illuminated or halo illuminated with white LED. Logos are not permitted.

## CONSTRUCTION MATERIALS

### WALLS

Existing Drivit

### LETTERS

3" deep individual reverse pan channel letters painted Swiss Coffee OC-45 for signs located on the lower sign band and DET611 'Iron-ic for signs located on the upper sign band to contrast with facade colors. Halo illuminated with white LED.

### LETTER STYLE

Minor tenant's letter styles are subject to Landlord approval.

### LETTER HEIGHT

Letters to be a minimum height of 12" and a maximum height of 24". Business names containing upper and lower case characters may extend above and below the 24" sign band a maximum of 12" but no character shall exceed 24".

# RETAIL DESIGN CRITERIA

This criteria applies to retail tenants.

## TYPE OF SIGN

Single faced sign of individual letters on existing canopy in established sign band. Letters to be non illuminated. Logos are permitted.

## CONSTRUCTION MATERIALS

### CANOPY

Steel beam

### LETTERS

3" deep individual reverse pan channel letters with finished backs. Non illuminated.

### LETTER STYLE

Retail tenant's letter styles are subject to Landlord approval. Retail tenants are allowed a maximum of one (1) sign.

### LETTER HEIGHT

Letters to be a maximum height of 20".

# MAJOR TENANT BUILDING MOUNTED LETTERING



**HALO ILLUMINATED SIGN**  
scale: 3/16" = 1'-0"

**FACE:** .08 ALUMINUM  
**RETURNS:** .04 ALUMINUM  
**BACKS:** 3/16" CLEAR LEXAN

**COLOR:** DET611 'IRON-IC'  
**MOUNTING:** STUD MOUNTED WITH 1 1/2" SPACERS

**POWER SUPPLY:** REMOTE  
**ILLUMINATION:** WHITE LED

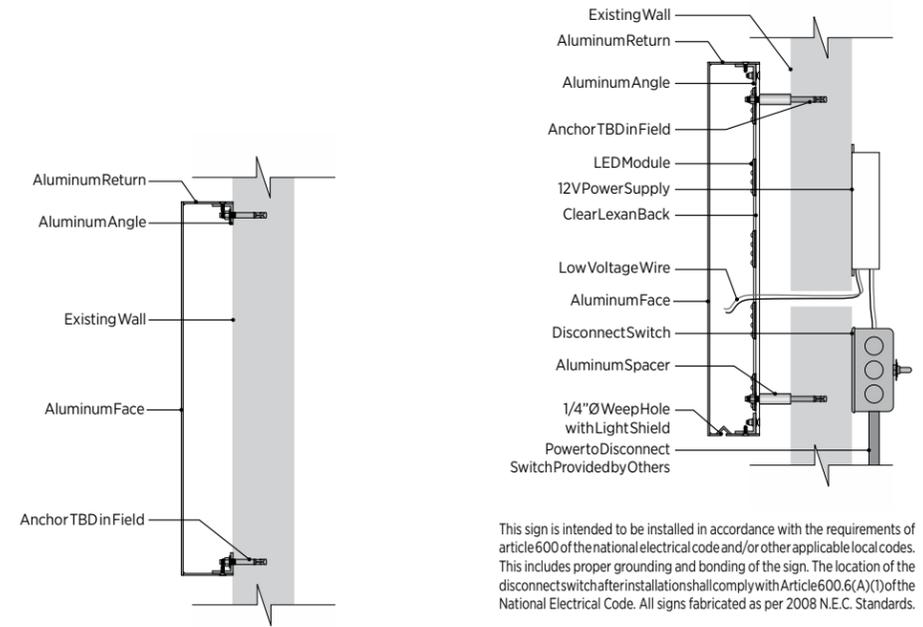


**NON ILLUMINATED SIGN**  
scale: 3/16" = 1'-0"

**FACE:** .08 ALUMINUM  
**RETURNS:** .04 ALUMINUM

**COLOR:** DET611 'IRON-IC'  
**ILLUMINATION:** NONE

**MOUNTING:** STUD MOUNTED FLUSH



**TYP. NON ILLUMINATED LETTER SECTION**  
scale: nts

**TYP. HALO ILLUMINATED LETTER SECTION**  
scale: nts

This sign is intended to be installed in accordance with the requirements of article 600 of the national electrical code and/or other applicable local codes. This includes proper grounding and bonding of the sign. The location of the disconnect switch after installation shall comply with Article 600.6(A)(1) of the National Electrical Code. All signs fabricated as per 2008 N.E.C. Standards.



West Elevation | scale: 12" = 25'

# MINOR TENANT BUILDING MOUNTED LETTERING

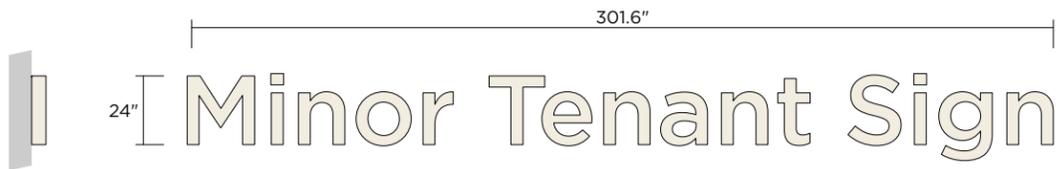


**HALO ILLUMINATED SIGN**  
scale: 3/16" = 1'-0"

**FACE:** .08 ALUMINUM  
**RETURNS:** .04 ALUMINUM  
**BACKS:** 3/16" CLEAR LEXAN

**COLOR:** SWISS COFFEE' OC-45  
**MOUNTING:** STUD MOUNTED  
W 1 1/2" SPACERS

**POWER SUPPLY:** REMOTE  
**ILLUMINATION:** WHITE LED

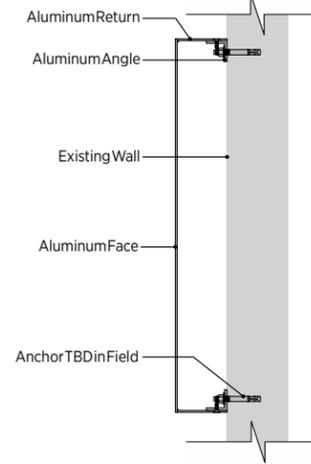


**NON ILLUMINATED SIGN**  
scale: 3/16" = 1'-0"

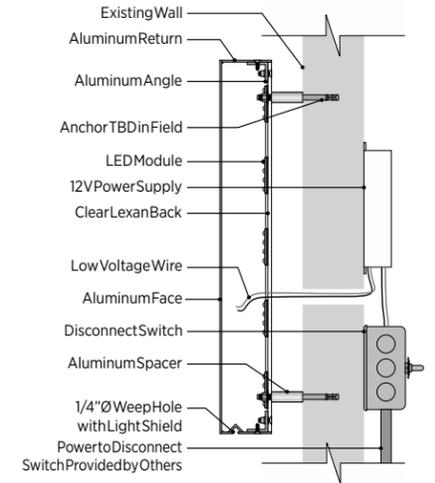
**FACE:** .08 ALUMINUM  
**RETURNS:** .04 ALUMINUM

**COLOR:** SWISS COFFEE' OC-45  
**ILLUMINATION:** NONE

**MOUNTING:** STUD MOUNTED FLUSH



**TYP. NON ILLUMINATED LETTER SECTION**  
scale: nts



This sign is intended to be installed in accordance with the requirements of article 600 of the national electrical code and/or other applicable local codes. This includes proper grounding and bonding of the sign. The location of the disconnect switch after installation shall comply with Article 600.6(A)(1) of the National Electrical Code. All signs fabricated as per 2008 N.E.C. Standards.

**TYP. HALO ILLUMINATED LETTER SECTION**  
scale: nts



West Elevation | scale: 12" = 25'

# RETAIL CANOPY MOUNTED LETTERING

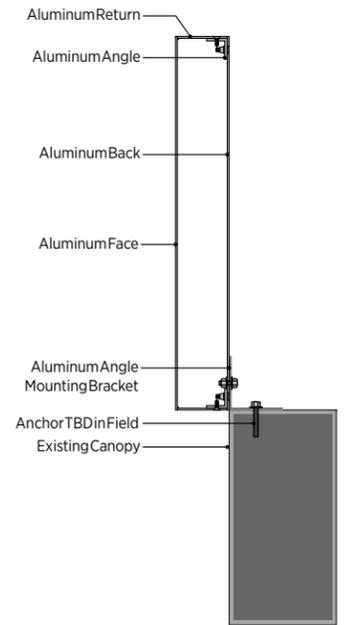


**CANOPY SIGN**  
scale: 3/8" = 1'-0"

**FACE:** .08 ALUMINUM  
**RETURNS:** .04 ALUMINUM

**BACKS:** .08 ALUMINUM  
**ILLUMINATION:** NONE

**MOUNTING:** MECHANICALLY FASTENED TO EXISTING CANOPY  
USING 3" ALUMINUM ANGLE, PAINTED TO MATCH CANOPY COLOR



**TYP. CANOPY LETTER SECTION**  
scale: nts



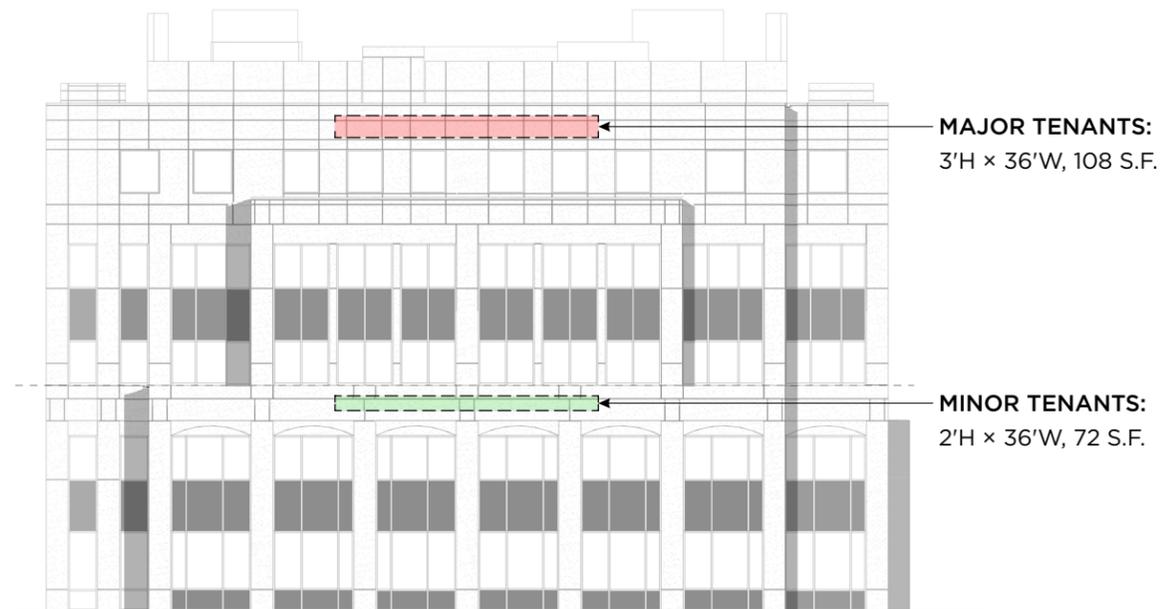
West Elevation | scale: 12" = 25'

# SIGN BAND ELEVATIONS

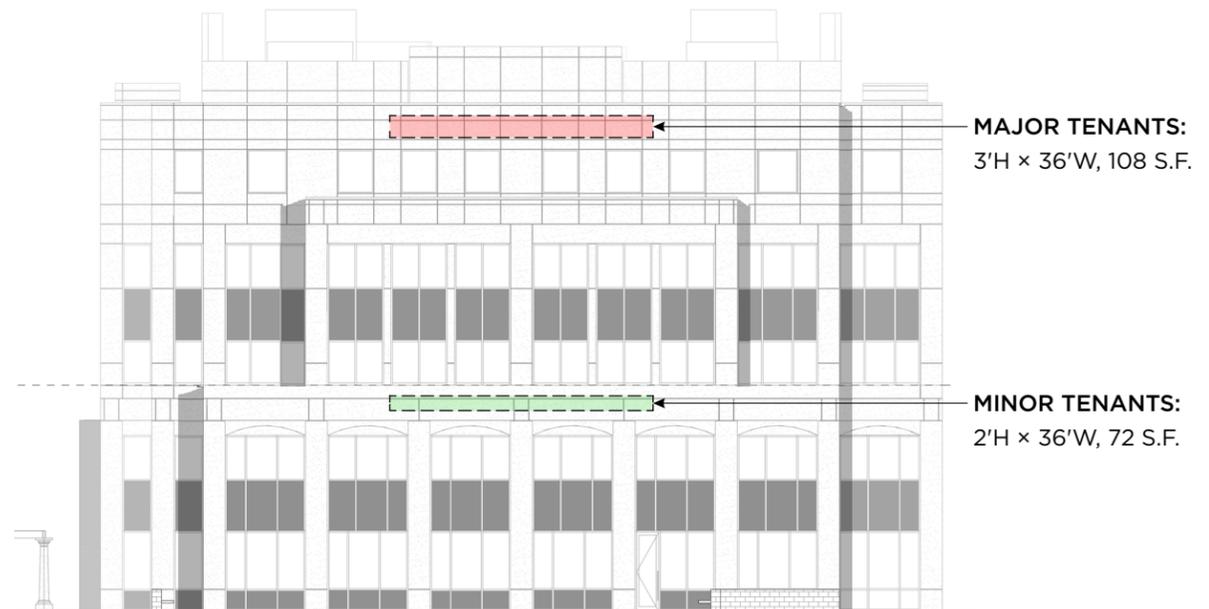
Note: Sign bands are shown in approximate locations.



West Elevation | scale: 12" = 25'

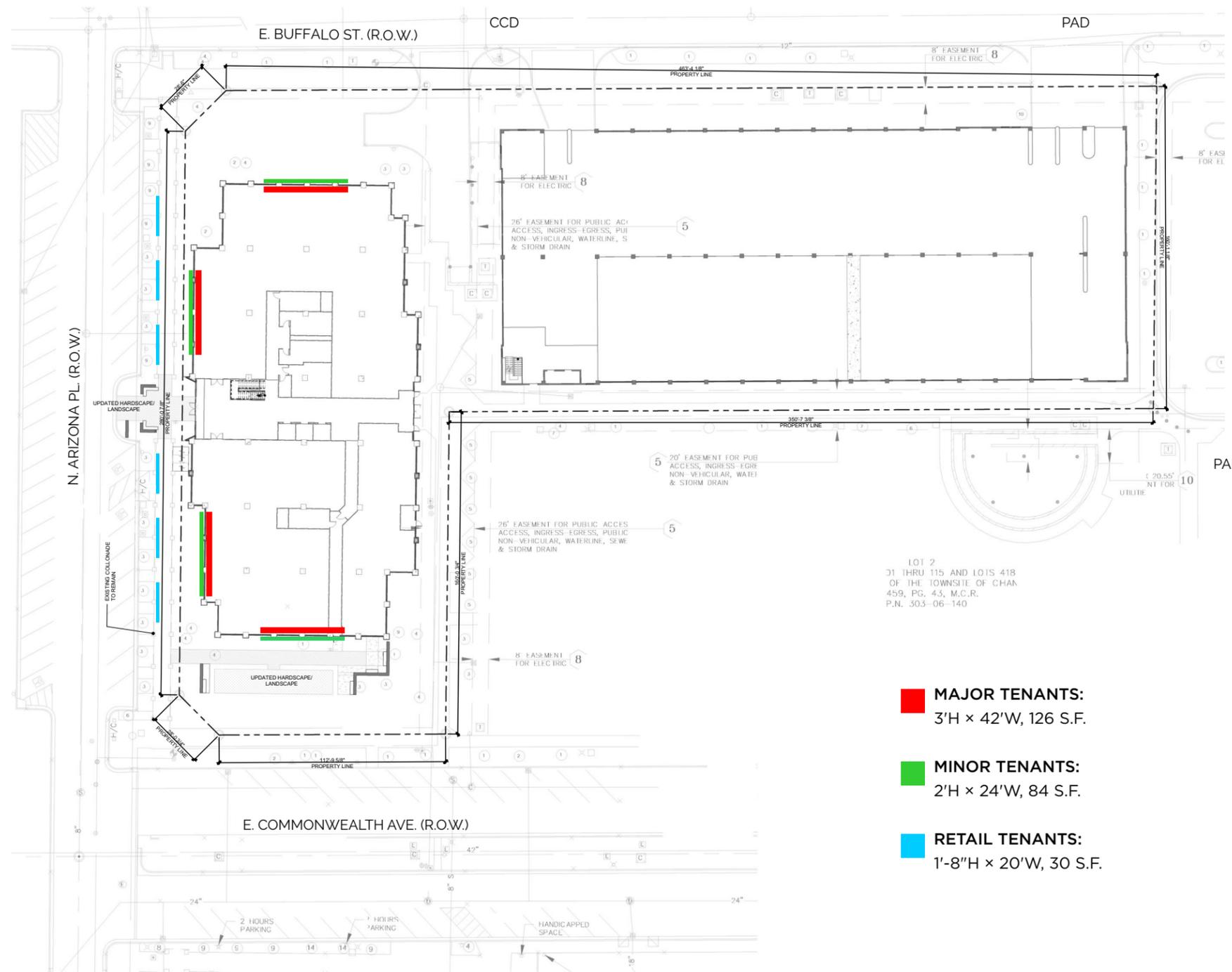


North Elevation | scale: 12" = 25'



South Elevation | scale: 12" = 25'

# SITE PLAN



Site Plan | scale: 1/64" = 1'-0"

- MAJOR TENANTS:**  
3'H x 42'W, 126 S.F.
- MINOR TENANTS:**  
2'H x 24'W, 84 S.F.
- RETAIL TENANTS:**  
1'-8"H x 20'W, 30 S.F.



**City Council Memorandum    Economic Development    Memo No. ED21-006**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
Debra Stapleton, Assistant City Manager  
Micah Miranda, Economic Development Director

**From:** Ryan Kaup, Economic Development Specialist

**Subject:** Resolution No. 5458, authorizing support for a Foreign Trade Zone application for Viavi Solutions, Inc.; authorizing support for a property tax reclassification from class one to class six for all new personal property; authorizing a development agreement between Viavi and the City of Chandler; authorizing the execution of an Intergovernmental Agreement between the City of Chandler and the City of Phoenix; and authorizing the Mayor to sign the Resolution and related documents as approved by the City Attorney.

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**Proposed Motion:**

Move to approve Resolution No. 5458, authorizing support for a Foreign Trade Zone application for Viavi Solutions, Inc.; manufacturing facility to be located at 3455 South McQueen Road; authorizing support for a property tax reclassification from class one to class six for all new personal property; authorizing a development agreement between Viavi and the City of Chandler; authorizing the execution of an Intergovernmental Agreement between the City of Chandler and the City of Phoenix; and authorizing the Mayor to sign the Resolution and related documents as approved by the City Attorney.

**Background/Discussion:**

Viavi is a manufacturer of network testing, measurement, assurance and light management and optical coatings products and technologies. Viavi has more than 50 locations throughout the world and over 3,600 employees. The company generated more than \$1 billion in revenue during its last fiscal year and is listed on the Nasdaq under ticker symbol "VIAV." In late 2020, the City's Economic Development Division began engaging with Viavi regarding two separate projects: a new manufacturing operation and a headquarters relocation out of San Jose, California.

Viavi has undertaken a competitive site selection process to evaluate multiple metropolitan areas outside of Arizona and multiple cities within Metro Phoenix. The company has short-listed an existing industrial building in Chandler, located at 3455 South McQueen Road. The building is under consideration for both the manufacturing project and the headquarters project. Over the next three years, these two combined projects have the potential to bring 233 jobs to Chandler at an average salary of \$139,820. In addition, Viavi anticipates making a capital investment of \$96,311,609.

Viavi has expressed that obtaining Foreign Trade Zone (FTZ) status for the property is a primary factor in its site selection process. FTZ status confers certain benefits to exporters, including paying reduced duty rates on manufactured products. Within Arizona, activated FTZ sites also are eligible for a property

tax reclassification benefit. Real and personal property can be reclassified from class one to class six property, which carries a lower assessment ratio (5% instead of 18%).

Viavi has requested City support to obtain FTZ status and the property tax reclassification benefit. In consideration of this support, the company has agreed to only pursue reclassification for new personal property that would be located within its Chandler FTZ site. Additionally, the development agreement stipulates that Viavi's headquarters must be located in Chandler for a minimum of five years.

To obtain the property tax reclassification benefit, the company must provide concurrence letters from each taxing jurisdiction that would be affected by the reclassification. Viavi's FTZ consultant is responsible for requesting these concurrence letters and this process has begun. The consultant has received a concurrence letter from Chandler Unified School District stating their support for this property tax reclassification. The resolution included with this Council item would serve as the City of Chandler's concurrence letter.

To obtain FTZ status, an application must eventually be submitted to the federal Foreign Trade Zones Board. The application would first be submitted to the City of Phoenix, which serves as grantee for FTZ No. 75, covering Chandler and other areas in Metro Phoenix. If Chandler City Council approves this resolution with authorization to enter into an intergovernmental agreement with the City of Phoenix, the next step would be for the City of Phoenix to submit Viavi's application to the Foreign Trade Zones Board requesting the designation of an FTZ subzone at the site under consideration in Chandler.

**Financial Implications:**

Property tax reclassification from class one to class six for all new personal property. This is a statutory benefit available in Arizona for companies that receive Foreign Trade Zone status.

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**Attachments**

Resolution No. 5458

Development Agreement with Viavi

Intergovernmental Agreement with City of Phoenix

## **RESOLUTION NO. 5458**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING SUPPORT FOR A FOREIGN TRADE ZONE APPLICATION FOR THE VIAVI SOLUTIONS INC. MANUFACTURING FACILITY TO BE LOCATED AT 3455 SOUTH MCQUEEN ROAD; AUTHORIZING SUPPORT FOR A PROPERTY TAX RECLASSIFICATION FROM CLASS ONE TO CLASS SIX FOR ALL NEW PERSONAL PROPERTY AT THE SITE; AUTHORIZING A DEVELOPMENT AGREEMENT BETWEEN VIAVI SOLUTIONS INC. AND THE CITY OF CHANDLER; AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CHANDLER AND THE CITY OF PHOENIX.

WHEREAS, Viavi Solutions Inc. (“Viavi”) is a leading manufacturer of network testing, measurement, assurance and light management and optical coatings products and technologies, and is evaluating locations within the metropolitan Phoenix area and outside of Arizona to establish a new manufacturing facility and headquarters; and

WHEREAS, Viavi has agreed to establish its new manufacturing facility and relocate its corporate headquarters to the City of Chandler in exchange for the City’s cooperation and support in seeking a Foreign Trade Zone (“FTZ”) designation for its facility; and

WHEREAS, Viavi is in escrow to purchase an industrial facility at 3455 South McQueen Road, Chandler, Arizona (“Site”); and

WHEREAS, without receiving FTZ designation for its industrial facility and a property tax reclassification from class one to class six for all new personal property, Viavi is put at a competitive disadvantage, which is detrimental to the economy of the City of Chandler, as well as the State of Arizona; and

WHEREAS, Chandler desires to support Viavi in applying for FTZ Operator status at the Site under FTZ No. 75, provided that Viavi agrees to not pursue reclassification of any real property at the Site to class six; and

WHEREAS, Viavi is agreeable to such limitation on state tax treatment; and

WHEREAS, the City of Phoenix has received a grant from the federal Foreign-Trade Zones Board to establish Foreign Trade Zone No. 75 and Chandler does not have any such grant of authority; and

WHEREAS, Phoenix is willing to submit an application to the Foreign-Trade Zones Board on behalf of Viavi for the property at the Site to be established, operated, and maintained as a foreign-trade zone usage driven site.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chandler, Arizona, as follows:

Section 1. Authorizes support for a Foreign Trade Zone application for the Viavi manufacturing facility to be located at 3455 South McQueen Road, and authorizes the Acting City Manager or designee to submit such documents or statements as may be necessary to establish Chandler's support of Viavi's application.

Section 2. Authorizes support for a property tax reclassification from class one to class six for all new personal property at the Site, and authorizes the Acting City Manager or designee to submit such documents or statements as may be necessary to establish Chandler's support of the tax reclassification for new personal property at the Site.

Section 3. Authorizes the Mayor to execute a development agreement between Chandler and Viavi, a copy of which is attached as Exhibit A to this Resolution.

Section 4. Authorizes the Mayor to execute an Intergovernmental Agreement between Chandler and Phoenix to memorialize the agreement of the two cities to work together to assist Viavi in its efforts to obtain FTZ Operator status for the Site, a copy of which is attached to this Resolution as Exhibit B.

