

REGULAR MEETING MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA January 20, 2021, held in the City Council Chambers, 88 E. Chicago Street.

**1. CALL TO ORDER / ROLL CALL**

CHAIRMAN RICK HEUMANN called the regular meeting to order at 5:48 p.m.

The following Commissioners answered Roll Call:

Chairman Rick Heumann  
Vice Chairman David Rose  
Commissioner Robert Klob  
Commissioner Michael Flanders  
Commissioner George Kimble  
Commissioner Gregg Pekau  
Commissioner Matt Eberle

Absent:

Also, present:

Mr. Kevin Mayo, Planning Administrator  
Mr. David de la Torre, Planning Manager  
Ms. Susan Fiala, Senior City Planner  
Mr. Thomas Allen, Assistant City Attorney  
Ms. Catherine Flores, Clerk

**2. PLEDGE OF ALLEGIANCE:**

Pledge of Allegiance led by COMMISSIONER KLOB

**3. APPROVAL OF MINUTES:**

**Study Session and Regular Meeting Minutes of Wednesday, January 6, 2021 Approved.**

MOVED BY VICE CHAIRMAN ROSE, seconded by COMMISSIONER PEKAU to approve the Study Session and Regular Meeting minutes of January 6, 2021, Planning Commission Hearing.

The motion passed unanimously 7-0.

**4. AGENDA ITEMS:**

**CHAIRMAN HEUMANN** informed the audience before the regular meeting, Commission and Staff met in an open study session to discuss both items on the agenda with recommendations to approve Item A with stipulations and Item B to be continued pending Design Review.

**A. PLH20-0033, PLH20-0034 CHANDLER LA PAGLIA HIGH SCHOOL SEMINARY AND PROFESSIONAL OFFICES Approved with stipulation**

Request area plan amendment to the Southeast Chandler Area Plan from Envisioned Community/Regional Open Space and Recreational Opportunities to Traditional Suburban Character, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD), and Preliminary Development Plan approval for professional

offices and institutional/educational uses on approximately 1.7 acres located south of the southwest corner of Gilbert and Ocotillo Roads.

**Stipulation Item A:** Approved with stipulation for the rezoning and land use. Planning and Zoning Commission discussed the proposed permitted land uses and recommended that medical and dental offices be prohibited uses due to traffic and circulation patterns for both on-site and off-site.

### **Background**

- Site is approximately 1.7 net acres.
- Annexation request is scheduled for the February 11, 2021 City Council meeting to request Initial City zoning of Agricultural District (AG-1). Annexation public hearing held on October 15, 2020.
- Site is currently vacant.

### **Surrounding Land Use Data**

|       |                                                                   |       |                                  |
|-------|-------------------------------------------------------------------|-------|----------------------------------|
| North | Commercial (Unincorporated - Arizona Olympian Gymnastics)         | South | Commercial (Dollar Self Storage) |
| East  | Gilbert Rd. then new Chandler Unified School District high school | West  | RWCD Canal                       |

### **General Plan and Southeast Chandler Area Plan**

|                                      |                                                                         |                               |
|--------------------------------------|-------------------------------------------------------------------------|-------------------------------|
|                                      | Existing                                                                | Proposed                      |
| General Plan                         | Neighborhoods                                                           | No change                     |
| Southeast Chandler Area Plan (SECAP) | Envisioned Community/Regional Open Space and Recreational Opportunities | Additional Suburban Character |

### **Proposed Development**

|                                           |                                                                         |
|-------------------------------------------|-------------------------------------------------------------------------|
| Seminary                                  |                                                                         |
| Building Area                             | 3,681 sq. ft. (+ 1,329 sq. ft. future expansion) Total of 5,010 sq. ft. |
| Building Height (max.)                    | 22 ft.                                                                  |
| Parking Required                          | 25 spaces total (includes future expansion)                             |
| Parking Provided                          | 27 spaces total                                                         |
| Future commercial offices/medical offices |                                                                         |
| Building Area                             | 6,336 sq. ft.                                                           |
| Building Height (max.)                    | 30 ft.                                                                  |
| Parking Required                          | 43 additional spaces (1 space per 150 sq. ft.)                          |
| Parking Provided                          | 70 total shared spaces                                                  |

### **Review and Recommendation**

Planning staff finds the proposal is consistent with the General Plan designation of Neighborhoods and the amendment to the Southeast Chandler Area Plan (SECAP). The Envisioned Community/Regional Open Space and Recreational Opportunities land use designation was identified at a time when the City owned property along the RWCD canal; however, the City property was sold and a regional open space and recreational area is no longer planned. A Traditional Suburban Character land use allows single story buildings along arterial streets, including for commercial and institutional/educational developments.

