

REGULAR MEETING MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA March 17, 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

Commissioner Robert Klob

Commissioner George Kimble

Commissioner Matt Eberle

Commissioner Michael Flanders

Absent and Excused:

Vice Chairman David Rose

Commissioner Gregg Pekau

Also, present:

Mr. David de la Torre, Planning Manager

Ms. Lauren Schumann, Senior City Planner

Mr. Ben Cereceres, City Planner

Mr. Zachary Werdean, Associate Planner

Mr. Thomas Allen, Assistant City Attorney

Ms. Julie San Miguel, Clerk

2. **PLEDGE OF ALLEGIANCE:**

Pledge of Allegiance led by COMMISSIONER KIMBLE.

3. **APPROVAL OF MINUTES**

a. Study Session Minutes of The Planning and Zoning Commission held on Wednesday, March 3, 2021 are approved.

MOVED BY COMMISSIONER EBERLE, second by COMMISSIONER KLOB to approve the Study Session Minutes of The Planning and Zoning Commission of the City of Chandler held on Wednesday, March 3, 2021.

The motion passed unanimously 5-0.

Chairman Rick Heumann – In Favor

Commissioner Robert Klob – In Favor

Commissioner Michael Flanders– In Favor

Commissioner George Kimble – In Favor

Commissioner Matt Eberle– In Favor

b. Regular Meeting Minutes of The Planning and Zoning Commission of the City of Chandler held on Wednesday, March 3, 2021 are approved.

MOVED BY COMMISSIONER EBERLE, second by COMMISSIONER KLOB to approve the Regular Meeting Minutes of The Planning and Zoning Commission of the City of Chandler held on Wednesday, March 3, 2021.

The motion passed unanimously 5-0.

Chairman Rick Heumann – In Favor

Commissioner George Kimble – In Favor

Commissioner Robert Klob – In Favor

Commissioner Matt Eberle– 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 the four items on the agenda, Items A, C, and D are on consent and Item B has been continued.

***a. PLH20-0052/PLT20-0039 SERENE ESTATES**

Request Rezoning from Neighborhood Commercial District (C-1) to Planned Area Development (PAD) for single-family residential, Preliminary Development Plan approval for subdivision layout and housing product, and Preliminary Plat approval for a 15-lot subdivision on approximately 2.3 acres located northwest of the northwest corner of Galveston and Hartford streets.

Background

- 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 laundry mat, convenience store, and restaurant
- 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 Designation

Plan	Recommended Land Use	Proposed Amendment
------	----------------------	--------------------

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.)	• Front – 8.6 ft. to livable, 20 ft. to garage from back of sidewalk • Sides – 5 ft. & 5 ft. • Rear - 10 ft., designated lots in exhibit allow for single-story, attached patios to encroach 5 ft. into 10 ft. setback
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	• Each lot provides a two-vehicle garage with driveways • On-street parking provided on both sides of street; subdivision is not gated

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 guest 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 recommends approval subject to conditions.

Public/Neighborhood Outreach

- 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 February 10, 2021. Ten (10) households attended the virtual meeting; only 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 adjacent to single-story regarding privacy issues and concerns with having an 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. Their concerns included 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.
- Planning staff has received a letter of support and opposition from two residents who abut the proposal and attended the neighborhood meeting. The letters are attached.

Recommended Actions

Rezoning

Planning staff recommend Planning and Zoning Commission move to recommend approval 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 allow for single-story, attached patios to encroach 5 ft. into 10 ft. setback

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 "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

Upon finding consistency with the General Plan and the approved rezoning, Planning staff recommends the Planning and Zoning Commission recommend approval of the Preliminary Plat.

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

An Addendum Memo was presented to the Commission, Planning staff received correspondence from a resident surveying the neighborhood. The correspondence stated concerns related to the two- story housing project and was added as an attachment.

CHAIRMAN HEUMANN requested that staff present the additional stipulations to the commission and audience.