PASSED AND ADOPTED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of April, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Resolution No. 5458 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_ day of April, 2021, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY TA

Exhibit A  
Development Agreement

WHEN RECORDED RETURN TO:

City Clerk's Office  
City of Chandler  
MS 606  
P. O. Box 4008  
Chandler, Arizona 85244-4008

## DEVELOPMENT AGREEMENT

This development agreement (the "Agreement") is entered into effective as of April 8, 2021, (the "Effective Date"), by and between the City of Chandler, an Arizona municipal corporation ("City"), and Viavi Solutions Inc., a Delaware corporation ("Viavi"). City and Viavi are each a "Party" to this Agreement and may be referred to collectively in this Agreement as "Parties."

1. **Recitals.** As background to this Agreement, the Parties recite, acknowledge and confirm the following, each of which shall be a material term and provision of this Agreement:

1.1 Viavi is a manufacturer of network testing, measurement, assurance and light management and optical coatings products and technologies. Viavi conducted a competitive site selection process for a new manufacturing operation and headquarters location (the "**Project**"). City desires to assist Viavi to obtain foreign trade zone status and related personal property tax benefits as provided by state law. City acknowledges that the unavailability of such benefits to Viavi would create a significant risk that Viavi would locate the Project in a competing state or another Metro Phoenix municipality.

1.2 The Project is expected to include the purchase of 104,300 square feet of industrial space in Chandler (the "**Premises**") within a building located at 3455 South McQueen Road, Chandler, AZ 85286, also described as parcel number 303-49-982 in the records of the Maricopa County Recorder's Office (the "**Property**"). The Project is also anticipated to create up to 233 new jobs by January 1, 2025 with average annualized compensation of \$139,820. Average annualized compensation shall be inclusive of base salary and any incentive compensation received for W-2 purposes (including bonuses, commissions, vesting of restricted stock or restricted stock units, etc.).

1.3 City is entering into this Agreement recognizing the importance of continued economic growth and expansion, particularly in the manufacturing industry, which provides quality jobs, and in turn stimulates local economic activity and generates tax revenues and other income for City.

1.4 Viavi, under no obligation or other compulsion to do so, and in reliance upon the promises and performance of City as set forth in this Agreement, has agreed to move its corporate headquarters to Chandler in accordance with this Agreement, which will constitute legal, bargained-for contractual consideration provided by Viavi to City.

1.5 Viavi anticipates that Viavi will have entered into a purchase and/or other binding commitments for its manufacturing and headquarters location by the Effective Date or will enter into a purchase and/or other binding contractual commitments for its manufacturing and headquarters location within one (1) year after the Effective Date. Viavi expects to invest \$96,311,609 in connection with its manufacturing and headquarters location in City, including land, building, tenant improvements, machinery and equipment, information technology infrastructure, and purchases of furniture, fixtures, and equipment. Viavi expects to create and fill up to 233 new jobs in Chandler by January 1, 2025.

1.6 City has found and determined that Viavi's (i) capital investment at the Premises, together with (ii) Viavi's creation of up to 233 new jobs in Chandler, will enhance the economic vitality and quality of life of Chandler by, among other things, enhancing employment opportunities and increasing tax revenues.

1.7 City and Viavi are entering into this Agreement under A.R.S. § 9-500.05 to facilitate development within the City of Chandler.

1.8 City, by Resolution No. 5458, adopted on April 8, 2021, has authorized the execution and performance of this Agreement and has otherwise taken all action required by law to enter into this Agreement and make it binding upon City.

2. **Agreements.** City and Viavi agree as follows:

2.1 City will support the creation of a foreign trade zone applicable to the Property, including support for the reduction of certain personal property taxes applicable at the Property under Arizona state law. City will issue a City Council resolution and take other actions necessary to indicate this support.

2.2 Viavi will not seek property tax reclassification under A.R.S. § 42-12006 for existing real property in Chandler.

2.3 On or before June 30, 2022, Viavi will officially move its headquarters to a location within the City of Chandler. Viavi will update its website to indicate the Chandler location of its headquarters, and Viavi will list Chandler, Arizona as its headquarters location in all United States Securities and Exchange Commission filings.

2.4 Viavi will maintain its headquarters in Chandler until at least July 1, 2027.

2.5 Viavi agrees that it will make reasonable efforts to utilize hotel and lodging facilities within Chandler to the extent such facilities are compatible with Viavi's needs, including banquets, conferences, training, hospitality, and similar events to further

support Chandler's economy. City's tourism staff shall assist Viavi in facilitating the provisions of this Section.

3. **Term**. The term of this Agreement shall begin on the Effective Date and shall continue until the earlier of July 1, 2027, unless terminated earlier.

4. **Notices**. Unless otherwise specifically provided herein, or unless written notice of a change of address has been previously given pursuant hereto, all notices, demands or other communication given hereunder shall be in writing and shall be deemed to have been duly delivered upon (i) personal delivery, (ii) delivery by a recognized overnight courier (e.g., FedEx, UPS) for next business day delivery, or (iii) as of the fifth (5<sup>th</sup>) business day after mailing by United States certified mail, postage prepaid, addressed as follows:

To Viavi: Viavi Solutions Inc.  
7047 E Greenway Pkwy Suite 250  
Scottsdale, Arizona 85254

With a copy to: Viavi Solutions Inc.  
General Counsel  
Attn: Kevin Siebert  
20250 Century Blvd, 5th Floor  
Germantown, MD 20874

To City: Economic Development Director  
City of Chandler  
Mail Stop 416  
P.O. Box 4008  
Chandler, AZ 85244-4008  
Phone: (480) 782-3035

With a copy to: Chandler City Attorney  
Mail Stop 602  
P.O. Box 4008  
Chandler, AZ 85244-4008  
Phone: (480) 782-4640

5. **Remedies**.

5.1 In the event that either Party fails to perform any of its obligations under this Agreement and does not cure any such failure within thirty (30) days after Notice from the other Party, such Party shall have the right to pursue all legal and equitable remedies available to it at law or under this Agreement. Additionally, if Viavi does not maintain its headquarters within the City of Chandler during the Term of this Agreement, City may take such actions necessary to withdraw its support for the Property's state tax benefits available in conjunction with the site's foreign trade sub-zone.

6. **Assignment.** Viavi shall not assign any obligation in this Agreement other than to a subsidiary or affiliate of Viavi, without City's express written consent, which shall not be unreasonably withheld, conditioned, or delayed provided, however, that no such express written consent shall be required in connection with any assignment in connection with a Change of Control of Viavi. In order to be effective, any such assignment must contain an express written agreement and assumption by the assignee agreeing to be liable for the assigning Party's obligations contained herein. Any such assignment shall not relieve the assigning Party of its obligations in this Agreement except that if there is a Change of Control of Viavi, the requirements of maintaining headquarters in City shall terminate upon such change of control so long as the successor to Viavi shall comply with the other terms and conditions of this Agreement. "***Change of Control***" means (a) any transaction or series of related transactions as a result of which any person or group of persons within the meaning of Section 13(d)(3) of the Securities Exchange Act of 1934 becomes the beneficial owner, directly or indirectly, of 50% or more of the outstanding common stock (measured by either voting power or economic interests) of Viavi, (b) any sale or lease or exchange, transfer, license or disposition of a business, deposits or assets that constitute 50% or more of the consolidated assets, business, revenues, net income or assets of Viavi or (c) a merger, consolidation, recapitalization or reorganization of Viavi with or into a third party that results in the inability of the stockholders of Viavi prior to such transaction to designate or elect a majority of the board of directors (or its equivalent) of the resulting entity or its parent company.

7. **Additional Matters.**

7.1 This Agreement shall be governed by and construed under the laws of the State of Arizona. This Agreement is subject to the provisions of A.R.S. § 38-511. This Agreement shall be deemed made and entered into in Maricopa County, Arizona.

7.2 The failure of any Party to exercise any right, power, or remedy given to it under this Agreement, or to insist upon strict compliance with it, shall not constitute a waiver of the terms and conditions of this Agreement with respect to any other or subsequent breach, nor a waiver by either Party of its rights at any time to require exact and strict compliance with all of the terms of this Agreement. The rights or remedies under this Agreement are exclusive of any other rights or remedies which may be granted by law.

7.3 This Agreement constitutes the entire Agreement between City and Viavi with respect to its subject matter, and all agreements, oral or written, entered into prior to this Agreement are revoked and superseded by this Agreement. This Agreement may not be changed, modified, or amended, except in writing, signed by all Parties, and any attempt at oral modification of this Agreement shall be void and of no effect. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, and all of which, when taken together, shall constitute one and the same instrument.

7.4 It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between Viavi and City. No term or provision of this Agreement is intended to, or shall, be for the benefit of any

person, firm, organization, or corporation not a Party hereto, and no such other person, firm, organization, or corporation shall have any right or cause of action hereunder.

7.5 Each of the Parties hereto represents and warrants to the other that the individual executing this Agreement on behalf of their respective Parties is authorized and empowered to bind the Party on whose behalf such individual is signing, and that this Agreement shall be binding upon such Parties. No later than ten (10) days after the Effective Date, City will record this Agreement in the Records of Maricopa County, Arizona at City's sole cost and expense.

**[SIGNATURES FOLLOW ON NEXT PAGES]**

IN WITNESS WHEREOF, the Parties have executed this Agreement through their representatives duly authorized to execute this Agreement and to bind their respective entities to the terms and obligations of same.

ATTEST:

**CITY OF CHANDLER**, an Arizona  
municipal corporation

\_\_\_\_\_  
City Clerk

By \_\_\_\_\_  
Mayor Kevin Hartke

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney TA

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2021, by Kevin Hartke, Mayor of the City of Chandler, an Arizona municipal corporation.

\_\_\_\_\_  
Notary Public

[SEAL]

VIAVI SOLUTIONS INC., a Delaware corporation

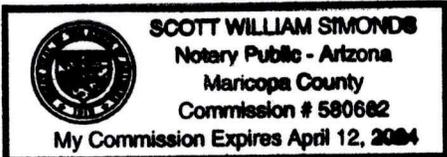
By: 

Name: OLEG KHAYKIN

Title: CEO

STATE OF Arizona )  
County of Maricopa ) ss.

The foregoing Development Agreement was acknowledged before me this 24 day of March, 2021, by Oleg Khaykin, as CEO of Viavi Solutions Inc., a Delaware corporation.



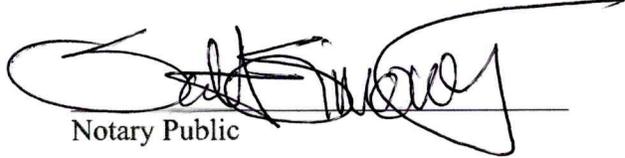
  
Notary Public

Exhibit B  
Intergovernmental Agreement

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE CITY OF CHANDLER, ARIZONA  
AND  
THE CITY OF PHOENIX, ARIZONA**

This Intergovernmental Agreement (“Agreement”) is entered into this \_\_\_\_ day of \_\_\_\_\_, 2021 by and between the City of Chandler, Arizona, a municipal corporation (“Chandler”) and the City of Phoenix, Arizona, a municipal corporation (“Phoenix”).

**I. RECITALS:**

A. Pursuant to A.R.S. §11-952, as amended, Chandler is empowered to enter into this intergovernmental agreement and has, by resolution, a copy of which is attached hereto as Exhibit A and incorporated herein by this reference, authorized the undersigned to execute this Agreement on behalf of Chandler.

B. Pursuant to A.R.S. §11-952, as amended, Phoenix is empowered to enter into this intergovernmental agreement and has, by resolution, a copy of which is attached hereto as Exhibit B and incorporated herein by this reference, authorized the undersigned to execute this Agreement on behalf of Phoenix.

C. Phoenix has received a Grant (Board Order 185, dated March 25, 1982) from the Foreign-Trade Zones Board (the “Board”) to establish FTZ No. 75, and the alternative site framework format for FTZ No. 75 was approved by the Board in a notice published on October 20, 2010 in 75 Fed. Reg. 64708.

D. Chandler does not have a grant of authority to establish a new Foreign-Trade Zone.

E. Concurrently with the approval of this Agreement, the Chandler City Council voted to approve a usage-driven site as part of FTZ No. 75 for Viavi Solutions Inc. (“Viavi”).

F. Viavi is under contract to purchase certain real property within the City of Chandler located at 3455 South McQueen Road, Chandler, AZ 85286 and desires to have such real property designated as a usage-driven site (the “Zone Site”). The Zone Site is more specifically described in the Development Agreement referenced in Section 2.3 below.

G. Chandler desires to assist Viavi in obtaining approval from the Board to establish, operate, and maintain a usage-driven site at the Zone Site.

H. Phoenix is willing to submit an application to the Board on behalf of Viavi (the “Application”) for a minor boundary modification to establish, operate, and maintain a

usage-driven site at the Zone Site to demonstrate its interest in a cooperative regional effort to encourage the retention and expansion of business in the greater metropolitan area.

NOW, THEREFORE, in consideration of the promises and mutual agreements contained and described herein, the parties agree as follows:

II. AGREEMENTS:

**1. PURPOSE**

1.1 The purpose of this Agreement is to memorialize Chandler's and Phoenix's agreement to work together to assist Viavi in its efforts to have the Zone Site designated as a usage-driven site and to assure Phoenix that the establishment, operation, and maintenance of a usage-driven site at the Zone Site, including any unsuccessful efforts made in respect thereto, shall be accomplished without any cost or liability whatsoever to Phoenix.

**2. CHANDLER RESPONSIBILITIES**

2.1 To facilitate the negotiation and execution of a Foreign-Trade Zone Operating Agreement ("Operating Agreement") between the City of Phoenix and Viavi.

2.2 To perform research, lobbying, or other support activities as required to expedite the Application process.

2.3 To provide in a development agreement with Viavi ("Development Agreement") that, unless previously agreed to by Chandler pursuant to the Development Agreement, Viavi shall not seek or obtain property tax classification under Arizona Revised Statutes § 42-12006(2) for the real property and improvements at the Zone Site. Nothing in this section prevents Viavi from seeking personal property tax classification under Arizona Revised Statutes § 42-12006(2) for all manufacturing equipment installed at the Zone Site.

2.4 To notify Phoenix if Chandler desires that Phoenix enforce its right to terminate the Operating Agreement and seek revocation of Viavi's usage-driven site, after notice and a 30-day cure period (or longer period as is reasonable in the event that Viavi chooses to appeal the reclassification as provided for in the Development Agreement), if any one or more of the following occurs without prior approval of Chandler pursuant to a development agreement:

a. Viavi, in breach of the Development Agreement and Operating Agreement, seeks or obtains property tax classification under A.R.S. § 42-12006(2) for the real property at the Zone Site; or

b. Such reclassification is made regardless of the lack of a request by Viavi and Viavi refuses to either seek a revision to the classification or to provide for a corresponding payment to Chandler compensating for the reduction to tax revenue as agreed in the Development Agreement; or

c. Viavi otherwise materially breaches the Development Agreement.

2.5 To notify Phoenix if Chandler desires that Phoenix enforce its right to seek revocation of Viavi's personal property tax classification under Arizona Revised Statutes § 42-12006(2) for all manufacturing equipment or other personal property installed at the Zone Site if Viavi, after notice and a 30-day cure period (or longer period as is reasonable in the event that Viavi chooses to appeal the reclassification as provided for in the Development Agreement) fails to maintain its corporate headquarters in Chandler during the duration of the Development Agreement. Chandler will provide Phoenix with a letter stating its desire to rescind support along with a copy of the Development Agreement to be provided to the Maricopa County Assessor's Office.

2.6 To take all action requested by Phoenix related to the enforcement of the provisions referred to in Sections 2.4 and 2.5, above, and to indemnify, defend, and hold Phoenix, its departments, agents, officers, or employees harmless from and against any loss, expense, damage, or claim resulting from or arising out of the performance or enforcement of any condition in the Operating Agreement as required under Section 3.4, below.

### **3. PHOENIX RESPONSIBILITIES**

3.1 To conduct its operations in good faith with Viavi.

3.2 After filing the Application for the Viavi Zone Site, to enter into an Operating Agreement with Viavi for the operation of the Zone Site.

3.3 To provide in the Operating Agreement that Viavi shall be responsible for all costs related to the Zone Site that are incurred by Phoenix and/or Chandler.

3.4 To provide in the Operating Agreement that Phoenix may terminate the Operating Agreement and seek revocation of Viavi's usage-driven site if Phoenix is advised by Chandler that Viavi has sought or obtained real property tax classification under A.R.S. §42-12006(2) for the Zone Site without prior approval of Chandler pursuant to a Development Agreement.

3.5 To provide in the Operating Agreement that Phoenix may seek revocation of Viavi's personal property tax classification under Arizona Revised Statutes § 42-12006(2) if Phoenix is advised by Chandler that Viavi has failed to maintain its corporate headquarters in Chandler.

### **4. ADDITIONAL AGREEMENTS**

4.1 The Parties acknowledge that 15 C.F.R §400.49 provides for monitoring and reviews of foreign trade zone operations and activity. Section 400.49(c) provides that the Board or the Commerce Department's Assistant Secretary for Import Administration may restrict or prohibit zone activity that it finds is no longer in the public interest and, pursuant to 14 C.F.R. § 400.61, the Board has the authority to revoke a grant of authority to operate a zone, for cause.

4.2 Chandler and Viavi have determined that if Viavi seeks or otherwise obtains real property tax classification under Arizona Revised Statutes § 42-12006(2) for the Zone Site, such action would be in violation of the Development Agreement between Viavi and Chandler and would be detrimental to the public interest. Nothing in this section prevents Viavi from seeking personal property tax classification under Arizona Revised Statutes § 42-12006(2) for all manufacturing equipment installed at the Zone Site.

## 5. INDEMNIFICATION

5.1 To the extent permitted by law, each party will indemnify and save the other party harmless, including any of the parties' departments, agencies, officers, employees, elected officials or agents, from and against all loss, expense, damage, or claim of any nature whatsoever which is caused by any activity, condition, or event arising out of the performance or non-performance by the indemnifying party of any of the provisions of this Agreement.

5.2 Each party, in all instances, shall be indemnified against all liability, losses, and damages of any nature for or on account of any injuries or death of persons or damages to or destruction of property arising out of or in any way connected with the performance or non-performance of this Agreement by the other party, except such injury or damage as shall have been occasioned by the negligence of that other party. The damages incurred by the other party, their department, agencies, officers, employees, elected officers, or agents shall include in the event of any action, court costs, expenses for litigation, and reasonable attorneys' fees.

## 6. DURATION

6.1 Term. The term of this Agreement shall begin on the date executed and approved by both parties and shall remain in effect for the same term as the Operating Agreement, unless terminated sooner pursuant to the terms of this Agreement.

## 7. GENERAL PROVISIONS

7.1 Conflict of Interest. This Agreement is subject to cancellation pursuant to the provisions of A.R.S. § 38-511.

7.2 Immigration Law Compliance Warranty. As required by A.R.S. § 41-4401, each party hereby warrants its compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A). Each party further warrants that after hiring an employee, it verifies the employment eligibility of the employee through the E-Verify program. If either party uses any subcontractors in performance of the Agreement, subcontractors shall warrant their compliance with all federal immigration laws and regulations that relate to its employees and A.R.S. § 23-214(A), and subcontractors shall further warrant that after hiring an employee, such subcontractor verifies the employment eligibility of the employee through the E-Verify program. A breach of this warranty shall be deemed a material breach of the Agreement subject to penalties up to and including termination. A party shall not be deemed in material breach if it and/or its subcontractors establish compliance with the employment verification provisions of Sections 274A and 274B of the federal Immigration and Nationality Act and the E-Verify requirements contained in A.R.S. § 23-214(A). Each party retains the legal right to

inspect the papers of the other party and/or its subcontractor engaged in performance of this Agreement to ensure that the other party and/or its subcontractor is complying with the warranty. Any inspection will be conducted after reasonable notice and at reasonable times. If state law is amended, the parties may modify this paragraph consistent with state law.

7.3 Notices. All notices, demands and communications given or to be given, by either party to the other, shall be given in writing, by certified mail or email with confirmation of receipt, and shall be addressed to the parties at the addresses hereinafter set forth, or at such other address as the parties may by written notice hereafter designate. All notices shall be deemed received upon actual receipt or three (3) business days after deposit in the United States mail, whichever date is earlier. Notices shall be addressed as follows:

Phoenix:                    Director  
                                  Community and Economic Development Department  
                                  200 West Washington Street, 20<sup>th</sup> Floor  
                                  Phoenix, Arizona 85003-1611

and

                                  City Clerk  
                                  City of Phoenix  
                                  200 West Washington Street, 15<sup>th</sup> Floor  
                                  Phoenix, Arizona 85003-1611

Chandler:                    City Manager  
                                  City of Chandler  
                                  175 South Arizona Avenue  
                                  Chandler, Arizona 85225

and

                                  City Attorney  
                                  City of Chandler  
                                  175 South Arizona Avenue  
                                  Chandler, Arizona 85225

7.4 Construction. Paragraph headings and captions appearing with this Agreement are for convenient reference only and in no respect define, limit or describe the scope or intent of this Agreement or the provisions of such sections.

7.5 Binding Effect. All terms, provisions and conditions hereof shall be binding upon and inure to the benefit of all parties hereto and their respective heirs, personal representatives, successors and assigns.

7.6 Severability. In the event any term or provision of this Agreement is held to be invalid or unenforceable, the validity of the other provisions shall not be affected, and the Agreement shall be construed and enforced as if it did not contain the particular term or provision that is deemed to be invalid or unenforceable.

7.7 Governing Law. This Agreement will be governed by the laws of the State of Arizona, both as to interpretation and performance.

7.8 Modification. This Agreement may be modified only by mutual written agreement of the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first written above.

FOR CHANDLER:

FOR PHOENIX:  
ED ZUERCHER, CITY MANAGER

\_\_\_\_\_  
By: Kevin Hartke  
Mayor

\_\_\_\_\_  
By: Christine Mackay, Director  
Community & Economic Development

Date: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

ATTORNEY DETERMINATION

In accordance with the requirements of A.R.S. § 11-952(D), each of the undersigned attorneys acknowledge that (1) they have reviewed the above Agreement on behalf of their respective client(s) and (2) as to their respective client(s) only, each attorney has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona.

\_\_\_\_\_  
Kelly Schwab <sup>TA</sup>  
City Attorney, City of Chandler

\_\_\_\_\_  
By: Deryck R. Lavelle  
Assistant Chief Counsel, City of Phoenix

Date: \_\_\_\_\_

Date: \_\_\_\_\_

RESOLUTION 21870

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT ALL FUTURE APPLICATIONS TO THE FOREIGN-TRADE ZONE BOARD OF THE U.S. DEPARTMENT OF COMMERCE TO STREAMLINE THE FOREIGN-TRADE ZONE APPLICATION PROCESS AND PROVIDE A MORE EFFICIENT DELIVERY OF SERVICE FOR APPLICANTS NOT REQUESTING PROPERTY TAX RECLASSIFICATION FOR FOREIGN-TRADE ZONE PROPERTY LOCATED WITHIN THE CITY OF PHOENIX; FURTHER AUTHORIZING TO ENTER INTO FOREIGN-TRADE ZONE OPERATIONS AGREEMENTS AND ANY OTHER NECESSARY DOCUMENTATION WITH FUTURE APPLICANTS; AND FURTHER AUTHORIZING THE CITY TREASURER TO ACCEPT FUNDS.

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHOENIX as follows:

SECTION 1. That the City Manager or his designee is hereby authorized on behalf of the City of Phoenix, as Grantee of Foreign Trade Zone (FTZ) No. 75, to submit all future applications to the Foreign-Trade Zone Board of the U.S. Department of Commerce to streamline the FTZ application process and provide a more efficient delivery of service for applicants not requesting property tax reclassification for FTZ property located within the City of Phoenix. If property tax reclassification for activated FTZ pursuant to Arizona law (A.R.S. 42-12006) is requested for any site within the City

of Phoenix boundaries, a request will be placed on a City Council meeting agenda for consideration and authorization. Each new contract term will be 20 years unless the FTZ designation terminates sooner.

SECTION 2. That the City Manager or his designee is hereby authorized to enter into a FTZ Operations Agreement (Agreement), and any other necessary agreements or documents with future applicants.

SECTION 3. The City Treasurer is authorized to accept funds for the purposes of this Ordinance.

PASSED by the Council of the City of Phoenix this 21st day of October, 2020.