The request for rezoning to PAD provides for a limited list of permitted land uses which include the seminary (institutional/educational), general office, professional office, medical office, which generate low-traffic including but not limited to dental, insurance, counseling, assisted living, real estate and title companies. Prohibited uses include retail of any kind, call centers, cleaners, barbers, personal services, animal boarding and similar businesses.

The site layout and building architecture is in conformance with the SECAP design guidelines for commercial/non-residential land uses. Architectural design of the future professional office building requires a new PDP application to evaluate building architecture. Signage for the future phase may require a PDP if the future development prefers to modify the requirements of the Sign Code for PAD zoned properties. The seminary proposes one wall mounted sign.

Staff finds the proposal to be consistent with the goals of the General Plan and the SECAP, as amended, and recommends approval subject to conditions.

### **Public / Neighborhood Outreach**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A Neighborhood Meeting sign was posted on the property.
- A virtual neighborhood meeting was held on December 3, 2020. Three residents attended virtually to obtain project information. No questions were asked. No opposition to request was stated. An attendee commented the project is a nice fit.
- As of writing this memo, Planning staff is not aware of opposition to the request.

### **Recommended Actions**

#### **Area Plan Amendment**

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Area Plan Amendment to the Southeast Chandler Area Plan from Envisioned Community/Regional Open Space and Recreational Opportunities to Traditional Suburban Character.

#### **Rezoning**

Planning staff recommends Planning and Zoning Commission move to recommend approval of rezoning from Agricultural District (AG-1) to PAD for professional offices and institutional/educational uses, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler La Paglia High School Seminary and Professional Offices" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0034, 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 following uses shall be permitted:  
Institutional uses including church, seminary, nursing home, and educational entity.

Commercial Office uses including general office, professional office, medical office, dental, insurance, counseling, real estate and title companies.

Other similar institutional and/or office uses not listed here may be permitted upon determination by the Planning Administrator that it will not generate a greater or more intense traffic impact on the area.

3. The following uses shall be prohibited: retail, call centers, dry cleaners, personal services (e.g., barber, nail and beauty salons, tattoo, day spa), animal daycare and boarding, bakery, bars, drive-through and restaurants.
4. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
5. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
6. Prior to the time of making any lot reservations or subsequent sales agreements, the subdivider/homebuilder/lot developer shall provide a written disclosure statement, for the signature of each buyer, acknowledging that the subdivision is located adjacent to or nearby a City of Chandler water facility/recharge ponds that may cause adverse noise, odors, and other externalities. The "Public Subdivision Report", "Purchase Contracts", CC&R's, and the individual lot property deeds shall include a disclosure statement outlining that the site is adjacent to or nearby a wastewater treatment facility, and the disclosure shall state that such uses are legal and should be expected to continue indefinitely. The disclosure shall be presented to prospective homebuyers on a separate, single form for them to read and sign prior to or simultaneously with executing a purchase agreement. This responsibility for notice rests with the homebuilder/lot developer and shall not be construed as an absolute guarantee by the City of Chandler for receiving such notice.

### **Preliminary Development Plan**

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 "Chandler La Paglia High School Seminary and Professional Offices" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0034, 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. A separate Preliminary Development Plan approval shall be required for the future building (Phase 2).
3. The site shall be maintained in a clean and orderly manner.
4. 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.
5. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
7. 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.
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.

### **Proposed Motions**

#### **Area Plan Amendment**

Move Planning and Zoning Commission recommend approval of PLH20-0033, Area Plan Amendment to the Southeast Chandler Area Plan from Envisioned Community/Regional Open Space and Recreational Opportunities to Traditional Suburban Character as recommended by Planning staff.

#### **Rezoning**

Move Planning and Zoning Commission recommend approval of PLH20-0034 Chandler La Paglia High School Seminary and Professional Offices rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for professional offices and institutional/educational uses, subject to conditions as recommended by Planning staff.

### **Preliminary Development Plan**

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan, PLH20-0034 Chandler La Paglia High School Seminary and Professional Offices, subject to conditions as recommended by Planning staff.

### **B. PLH20-0023, PLT20-0037 PECOS AND MCQUEEN RETAIL Continued to Design Review February 3, 2021 and Planning and Zoning February 17, 2021**

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.