DAVID DE LA TORRE, PLANNING MANAGER presented additional stipulations reflected under #10 through #15 of the Preliminary Development plan.

Proposed Motions

Rezoning

Move Planning and Zoning Commission recommend approval of PLH20-0052 Serene Estates, rezoning from C-1 to PAD for single family residential, subject to conditions as recommended by Planning staff.

Preliminary Development Plan

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan, PLH20-0052 Serene Estates, subject to conditions as recommended by Planning staff.

Preliminary Plat

Move Planning and Zoning Commission recommend approval of Preliminary Plat, PLT20-0039 Serene Estates, as recommended by Planning staff.

***b. PLH20-0063/PLT21-0008 MCKINLEY GLENN**

Request Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for single-family residential, Preliminary Development Plan approval for subdivision layout, and Preliminary Plat approval for a 22-lot subdivision on approximately 9 acres located east of the southeast corner of Chandler Heights and

Cooper roads. (CONTINUED TO APRIL 21, 2021, PLANNING AND ZONING COMMISSION)

Staff requests a continuance to the April 21, 2021, Planning and Zoning Commission meeting to allow more time to finalize the preliminary plat for the proposed development.

Proposed Motion

Motion Planning and Zoning Commission to continue PLH20-0063/PLT21-0008 McKinley Glenn, as recommended by Planning staff.

***c. PLH20-0054 BAR @118W**

Request Use Permit approval for a bar and an Entertainment Use Permit for outside speakers in a courtyard located on a property zoned City Center District (CCD). The subject property is located at 118 W. Boston Street, generally located approximately 500 feet west of Arizona Avenue, between Chandler Boulevard and Frye Road.

Background

- Zoned as City Center District (CCD).
- Zoning Code requires Use Permit approval for bar, 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 Uses

North	Abandoned building (CCD)	South	Commercial stores and restaurants (CCD)
East	Eye lash extensions & offices (CCD)	West	Chiropractic office (CCD)

Proposed Business Operations

Building/Suite Area	757 building sq. ft. & 1,150 sq. ft. courtyard
# of employees	10-12 employees
Hours of Operation	10:00 AM - 2:00 AM Daily
Hours of Entertainment	5 small outdoor speakers will provide background music during hours of operation, 10:00 AM - 2:00 AM Monday – Friday No live entertainment will be provided
# of seats	Approximately 29 indoor seats and 35 patio seats.

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.

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, if there so happens to be any. Planning staff finds the proposal to be consistent with the goals of the General Plan and Area Plan and recommend approval subject to conditions.

Public / Neighborhood Notification

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on March 3rd, 2021. There was one attendee.
- Neighbor was concerned about live entertainment potentially being provided; 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.

Recommended Action

Planning staff recommends Planning and Zoning Commission move to recommend approval of a Use Permit for a bar and an Entertainment Use Permit, 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.

Proposed Motion

Motion Planning and Zoning Commission to recommend approval of Use Permit and Entertainment Use permit case, PLH20-0054 Bar @118W, subject to the conditions as recommended by Planning staff.

***d. PLH20-0067 THE JOHNATHAN**

Request Preliminary Development Plan approval to amend a comprehensive sign plan for an existing office/retail building. The subject property is located at 55 N. Arizona Place, generally located east of the southeast corner Arizona Avenue and Buffalo Street.

Background

- 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.

Signage

	Existing (PL98-0142)	Proposed
Type of signage	Major Tenant: 17,500 square feet of leased space or more Minor Tenant: First floor occupancy and 5,000 square feet or more of leased space	Major Tenant: 15,000 square feet of leased space or more Minor Tenant: 15,000 square feet or less of leased space Retail Sign: Retail Tenants Center ID Sign: The Johnathan Entry Wall Sign: The Johnathan
Maximum number of signs allowed per tenant	Major Tenant: Two (2) Minor Tenant: One (1)	Major Tenant: Two (2) Minor Tenant: One (1) Retail Tenant: One (1) Center ID Sign: One (1)