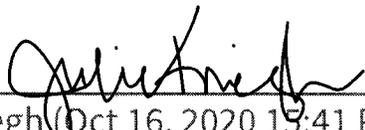
  
MAYOR

ATTEST:

  
Denise Archibald, City Clerk



APPROVED AS TO FORM:  
Cris Meyer, City Attorney

  
BY: Julie Kriegh (Oct 16, 2020 15:41 PDT)  
Julie Kriegh, Chief Assistant City Attorney

  
DRL

REVIEWED BY:

  
Ed Zuercher, City Manager

DRL:rb:LF20-2376:10/21/20:2214952\_1



**City Council Memorandum    Information Technology    Memo No. N/A**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 Sandip Dholakia, Chief Information Officer  
**From:** Rachele Faherty, IT Applications Manager  
**Subject:** Agreement No. IT8-920-3889, Amendment No. 3, for Annual Application Support Services

**Proposed Motion:**

Move City Council approve Agreement No. IT8-920-3889, Amendment No. 3, with Neudesic, LLC, for annual application support services, in the amount of \$123,000, for the period of May 1, 2021, through April 30, 2022.

**Background/Discussion:**

The Capital Projects Division manages approximately \$900 million in Capital Improvement Projects (CIP). In 2018, the division implemented a computerized project management system to leverage project information for transparency, more efficient management and automated reporting.

Phase 1 consisted of developing the Core Portal, where all projects have high-level reports within a system dashboard that displays the status of each project's life-cycle. Phase 2 leveraged the contract fee schedules for streamlined and automated payments to consultants and contractors. Phase 3 and Phase 4 are planned for the future and will allow automated data entry and creation of documents including document sharing, team communication and integrated project calendars.

Neudesic, LLC is the vendor that provides application support and maintenance for this system.

**Evaluation:**

On March 22, 2018, City Council approved an agreement with Neudesic, LLC, for annual application support services, for a one-year period, with the option of up to three one-year extensions. The Contractor has agreed to extend for the final year at the same terms, conditions and pricing.

Staff recommends the final extension of this Agreement for the term of May 1, 2021, through April 30, 2022.

**Fiscal Impact**

Account No.	Fund Name	Program Name	Dollar Amount	CIP Funded Y/N
101.1200.5419	General Fund	N/A	\$123,000	N

## Attachments

Neudesic Agreement Amendment 3



City Clerk Document No. 18-2737

City Council Meeting Date: 4/8/21

**AMENDMENT TO CITY OF CHANDLER AGREEMENT  
APPLICATION SUPPORT SERVICES  
CITY OF CHANDLER AGREEMENT NO. IT8-920-3889**

THIS AMENDMENT NO. 3 is made and entered into by and between the City of Chandler, an Arizona municipal corporation (City), and Neudesic, LLC (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made \_\_\_\_\_, 20\_\_\_\_ (Effective Date).

**RECITALS**

WHEREAS, the Parties entered into an agreement for application support services (Agreement); and

WHEREAS, the term of the Agreement was May 1, 2018 through April 30, 2019, with the option of up to three one-year extensions; and

WHEREAS, the Parties wish to exercise the third option through this Amendment to extend the Agreement for one year.

**AGREEMENT**

NOW THEREFORE, the Parties agree as follows:

1. The recitals are accurate and are incorporated and made a part of the Agreement by this reference.
2. Section 4, Price is amended to read as follows: The City will pay the Contractor the per unit cost set forth in Exhibit B of the original Agreement, which is incorporated into and made a part of this Amendment No. 3 by this reference. Total payments made to the Contractor during the term of this Amendment No. 3 will not exceed \$123,000.
3. Section 5, Term is amended to read as follows: The Agreement is extended for a one-year period May 1, 2021 through April 30, 2022.

4. All other terms and conditions of the Agreement remain unchanged and in full force and effect. If a conflict or ambiguity arises between this Amendment No. 3 and the Agreement, the terms and conditions in this Amendment No. 3 prevail and control.

IN WITNESS WHEREOF, the Parties have entered into this Amendment on the Effective Date.

**FOR THE CITY**

By: \_\_\_\_\_

Its: Mayor

**FOR THE CONTRACTOR**

By: DocuSigned by:  
Michael Ulicky  
AD4C908661E74CD...

Its: Vice President

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
City Attorney *WMM*

**ATTEST:**

By: \_\_\_\_\_  
City Clerk



**City Council Memorandum    Information Technology    Memo No. N/A**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 Sandip Dholakia, Chief Information Officer  
**From:** Andy Sandoval, IT Principal Systems Specialist  
**Subject:** Purchase of Microsoft Software Licenses

**Proposed Motion:**

Move City Council approve the purchase of Microsoft software licenses, from CDW-G, using the Omnia Partners Contract No. 2018011-01 in an amount not to exceed \$723,139.

**Background/Discussion:**

The Information Technology Department is seeking the renewal of the Enterprise Agreement with Microsoft, which includes licensing for Citywide subscriptions for 365, SQL licensing for critical application services, Biztalk licenses for application integrations, Windows 10 licensing for desktop/laptop computers, Windows Server licensing for Infrastructure and Applications, and Sharepoint licensing for departmental applications.

**Evaluation:**

Omnia Partners competitively solicited and awarded a contract for Information Technology Solutions and Services to CDW-G. The City has a current Intergovernmental Agreement with Omnia Partners allowing for the cooperative use of their contracts.

Staff recommends cooperative use of this contract because of the benefit of higher discounts due to the combined large volume purchases. The term of the Omnia Partner's contract is valid through February 23, 2023.

**Fiscal Impact**

<b>Account No.</b>	<b>Fund Name</b>	<b>Program Name</b>	<b>Dollar Amount</b>	<b>CIP Funded Y/N</b>
101.1200.5419	General Fund	N/A	\$28,645	N
101.1280.6316	General Fund	N/A	\$538,336	N
401.1287.6316.0.6IT093	General Government Capital Projects	User Productivity Improvements	\$57,625	Y
403.1290.5419	Technology Replacement	N/A	\$52,263	N
101.2065.5419	General Fund	N/A	\$10,726	N

101.1280.5419

General Fund

N/A

\$35,544

N

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**City Council Memorandum    Management Services    Memo No. 21-046**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
Dawn Lang, Management Services Director  
**From:** Danielle Wells, Revenue and Tax Manager  
**Subject:** License Series 11, Hotel/Motel Liquor License application for Andrea Dahlman Lewkowicz, Agent, Sonesta International Hotels Corporation, dba Sonesta Select Phoenix Chandler

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**Proposed Motion:**

Move for recommendation to the State Department of Liquor Licenses and Control for approval of the State Liquor Job No. 135943, a Series 11, Hotel/Motel Liquor License, for Andrea Dahlman Lewkowicz, Agent, Sonesta International Hotels Corporation, dba Sonesta Select Phoenix Chandler, located at 920 N. 54th Street, and approval of the City of Chandler Series 11, Hotel/Motel Liquor License No. 300649 L11.

**Discussion:**

This application for a liquor license was posted for hearing on April 8, 2021.

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. With a Series 11, Hotel/Motel Liquor License, the business may sell all alcoholic beverages for on-premise consumption only.

The property was previously known as Courtyard by Marriott Phoenix Chandler.

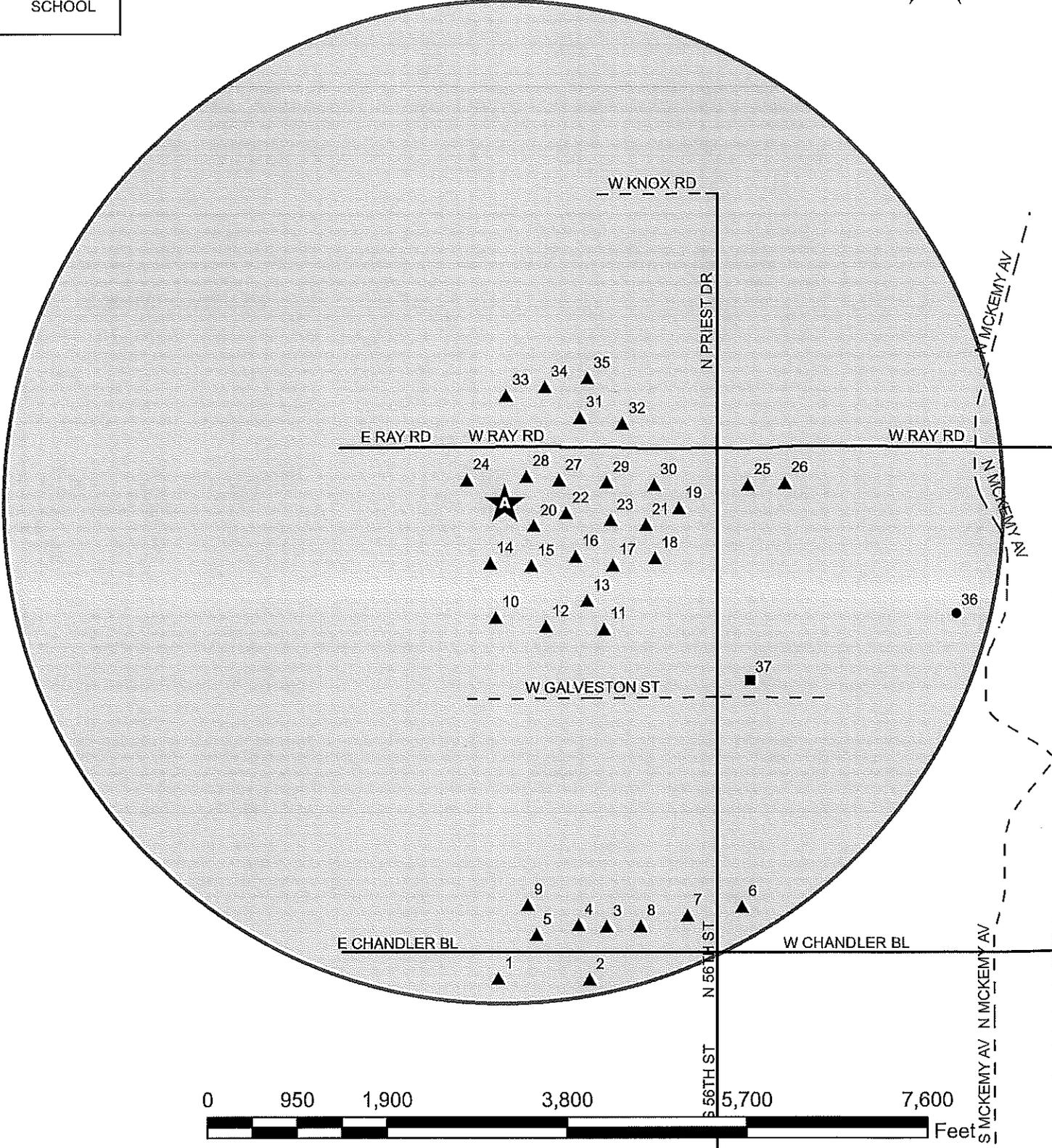
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**Attachments**

A-Map  
B-Floor Plan

**Legend**

- ★ APPLICANT
- ▲ LIQUOR
- CHURCH
- SCHOOL



Source: City of Chandler GIS; Tax and License Division (Tax Mantra)



## Liquor License Map - 920 N. 54th Street

This map shows the locations of all churches, schools and spirituous liquor outlets within a one (1) mile radius of the proposed location.

**Please refer to attached list for additional information**

- A Sonesta Select Phoenix Chandler
- 1 Doubletree By Hilton Phoenix Chandler
- 2 Circle K Store #5400
- 3 Cant Stop Smokin Bar B Q
- 4 Rudys Country Store & Bar-B-Q
- 5 Copper Still Moonshine Grill
- 6 Circle K Stores Inc 5032
- 7 Hawkins Chevron
- 8 Hob Nob Sports Grill
- 9 Homewood Suites Chandler
- 10 Sam'S Club #6213
- 11 18 Degrees Express
- 12 Tokyo Joe'S
- 13 Galeto Brazilian Steakhouse
- 14 Cost Plus World Market
- 15 Az Pho and Grill
- 16 Chipotle Mexican Grill #0026
- 17 Pei Wei Fresh Kitchen
- 18 Zoe'S Kitchen
- 19 Aj'S Fine Foods #87
- 20 Venice Nail Lounge
- 21 Grimaldis Pizzeria
- 22 Smokin Fins
- 23 Fleming Prime Steakhouse 1302
- 24 Bisbee Breakfast Club
- 25 Circle K #5302
- 26 Makutus Island
- 27 Z'Tejas Grill
- 28 Longhorn Steakhouse #5455
- 29 Roy'S Hawaiian Fusion 2303
- 30 Buca Di Beppo
- 31 Red Lobster #6230
- 32 Sandbar Mexican Grill
- 33 Carrabbas Italian Grill #5303
- 34 Outback Steakhouse 0316
- 35 Bevmo
- 36 ADOBE MONTESSORI SCHOOL
- 37 VALLEY CHRISTIAN HIGH SCHOOL

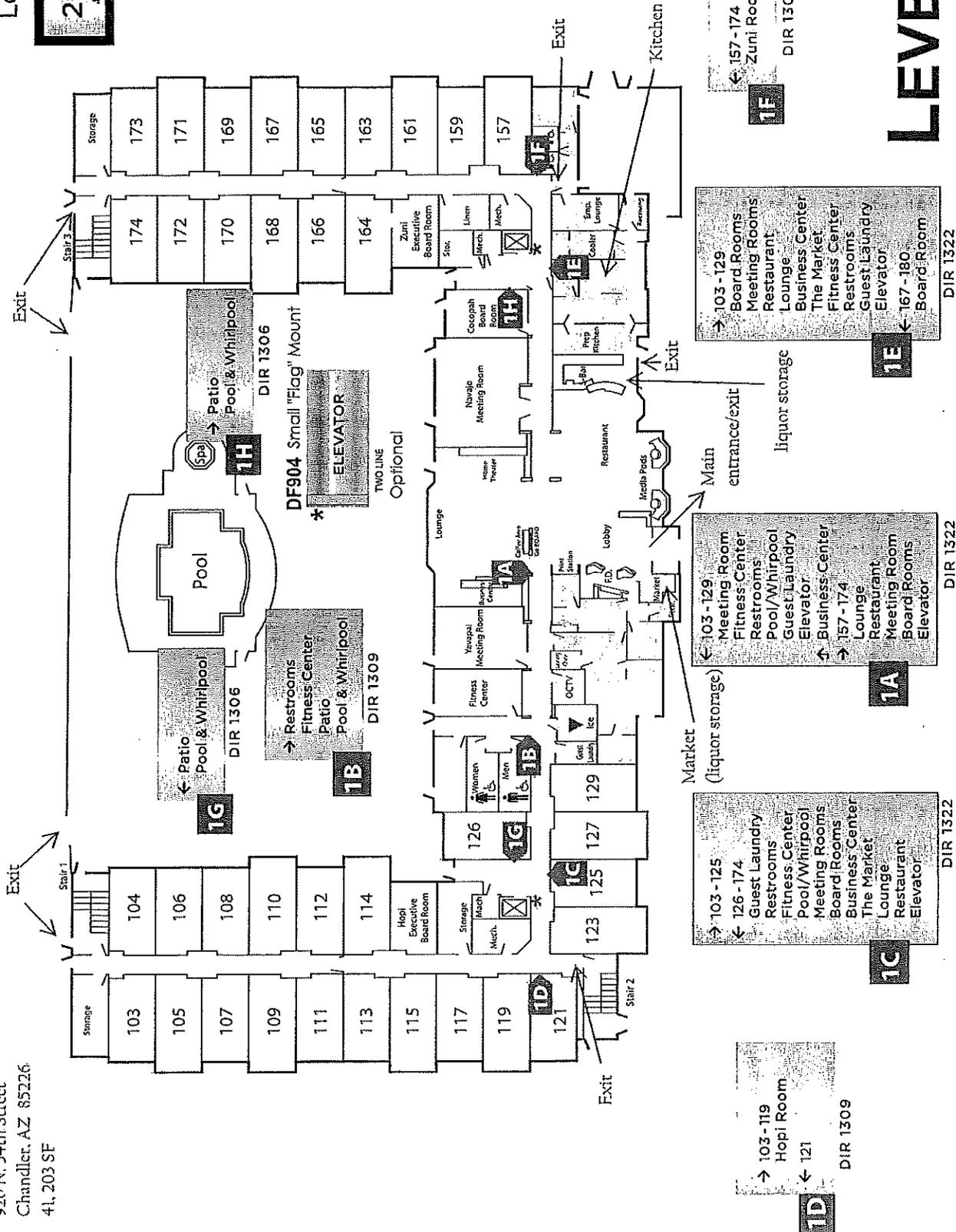
NOTE: The information provided on this page represents all active Liquor Licenses which may include businesses in transition to a new owner/use. Therefore, the prior business name may still be listed since the license has not been final closed.

Sonesta Select Phoenix Chandler  
 920 N. 54th Street  
 Chandler, AZ 85226  
 41, 203 SF

FLOOR PLAN-1  
 Locations



'21 FEB 17 14y, Lic. #1241



LEVEL 1

1D  
 → 103-119  
 Hopi Room  
 ← 121  
 DIR 1309

1C  
 → 103-125  
 Guest Laundry  
 Restrooms  
 Fitness Center  
 Pool/Whirlpool  
 Meeting Rooms  
 Board Rooms  
 The Market  
 Lounge  
 Restaurant  
 Elevator  
 DIR 1322

1A  
 ← 103-129  
 Meeting Room  
 Fitness Center  
 Restrooms  
 Pool/Whirlpool  
 Guest Laundry  
 Elevator  
 → 157-174  
 Business Center  
 Lounge  
 Restaurant  
 Meeting Room  
 Board Rooms  
 Elevator  
 DIR 1322

1E  
 → 103-129  
 Board Rooms  
 Meeting Rooms  
 Restaurant  
 Lounge  
 Business Center  
 The Market  
 Fitness Center  
 Restrooms  
 Guest Laundry  
 Elevator  
 ← 167-180  
 Board Room  
 DIR 1322

1E  
 → 103-129  
 Board Rooms  
 Meeting Rooms  
 Restaurant  
 Lounge  
 Business Center  
 The Market  
 Fitness Center  
 Restrooms  
 Guest Laundry  
 Elevator  
 ← 167-180  
 Board Room  
 DIR 1322

1F  
 ← 157-174  
 Zuni Room  
 DIR 1306

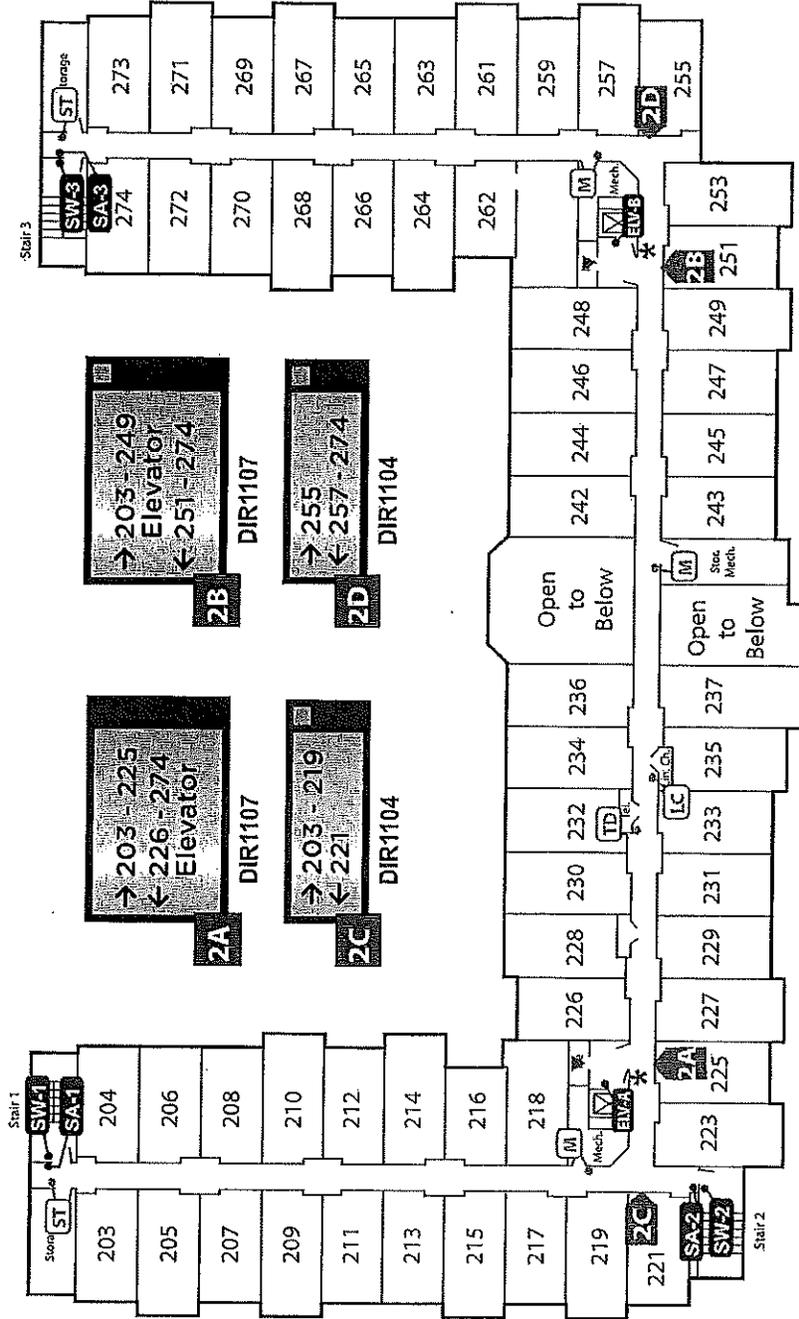


**Chandler, AZ**  
COURTYARD 2008 INTERIOR SIGNAGE

FLOOR PLAN - 2  
Locations



2nd Floor



**AREA LOCATION KEY**

**FIRE SAFETY**  
 ELV= Elevator & Elev. Lobby  
 SA = Stairs (Corridor Posting)  
 SW = Stairwell  
 S-ELV= Service Elevators

**GUEST PUBLIC AREA**  
 GL= Guest Laundry  
 V = Vending

**HOTEL SERVICE AREA IDENTIFICTION**  
 CT - Cart Storage  
 EGO - Engineering Office  
 EL - Electrical Room  
 EM - Electrical / Mechanical  
 EO - Employees Only  
 HK - Housekeeping  
 LC - Linen Chute  
 LR - Linen Room  
 LS - Linen Storage  
 ME - Mechanical Equipment  
 MR - Maintenance Room  
 RA - Roof Access  
 ST - Storage Room  
 TD - Telephones Data  
 WA - Water Room

DF904 Small "Flag" Mount  
\*  
ELEVATOR  
TWO LINE

**LEVEL 2**

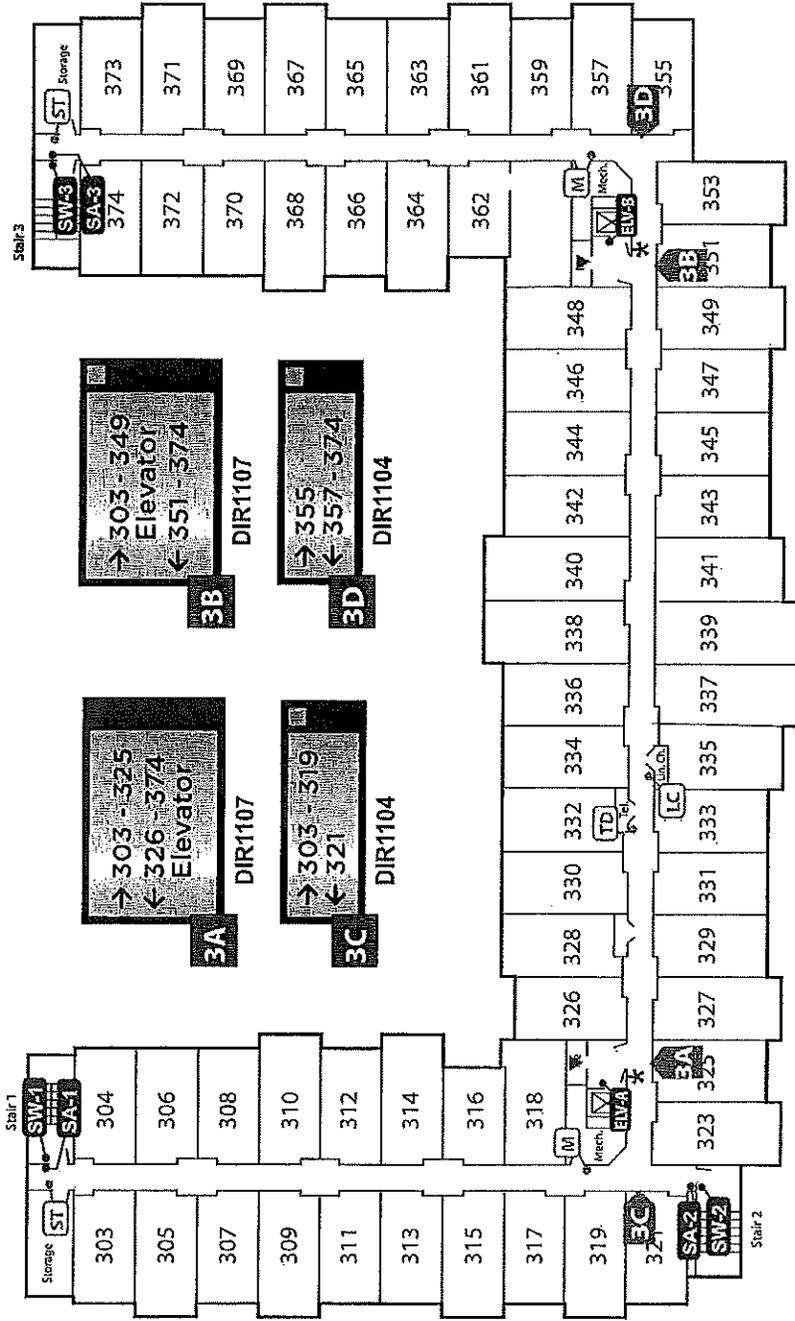


**Chandler, AZ**  
COURTYARD 2008 INTERIOR SIGNAGE

**FLOOR PLAN-3**  
Locations



3rd Floor



**AREA LOCATION KEY**

**FIRE SAFETY**  
 ELV= Elevator & Elev. Lobby  
 SA = Stairs (Corridor Posting)  
 SW = Stairwell  
 (Posted Inside Stairwell)  
 S-ELV= Service Elevators

**GUEST/PUBLIC AREA**  
 GL= Guest Laundry  
 ▼ = Vending

**HOTEL SERVICE AREA IDENTIFICATION**  
 CT = Cart Storage  
 EGO = Engineering Office  
 EL = Electrical Room  
 EM = Electrical Mechanical  
 ED = Employees Only  
 HK = Housekeeping  
 LC = Linen Chute  
 LR = Linen Room  
 LS = Linen Storage  
 ME = Mechanical Equipment  
 MTR = Maintenance Room  
 RA = Roof Access  
 ST = Storage Room  
 TD = Telephone Data  
 WA = Water Room

**DF904 Small "Flag" Mount**  
\*  
ELEVATOR  
TWO LINE

**LEVEL 3**





**City Council Memorandum    Police Memo No. N/A**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
Sean Duggan, Police Chief  
**From:** Chris Perez, Police Commander  
**Subject:** Photo Enforcement

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**Proposed Motion:**

Move City Council approve Agreement No. PD5-961-3521, Amendment No. 1, with American Traffic Solutions, Inc., dba Verra Mobility, for photo enforcement, in a combined amount not to exceed \$2,500,000, for the period of five years beginning April 1, 2021 through March 31, 2026.