**Following the writing of the staff memo, Planning staff Planning staff received correspondence from residents in the area stating concerns related to the proposed Starbucks.**

#### **Background**

- Site is approximately 3.5 acres
- Site is currently vacant

#### **Surrounding Land Use Data**

|       |                                                        |       |                           |
|-------|--------------------------------------------------------|-------|---------------------------|
| North | Commercial                                             | South | Single-family residential |
| East  | McQueen Rd., then vacant 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                                                                                                                                                                                                                      |
| Building Area          | Pad A: 2,306 sq. ft. (restaurant)<br>Pad B: 2,800 sq. ft. (restaurant)<br>Pad C: 13,000 sq. ft. (daycare)<br>Total : 18,106 sq. ft. total                                                                                      |
| Building Height (max.) | 22 ft.                                                                                                                                                                                                                         |
| Building Setbacks      | Required: Arterial landscaped intersection 50 ft. by 250 ft.<br>Proposed: 44 ft. by 223 ft. along Pecos Rd.<br>50 ft. by 226 ft. along McQueen Rd.<br>West: 20ft. Accessory structure<br>50 ft. Main building<br>South: 50 ft. |

|                            |                                                                  |
|----------------------------|------------------------------------------------------------------|
| Parking Required           | 101 spaces total                                                 |
| Parking Provided           | 103 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-thru as clustered with a future restaurant/drive-through. Future phasing also includes 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. Staff recommends as a stipulation that a 42-inch tall solid screen wall be constructed along the west and south edges of the Starbucks' drive through lane since this is the only building to be constructed in Phase 1. At the time Pad B is constructed, additional screen walls may be required to provide additional screening.

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 have the ability to leave Pads B and C be constructed in future phases. Perimeter landscaping along the entire site is to be included with Phase One. The required 50 ft. by 250 ft. landscape intersection is requested to be minimally reduced along both Pecos and McQueen roads. Staff supports the requested waivers due to the infill nature of the site 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.

#### **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 request was stated.
- As of writing this memo, Planning staff is not aware of opposition to the request.

#### **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. Solid screen walls of 42 inches in height shall be constructed along the outer edges of drive-through lanes.
3. The site shall be maintained in a clean and orderly manner.
4. 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.
5. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
7. 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.
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.

#### **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.

**C. Motion to Cancel the February Planning Commission Hearings**

**Recommendation: APPROVED with reinstatement of February 17, 2021**

Due to management of cases, Planning staff is recommending cancellation of the February 3, 2021, and February 17, 2021, Planning and Zoning Commission hearings.

**Proposed Motion: APPROVED with reinstatement of February 17, 2021**

Move to cancel the February 3, 2021, and February 17, 2021, Planning and Zoning Commission hearings as recommended by Planning staff.

**SUSAN FIALA** mentioned that the applicant would like to come up and discuss Item B, **PLH20-0023, PLT20-0037 PECOS AND MCQUEEN RETAIL**.

**DAVID DE LA TORRE, Planning Manager** mentioned that we would like to cancel the February 3, and February 17, 2021 Planning and Zoning Commission meeting.

**MOVED BY COMMISSIONER EBERLE** seconded by **COMMISSIONER KLOB** move to cancel the February 3, 2021, and February 17, 2021, Planning and Zoning Commission meeting. The motion carried.

**CHAIRMAN HEUMANN** mentioned Item B, has some challenges with the site and it was unanimously recommended to continue to Design Review. He welcomed the applicant to come up and speak.

**APPLICANT REESE ANDERSON** with Pew and Lake, mentioned that he is a bit frustrated and understands the comments made, but with the cancellation of the February meetings pushes them into March. He stated that they have been working on the site plan for over six months and that, the initial proposal did have the drive-thru in the corner but was modified and now it is part of the discussion. Reese stated modifications to the site is restricted due to the size of the site but was open to taking it to Design Review and asked if the February 17<sup>th</sup>, Planning and Zoning Commission meeting be reinstated.

**MOVED BY COMMISSIONER FLANDERS** seconded by **COMMISSIONER EBERLE** to approve with stipulations, Item A. **PLH20-0033, PLH20-0034 CHANDLER LA PAGLIA HIGH SCHOOL SEMINARY AND PROFESSIONAL OFFICES** on the Consent Agenda with a recommendation to move Item B. **PLH20-0023, PLT20-0037 PECOS AND MCQUEEN RETAIL** to Action for Design Review. The motion carried.

**MOVED BY COMMISSIONER PEKAU** seconded by **COMMISSIONER FLANDERS** to **reinstate** Planning and Zoning Commission meeting for **February 17, 2021**.

**5. BRIEFING ITEMS:**

None

**6. MEMBERS COMMENTS/ANNOUNCEMENTS**

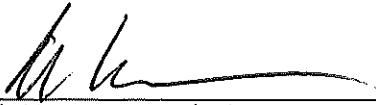
None

**7. CALENDAR**

The next study session will be held before the regular meeting on Wednesday, February 17, 2021, in the Chandler City Council Chambers, 88 East Chicago Street, Chandler, Arizona.

**8. ADJOURNMENT**

The study session was adjourned at 6:08 p.m.

  
\_\_\_\_\_  
Rick Heumann, Chairman

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