		Entry Wall Sign: One (1)
Maximum number of signs allowed on the building concurrently	Four (4)	Major Tenant: Four (4) Minor Tenant: Four (4) Retail: Six(6) Center ID: One (1) Entry Wall: One (1)
Signage type location	Major Tenant: -Between 2 ND and 3 RD floor & above the 5 TH floor Minor Tenant: Between 2nd and 3rd floor	Major Tenant: above the 5 TH floor Minor Tenant: Above 2nd floor (If a minor tenant is located on the 3 RD floor, their sign may be placed on the upper sign band) Retail Sign: Above colonnade Center ID Sign: Above first floor entry wall Entry Wall Sign: Mounted on entry block wall
Maximum Sign Dimensions	Major Tenant & Minor Tenant: -Minimum letter height of 24" and maximum letter height of 36" -Maximum sign width varies by sign band location	Major Tenant: 36" x 504" Minor Tenant: 24" x 301.6" Retail Tenant: 20" x 176.3" Center ID Sign: 20" x 216.8" Entry Wall Sign: 18" x 81"

Sign Material & Finish	Major Tenant: -Non-illuminated letters to fabricated from a brush stainless steel reverse pan channel letter/logo with 5" deep returns -Illuminated letters Logo with brushed stainless steel returns and 3/4" stainless steel trim caps -Letter style and logo are subject to landlord approval Minor Tenant: -5" deep pan channel letters -Logo with brushed stainless steel returns and 3/4" stainless steel trim caps -Letter style and logo are subject to landlord approval	Major Tenant: 3" deep individual pan channel letters Letter style and logo are subject to landlord Minor Tenant: 3" deep individual pan channel letters Letter style and logo are subject to landlord Retail Tenant: 3" deep individual pan channel letters with finished backs Letter style and logo are subject to landlord Center ID Sign: 3" deep, panel channel lettering. Returns finished backs and thin trim retailer painted white Entry Wall Sign: 1/4" thick flat cut out aluminum letterings painted black
Illumination	Signs located above 5TH floor are to be non-illuminated & Signs located between the 2nd and 3rd floor are to be illuminated Major Tenant: Internal illumination (white neon) Minor Tenant: Internal illumination (white neon)	Major Tenant: Halo illuminated with white LED Minor Tenant: Halo illuminated with white LED Retail Tenant: Non illuminated Center ID Sign: Face illuminated with white LED Entry Wall Sign: Non illuminated

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

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 buildings remodel.

Public/Neighborhood Outreach

- This 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.

Recommended Action

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. 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.

Proposed Motion

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH20-0067 The Johnathan for signage, subject to the conditions as recommended by Planning staff.

MOVED BY COMMISSIONER KOLB seconded by **COMMISSIONER FLANDERS** to approve the consent agenda with stipulations presented by staff.

The motion passed unanimously 5-0.

Chairman Rick Heumann – In Favor

Commissioner George Kimble – In Favor

Commissioner Robert Klob – In Favor

Commissioner Matt Eberle – In Favor

Commissioner Michael Flanders – In Favor

5. BRIEFING ITEMS:

None

6. MEMBERS COMMENTS/ANNOUNCEMENTS

Commissioner Robert Klob, will no longer reside within city limits, therefore, this is his last meeting with Planning and Zoning Commission. He was thanked for his many years of service as a commissioner and wished best of luck on future endeavors.

7. CALENDAR

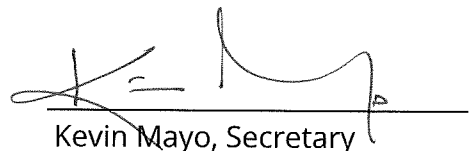
The next Regular Meeting will be held on Wednesday, April 7, 2021, in the Chandler City Council Chambers, 88 E. Chicago Street.

6. ADJOURNMENT

The regular meeting was adjourned at 5:36 p.m.



Rick Heumann, Chairman



Kevin Mayo, Secretary