**Background/Discussion:**

The City first entered into an agreement for the photo enforcement program in February 2007. On September 24, 2015, City Council approved the renewal of this contract through March 31, 2021, with the option of up to one five-year extensions.

The goal of the photo enforcement program is to reduce overall accidents and further reduce the severity of accidents that do occur. Studies conducted in Chandler show that there is a statistically significant reduction in accidents at intersections that are photo enforced. The Police Department's experience with photo enforcement as a tool to reduce accidents and increase traffic safety has been positive.

Expert witnesses will be provided by the Contractor as reasonably necessary to establish the accuracy, calibration, maintenance, repair records, technical operations, and effectiveness of the Axis photo enforcement system for contested citations. After presentation of such testimony, the City may request additional testimony from a Contractor expert witness for challenges beyond standard violation complaint appearances. Testimony by all Contractor witnesses will be provided at no additional cost to the City.

In the event that this program generates positive cash flow, all funds will be used by the Police Department and Traffic Engineering for traffic safety enhancements, including signage, roadway improvements, and other items that increase traffic safety in Chandler.

If the contract is terminated for convenience, the Contractor will be compensated for non-amortized costs incurred for installation. Staff and the Contractor will collaborate for a seamless transition.

**Evaluation:**

On September 24, 2015, City Council approved an agreement with American Traffic Solutions, Inc., dba Verra Mobility, for the photo enforcement program, for a five-year period, with the option of up to one five-year extensions. The City and Contractor have agreed to add expert testimony services to the Agreement. The fee per actionable activation will be adjusted from \$20 to \$20.75. All other terms and conditions remain the same.

**Financial Implications:**

Cost: \$500,000 per year

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<b>Fiscal Impact</b>				
<b>Account No.</b>	<b>Fund Name</b>	<b>Program Name</b>	<b>Dollar Amount</b>	<b>CIP Funded Y/N</b>
101.1290.5263.0.0.0	General Fund	Photo Enforcement	\$500,000	N

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**Attachments**

Amendment No. 1 Traffic Solutions



City Clerk Document No. \_\_\_\_\_

City Council Meeting Date: March 25, 2021

**AMENDMENT TO CITY OF CHANDLER AGREEMENT  
PHOTO ENFORCEMENT  
CITY OF CHANDLER AGREEMENT NO. PD5-961-3521**

THIS AMENDMENT NO. 1 (Amendment No. 1) is made and entered into by and between the City of Chandler, an Arizona municipal corporation (City), and American Traffic Solutions, Inc. dba Verra Mobility, (Contractor), (City and Contractor may individually be referred to as Party and collectively referred to as Parties) and made March 3, 2021 (Effective Date).

**RECITALS**

WHEREAS, the Parties entered into an agreement for the photo enforcement program (Agreement); and

WHEREAS, the term of the Agreement was April 1, 2016 through March 31, 2021, with the option of up to one five-year extension; and

WHEREAS, the Parties wish to exercise the first option through this Amendment to extend the Agreement for five years.

**AGREEMENT**

NOW THEREFORE, the Parties agree as follows:

1. The recitals are accurate and are incorporated and made a part of the Agreement by this reference.
2. Section 4, Price is amended to read as follows: The City will pay the Contractor the per unit cost set forth in Revised Exhibit B attached hereto and made a part of this Amendment No. 1 by this reference. Total payments made to the Contractor during the term of this Amendment No. 1 will not exceed \$2,500,000.
3. Section 5, Term is amended to read as follows: The Agreement is extended for a five-year period, April 1, 2021 through March 31, 2026.

- 4. Section 7, Support is amended to include the following:  
7.3 Expert witnesses will be provided by Contractor as reasonably necessary to establish the accuracy, calibration, maintenance, repair records, technical operations, and effectiveness of the Contractor's equipment and systems for contested citations. After presentation of such testimony, the City may request additional testimony from a Contractor expert witness for challenges beyond standard violation complaint appearances. Testimony by all Contractor witnesses will be provided at no additional cost to the City.
  
- 5. All other terms and conditions of the Agreement remain unchanged and in full force and effect. If a conflict or ambiguity arises between this Amendment No. 1 and the Agreement, the terms and conditions in this Amendment No. 1 prevail and control.

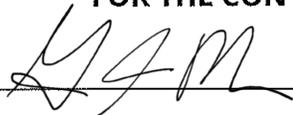
IN WITNESS WHEREOF, the Parties have entered into this Amendment on the Effective Date.

**FOR THE CITY**

By: \_\_\_\_\_

Its: Mayor

**FOR THE CONTRACTOR**

By:  \_\_\_\_\_

Its: Executive Vice President, Government Solutions

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
City Attorney 

**ATTEST:**

By: \_\_\_\_\_  
City Clerk

**REVISED EXHIBIT B  
PRICE PAGE**

**Payment Billing**

Payment to the Contractor for service provided shall be made for all actionable activations occurring the previous 30 days. An actionable activation is an activation where the images of the driver and license plate are identifiable for court purposes and the driver's gender/age matches the registered owner's or the nomination protocol for rental or business owned vehicles has produced a person who's gender/age matches the image. All instances where the gender/age of the registered owner and the driver appear to match will be considered actionable even if this is later shown to be false.

The City will not be responsible for payment to the Contractor for any image, which is determined by the Contract Administrator to not be an actionable activation.

Price per Actionable Activation: \$20.75





**City Council Memorandum    Public Works & Utilities    Memo No. RE21-095**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
Debra Stapleton, Assistant City Manager  
John Knudson, Public Works & Utilities Director  
Andrew Goh, Capital Projects Manager  
**From:** Erich Kuntze, Real Estate Manager  
**Subject:** Final Adoption of Ordinance No. 4964 Authorizing the Sale of a Parcel of City-Owned Land at the Southwest Corner of McQueen Road and Pecos Road to WNDG, LLC, an Arizona Limited Liability Company

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**Proposed Motion:**

Move City Council approve final adoption of Ordinance No. 4964 authorizing the sale of a parcel of City-owned land at southwest corner of McQueen Road and Pecos Road to WNDG, LLC, an Arizona Limited Liability Company.

**Background:**

WNDG, LLC, is developing a retail center at the southwest corner of McQueen and Pecos roads. Consideration of the applicant's rezoning appears as a separate item on this City Council agenda. There is a small City-owned parcel at this location that was previously used as a wastewater lift station. WNDG, LLC, has offered to pay the City five hundred dollars (\$500.00) for the parcel so that it can be added into their development. This amount is a typical value the City pays for remnant parcels when acquiring portions within existing roadways. This parcel is an uneconomic remnant of little value and must be maintained by the City at the expense of its citizens. WNDG, LLC, will landscape the parcel and maintain it in the future.

Staff has reviewed and approved the legal description and recommends City Council approve the sale of the property to WNDG, LLC.

**This Ordinance was introduced and tentatively adopted on March 25, 2021.**

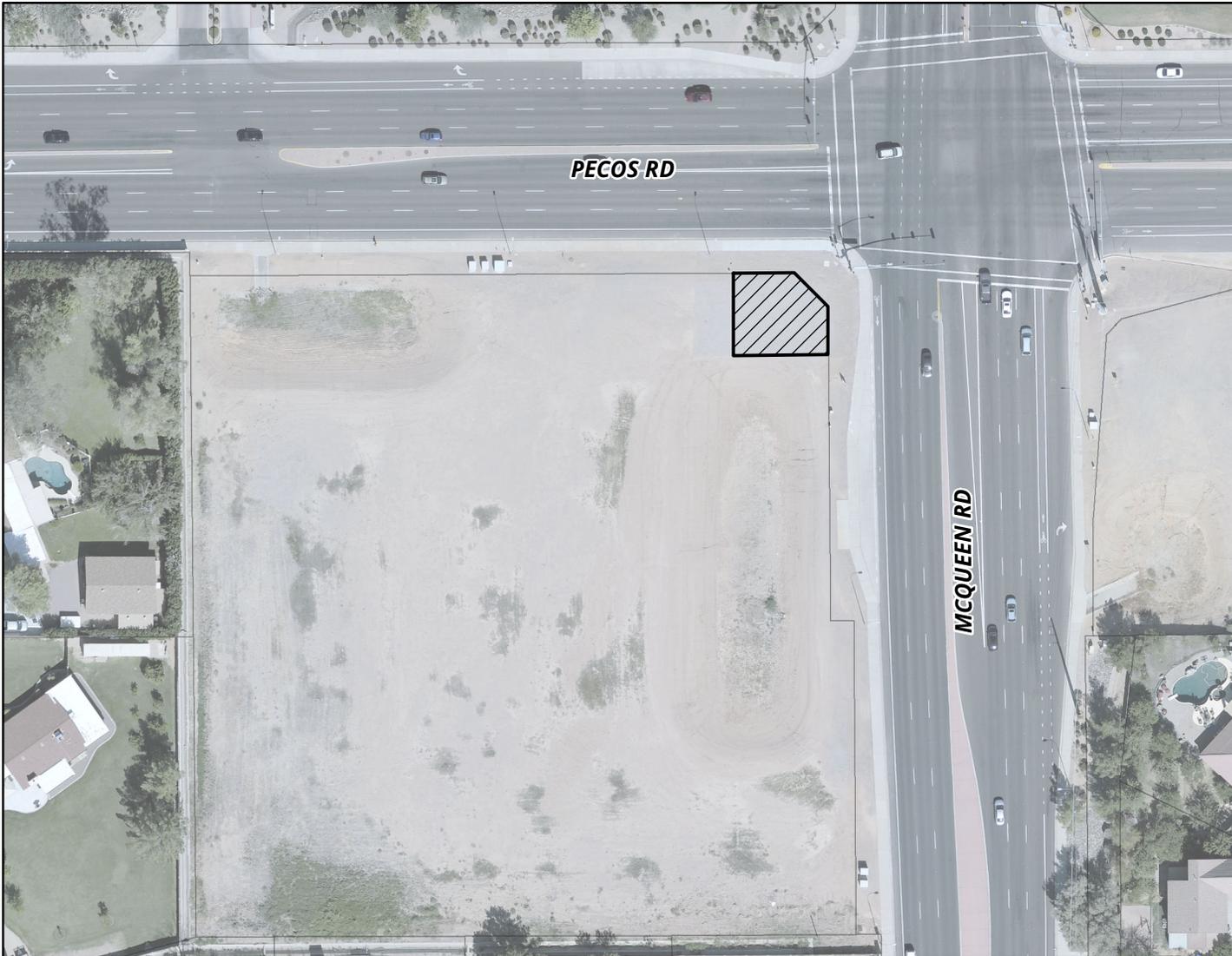
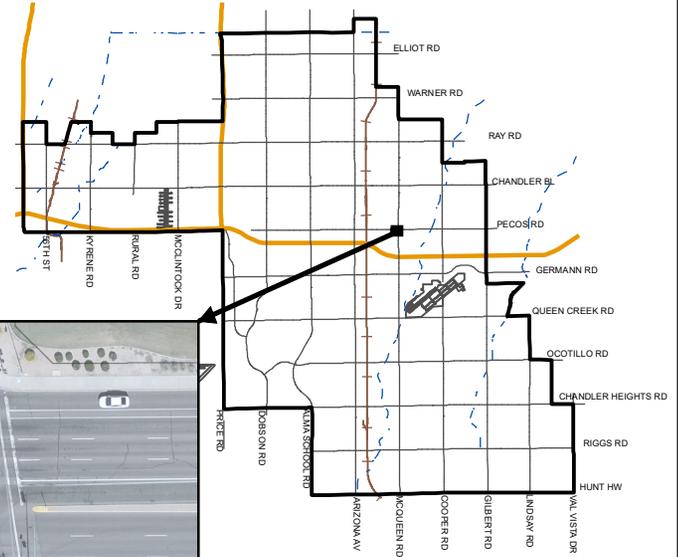
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**Attachments**

Location Map  
Ordinance No. 4964



**SALE OF A PARCEL OF CITY OWNED LAND AT  
THE SOUTHWEST CORNER OF MCQUEEN ROAD  
AND PECOS ROAD, ASSESSOR'S PARCEL NUMBER  
303-28-252D, TO WNDG, L.L.C., IN CONSIDERATION  
FOR THE PAYMENT OF FIVE HUNDRED (\$500.00) DOLLARS**



**MEMO NO. RE21-095  
ORDINANCE 4964**



**ORDINANCE NO. 4964**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHANDLER, ARIZONA, AUTHORIZING THE SALE OF A PARCEL OF CITY-OWNED LAND AT THE SOUTHWEST CORNER OF MCQUEEN ROAD AND PECOS ROAD TO WNDG, LLC, AN ARIZONA LIMITED LIABILITY COMPANY.

WHEREAS, the City of Chandler owns a parcel of land at the southwest corner of McQueen Road and Pecos Road as more fully described in the attached Exhibit "A" (the "Property"); and

WHEREAS, the City previously abandoned its facilities on the Property; and

WHEREAS, the Property is an uneconomic remnant that has little or no value and must be maintained by the City at an expense to its citizens; and

WHEREAS, WNDG, LLC, an Arizona limited liability company, is developing a retail center adjacent to the Property and has offered to purchase the Property for Five Hundred Dollars (\$500.00); and

WHEREAS, the sale of the Property will benefit the citizens of Chandler by relieving them from the burden of maintaining the Property.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

Section 1. That the real property located at the southwest corner of McQueen Road and Pecos Road as more fully described in Exhibit "A", shall be conveyed to WNDG, LLC, an Arizona limited liability company, for the consideration of Five Hundred Dollars (\$500.00).

Section 2. That the conveyance of the Property shall be by Quit Claim Deed substantially in the form attached hereto as Exhibit "B".

Section 3. That the Mayor of the City of Chandler, Arizona, is hereby authorized to execute the Quit Claim Deed and this Ordinance on behalf of the City.

INTRODUCED AND TENTATIVELY APPROVED by the City Council of the City of Chandler, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the Mayor and City Council of the City of Chandler, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 4964 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 , and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY 

EXHIBIT "A"

## Legal Description

A portion of the Northeast quarter of Section 3, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the Northeast Corner of said Section 3 from which the North Quarter Corner of said Section 3 bears S 89 Degrees 44 minutes 00 seconds West a distance of 2,646.35 feet;

THENCE along the North line of said Section 3 South 89 degrees 44 minutes 00 seconds West a distance of 135.84 feet;

THENCE departing said North line South 00 degrees 16 minutes 00 seconds East, a distance of 65.00 feet to the South Right-of-Way Line of Pecos Road and the POINT OF BEGINNING;

THENCE South 00 degrees 27 minutes 29 seconds East, a distance of 49.00 feet;

THENCE North 89 degrees 44 minutes 00 seconds East, a distance of 57.00 feet to the West Right-of-Way line of McQueen Road;

THENCE North 00 degrees 27 minutes 32 seconds West along the West Right-of-Way line of McQueen Road, a distance of 29.00 feet;

THENCE North 45 degrees 21 minutes 46 seconds West, a distance of 28.33 feet to a point on the South Right-of-Way line of Pecos Road;

THENCE South 89 degrees 44 minutes 01 seconds West, along the South Right-of-Way line of Pecos Road a distance of 37.00 feet to the POINT OF BEGINNING.

Containing an area of 2,627.8 square feet (0.06 acres) more or less.

Note: The legal description above is based on county and municipal documents. It is not based on a boundary survey of the subject parcel.

EXHIBIT "B"

WHEN RECORDED, RETURN TO:  
City Clerk's Office  
P.O. Box 4008, Mail Stop 606  
Chandler, Arizona 85244-4008

APN: 303-28-252D  
Section 3, Township 2 South, Range 5 East

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This document is exempt from Affidavit and Fee requirements pursuant to A.R.S.  
11-1134.A.3.

**QUIT CLAIM DEED**

For the consideration of TEN AND NO/100 DOLLARS, (\$10.00), and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged,

**CITY OF CHANDLER,**  
an Arizona municipal corporation,

(Grantor), does hereby quit claim, without warranty, to **WNDG, L.L.C., an Arizona limited liability company** ("Grantee"), all right, title and interest in that certain real property situated in Maricopa County, Arizona, more particularly described in **Exhibit A** attached hereto and made a part hereof.

GRANTOR: City of Chandler,  
an Arizona municipal corporation

By: \_\_\_\_\_  
Mayor Kevin Hartke

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney 

STATE OF ARIZONA        )  
  ) ss.  
County of Maricopa        )

On this, the \_\_\_\_ day of \_\_\_\_\_, 2021, before me, the undersigned Notary Public, personally appeared Kevin Hartke, who acknowledged himself to be the Mayor of the City of Chandler, an Arizona municipal corporate, and that he, as such officer being authorized so to do, executed the foregoing Quit Claim Deed for the purposes therein contained.

\_\_\_\_\_  
Notary Public

My Commission Expires:

**A.R.S. § 41-313(C) DISCLOSURES**

<b>Description of document this notarial certificate is being attached to:</b>	
Type/Title	Quit Claim Deed
Date of Document	
Number of Pages	4 which includes Exhibit A
Add'l Signers (other than those named in the notarial certificate.)	None

EXHIBIT "A"

## Legal Description

A portion of the Northeast quarter of Section 3, Township 2 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the Northeast Corner of said Section 3 from which the North Quarter Corner of said Section 3 bears S 89 Degrees 44 minutes 00 seconds West a distance of 2,646.35 feet;

THENCE along the North line of said Section 3 South 89 degrees 44 minutes 00 seconds West a distance of 135.84 feet;

THENCE departing said North line South 00 degrees 16 minutes 00 seconds East, a distance of 65.00 feet to the South Right-of-Way Line of Pecos Road and the POINT OF BEGINNING;

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THENCE South 89 degrees 44 minutes 01 seconds West, along the South Right-of-Way line of Pecos Road a distance of 37.00 feet to the POINT OF BEGINNING.

Containing an area of 2,627.8 square feet (0.06 acres) more or less.

Note: The legal description above is based on county and municipal documents. It is not based on a boundary survey of the subject parcel.



**City Council Memorandum    Public Works & Utilities    Memo No. CP21-106**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
 Debra Stapleton, Assistant City Manager  
 John Knudson, Public Works and Utilities Director  
 Andrew Goh, Capital Projects Manager  
**From:** Daniel Haskins, Engineer  
**Subject:** Project Agreement No. WW2003.401, with Garney Companies, Inc., Pursuant to Job Order Contract No. JOC1914.401, for the Airport Water Reclamation Facility Headworks Drain Piping

**Proposed Motion:**

Move City Council award Project Agreement No. WW2003.401 to Garney Companies, Inc., Pursuant to Job Order Contract No. JOC1914.401, for the Airport Water Reclamation Facility Headworks Drain Piping, in an amount not to exceed \$391,070.

**Background/Discussion:**

The Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, has been in operation since 1997. As wastewater enters the headworks building, it passes through filter screens to remove large debris utilizing a network of concrete channels. These channels are designed to be periodically drained to fully access the filter screens for maintenance and repair. However, the valves and piping associated with this drain system are in poor condition, and City staff is limited in their maintenance activities on the filter screens.

The project scope of work consists of removal and replacement of valves, piping, and appurtenances associated with the channel drainage system in the AWRF headworks building. The work will be coordinated with AWRF staff to minimize disruption to the treatment process. The contract completion time is 180 calendar days following Notice to Proceed.

A related Professional Services Agreement with Brown and Caldwell, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services, is also scheduled for this City Council meeting.

**Evaluation:**

The selection process was conducted in accordance with City policy and procedure and State law. The costs proposed for this project have been evaluated by staff and determined to be reasonable.

**Fiscal Impact**

Account No.	Fund Name	Program Name	Dollar Amount	CIP Funded Y/N
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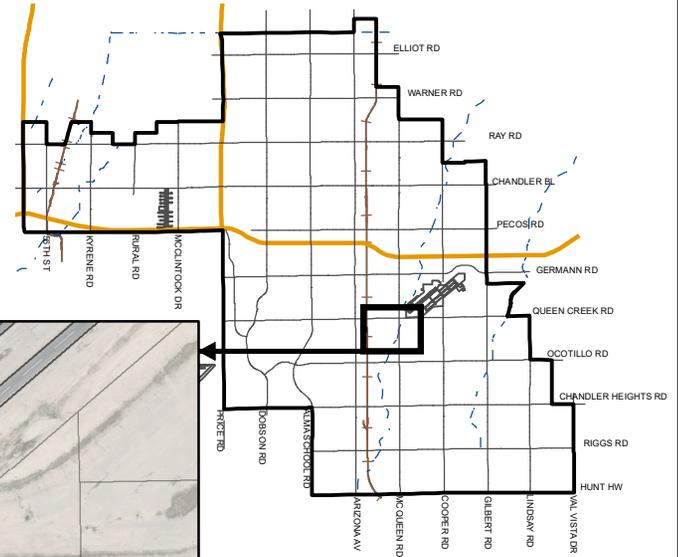
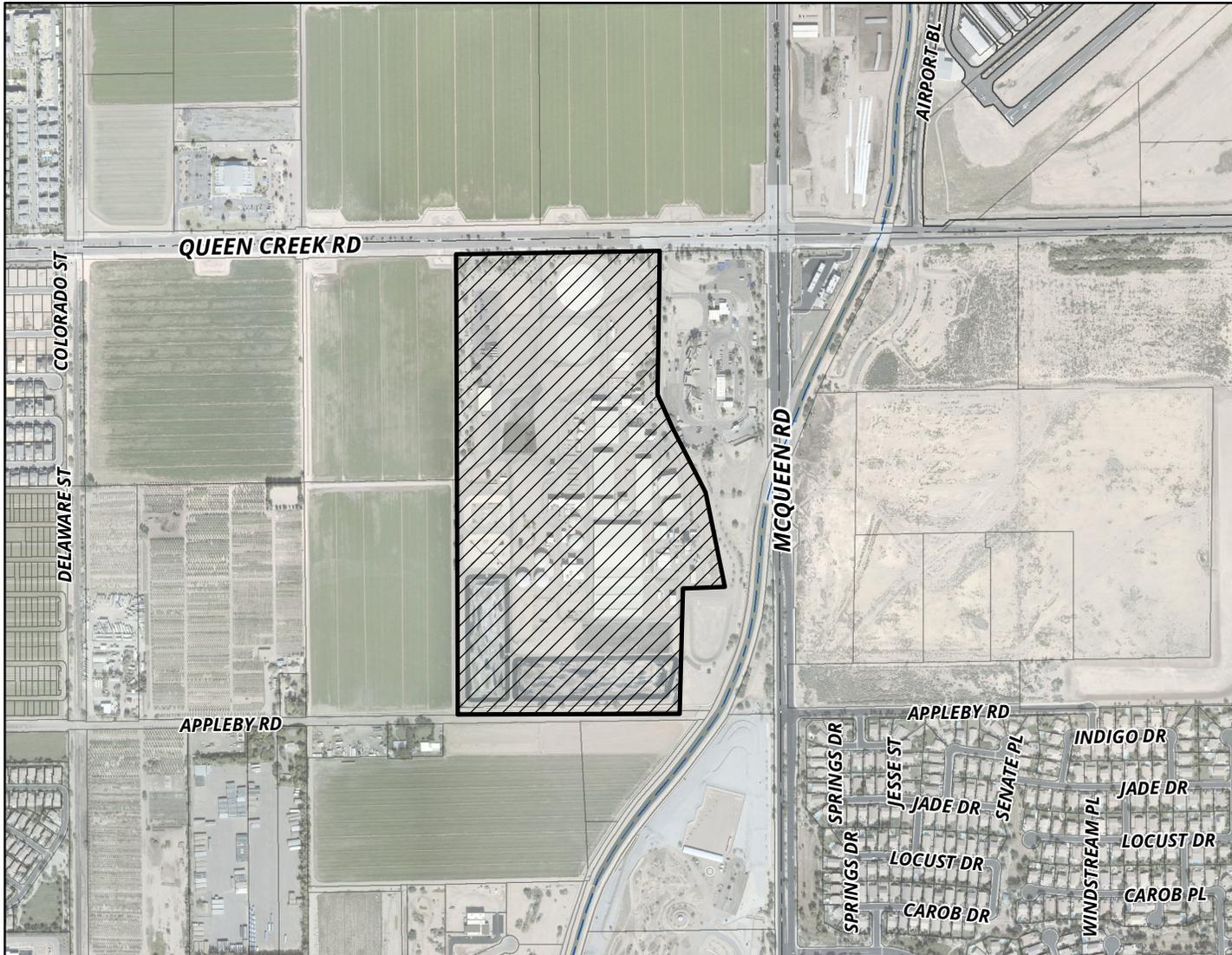
611.3910.6817.6WW621	Wastewater Bonds	Water Reclamation Facility Imprvmnt	\$301,000	Y
615.3910.6814.6WW621	Wastewater Operating	Water Reclamation Facility Imprvmnt	\$90,070	Y

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### **Attachments**

Location Map  
Agreement

# AWRF HEADWORKS DRAIN PIPING PROJECT NO. WW2003.401



**MEMO NO. CP21-106**

 PROJECT SITE





**CITY OF CHANDLER  
JOB ORDER PROJECT AGREEMENT**

Project Name: **AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING**

Project No. **WW2003.401**

This JOB ORDER PROJECT AGREEMENT ("Job Order") is made this \_\_\_\_\_ day of \_\_\_\_\_ 2021 ("Effective Date"), by and between the City of Chandler, an Arizona municipal corporation, ("City") and **Garney Companies, Inc.**, a Missouri corporation, ("JOC Contractor") and is entered into pursuant to Job Order Master Agreement No. JOC1914.401 ("JOC Master Agreement"). City and JOC Contractor may be referred to individually as "Party" or collectively as "Parties").

City and JOC Contractor, in consideration of the mutual covenants herein set forth, agree as follows:

**RECITALS**

A. On or about December 17, 2019, the Parties entered into the JOC Master Agreement, which terms and conditions are made a part of and incorporated into this Job Order Project Agreement by this reference.

B. City proposes to engage JOC Contractor to provide headworks drain piping at the Airport Water Reclamation Facility as more fully described in **Exhibit "A"**, which is attached to and made a part of this Job Order by this reference.

C. JOC Contractor is ready, willing, and able to provide the services described in **Exhibit "A"** for the compensation and fees set forth and as described in **Exhibit "B"**, which is attached to and made a part of this Agreement by this reference.

**ARTICLE 1. DESCRIPTION OF WORK**

The Parties enter into this Job Order Project Agreement for the **AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING**, Project Number **WW2003.401**. The scope of work consists of providing headworks drain piping at the Airport Water Reclamation Facility, all as more particularly set forth in **Exhibit "A"** attached hereto and incorporated herein by reference.

The JOC Contractor will not accept any change of scope, or change in contract provisions, unless issued in writing, as a contract amendment or change order and signed by the authorized signatories for each party.

Performance and Payment Bonds, as set forth in **Exhibit "C"** and **Exhibit "D"** respectively attached hereto and incorporated herein by reference, will be due prior to execution of each Job Order Project Agreement in the full amount of each Job Order.

At project completion, JOC Contractor must complete Contractor's Affidavit Regarding Settlement of Claims and Certificate of Completion, as set forth in **Exhibit "E"** and **Exhibit "F"** respectively attached hereto and incorporated herein by reference.

**ARTICLE 2. PROJECT PRICE**

City will pay JOC Contractor for completion of the Work in accordance with the JOC Master Agreement a fee not to exceed the Guaranteed Maximum Price of **\$391,070** Dollars determined and payable as set forth in JOC Master Agreement and **Exhibit "B"** attached hereto and made a part hereof by reference.

**ARTICLE 3. CONTRACT TIME & SCHEDULE**

JOC Contractor agrees to complete all Construction within **180** calendar days from the Notice to Proceed (NTP) Date.

**ARTICLE 4. PARTICIPANTS**

CITY:	Construction Project Manager: Paul Ahlas	
	Phone:	480-782-3328
	Email:	paul.ahlas@chandleraz.gov
JOC CONTRACTOR:	Garney Companies, Inc.	
	4435 E. Holmes Ave., Ste. 102 Mesa, AZ 85206	
	JOC Contractor Representative: Shane O'Brien	
	Phone:	720-375-0988
	Email:	sobrien@garney.com

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the Parties have executed this Job Order as of the Effective Date.

**"CITY"**  
CITY OF CHANDLER:

**"JOC CONTRACTOR"**  
Garney Companies, Inc.:

\_\_\_\_\_  
MAYOR Date

  
\_\_\_\_\_  
Signature Date 3/10/2021

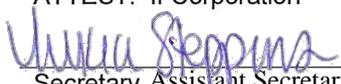
Recommended By:

\_\_\_\_\_  
Joel Heimbeck  
Print Name

\_\_\_\_\_  
Andrew Goh, P.E.  
CIP City Engineer

\_\_\_\_\_  
Director of Operations  
Title

APPROVED AS TO FORM:

ATTEST: If Corporation  
  
\_\_\_\_\_  
Secretary Assistant Secretary



\_\_\_\_\_  
City Attorney By: 

ADDRESS FOR NOTICE

ATTEST:

\_\_\_\_\_  
Garney Companies, Inc.

\_\_\_\_\_  
City Clerk SEAL

\_\_\_\_\_  
4435 E. Holmes Ave., Ste. 102

\_\_\_\_\_  
Mesa, AZ 85206

ADDRESS FOR NOTICE  
City of Chandler  
P.O. Box 4008, Mail Stop 407  
Chandler, AZ 85244-4008

**EXHIBIT A  
SCOPE OF WORK**

## Exhibit A

### Scope

#### JOC WW2003.401 – Airport WRF Headworks Drain

1. JOC must perform the following project tasks per Brown and Caldwell plans and specs dated December 22, 2020 and as modified below:
  - a. Mobilize to site
  - b. Excavate and Backfill new drain piping, tie-in into existing lift station and restore landscaping to existing condition.
    - i. Proposal assumes that routing to be modified in the field based on existing pipe/supports impeding route. Garney to maintain adequate fall as necessary.
    - ii. Proposal assumes that connecting drain lines can be offline during installation/tie-in and no temporary bypass pumping is included.
    - iii. Proposal assumes use of ½ Sack CLSM in lieu of native backfill material.
    - iv. Proposal assumes that existing drain line to be abandoned in place in lieu of removal.
  - c. Investigate condition of existing pipe penetrations
  - d. Temporary installation of Owner supplied stop logs and additional temporary bulkheads, nuisance pumping and cleaning of existing channel per the MOPO noted in the documents.
    - i. Temporary bypass pumping of the plant influent is not included nor required.
    - ii. OSHA safety standards require H2S to be at 5 PPM which is lower than current readings. Proposal includes standard push/pull fan system in order to obtain/maintain safe working levels. If standard fan system is not adequate to obtain/maintain safe working levels, Garney assumes that additional equipment and delays are to be paid by Owner's Allowance.
  - e. Demo and dispose of existing mud valves, pipe penetration, flanges, and appurtenances.
    - i. Proposal assumes use of owner supplied stop logs to isolate headworks channels as needed.
  - f. Demo/dispose existing exposed drain piping and install new exposed Drain Piping, mud valves, supports and penetrations as shown on the drawings
    - i. Proposal includes the use/acceptance of Victaulic fittings and couplings in lieu of flange fittings. Grooved ends on straight pipe to be completed in the field.
    - ii. Proposal includes painting the exterior pipe as needed.
    - iii. Proposal includes use of Armorlok PVC liner boots as submitted by Sonco as the Ameron PVC T-Lock is no longer available.
  - g. Install new SST drip tray and supports, 2" PVC drain piping, modify electrical Unistrut as necessary and wall coating
  - h. Test Pipe as necessary
2. Allowances included in this Proposal: City Allowance - \$45,000
3. Schedule is based on 3 months for procurement/delivery of material and 2 months for construction
4. Specifically excluded from this proposal are: Building Permits, Engineering (including professional engineered design of pipe system and supports), remediation of contamination and hazardous material handling.

**EXHIBIT B  
FEE SCHEDULE**



ADVANCING WATER

4435 E. Holmes Ave, Suite 102, Mesa AZ 85206  
 Phone: 602.470.0001  
 Fax: 602.470.0025  
 www.garney.com

EXHIBIT "B-1"  
 Job Order Cost Proposal  
 Summary Sheet

WW2003.401 AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN

<b>Negotiated Prices</b>		
General Conditions		\$ 56,338
<b>SUBTOTAL (NEGOTIATED PRICES):</b>		<b>\$ 56,338</b>
<b>Unit Prices</b>		
Unit Price (Per Unit Price Attachment)		\$ 224,099
<b>SUBTOTAL (NEGOTIATED PRICES):</b>		<b>\$ 224,099</b>
<b>Overhead and Profit</b> (Coefficient per Job Order Master Agreement)	<b>0.08</b>	<b>\$ 22,435</b>
<b>SUBTOTAL (NEGOTIATED PRICES + OVERHEAD AND PROFIT):</b>		<b>\$ 302,872</b>
<b>Insurance, Bonds, &amp; Taxes</b>		
Sales Tax Percentage (Current Tax Rate)	<b>5.07%</b>	\$ 15,356
General Liability Insurance Percentage (Actual Cost per Job Order)	<b>1.35%</b>	\$ 4,089
Builder's Risk Insurance Percentage (Actual Cost per Job Order)	<b>0.343%</b>	\$ 1,039
Payment Bond (Actual Cost per Job Order)	<b>7.5%</b>	\$ 22,715
Performance Bond (Actual Cost per Job Order)	<b>included</b>	\$ -
<b>SUBTOTAL (INSURANCE, BONDS, &amp; TAXES):</b>		<b>\$ 43,199</b>
<b>SUBTOTAL (NEGOTIATED PRICES + OVERHEAD AND PROFIT + INSURANCE, BONDS, &amp; TAXES):</b>		<b>\$ 346,070</b>
<b>City's Allowance</b>		<b>\$ 45,000</b>
<b>TOTAL JOB ORDER:</b>		<b>\$ 391,070</b>

*Per the Job Order Master Agreement - This Fee Table includes all fees, costs, insurance and bond premiums, allowances, construction contingency, and taxes of any type necessary to fully, properly and timely perform and construct the Work. Also per the Job Order Master Agreement - For any portion of the Work which, either through this Contract, Change Order or otherwise, is performed and paid for on a cost, or time and materials basis, the costs may be reimbursed to JOC Contractor and chargeable against the Contract Price will be determined as set forth in MAG 109.5.*



ADVANCING WATER

4435 E. Holmes Ave, Suite 102, Mesa AZ 85206

Phone: 602.470.0001

Fax: 602.470.0025

www.garney.com

**UNIT PRICE ATTACHMENT**

No.	Description	Est. Qty.	Unit	Unit Price	Extended Price
1	Mobilization	1	LS	\$ 7,921	\$ 7,921
2	Piping Excavation and Backfill	1	LS	\$ 28,407	\$ 28,407
3	Landscaping/Gravel Replacement	1	LS	\$ 3,695	\$ 3,695
4	Investigate Existing Condition of Pipe Penetrations	1	LS	\$ 557	\$ 557
5	Demolish Drain Piping, Fittings, Couplings, Pipe Supports, and Appurtenances. <del>Provide Disposal of Demolished Materials</del>	1	LS	\$ 13,246	\$ 13,246
6	Demolish Mud Valves, Pipe Penetrations, Flanges, and Appurtenances. Provide Disposal of <del>Demolished Materials</del>	1	LS	\$ 13,723	\$ 13,723
7	Purchase and Install Pipe Penetrations in Concrete Floor	1	LS	\$ 11,302	\$ 11,302
8	Purchase and Install Mud Valves, Pipe Boots, and Appurtenances	1	LS	\$ 23,569	\$ 23,569
9	Purchase and Install Exposed Pipe, Fittings Couplings, Flanges, and Appurtenances	1	LS	\$ 90,464	\$ 90,464
10	Purchase and Install Buried Pipe, Fittings Couplings, Flanges, and Appurtenances	1	LS	\$ 14,505	\$ 14,505
11	Purchase and Install Pipe Hangers/ Supports	1	LS	\$ 5,316	\$ 5,316
12	Purchase and Install Drip Tray and Appurtenances	1	LS	\$ 5,039	\$ 5,039
13	Testing	1	LS	\$ 6,354	\$ 6,354
BASE BID (Items 1- 13 inclusive)				\$	224,099
					(In Numbers)

**EXHIBIT C**

**PERFORMANCE BOND**

ARIZONA STATUTORY PERFORMANCE BOND  
PURSUANT TO TITLES 28, 34, AND 41, ARIZONA REVISED STATUTES  
(Penalty of this bond must be 100% of the Contract amount)

**KNOW ALL MEN BY THESE PRESENTS THAT:** \_\_\_\_\_  
(hereinafter "Principal"), and \_\_\_\_\_ (hereinafter "Surety"), a corporation organized and existing under the laws of the State of \_\_\_\_\_ with its principal office in the City of \_\_\_\_\_, holding a certificate of authority to transact surety business in Arizona issued by the Director of Insurance pursuant to Title 20, Chapter 2, Article 1, as Surety, are held and firmly bound unto \_\_\_\_\_ (hereinafter "Obligee") in the amount of \_\_\_\_\_ (Dollars) (\$\_\_\_\_\_), for the payment whereof, Principal and Surety bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Obligee, dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ for construction of **AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING, WW2003.401** which contract is hereby referred to and made a part hereof as fully and to the same extent as if copies at length herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal faithfully performs and fulfills all the undertakings, covenants, terms, conditions and agreements of the contract during the original term of the contract and any extension of the contract, with or without notice of the Surety, and during the life of any guaranty required under the contract, and also performs and fulfills all the undertakings, covenants, terms, conditions, and agreements of all duly authorized modifications of the contract that may hereafter be made, notice of which modifications to the Surety being hereby waived, the above obligation is void. Otherwise it remains in full force and effect.

PROVIDED, HOWEVER that this bond is executed pursuant to the provisions of Title 34, Chapter 2, Article 2, Arizona Revised Statutes, and all liabilities on this bond will be determined in accordance with the provisions of Title 34, Chapter 2, Article 2, Arizona Revised Statutes, to the same extent as if it were copied at length in this Contract.

The prevailing party in a suit on this bond may recover as part of the judgment reasonable attorney fees that may be fixed by a judge of the court.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
AGENT OF RECORD

\_\_\_\_\_  
PRINCIPAL SEAL

By \_\_\_\_\_

\_\_\_\_\_  
SURETY SEAL

\_\_\_\_\_  
AGENT ADDRESS

**EXHIBIT D**

**PAYMENT BOND**

ARIZONA STATUTORY PAYMENT BOND  
PURSUANT TO TITLES 28, 34, AND 41, OF THE ARIZONA REVISED STATUTES  
(Penalty of this Bond must be 100% of the Contract amount)

**KNOW ALL MEN BY THESE PRESENTS THAT:** \_\_\_\_\_

(hereinafter "Principal"), as Principal, and \_\_\_\_\_(hereinafter "Surety"), a corporation organized and existing under the laws of the State of \_\_\_\_\_ with its principal office in the City of \_\_\_\_\_, holding a certificate of authority to transact surety business in Arizona issued by the Director of the Department of Insurance pursuant to Title 20, Chapter 2, Article 1, as Surety, are held and firmly bound unto \_\_\_\_\_ (hereinafter "Obligee") in the amount of \_\_\_\_\_ (Dollars) (\$\_\_\_\_\_), for the payment whereof, the Principal and Surety bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a certain written contract with the Obligee, dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ for construction of **AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING, WW2003.401** which contract is hereby referred to and made a part hereof as fully and to the same extent as if copied at length herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal promptly pays all moneys due to all persons supplying labor or materials to the Principal or the Principal's subcontractors in the prosecution of the work provided for in said contract, this obligation is void. Otherwise it remains in full force and effect.

PROVIDED, HOWEVER that this bond is executed pursuant to the provisions of Title 34, Chapter 2, Article 2 Arizona Revised Statutes, and all liabilities on this bond will be determined in accordance with the provisions, conditions and limitations of Title 34, Chapter 2, Article 2, Arizona Revised Statutes, to the same extent as if it were copied at length in this Contract.

The prevailing party in a suit on this bond may recover as part of the judgment reasonable attorney fees that may be fixed by a judge of the court.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
PRINCIPAL SEAL

\_\_\_\_\_  
AGENT OF RECORD

By \_\_\_\_\_

\_\_\_\_\_  
SURETY SEAL

\_\_\_\_\_  
AGENT ADDRESS

EXHIBIT E

CONTRACTOR'S AFFIDAVIT REGARDING SETTLEMENT OF CLAIMS

\_\_\_\_\_, Arizona

Date \_\_\_\_\_

Project Name: **AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING**

Project No.: **WW2003.401**

To the City of Chandler, Arizona

Gentlemen:

This is to certify that all lawful claims for materials, rental of equipment and labor used in connection with the construction of the above project, whether by subcontractor or claimant in person, have been duly discharged.

The undersigned, for the consideration of \$ \_\_\_\_\_, as set out in the final pay estimate, as full and complete payment under the terms of the contract, hereby waives and relinquishes any and all further claims or right of lien under, in connection with, or as a result of the above described project. The undersigned further agrees to indemnify and save harmless the City of Chandler against any and all liens, claims or liens, suits, actions, damages, charges and expenses whatsoever, which said City may suffer arising out of the failure of the undersigned to pay for all labor performances and materials furnished for the performance of said installation.

Signed and dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
CONTRACTOR

By \_\_\_\_\_

STATE OF ARIZONA            )  
  ) SS  
COUNTY OF MARICOPA        )

The foregoing instrument was subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

**EXHIBIT F**

**CERTIFICATE OF COMPLETION**

Project: **AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING**  
Project No.: **WW2003.401**

(TO BE COMPLETED BY CONTRACTOR)

I HEREBY CERTIFY THAT ALL GOODS AND/OR SERVICES REQUIRED BY CITY OF CHANDLER PROJECT NO. **WW2003.401** HAVE BEEN DELIVERED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND BID SPECIFICATIONS AND ALL ACTIVITIES REQUIRED BY THE CONTRACTOR UNDER THE CONTRACT HAVE BEEN COMPLETED AS OF \_\_\_\_\_.

(Date)

FIRM NAME: \_\_\_\_\_

PRINCIPAL: \_\_\_\_\_

(Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title) DATE: \_\_\_\_\_

CERTIFIED BY ENGINEER/CONSULTANT (IF APPLICABLE):

\_\_\_\_\_  
(Signature) DATE: \_\_\_\_\_

\_\_\_\_\_  
(Firm Name)

---

**PROJECT ACCEPTED BY USER DEPARTMENT**

\_\_\_\_\_  
(Signature) DATE: \_\_\_\_\_

\_\_\_\_\_  
(Dept. /Div.)

\_\_\_\_\_ Date of Final Walk-Through

\_\_\_\_\_ Date As-Built Received

\_\_\_\_\_ City As-Built Number



**City Council Memorandum    Public Works & Utilities    Memo No. CP21-107**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**Thru:** Joshua H. Wright, Acting City Manager  
Debra Stapleton, Assistant City Manager  
John Knudson, Public Works and Utilities Director  
Andrew Goh, Capital Projects Manager  
**From:** Daniel Haskins, Engineer  
**Subject:** Professional Services Agreement No. WW2003.451, with Brown and Caldwell, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services

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**Proposed Motion:**

Move City Council award Professional Services Agreement No. WW2003.451, to Brown and Caldwell, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping Construction Management Services, in an amount not to exceed \$55,050.

**Background/Discussion:**

The Airport Water Reclamation Facility (AWRF), located at 905 E. Queen Creek Road, has been in operation since 1997. As wastewater enters the headworks building, it passes through filter screens to remove large debris utilizing a network of concrete channels. These channels are designed to be periodically drained to fully access the filter screens for maintenance and repair. However, the valves and piping associated with this drain system are in poor condition, and City staff is limited in their maintenance activities on the filter screens.

The project scope of work consists of contractor oversight, construction administration and inspection, AWRF staff coordination, schedule review, construction meetings, shop drawings and submittals, preparation of final as-built drawings, and project close-out. The contract completion time is 210 calendar days following Notice to Proceed.

A related Construction Contract with Garney Companies, Inc., for the Airport Water Reclamation Facility Headworks Drain Piping, is also scheduled for this City Council meeting.

**Evaluation:**

The selection process was conducted in accordance with City policy and procedure and State law. This project is being performed under the On-Call Consultant Pre-Qualified List for Water and Wastewater Services. Staff recommends approval of this agreement with Brown and Caldwell, Inc., based on qualifications, relevant firm experience, team experience, project understanding, and project approach.

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**Fiscal Impact**

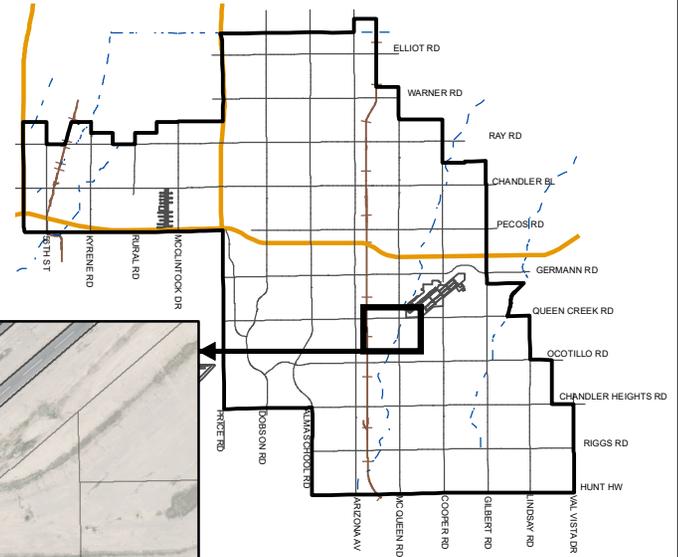
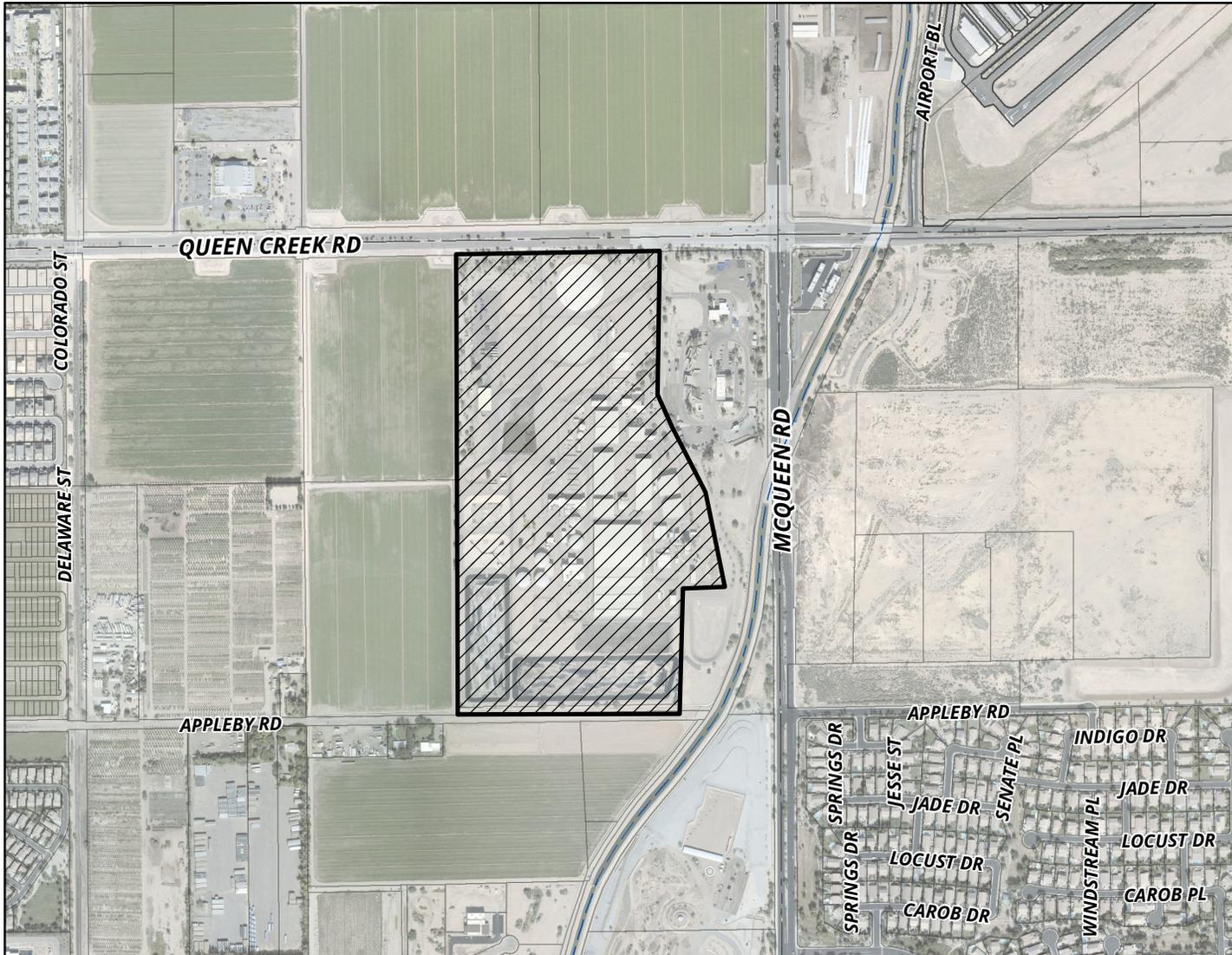
<b>Account No.</b>	<b>Fund Name</b>	<b>Program Name</b>	<b>Dollar Amount</b>	<b>CIP Funded Y/N</b>
615.3910.6814.6WW621	Wastewater Operating	Water Reclamation Facility Imprvmnt	\$55,050	Y

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**Attachments**

Location Map  
Agreement

# AWRF HEADWORKS DRAIN PIPING PROJECT NO. WW2003.451



**MEMO NO. CP21-107**

 PROJECT SITE





**PROFESSIONAL SERVICES AGREEMENT**  
**Construction Management Services**  
**AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING**  
**Project No. WW2003.451**  
**Council Date: April 8, 2021 Item No.**

**THIS AGREEMENT** ("Agreement") is made and entered into on the \_\_\_\_ day of \_\_\_\_\_, 2021 ("Effective Date"), by and between City of Chandler, an Arizona municipal corporation, ("City"), and **Brown and Caldwell, Inc.**, a California corporation, ("Consultant") (City and Consultant may individually be referred to as "Party" and collectively referred to as "Parties").

**RECITALS**

- A. City proposes to engage Consultant to provide Construction Management Services for **AIRPORT WATER RECLAMATION FACILITY HEADWORKS DRAIN PIPING** project as more fully described in **Exhibit "A"**, which is attached to and made a part of this Agreement by this reference.
- B. Consultant is ready, willing, and able to provide the services described in **Exhibit "A"** for the compensation and fees set forth and as described in **Exhibit "B"**, which is attached to and made a part of this Agreement by this reference.
- C. City desires to contract with Consultant to provide these services under the terms and conditions set forth in this Agreement.

**AGREEMENT**

**NOW, THEREFORE**, in consideration of the premises and the mutual promises contained in this Agreement, City and Consultant agree as follows:

**SECTION I--CONSULTANT'S SERVICES**

Consultant must perform the services described in **Exhibit "A"** to City's satisfaction within the terms and conditions of this Agreement and within the care and skill that a person who provides similar services in Chandler, Arizona exercises under similar conditions. All work or services furnished by Consultant under this Agreement must be performed in a skilled and workmanlike manner. All fixtures, furnishings, and equipment furnished by Consultant as part of the work or services under this Agreement must be new, or the latest model, and of

the most suitable grade and quality for the intended purpose of the work or service.

## **SECTION II--PERIOD OF SERVICE**

Consultant must perform the services described in **Exhibit "A"** for the term of this Agreement. Unless amended in writing by the Parties, the Agreement term expires **210** calendar days after the Notice to Proceed (NTP) Date.

## **SECTION III--PAYMENT OF COMPENSATION AND FEES**

Unless amended in writing by the Parties, Consultant's compensation and fees as more fully described in **Exhibit "B"** for performance of the services approved and accepted by City under this Agreement must not exceed **\$55,050** for the full term of the Agreement. Consultant may not increase any compensation or fees under this Agreement without the City's prior written consent. Consultant must submit monthly requests for payment of services approved and accepted during the previous billing period and must include, as applicable, detailed invoices and receipts, a narrative description of the tasks accomplished during the billing period, a list of any deliverables submitted, and any subconsultant's or supplier's actual requests for payment plus similar narrative and listing of their work. Consultant must submit an Application and Certification for Payment Sheet with the monthly request for payment to: CapitalProjects.Payables@chandleraz.gov. Payment for those services negotiated as a lump sum will be made in accordance with the percentage of the work completed during the preceding billing period. Services negotiated as a not-to-exceed fee will be paid in accordance with the work effort expended on the service during the preceding month. All requests for payment must be submitted to City for review and approval. City will make payment for approved and accepted services within 30 calendar days of City's receipt of the request for payment. Consultant bears all responsibility and liability for any and all tax obligations that result from Consultant's performance under this Agreement.

## **SECTION IV--CITY'S OBLIGATIONS**

As part of Consultant's services under this Agreement, City will provide furnished items, services, or obligations as detailed in **Exhibit "D"**.

## **SECTION V--GENERAL CONDITIONS**

5.1 Notices. Unless otherwise provided herein, demands under this Agreement must be in writing and will be deemed to have been duly given and received either (a) on the date of service if personally served on the party to whom notice is to be given, or (b) on the third day after the date of the postmark of deposit by first class United States mail, registered or certified, postage prepaid and properly addressed as follows:

To City:	City of Chandler Public Works & Utilities Department Attn: CIP City Engineer P.O. Box 4008, Mail Stop 407 Chandler, AZ 85244-4008
With a Copy to:	Construction Project Manager: Paul Ahlas City of Chandler Public Works & Utilities Department P.O. Box 4008, Mail Stop 407 Chandler, AZ 85244-4008
To Consultant:	Ms. Tracy Moraca Brown and Caldwell, Inc. 2 N. Central Ave., Ste. 1600 Phoenix, AZ 85004

5.2 Records/Audit. Records of Consultant’s direct personnel payroll, reimbursable expenses pertaining to this Agreement and records of accounts between City and Consultant must be kept on the basis of generally accepted accounting principles and must be made available to City and its auditors for up to three years following City’s final acceptance of the services under this Agreement (this requirement is increased to five years if construction of this project is federally funded). City, its authorized representative, or any federal agency, reserves the right to audit Consultant’s records to verify the accuracy and appropriateness of all cost and pricing data, including data used to negotiate this Agreement and any amendments. City reserves the right to decrease the total amount of Agreement price or payments made under this Agreement or request reimbursement from Consultant following final contract payment on this Agreement if, upon audit of Consultant’s records, the audit discloses Consultant has provided false, misleading, or inaccurate cost and pricing data. Consultant will include a similar provision in all of its contracts with subconsultants who provide services under the Agreement to ensure that City, its authorized representative, or the appropriate federal agency, has access to the subconsultants’ records to verify the accuracy of all cost and pricing data. City reserves the right to decrease Contract price or payments made on this Agreement or request reimbursement from Consultant following final payment on this Agreement if the above provision is not included in subconsultant agreements, and one or more subconsultants refuse to allow City to audit their records to verify the accuracy and appropriateness of all cost and pricing data. If, following an audit of this Agreement, the audit discloses Consultant has provided false, misleading, or inaccurate cost and pricing data, and the cost discrepancies exceed 1% of the total Agreement billings, Consultant will be liable for reimbursement of the reasonable, actual cost of the audit.

5.3 Alteration in Character of Work. Whenever an alteration in the character of work results in a substantial change in this Agreement, thereby materially increasing or decreasing the scope of services, cost of performance, or Project schedule, the work will be performed as directed by City. However, before any modified work is started, a written amendment must be approved and executed by City and Consultant. Such amendment must not be effective until approved by City. Additions to, modifications, or deletions from this Agreement as

provided herein may be made, and the compensation to be paid to Consultant may accordingly be adjusted by mutual agreement of the Parties. It is distinctly understood and agreed that no claim for extra services or materials furnished by Consultant will be allowed by City except as provided herein, nor must Consultant do any work or furnish any materials not covered by this Agreement unless such work is first authorized in writing. Any such work or materials furnished by Consultant without prior written authorization will be at Consultant's own risk, cost, and expense, and Consultant hereby agrees that without written authorization Consultant will make no claim for compensation for such work or materials furnished.

5.4 Termination. City and Consultant hereby agree to the full performance of the covenants contained herein, except that City reserves the right, at its discretion and without cause, to terminate or abandon any service provided for in this Agreement, or abandon any portion of the Project for which services have been performed by Consultant. In the event City abandons or suspends the services, or any part of the services as provided in this Agreement, City will notify Consultant in writing and immediately after receiving such notice, Consultant must discontinue advancing the work specified under this Agreement. Upon such termination, abandonment, or suspension, Consultant must deliver to City all drawings, plans, specifications, special provisions, estimates and other work entirely or partially completed, together with all unused materials supplied by City. Consultant must appraise the work Consultant has completed and submit Consultant's appraisal to City for evaluation. City may inspect Consultant's work to appraise the work completed. Consultant will receive compensation in full for services performed to the date of such termination. The fee will be paid in accordance with Section III of this Agreement, and as mutually agreed upon by Consultant and City. If there is no mutual agreement on payment, the final determination will be made in accordance with the "Disputes" provision in this Agreement. However, in no event may the fee exceed the fee set forth in Section III of this Agreement nor as amended in accordance with Section "Alteration in Character of Work." City will make the final payment within 60 days after Consultant has delivered the last of the partially completed items and the Parties agree on the final fee. If City is found to have improperly terminated the Agreement for cause or default, the termination will be converted to a termination for convenience in accordance with the provisions of this Agreement.

5.5 Indemnification. To the extent permitted by law, the Consultant ("Indemnitor") must indemnify, save and hold harmless City and its officers, officials, agents and employees ("Indemnitee") from any and all claims, actions, liabilities, damages, losses or expenses (including court costs, attorneys' fees and costs of claim processing, investigation and litigation) ("Claims") caused or alleged to be caused, in whole or in part, by the wrongful, negligent or willful acts, or errors or omissions of Consultant or any of its owners, officers, directors, agents, employees, or subconsultants in connection with this Agreement. This indemnity includes any claim or amount arising out of or recovered under workers' compensation law or on account of the failure of Consultant to conform to any federal, state or local law, statute, ordinance, rule, regulation or court decree. Consultant must indemnify Indemnitee from and against any and all Claims, except those arising solely from Indemnitee's own negligent or willful acts or omissions. Consultant is responsible for primary loss investigation, defense and judgment costs where this indemnification applies. In consideration of the award of this Agreement, Consultant agrees to waive all rights of

subrogation against Indemnitee for losses arising from or related to this Agreement. The obligations of Consultant under this provision survive the termination or expiration of this Agreement.

5.6 Insurance Requirements. Consultant must procure insurance under the terms and conditions and for the amounts of coverage set forth in **Exhibit "C"** against claims that may arise from or relate to performance of the work under this Agreement by Consultant and its agents, representatives, employees, and subconsultants. Consultant and any subconsultant must maintain this insurance until all of their obligations have been discharged, including any warranty periods under this Agreement. These insurance requirements are minimum requirements for this Agreement and in no way limit the indemnity covenants contained in this Agreement. City in no way warrants that the minimum limits stated in **Exhibit "C"** are sufficient to protect Consultant from liabilities that might arise out of the performance of the work under this Agreement by Consultant, Consultant's agents, representatives, employees, or subconsultants. Consultant is free to purchase such additional insurance as may be determined necessary.

5.7 Cooperation and Further Documentation. Consultant agrees to provide City such other duly executed documents as may be reasonably requested by City to implement the intent of this Agreement.

5.8 Successors and Assigns. City and Consultant each bind itself, its partners, successors, assigns, and legal representatives to the other party to this Agreement and to the partners, successors, assigns, and legal representatives of such other party in respect to all covenants of this Agreement. Neither City nor Consultant may assign, sublet, or transfer its interest in this Agreement without the written consent of the other party. In no event may any contractual relation be created between any third party and City.

5.9 Disputes. In any dispute arising out of an interpretation of this Agreement or the duties required not disposed of by agreement between Consultant and City, the final determination at the administrative level will be made by City Engineer.

5.10 Completeness and Accuracy of Consultant's Work. Consultant must be responsible for the completeness and accuracy of Consultant's services, data, and other work prepared or compiled under Consultant's obligation under this Agreement and must correct, at Consultant's expense, all willful or negligent errors, omissions, or acts that may be discovered. Correction of errors disclosed and determined to exist during any construction of the project on architectural or engineering drawings and specifications must be accomplished by Consultant. The cost of the design necessary to correct those errors attributable to Consultant and any damage incurred by City as a result of additional construction costs caused by such engineering or architectural errors will be chargeable to Consultant and will not be considered a cost of the Work. The fact that City has accepted or approved Consultant's work will in no way relieve Consultant of any of Consultant's responsibilities.

5.11 Reporting. Written monthly reports, along with updated work schedules, will be made by Consultant in the format prescribed by City. These reports will be delivered to City per schedule. When requested by City, Consultant will attend Council meetings and provide finished

documents including correspondence for Council action, supporting charts, graphs, drawings and colored slides of same.

5.12 Withholding Payment. City reserves the right to withhold funds from Consultant's payments up to the amount equal to the claims City may have against Consultant until such time that a settlement on those claims has been reached.

5.13 City's Right of Cancellation. The Parties acknowledge that this Agreement is subject to cancellation by City under the provisions of Section 38-511, Arizona Revised Statutes (A.R.S.).

5.14 Independent Consultant. For this Agreement Consultant constitutes an independent contractor. Any provisions in this Agreement that may appear to give City the right to direct Consultant as to the details of accomplishing the work or to exercise a measure of control over the work means that Consultant must follow the wishes of City as to the results of the work only. These results must comply with all applicable laws and ordinances.

5.15 Project Staffing. Prior to the start of any work under this Agreement, Consultant must submit to City detailed resumes of key personnel that will be involved in performing services prescribed in the Agreement. City hereby acknowledges its acceptance of such personnel to perform services under this Agreement. At any time hereafter that Consultant desires to change key personnel while performing under the Agreement, Consultant must submit the qualifications of the new personnel to City for prior approval. Key personnel include, but are not limited to, principals-in-charge, project manager, and project Consultant. Consultant will maintain an adequate and competent staff of qualified persons, as may be determined by City, throughout the performance of this Agreement to ensure acceptable and timely completion of the Scope of Services. If City objects, with reasonable cause, to any of Consultant's staff, Consultant must take prompt corrective action acceptable to City and, if required, remove such personnel from the Project and replace with new personnel agreed to by City.

5.16 Consultants or Subconsultants. Prior to beginning the work, Consultant must furnish City for approval the names of consultants or subconsultants to be used under this Agreement. Any subsequent changes are subject to City's written prior approval.

5.17 Force Majeure. If either party is delayed or prevented from the performance of any act required under this Agreement by reason of acts of God or other cause beyond the control and without fault of the Party (financial inability excepted), performance of that act may be excused, but only for the period of the delay, if the Party provides written notice to the other Party within ten days of such act. The time for performance of the act may be extended for a period equivalent to the period of delay from the date written notice is received by the other Party.

5.18 Compliance with Federal Laws. Consultant understands and acknowledges the applicability of the Americans with Disabilities Act, the Immigration Reform and Control Act of 1986 and the Drug Free Workplace Act of 1989 to it. Consultant agrees to comply with these laws in performing this Agreement and to permit City to verify such compliance.

5.19 No Israel Boycott. By entering into this Agreement, Consultant certifies that Consultant is not currently engaged in, and agrees for the duration of the Agreement, not to engage in a boycott of Israel as defined by state statute.

5.20 Legal Worker Requirements. A.R.S. § 41-4401 prohibits City from awarding a contract to any consultant who fails, or whose subconsultants fail, to comply with A.R.S. § 23-214(A). Therefore, Consultant agrees Consultant and each subconsultant it uses warrants their compliance with all federal immigration laws and regulations that relate to their employees and their compliance with § 23-214, subsection A. A breach of this warranty will be deemed a material breach of the Agreement and may be subject to penalties up to and including termination of the Agreement. City retains the legal right to inspect the papers of any Consultant's or subconsultant's employee who provides services under this Agreement to ensure that Consultant and subconsultants comply with the warranty under this provision.

5.21 Lawful Presence Requirement. A.R.S. §§ 1-501 and 1-502 prohibit City from awarding a contract to any natural person who cannot establish that such person is lawfully present in the United States. To establish lawful presence, a person must produce qualifying identification and sign a City-provided affidavit affirming that the identification provided is genuine. This requirement will be imposed at the time of contract award. This requirement does not apply to business organizations such as corporations, partnerships, or limited liability companies.

5.22 Covenant Against Contingent Fees. Consultant warrants that no person has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, and that no member of the Chandler City Council, or any City employee has any interest, financially, or otherwise, in Consultant's firm. For breach or violation of this warrant, City may annul this Agreement without liability or, at its discretion, to deduct from the Agreement price or consideration, the full amount of such commission, percentage, brokerage, or contingent fee.

5.23 Non-Waiver Provision. The failure of either Party to enforce any of the provisions of this Agreement or to require performance of the other Party of any of the provisions hereof must not be construed to be a waiver of such provisions, nor must it affect the validity of this Agreement or any part thereof, or the right of either Party to thereafter enforce each and every provision.

5.24 Disclosure of Information Adverse to City's Interests. To evaluate and avoid potential conflicts of interest, Consultant must provide written notice to City, as set forth in this Section, of any work or services performed by Consultant for third parties that may involve or be associated with any real property or personal property owned or leased by City. Such notice must be given 7 business days prior to commencement of the services by Consultant for a third party, or 7 business days prior to an adverse action as defined below. Written notice and disclosure must be sent in accordance with Section 6.7 above. An adverse action under this Agreement includes, but is not limited to: (a) using data as defined in the Agreement acquired in connection with this Agreement to assist a third party in pursuing administrative or judicial action against City; or (b) testifying or providing evidence on behalf

of any person in connection with an administrative or judicial action against City; or (c) using data to produce income for Consultant or its employees independently of performing the services under this Agreement, without the prior written consent of City. Consultant represents that except for those persons, entities, and projects identified to City, the services performed by Consultant under this Agreement are not expected to create an interest with any person, entity, or third party project that is or may be adverse to City's interests. Consultant's failure to provide a written notice and disclosure of the information as set forth in this Section constitute a material breach of this Agreement.

5.25 Data Confidentiality and Data Security. As used in the Agreement, "data" means all information, whether written or verbal, including plans, photographs, studies, investigations, audits, analyses, samples, reports, calculations, internal memos, meeting minutes, data field notes, work product, proposals, correspondence and any other similar documents or information prepared by, obtained by, or transmitted to Consultant or its subconsultants in the performance of this Agreement. The Parties agree that all data, regardless of form, including originals, images, and reproductions, prepared by, obtained by, or transmitted to Consultant or its subconsultants in connection with Consultant's or its subconsultant's performance of this Agreement is confidential and proprietary information belonging to City. Except as specifically provided in this Agreement, Consultant or its subconsultants must not divulge data to any third party without City's prior written consent. Consultant or its subconsultants must not use the data for any purposes except to perform the services required under this Agreement. These prohibitions do not apply to the following data provided to Consultant or its subconsultants have first given the required notice to City: (a) data which was known to Consultant or its subconsultants prior to its performance under this Consultant or its subconsultants by a third party, who to the best of Consultant's or its subconsultants' knowledge and belief, had the legal right to make such disclosure and Consultant or its subconsultants are not otherwise required to hold such data in confidence; or (c) data which is required to be disclosed by virtue of law, regulation, or court order, to which Consultant or its subconsultants are subject. In the event Consultant or its subconsultants are required or requested to disclose data to a third party, or any other information to which Consultant or its subconsultants became privy as a result of any other contract with City, Consultant must first notify City as set forth in this Section of the request or demand for the data. Consultant or its subconsultants must give City sufficient facts so that City can be given an opportunity to first give its consent or take such action that City may deem appropriate to protect such data or other information from disclosure. All data must continue to be subject to the confidentiality agreements of this Agreement. Consultant or its subconsultants assume all liability to maintain the confidentiality of the data in its possession and agrees to compensate City if any of the provisions of this Section are violated by Consultant, its employees, agents or subconsultants. Solely for the purposes of seeking injunctive relief, it is agreed that a breach of this Section must be deemed to cause irreparable harm that justifies injunctive relief in court. Consultant agrees that the requirements of this Section must be incorporated into all subagreements entered into by Consultant. A violation of this Section may result in immediate termination of this Agreement without notice.

5.26 Personal Identifying Information-Data Security. Personal identifying information, financial account information, or restricted City information, whether electronic format or

hard copy, must be secured and protected at all times by Consultant or its subconsultants. At a minimum, Consultant or its subconsultants must encrypt or password-protect electronic files. This includes data saved to laptop computers, computerized devices, or removable storage devices. When personal identifying information, financial account information, or restricted City information, regardless of its format, is no longer necessary, the information must be redacted or destroyed through appropriate and secure methods that ensure the information cannot be viewed, accessed, or reconstructed. In the event that data collected or obtained by Consultant or its subconsultants in connection with this Agreement is believed to have been compromised, Consultant or its subconsultants must immediately notify City contact. Consultant agrees to reimburse City for any costs incurred by City to investigate potential breaches of this data and, where applicable, the cost of notifying individuals who may be impacted by the breach. Consultant agrees that the requirements of this Section must be incorporated into all subcontracts entered into by Consultant. It is further agreed that a violation of this Section must be deemed to cause irreparable harm that justifies injunctive relief in court. A violation of this Section may result in immediate termination of this Agreement without notice. The obligations of Consultant or its subconsultants under this Section must survive the termination of this Agreement.

5.27 Jurisdiction and Venue. This Agreement is made under, and must be construed in accordance with and governed by the laws of the State of Arizona without regard to the conflicts or choice of law provisions thereof. Any action to enforce any provision of this Agreement or to obtain any remedy with respect hereto must be brought in the courts located in Maricopa County, Arizona, and for this purpose, each Party hereby expressly and irrevocably consents to the jurisdiction and venue of such court.

5.28 Survival. All warranties, representations, and indemnifications by Consultant must survive the completion or termination of this Agreement.

5.29 Modification. Except as expressly provided herein to the contrary, no supplement, modification, or amendment of any term of this Agreement will be deemed binding or effective unless in writing and signed by the Parties.

5.30 Severability. If any provision of this Agreement or the application to any person or circumstance may be invalid, illegal or unenforceable to any extent, the remainder of this Agreement and the application will not be affected and will be enforceable to the fullest extent permitted by law.

5.31 Integration. This Agreement contains the full agreement of the Parties. Any prior or contemporaneous written or oral agreement between the Parties regarding the subject matter is merged and superseded.

5.32 Time is of the Essence. Time of each of the terms, covenants, and conditions of this Agreement is hereby expressly made of the essence.

5.33 Date of Performance. If the date of performance of any obligation or the last day of any time period provided for should fall on a Saturday, Sunday, or holiday for City, the obligation will be due and owing, and the time period will expire, on the first day after which

is not a Saturday, Sunday or legal City holiday. Except as may otherwise be set forth in this Agreement, any performance provided for herein will be timely made if completed no later than 5:00 p.m. (Chandler time) on the day of performance.

5.34 Third Party Beneficiary. Nothing under this Agreement will be construed to give any rights or benefits in the Agreement to anyone other than City and Consultant, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of City and Consultant and not for the benefit of any other party.

5.35 Conflict in Language. All work performed must conform to all applicable City of Chandler codes, ordinances, and requirements as outlined in this Agreement. If there is a conflict in interpretation between provisions in this Agreement and those in **Exhibit "A"**, the provisions in this Agreement prevail.

5.36 Document/Information Release. Documents and materials released to Consultant, which are identified by City as sensitive and confidential, are City's property. The document/material must be issued by and returned to City upon completion of the services under this Agreement. Consultant secondary distribution, disclosure, copying, or duplication in any manner is prohibited without City's prior written approval. The document/material must be kept secure at all times. This directive applies to all City documents, whether in photographic, printed, or electronic data format.

5.37 Exhibits. The following exhibits are made a part of this Agreement and are incorporated by reference:

**Exhibit A** - Scope of Services / Schedule

**Exhibit B** - Compensation and Fees

**Exhibit C** - Insurance Requirements

**Exhibit D** - Special Conditions

**Exhibit E** - Federal Requirements (if applicable)

5.38 Special Conditions. As part of the services Consultant provides under this Agreement, Consultant agrees to comply with and fully perform the special terms and conditions set forth in **Exhibit "D"**, which is attached to and made a part of this Agreement.

5.39 Non-Discrimination and Anti-Harassment Laws. Consultant must comply with all applicable City, state, and federal non-discrimination and anti-harassment laws, rules, and regulations.

5.40 Licenses and Permits. Beginning with the Effective Date and for the full term of this Agreement, Consultant must maintain all applicable City, state, and federal licenses and permits required to fully perform Consultant's services under this Agreement.

5.41 Warranties. Consultant must furnish a one-year warranty on all work and services performed under this Agreement. Consultant must furnish, or cause to be furnished, a two-year warranty on all fixtures, furnishings, and equipment furnished by Consultant, subconsultants or suppliers under this Agreement. Any defects in design, workmanship, or

materials that do not comply with this Agreement must be corrected by Consultant (including, but not limited to, all parts and labor) at Consultant's sole cost and expense. All written warranties and redlines for as-built conditions must be delivered to City on or before City's final acceptance of Consultant's services under this Agreement.

5.42 Cooperative Purchasing Agreement (S.A.V.E. – Strategic Alliance for Volume Expenditures). In addition to City of Chandler and with the approval of Consultant, this Agreement may be extended for use by other municipalities, school districts, and government agencies of the State. Any such usage by other entities must be in accordance with the ordinance, charter, or procurement rules and regulations of the respective political entity.

5.43 Budget Approval into Next Fiscal Year. This Agreement will commence on the Effective Date and continue in full force and effect until it is terminated or expires in accordance with the provisions of this Agreement. The Parties recognize that the continuation of this Agreement after the close of the City's fiscal year, which ends on June 30 of each year, is subject to the City Council's approval of a budget that includes an appropriation for this item as an expenditure. The City does not represent that this budget item will be actually adopted. This determination is solely made by the City Council.

SIGNATURE PAGE TO FOLLOW



**EXHIBIT "A"**  
**SCOPE OF SERVICES/SCHEDULE**

## EXHIBIT "A1"

### AWRF DRAIN PIPE CONSTRUCTION MANAGEMENT SCOPE OF SERVICES WW2003.451

#### PROJECT TASKS

##### 1. PRE-CONSTRUCTION ASSISTANCE

###### A. Task 1.1 Preconstruction Assistance

- i. Consultant must attend the pre-construction meeting. Consultant assumes CM, Inspector and Engineer (**3 total**) will attend virtual meeting.

##### 2. CONSTRUCTION MANAGEMENT

###### A. Task 2.1 Weekly Construction Meetings

- i. Consultant must conduct bi-weekly construction meetings based on **2 month** construction schedule. Each meeting includes agenda and minutes; Request for Information (RFI); Shop Drawing; Request for Information (RFI); Field Directive (FD); Material Certification; and Allowance Logs, site walkthroughs and coordination with field inspector. Consultant assumes **4** bi-weekly meetings will be held in person at the construction site.

###### B. Task 2.2 CPM Schedule

- i. Consultant must review and evaluate Contractor's initial CPM schedule and provide recommendations for acceptance. Consultant assumes **1** review of initial CPM schedule
- ii. Consultant must review Contractor's monthly CPM schedule updates submitted with each payment application, identify CPM tasks behind schedule that may affect critical path items, project substantial and final completion dates and initiate correspondence to City regarding those tasks. Consultant assumes **2** reviews of updated CPM schedule.

###### C. Task 2.3 Requests for Information (RFI's)

- i. Consultant must review, evaluate, and respond to Contractor Requests for Information (RFI's); and prepare and maintain a submittal log of all RFI's. Consultant assumes a maximum of **10** RFI responses.

###### D. Task 2.4 Shop Drawing Submittals

- i. Consultant must review, evaluate, and respond to Contractor shop drawing submittals; and prepare and maintain a submittal log of all shop drawing submittals. Consultant assumes a maximum of **15** reviews including resubmittals.

###### E. Task 2.5 Requests for Proposal (RFP)

- i. Consultant must prepare Requests for Proposal (RFP) documents detailing requested additional work tasks; review and evaluate Contractor RFP responses (cost derivations) with approval recommendations; and prepare and maintain a submittal log list of all RFP's. Consultant assumes **2** RFPs.

###### F. Task 2.6 Field Directives (FD's)

- i. Consultant must prepare Field Directive (FD) documents detailing requested additional work tasks; review and evaluate Contractor FD responses with approval recommendations; and prepare and maintain a submittal log list of all FD's. Consultant assumes **2** FD's.

### **G. Task 2.7 Contractor Payment Applications**

- i. Consultant must review and evaluate Contractor monthly payment applications and make recommendation for payment; maintain a weekly record of constructed pay quantities during construction and monthly records during other periods and compile monthly totals; and coordinate payment application with the City quantity report and the inspectors' daily logs. Consultant assumes a maximum of **6** monthly payment applications, with **12** reviews total. Daily logs generated when inspector is on site.

### **H. Task 2.8 Construction Management**

- i. Consultant will provide construction (project) management services during the seven (7) month project duration including procurement, construction, and closeout periods; review and develop monthly invoices; provide monthly internal project reviews; provide and maintain field work safety plan; maintain client communication for project status and address project performance/schedule; provide QA/QC of Consultant deliverables associated with Tasks 2.1 - 2.7, Tasks 3.1 - 3.3 and Task 4.1; and monitor CM and Inspection activities.

## **3. CONSTRUCTION INSPECTION**

### **A. Task 3.1 Inspection Services**

- i. Consultant must provide weekly construction inspection to verify materials and installations conform to construction documents; prepare daily inspection reports documenting Contractor construction activities and progress during field inspection visits. Consultant assumes **1** inspector **8** hours per week with minimum **4** hours per trip, and **1** hour per week document management for a **2** month construction schedule.

### **B. Task 3.2 Engineering Inspection Services**

- i. Consultant must provide periodic construction inspection to verify materials and installations conform to construction documents. Consultant assumes **3** Engineer inspections **4** hours per inspection.

### **C. Task 3.3 Project Closeout**

- i. Consultant must compile non-conformance list prior to Substantial Completion; schedule and conduct Substantial Completion inspection; prepare Substantial Completion punch list generated from Substantial Completion inspection; track items on punch list and note completed items; and complete and distribute Substantial Completion certificates. Consultant assumes CM and Inspector (**2 total**) will attend meeting in person at the construction site.
- ii. Consultant must schedule and conduct Final Completion inspection; and complete and distribute Final Completion certificates. Consultant assumes CM, Inspector and Engineer (**3 total**) will attend inspection.

## **4. RECORD DRAWINGS**

### **A. Task 6.1 Record Drawings**

- i. Create record drawings based on contractor's weekly updates on red-line drawing set.
- ii. Provide engineer stamp on record drawings cover sheet. Ensure all required signatures on the cover sheet.
- iii. Provide and deliver record drawings in mylar, paper and digital pdf format to the City as required for as-built submittal process at city permit counter.

**5. OWNER ALLOWANCES**

**A. Project Allowance**

- i. A **10** percent Owner Allowance is included for additional construction services as required or requested by the City. These services shall be negotiated and approved by the City before work is executed.

**ASSUMPTION, CLARIFICATIONS, AND EXCLUSIONS**

- 1. Application fees for City reviews and permits will be paid by CITY.
- 2. The Owner's Allowance will only be utilized with prior written approval from the City representative.
- 3. The Direct Expense Allowance will be used for normal reimbursable expenses on the project. Items must be billed at cost and backup must be provided with pay applications.
- 4. Total project duration 7 months
  - a. 3 months procurement
  - b. 2 months construction
  - c. 1 month closeout
  - d. 1 month post closeout to complete billing cycle

**EXHIBIT "B"**  
**COMPENSATION AND FEES**

**EXHIBIT "B1"**  
**CONSTRUCTION MANAGEMENT - WW2003.451**  
**SCOPE OF SERVICES**  
**FEE SCHEDULE**

Task	Description	Cost
<b>1</b>	<b>PRE-CONSTRUCTION ASSISTANCE</b>	
1.1	Pre-Construction Assistance: 6 hours	\$ 950.00
	<b>SUBTOTAL TASK 1:</b>	<b>\$ 950.00</b>
<b>2</b>	<b>CONSTRUCTION MANAGEMENT</b>	
2.1	Bi-Weekly Construction Meetings: 20 hours	\$ 3,096.00
2.2	CPM Schedule: 8 hours	\$ 1,216.00
2.3	Requests for Information (RFI): 30 hours	\$ 4,460.00
2.4	Shop Drawing Submittals: 42 hours	\$ 6,492.00
2.5	Requests for Proposal (RFP) 12 hours	\$ 2,144.00
2.6	Field Directive (FD): 18 hours	\$ 2,830.00
2.7	Contractor Payment Applications: 22 hours	\$ 3,270.00
2.8	Construction Management: 30 hours	\$ 4,808.00
	<b>SUBTOTAL TASK 2:</b>	<b>\$ 28,316.00</b>
<b>3</b>	<b>CONSTRUCTION INSPECTION</b>	
3.1	Inspection Services: 72 hrs	\$ 7,920.00
3.2	Engineering Inspection Services: 12 hrs	\$ 2,124.00
3.3	Project Closeout: 40 hrs	\$ 6,100.00
	<b>SUBTOTAL TASK 3:</b>	<b>\$ 16,144.00</b>
<b>4</b>	<b>RECORD DRAWINGS</b>	
4.1	Record Drawings: 24 hours	\$3,540
	<b>SUBTOTAL TASK 6:</b>	<b>\$3,540</b>
<b>ALLOWANCES</b>		
Direct Expense Allowance: \$125/wk at 8 weeks + \$200 Reproduction		\$1,200
Owner's Allowance (10%)		\$4,900
	<b>SUBTOTAL ALLOWANCES:</b>	<b>\$ 6,100.00</b>
<b>PROJECT TOTAL:</b>		<b>\$ 55,050.00</b>

## **EXHIBIT "C"**

### **INSURANCE REQUIREMENTS**

1. General.
  - 1.1 At the same time as execution of this Agreement, Consultant must furnish City a certificate of insurance on a standard insurance industry ACORD form. The ACORD form must be issued by an insurance company authorized to transact business in the State of Arizona possessing a current A.M. Best, Inc. rating of A-7, or better and legally authorized to do business in the State of Arizona with policies and forms satisfactory to City. Provided, however, the A.M. Best rating requirement will not be deemed to apply to required Workers' Compensation coverage.
  - 1.2 Consultant and any of its subconsultants must procure and maintain, until all of their obligations have been discharged, including any warranty periods under this Agreement are satisfied, the insurances set forth below.
  - 1.3 The insurance requirements set forth below are minimum requirements for this Agreement and in no way limit the indemnity covenants contained in this Agreement.
  - 1.4 City in no way warrants that the minimum insurance limits contained in this Agreement are sufficient to protect Consultant from liabilities that might arise out of the performance of the Agreement services under this Agreement by Consultant, its agents, representatives, employees, subconsultants, and Consultant is free to purchase any additional insurance as may be determined necessary.
  - 1.5 Failure to demand evidence of full compliance with the insurance requirements in this Agreement or failure to identify any insurance deficiency will not relieve Consultant from, nor will it be considered a waiver of its obligation to maintain the required insurance at all times during the performance of this Agreement.
  - 1.6 Use of subconsultants: If any work is subcontracted in any way, Consultant must execute a written contract with subconsultant containing the same Indemnification Clause and Insurance Requirements as City requires of Consultant in this Agreement. Consultant is responsible for executing the Agreement with the subconsultant and obtaining Certificates of Insurance and verifying the insurance requirements.
2. Minimum Scope and Limits of Insurance. Consultant must provide coverage with limits of liability not less than those stated below.
  - 2.1 *Professional Liability.* If the Agreement is the subject of any professional services or work performed by Consultant, or if Consultant engages in any professional services or work adjunct or residual to performing the work under this Agreement, Consultant must maintain Professional Liability insurance covering errors and omissions arising out of the work or services performed by Consultant, or anyone employed by Consultant, or anyone whose acts, mistakes, errors and omissions Consultant is legally liable, with a liability limit of \$1,000,000 each claim and \$2,000,000 all claims. In the event the Professional Liability

insurance policy is written on a “claims made” basis, coverage must extend for 3 years past completion and acceptance of the work or services, and Consultant, or its selected Design Professional will submit Certificates of Insurance as evidence the required coverage is in effect. The Design Professional must annually submit Certificates of Insurance citing that the applicable coverage is in force and contains the required provisions for a 3 year period.

2.2 *Commercial General Liability-Occurrence Form.* Consultant must maintain “occurrence” form Commercial General Liability insurance with a limit of not less than \$2,000,000 for each occurrence, \$4,000,000 aggregate. Said insurance must also include coverage for products and completed operations, independent contractors, personal injury and advertising injury. If any Excess insurance is utilized to fulfill the requirements of this paragraph, the Excess insurance must be “follow form” equal or broader in coverage scope than underlying insurance.

2.3 *Automobile Liability-Any Auto or Owned, Hired and Non-Owned Vehicles Vehicle Liability:* Consultant must maintain Business/Automobile Liability insurance with a limit of \$1,000,000 each accident on Consultant owned, hired, and non-owned vehicles assigned to or used in the performance of Consultant’s work or services under this Agreement. If any Excess or Umbrella insurance is utilized to fulfill the requirements of this paragraph, the Excess or Umbrella insurance must be “follow form” equal or broader in coverage scope than underlying insurance.

2.4 *Workers Compensation and Employers Liability Insurance:* Consultant must maintain Workers Compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of Consultant employees engaged in the performance of work or services under this Agreement and must also maintain Employers’ Liability insurance of not less than \$1,000,000 for each accident and \$1,000,000 disease for each employee.

3. Additional Policy Provisions Required.

3.1 *Self-Insured Retentions or Deductibles.* Any self-insured retentions and deductibles must be declared and approved by City. If not approved, City may require that the insurer reduce or eliminate any deductible or self-insured retentions with respect to City, its officers, officials, agents, employees, and volunteers.

3.1.1. Consultant’s insurance must contain broad form contractual liability coverage.

3.1.2. Consultant’s insurance coverage must be primary insurance with respect to City, its officers, officials, agents, and employees. Any insurance or self-insurance maintained by City, its officers, officials, agents, and employees will be in excess of the coverage provided by Consultant and must not contribute to it.

3.1.3. Consultant’s insurance must apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability.

- 3.1.4. Coverage provided by Consultant must not be limited to the liability assumed under the indemnification provisions of this Agreement.
- 3.1.5. The policies must contain a severability of interest clause and waiver of subrogation against City, its officers, officials, agents, and employees, for losses arising from Work performed by Consultant for City.
- 3.1.6. Consultant, its successors and or assigns, are required to maintain Commercial General Liability insurance as specified in this Agreement for a minimum period of 3 years following completion and acceptance of the Work. Consultant must submit a Certificate of Insurance evidencing Commercial General Liability insurance during this 3 year period containing all the Agreement insurance requirements, including naming City of Chandler, its agents, representatives, officers, directors, officials and employees as Additional Insured as required.
- 3.1.7. If a Certificate of Insurance is submitted as verification of coverage, City will reasonably rely upon the Certificate of Insurance as evidence of coverage but this acceptance and reliance will not waive or alter in any way the insurance requirements or obligations of this Agreement.

3.2. *Insurance Cancellation During Term of Contract/Agreement.*

- 3.2.1. If any of the required policies expire during the life of this Agreement, Consultant must forward renewal or replacement Certificates to City within 10 days after the renewal date containing all the required insurance provisions.
- 3.2.2. Each insurance policy required by the insurance provisions of this Agreement must provide the required coverage and must not be suspended, voided or canceled except after thirty (30) days prior written notice has been given to City, except when cancellation is for non-payment of premium, then ten (10) days prior notice may be given. Such notice must be sent directly to Chandler Law-Risk Management Department, Post Office Box 4008, Mailstop 628, Chandler, Arizona 85225. If any insurance company refuses to provide the required notice, Consultant or its insurance broker must notify City of any cancellation, suspension, non-renewal of any insurance within seven (7) days of receipt of insurers' notification to that effect.

3.3 *City as Additional Insured.* The policies are to contain, or be endorsed to contain, the following provisions:

- 3.3.1. The Commercial General Liability and Automobile Liability policies are to contain, or be endorsed to contain, the following provisions: City, its officers, officials, agents, and employees are additional insureds with respect to liability arising out of activities performed by, or on behalf of, Consultant including City's general supervision of Consultant; Products and Completed operations of Consultant; and automobiles owned, leased, hired, or borrowed by Consultant.

- 3.3.2. City, its officers, officials, agents, and employees must be additional insureds to the full limits of liability purchased by Consultant even if those limits of liability are in excess of those required by this Agreement.

**EXHIBIT "D"**  
**SPECIAL CONDITIONS**

**N/A**



**City Council Memorandum    Development Services    Memo No. N/A**

**Date:** April 5, 2021  
**To:** Mayor and Council  
**From:** Development Services Department  
**Subject:** Study Session & Regular Meeting Minutes of March 3, 2021, Planning and Zoning Commission

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**Attachments**

- March 3, 2021 Study Session Minutes
- March 3, 2021 Regular Meeting Minutes

STUDY SESSION MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA March 3, 2021, held in the City Council Chambers, 88 E. Chicago Street.

**1. CALL TO ORDER/ ROLL CALL**

CHAIRMAN HEUMANN called the study session to order at 4:35 p.m.

The following Commissioners answered Roll Call:

Chairman Rick Heumann

Vice Chairman David Rose

Commissioner Robert Klob

Commissioner Matt Eberle

Commissioner Michael Flanders

Commissioner Gregg Pekau

Absent and Excused: Commissioner George Kimble

Also, present:

Mr. Kevin Mayo, Planning Administrator

Mr. David de la Torre, Planning Manager

Ms. Susan Fiala, Senior City Planner

Mr. Harley Mehlhorn, Junior Planner

Mr. Thomas Allen, Assistant City Attorney

Ms. Catherine Flores, Clerk

Ms. Julie San Miguel, Clerk

**2. AGENDA ITEMS:**

**A. PLH20-0023, PLT20-0037 PECOS AND MCQUEEN RETAIL**

Request to Rezone from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, Preliminary Development Plan and Preliminary Plat approval for a neighborhood commercial center on approximately 3.5 acres located at the southwest corner of Pecos and McQueen Roads.

**Update**

Revisions to the site layout were completed by the applicant to address the Design Review Committee's guidance and include the following:

- Pad A shifted closer to the corner
- Pedestrian sidewalk in front of Pad A building entrance widened
- Phasing plan provided (Exhibit 4 in Development Booklet)
- Driveway turning radius increased adjacent to Pad B drive thru lane

- Perimeter wall height increased to 48 inches along both frontages to screen drive thru lanes
- Number of parking spaces proposed increased from 101 to 112 total spaces
- Speed humps and traffic directional signage proposed

Several exhibits contained in the Development Booklet do not reflect the above site plan modifications. The applicant will update the following exhibits prior to Council meeting:

- Landscape Plan
- Site Block Wall Plan
- Preliminary Grading & Drainage Plan
- Preliminary Plat

**Background**

- Site is approximately 3.5 acres
- The applicant is currently working with the City to acquire an approximate 2,660 sq. ft. City of Chandler-owned parcel located at the immediate corner of the intersection
- Site is currently vacant
- At the January 20, 2021 Planning and Zoning Commission meeting, the case was continued to conduct a Design Review Committee (DRC). On February 3, 2021, the DRC provided the applicant suggestions on revising the site plan, which include shifting Pad sites A and B further away from residential and the proposed daycare. The applicant requested further continuance to the March 3, 2021 Planning and Zoning Commission meeting to allow additional time to address the DRC’s guidance.

**Surrounding Land Use Data**

North	Commercial	South	Single-family residential
East	McQueen Rd., then vacant land and single-family residential	West	Single-family residential

**General Plan and Chandler Airpark Area Plan**

	Existing	Proposed
General Plan	Neighborhoods	No change
Chandler Airpark Area Plan	Neighborhood Commercial	No change

**Proposed Development**

Site area	3.5 acres plus future acquisition of approximate 2,660 sq. ft. city parcel
Building Area	Pad A: 2,306 sq. ft. (restaurant) Pad B: 2,800 sq. ft. (restaurant) Pad C: 13,000 sq. ft. (daycare) Total : 18,106 sq. ft. total
Building Height (max.)	22 ft.
Building Setbacks	Required: Arterial landscaped intersection 50 ft. by 250 ft. Proposed: 35 ft. min. by 223 ft. along Pecos Rd. 23 ft. min. by 250 ft. along McQueen Rd. West:       20ft. Accessory structure 50 ft. Main building South:     50 ft.
Parking Required	101 spaces total
Parking Provided	112 spaces total
Building Architecture	Contemporary with stucco, brick veneer, metal railings and steel
Comprehensive Sign Program	One development sign, two monument signs, wall mounted signs

**Review and Recommendation**

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods and the Chandler Airpark Area Plan designation of Neighborhood Commercial. The General Plan land use designation allows Neighborhood Commercial uses within developments located at arterial intersections to serve commercial needs of low-density residential communities.

The site layout provides three pad sites including two proposed restaurants and a daycare. Pad site A is proposed as a Starbucks drive-through. Pad site B is proposed as a future restaurant/drive-through and a daycare. Building architecture is contemporary. Building and site layout comply with the intent of the Commercial Design Standards.

Late hour business policy defines any restaurant that opens its doors to the public one or more hours between midnight and 6 a.m., one or more days a week. In addition, the policy is applicable when commercial is within 300 ft. of existing

residential zoning. The proposed Starbucks anticipates business hours from 4:30 a.m. to 10 p.m., daily. These hours and building distance of approximately 206 ft. to the west, residentially zoned parcels require approval of the proposed businesses hours from 4:30 a.m. to 6 a.m., Mitigation proposed includes an 8 ft. tall solid wall along the entire site perimeter and several landscaped areas.

The applicant requests relief from the Zoning Code requirement that initial construction include a minimum of 12,000 sq. ft. of building area in Phase One. The request is to allow the flexibility to construct Pads B and C in future phases. Exhibit 4 (see attached) identifies improvements that will be completed during phase one, which includes Pad A and all site improvements including landscaping, driveways, and parking except for Pad B building area on the south and Pad C and associated parking area to the north of Pad C. Pad sites B and C would be covered with decomposed granite until market conditions allow development.

The second request is to reduce the 50 ft. by 250 ft. landscape intersection along both Pecos and McQueen roads. The reduced landscaped intersection allows the two drive-through pad sites additional distance from existing residential and the proposed daycare. The applicant is currently working with the City's Real Estate division to purchase the City owned parcel of approximately 2,660 sq. ft. located at the immediate corner of the site.

Staff supports the requested waivers due to the infill nature of the site, site acreage and driveway location constraints. Staff finds the proposal to be consistent with the goals of the General Plan and recommends approval subject to conditions.

### **Traffic Analysis**

A Traffic Impact Analysis was prepared to analyze existing conditions and traffic with the proposed development. Based on the analysis, traffic impacts of the proposed development could be mitigated by making adjustments to the existing traffic signal timing at the McQueen Road/Pecos Road intersection to maintain acceptable levels of service. Additionally, the Transportation Engineering Division will continue to work with the applicant to establish a circulation plan for the Day Care/Pre-K. This is being done in an effort to document pick-up/drop-off procedures and minimize potential implications to the adjacent public roadways that have occurred with similar land uses. Staff recommends a stipulation to address the future daycare's drop off/pick up circulation plan.

### **Public / Neighborhood Outreach**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A virtual neighborhood meeting was held on July 21, 2020. Ten residents attended virtually to obtain project information. Questions and concerns voiced relate to traffic, construction timing, existing irrigation ditch, drive through locations, vehicle exhaust, land uses, and children's safety (daycare). No opposition to the request was stated.
- Planning staff received letters from residents in opposition to the proposed Starbucks stating they would rather support local businesses.

### **Recommended Actions**

#### **Rezoning**

Planning staff recommends Planning and Zoning Commission move to recommend approval of rezoning from Agricultural District (AG-1) to PAD for Neighborhood Commercial (C-1) uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Late hour businesses shall not be open to the public from 10 p.m. to 4:30 a.m., seven days a week.

#### **Preliminary Development Plan**

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, 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 in all open-spaces shall be maintained by the property owner or property owners' association, and shall be maintained at a level consistent with or better than at the time of planting.
4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
6. Solid walls no less than 48 inches in height shall be constructed to screen all drive-through lanes.
7. Prior to issuance of a building permit, a circulation plan shall be approved by the City's Traffic Engineering Division for a daycare/Pre-K business.
8. No more than two drive-through pad sites shall be permitted.
9. Phase 1 on-site improvements shall at a minimum include the following:
  - a. Construction of Pad A building, associated parking and landscaping
  - b. All perimeter landscaping
  - c. Driveways to Pads A and B and landscaping along said driveways
  - d. Parking areas for Pad B and landscaping within said parking areas.
  - e. Landscape and parking north and east of Pad C.
10. Sign packages, including freestanding signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
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.

### **Preliminary Plat**

Planning staff recommends Planning and Zoning Commission move to recommend approval of 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.

### **Proposed Motions**

#### **Rezoning**

Move Planning and Zoning Commission recommend approval of PLH20-0023 Pecos and McQueen Retail rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to conditions as recommended by Planning staff.

#### **Preliminary Development Plan**

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan, PLH20-0023 Pecos and McQueen Retail, subject to conditions as recommended by Planning staff.

#### **Preliminary Plat**

Move Planning and Zoning Commission recommend approval of Preliminary Plat, PLT20-0037 Pecos and McQueen Retail, as recommended by Planning staff.

**COMMISSIONER KLOB** is partial to the landscaping plan but is concerned with phasing due to vacancies on other two pads for an unknown amount of time. He asked if the City of Chandler is able to ensure development within a specified amount of years on remaining vacant pads.

**SUSAN FIALA, SENIOR CITY PLANNER** does not believe the City has the authority to ensure development on the other two pads within a specific time-period.

**DAVID DE LA TORRE, PLANNING MANAGER** confirmed the City cannot force development as it depends on the market and other factors, however, the City can encourage development with incentives.

**COMMISSIONER KLOB** gave examples of other areas of the city that are not developed and does not want this area to be the same. Commissioner asked if the

applicant was still anticipating a lube stop or oil change facility for one of the vacant pads.

**SUSAN FIALA, SENIOR CITY PLANNER** advised said business type is not appropriate zoning for neighborhood commercial use and would require a new application if the applicant wished to go forward with that type of business.

**COMMISSIONER PEKAU** stated his preference is to have all three pads developed, rather than in phases with one pad occupied. He presented concerns of approval without having all three pads developed.

**CHAIRMAN HEUMANN** advised of discussions held during Design Review Commission regarding the issues presented by commissioners. Chairman Heumann stated an option is to have phase two future sections in place with all landscaping done; therefore, it would appear to be a completed project from the view of the street. All that would remain is the development of two basic pads and it would alleviate the issue of having an unfinished look. He further stated he would like to only put through the best project possible due risk of having unused pads.

**VICE CHAIR ROSE** agreed with Chairman Heumann and wants the best product possible. He is not bothered with the phasing plan, so long as, the suggested landscaping is completed by the applicant.

**CHAIRMAN HEUMANN** reviewed the proposed landscaping with the commissioners.

**COMMISSIONER EBERLE** agreed regarding the landscaping, as it will enhance the visual appearance of the unused areas.

**COMMISSIONER FLANDERS** stated that he has no issue with requiring landscaping from the applicant and asked staff how other municipalities handle issues with vacancies and potential vacancies on pads.

**DAVID DE LA TORRE, PLANNING MANAGER** advised that he will research and report back.

**COMMISSIONER KLOB** confirmed details of the proposal and his support.

**COMMISSIONER PEKAU** stated his concerns and gave example of East Valley Mall on Arizona Avenue and Warner Road; at this location, there are unsightly vacant pads with no indication of development. He also used the example of the QT (Quick Trip)

on Arizona Avenue and Germann Road, as nothing has developed around it. Commissioner believes it will look unattractive and landscaping will not alleviate the issue. He asked why give a variance without plans?

**CHAIRMAN HEUMANN** advised that the Arizona Avenue and Germann Road area is mostly dirt.

**COMMISSIONER PEKAU** mentioned that further developments never happened in the area.

**VICE CHAIR ROSE** indicated he has no issue with phasing as this is a small parcel and discussions have been held in Design Review Commission. He believes that Starbucks will take the first pad and the other pads will not be vacant for long.

**COMMISSIONER PEKAU** reminded that the commission does not choose who occupies the pad and although the plan is for Starbucks to take Pad A, the capacity of which the commission decides is to approve 2300 sq. ft. pad. Anything under (C-1) can be developed in the 2300 sq. ft. pad, while the other two pads are waiting to be built.

**SUSAN FIALA, SENIOR CITY PLANNER** clarified for the applicant as to the landscaping and parking for Pad C.

**CHAIRMAN HEUMANN** advised he does support the plan and the areas being developed except for the two pads. He further advised with landscaping the area will look better than a dirt lot.

**DAVID DE LA TORRE, PLANNING MANAGER** informed the commission that the applicant mentioned that Chandler is the only city in their experience who requires a minimum square footage during phase one.

#### **B. PLH20-0042 ROCK LOBSTER DINING ROOM EXPANSION**

Request Entertainment Use Permit approval for existing outdoor patio speakers for background music only. The existing business is located at 2475 W. Queen Creek Road at the southwest corner of Queen Creek and Dobson roads.

#### **Background**

- Zoned as Planned Area Development (PAD) for office, retail, residential and hotel uses.

- Zoning Code requires Entertainment Use Permit approval when outdoor speakers and/or live entertainment is provided and the establishment is located within 1,320 feet of residential property. The subject site is located approximately 150 feet north of a multi-family residential development.
- A Liquor Use Permit (LUP) allowing liquor sales and live, acoustic, indoor music was approved in 2017 and had no effective time limit stipulation.
- Rock Lobster ownership was unaware of Entertainment Use Permit Requirement at the time of speaker installation.
- The need for this Entertainment Use Permit came to Staff's attention after Rock Lobster requested a Liquor License Extension of Premise.

**Surrounding Land Uses**

North	Queen Creek Road, then a hotel	South	The Cays (Multi-Family, part of the same zoning case)
East	Commercial (restaurant, retail, office)	West	Commercial (restaurant, retail, office)

**Proposed Business Operations**

Building/Suite Area	4,000 building sq. ft. & 500 patio sq. ft.
# of employees	25 employees
Hours of Operation	Sunday through Thursday 11am-9pm Friday and Saturday 11am-10pm
Hours of Entertainment	Patio speakers provide ambient background music during business hours. No live entertainment is provided.

**Review and Recommendation**

The existing patio speakers have been in operation for as long as the business, over ten years. During that time, no noise complaints have been filled against Rock Lobster with the Chandler Police Department, nor with Rock Lobster management. At the time of installation, the owners of the subject site were not aware that additional approval was needed to permit outdoor patio speakers, as a Liquor Use Permit allowing for live acoustic performances was granted in 2017 with no effective time limit. Planning staff has reviewed the request and finds that it is consistent with the General Plan.

### **Public / Neighborhood Notification**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on February 17, 2021. There were two attendees, both inquired with general questions and were not in opposition of this request.
- Four residents of The Cays reached out to Planning staff to express initial opposition as the residents thought this request to be adding additional volume or hours of operation; however, upon learning that this request does not permit anything in excess of what is currently existing, they appeared to no longer oppose the request. One additional resident reached out in opposition of this request, expressing that there is no need for additional music. Staff reached out to them to provide information. As of the writing of this memo staff has not received a response.

### **Recommended Action**

Planning staff recommends Planning and Zoning Commission motion to recommend approval of the Entertainment Use Permit, subject to the following conditions:

1. Expansion or modification beyond the approved attachments (Floor Plan and Narrative) shall void the Entertainment Use Permit and require new Entertainment Use Permit application and approval.
2. The Entertainment Use Permit is non-transferable to any other location.
3. No noise shall be emitted from external speakers in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs adjacent businesses and residential areas.
4. The establishment shall provide a contact phone number for a responsible person (i.e., bar owner and/or manager) to any interested neighbors and property owners to resolve noise complaints quickly and directly.

**COMMISSIONER PEKAU** advised that he has been to this establishment and the volume level was appropriate and has had positive dining experience.

### **Proposed Motion**

Motion Planning and Zoning Commission to recommend approval of Entertainment Use Permit case, PLH20-0042 Rock Lobster Dining Room Expansion, subject to the conditions as recommended by Planning staff.

3. **BRIEFING ITEMS:**

None

4. **MEMEBERS COMMENTS/ANNOUNCEMENTS**

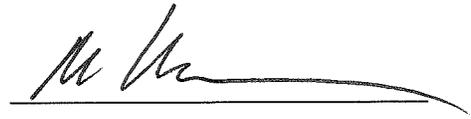
None

5. **CALENDAR**

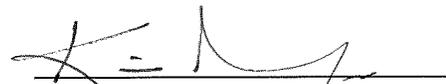
The next study session will be held before the regular meeting on Wednesday, March 17, 2021, in the Chandler City Council Chambers, 88 E. Chicago Street.

6. **ADJOURMENT**

The study session was adjourned at 5:01 p.m.



Rick Heumann, Chairman



Kevin Mayo, Secretary

REGULAR MEETING MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA March 3, 2021, held in the City Council Chambers, 88 E. Chicago Street.

**1. CALL TO ORDER/ ROLL CALL**

CHAIRMAN HEUMANN called the Regular Meeting to order at 5:30 p.m.

The following Commissioners answered Roll Call:

Chairman Rick Heumann

Vice Chairman David Rose

Commissioner Robert Klob

Commissioner Matt Eberle

Commissioner Gregg Pekau

Commissioner Michael Flanders

Absent and Excused: Commissioner George Kimble

Also, present:

Mr. Kevin Mayo, Planning Administrator

Mr. David de la Torre, Planning Manager

Ms. Susan Fiala, Senior City Planner

Mr. Harley Mehlhorn, Junior Planner

Mr. Thomas Allen, Assistant City Attorney

Ms. Catherine Flores, Clerk

Ms. Julie San Miguel, Clerk

**2. PLEDGE OF ALLEGIANCE:**

Pledge of Allegiance led by COMMISSIONER PEKAU.

**3. APPROVAL OF MINUTES**

Study Session and Regular Meeting Minutes of The Planning and Zoning Commission of the City of Chandler held on Wednesday, February 17, 2021 are approved.

MOVED BY COMMISSIONER FLANDERS, second by COMMISSIONER PEKAU to approve Study Session and Regular Meeting Minutes of The Planning and Zoning Commission of the City of Chandler held on Wednesday, February 17, 2021.

The motion passed unanimously 6-0.

Chairman Rick Heumann – In Favor	Vice Chairman David Rose – In Favor
Commissioner Robert Klob – In Favor	Commissioner Matt Eberle– In Favor
Commissioner Gregg Pekau– In Favor	Commissioner Michael Flanders– In Favor

**4. AGENDA ITEMS:**

**CHAIRMAN HEUMANN** informed the audience before the regular meeting Commission and Staff met in open study session to discuss both items on the agenda. Items A and B are on consent. He further advised that there was a modified stipulation as to Item A.

**A. PLH20-0023, PLT20-0037 PECOS AND MCQUEEN RETAIL**

Request to Rezone from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, Preliminary Development Plan and Preliminary Plat approval for a neighborhood commercial center on approximately 3.5 acres located at the southwest corner of Pecos and McQueen Roads.

**Update**

Revisions to the site layout were completed by the applicant to address the Design Review Committee's guidance and include the following:

- Pad A shifted closer to the corner
- Pedestrian sidewalk in front of Pad A building entrance widened
- Phasing plan provided (Exhibit 4 in Development Booklet)
- Driveway turning radius increased adjacent to Pad B drive thru lane
- Perimeter wall height increased to 48 inches along both frontages to screen drive thru lanes
- Number of parking spaces proposed increased from 101 to 112 total spaces
- Speed humps and traffic directional signage proposed

Several exhibits contained in the Development Booklet do not reflect the above site plan modifications. The applicant will update the following exhibits prior to Council meeting:

- Landscape Plan
- Site Block Wall Plan
- Preliminary Grading & Drainage Plan
- Preliminary Plat

**Background**

- Site is approximately 3.5 acres

- The applicant is currently working with the City to acquire an approximate 2,660 sq. ft. City of Chandler-owned parcel located at the immediate corner of the intersection
- Site is currently vacant
- At the January 20, 2021 Planning and Zoning Commission meeting, the case was continued to conduct a Design Review Committee (DRC). On February 3, 2021, the DRC provided the applicant suggestions on revising the site plan, which include shifting Pad sites A and B further away from residential and the proposed daycare. The applicant requested further continuance to the March 3, 2021 Planning and Zoning Commission meeting to allow additional time to address the DRC's guidance.

**Surrounding Land Use Data**

North	Commercial	South	Single-family residential
East	McQueen Rd., then vacant land and single-family residential	West	Single-family residential

**General Plan and Chandler Airpark Area Plan**

	Existing	Proposed
General Plan	Neighborhoods	No change
Chandler Airpark Area Plan	Neighborhood Commercial	No change

**Proposed Development**

Site area	3.5 acres plus future acquisition of approximate 2,660 sq. ft. city parcel
Building Area	Pad A: 2,306 sq. ft. (restaurant) Pad B: 2,800 sq. ft. (restaurant) Pad C: 13,000 sq. ft. (daycare) Total : 18,106 sq. ft. total
Building Height (max.)	22 ft.
Building Setbacks	Required: Arterial landscaped intersection 50 ft. by 250 ft. Proposed: 35 ft. min. by 223 ft. along Pecos Rd. 23 ft. min. by 250 ft. along McQueen Rd. West: 20ft. Accessory structure 50 ft. Main building South: 50 ft.
Parking Required	101 spaces total

Parking Provided	112 spaces total
Building Architecture	Contemporary with stucco, brick veneer, metal railings and steel
Comprehensive Sign Program	One development sign, two monument signs, wall mounted signs

**Review and Recommendation**

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods and the Chandler Airpark Area Plan designation of Neighborhood Commercial. The General Plan land use designation allows Neighborhood Commercial uses within developments located at arterial intersections to serve commercial needs of low-density residential communities.

The site layout provides three pad sites including two proposed restaurants and a daycare. Pad site A is proposed as a Starbucks drive-through. Pad site B is proposed as a future restaurant/drive-through and a daycare. Building architecture is contemporary. Building and site layout comply with the intent of the Commercial Design Standards.

Late hour business policy defines any restaurant that opens its doors to the public one or more hours between midnight and 6 a.m., one or more days a week. Also, the policy is applicable when commercial is within 300 ft. of existing residential zoning. The proposed Starbucks anticipates business hours from 4:30 a.m. to 10 p.m., daily. These hours and building distance of approximately 206 ft. to the west, residentially zoned parcels require approval of the proposed businesses hours from 4:30 a.m. to 6 a.m., Mitigation proposed includes an 8 ft. tall solid wall along the entire site perimeter and several landscaped areas.

The applicant requests relief from the Zoning Code requirement that initial construction include a minimum of 12,000 sq. ft. of building area in Phase One. The request is to allow the flexibility to construct Pads B and C in future phases. Exhibit 4 (see attached) identifies improvements that will be completed during phase one, which includes Pad A and all site improvements including landscaping, driveways, and parking except for Pad B building area on the south and Pad C and associated parking area to the north of Pad C. Pad sites B and C would be covered with decomposed granite until market conditions allow development.

The second request is to reduce the 50 ft. by 250 ft. landscape intersection along both Pecos and McQueen roads. The reduced landscaped intersection allows the two

drive-through pad sites additional distance from existing residential and the proposed daycare. The applicant is currently working with the City's Real Estate division to purchase the City owned parcel of approximately 2,660 sq. ft. located at the immediate corner of the site.

Staff supports the requested waivers due to the infill nature of the site, site acreage and driveway location constraints. Staff finds the proposal to be consistent with the goals of the General Plan and recommends approval subject to conditions.

### **Traffic Analysis**

A Traffic Impact Analysis was prepared to analyze existing conditions and traffic with the proposed development. Based on the analysis, traffic impacts of the proposed development could be mitigated by making adjustments to the existing traffic signal timing at the McQueen Road/Pecos Road intersection to maintain acceptable levels of service. Additionally, the Transportation Engineering Division will continue to work with the applicant to establish a circulation plan for the Day Care/Pre-K. This is being done in an effort to document pick-up/drop-off procedures and minimize potential implications to the adjacent public roadways that have occurred with similar land uses. Staff recommends a stipulation to address the future daycare's drop off/pick up circulation plan.

### **Public / Neighborhood Outreach**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A virtual neighborhood meeting was held on July 21, 2020. Ten residents attended virtually to obtain project information. Questions and concerns voiced relate to traffic, construction timing, existing irrigation ditch, drive through locations, vehicle exhaust, land uses, and children's safety (daycare). No opposition to the request was stated.
- Planning staff received letters from residents in opposition to the proposed Starbucks stating they would rather support local businesses.

### **Recommended Actions**

#### **Rezoning**

Planning staff recommends Planning and Zoning Commission move to recommend approval of rezoning from Agricultural District (AG-1) to PAD for Neighborhood Commercial (C-1) uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Pecos and McQueen Retail" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0023, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
3. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
4. Late hour businesses shall not be open to the public from 10 p.m. to 4:30 a.m., seven days a week.

### **Preliminary Development Plan**

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Preliminary Development Plan, subject to the following conditions:

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2. The site shall be maintained in a clean and orderly manner.
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4. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
5. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
6. Solid walls no less than 48 inches in height shall be constructed to screen all drive-through lanes.
7. Prior to issuance of a building permit, a circulation plan shall be approved by the City's Traffic Engineering Division for a daycare/Pre-K business.

8. No more than two drive-through pad sites shall be permitted.
9. Phase 1 on-site improvements shall at a minimum include the following:
  - a. Construction of Pad A building, associated parking and landscaping
  - b. All perimeter landscaping
  - c. Driveways to Pads A and B and landscaping along said driveways
  - d. Parking areas for Pad B and landscaping within said parking areas.
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### **Preliminary Plat**

Planning staff recommends Planning and Zoning Commission move to recommend approval of 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.

### **Proposed Motions**

#### **Rezoning**

Move Planning and Zoning Commission recommend approval of PLH20-0023 Pecos and McQueen Retail rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses, subject to conditions as recommended by Planning staff.

#### **Preliminary Development Plan**

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan, PLH20-0023 Pecos and McQueen Retail, subject to conditions as recommended by Planning staff.

**Preliminary Plat**

Move Planning and Zoning Commission recommend approval of Preliminary Plat, PLT20-0037 Pecos and McQueen Retail, as recommended by Planning staff.

**CHAIRMAN HEUMANN** requested that staff present the modified stipulation to the commission and audience.

**SUSAN FIALA, SENIOR CITY PLANNER** presented a modified stipulation as reflected under #9 of the Preliminary Development plan.

**COMMISSIONER KLOB** indicated that the applicant is not going to develop a drive through lane for pad B.

**B. PLH20-0042 ROCK LOBSTER DINING ROOM EXPANSION**

Request Entertainment Use Permit approval for existing outdoor patio speakers for background music only. The existing business is located at 2475 W. Queen Creek Road at the southwest corner of Queen Creek and Dobson roads.

**Background**

- Zoned as Planned Area Development (PAD) for office, retail, residential and hotel uses.
- Zoning Code requires Entertainment Use Permit approval when outdoor speakers and/or live entertainment is provided and the establishment is located within 1,320 feet of residential property. The subject site is located approximately 150 feet north of a multi-family residential development.
- A Liquor Use Permit (LUP) allowing liquor sales and live, acoustic, indoor music was approved in 2017 and had no effective time limit stipulation.
- Rock Lobster ownership was unaware of Entertainment Use Permit Requirement at the time of speaker installation.
- The need for this Entertainment Use Permit came to Staff's attention after Rock Lobster requested a Liquor License Extension of Premise.

**Surrounding Land Uses**

North	Queen Creek Road, then a hotel	South	The Cays (Multi-Family, part of the same zoning case)
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East	Commercial (restaurant, retail, office)	West	Commercial (restaurant, retail, office)
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**Proposed Business Operations**

Building/Suite Area	4,000 building sq. ft. & 500 patio sq. ft.
# of employees	25 employees
Hours of Operation	Sunday through Thursday 11am-9pm Friday and Saturday 11am-10pm
Hours of Entertainment	Patio speakers provide ambient background music during business hours. No live entertainment is provided.

**Review and Recommendation**

The existing patio speakers have been in operation for as long as the business, over ten years. During that time, no noise complaints have been filled against Rock Lobster with the Chandler Police Department, nor with Rock Lobster management. At the time of installation, the owners of the subject site were not aware that additional approval was needed to permit outdoor patio speakers, as a Liquor Use Permit allowing for live acoustic performances was granted in 2017 with no effective time limit. Planning staff has reviewed the request and finds that it is consistent with the General Plan.

**Public / Neighborhood Notification**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
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**Recommended Action**

Planning staff recommends Planning and Zoning Commission motion to recommend approval of the Entertainment Use Permit, subject to the following conditions:

1. Expansion or modification beyond the approved attachments (Floor Plan and Narrative) shall void the Entertainment Use Permit and require new Entertainment Use Permit application and approval.
2. The Entertainment Use Permit is non-transferable to any other location.
3. No noise shall be emitted from external speakers in such a manner that exceeds the general level of noise emitted by uses outside the premises of the business and disturbs adjacent businesses and residential areas.
4. The establishment shall provide a contact phone number for a responsible person (i.e., bar owner and/or manager) to any interested neighbors and property owners to resolve noise complaints quickly and directly.

**Proposed Motion**

Motion Planning and Zoning Commission to recommend approval of Entertainment Use Permit case, PLH20-0042 Rock Lobster Dining Room Expansion, subject to the conditions as recommended by Planning staff.

**MOVED BY COMMISSIONER FLANDERS** seconded by **COMMISSIONER KLOB** to approve consent agenda with a modified stipulation as to Item A.

The motion passed 5-1 as to Item A.

Chairman Rick Heumann – In Favor  
Commissioner Robert Klob – In Favor  
Commissioner Matt Eberle– In Favor

Vice Chairman David Rose – In Favor  
Commissioner Gregg Pekau–Not in Favor  
Commissioner Michael Flanders– In Favor

The motion passed unanimously 6-0 as to item B.

Chairman Rick Heumann – In Favor  
Commissioner Robert Klob – In Favor  
Commissioner Gregg Pekau– In Favor

Vice Chairman David Rose – In Favor  
Commissioner Matt Eberle– In Favor  
Commissioner Michael Flanders– In Favor

5. **BRIEFING ITEMS:**

None

6. **MEMEBERS COMMENTS/ANNOUNCEMENTS**

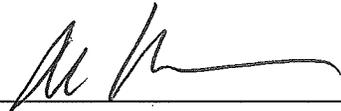
Former Planning Administrator, Jeff Kurtz, passed away. Jeff made great contributions to the City of Chandler during his many years as a team member. He will be dearly missed.

7. **CALENDAR**

The next regular meeting will be held on Wednesday, March 17, 2021, in the Chandler City Council Chambers, 88 E. Chicago Street.

6. **ADJOURMENT**

The regular meeting was adjourned at 5:35 p.m.



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Rick Heumann, Chairman



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Kevin Mayo, Secretary