

REGULAR MEETING MINUTES OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF CHANDLER, ARIZONA May 5, 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 5:38 p.m.

The following Commissioners answered Roll Call:

Chairman Rick Heumann

Vice Chairman David Rose

Commissioner George Kimble

Commissioner Matt Eberle

Commissioner Gregg Pekau

Commissioner Michael Flanders

Absent:

Also, present:

Mr. Kevin Mayo, Planning Administrator

Mr. David de la Torre, Planning Manager

Ms. Lauren Schumann, Senior City Planner

Ms. Kristine Gay, Senior City Planner

Mr. Harley Mehlhorn, Junior Planner

Mr. Thomas Allen, Assistant City Attorney

Ms. Julie San Miguel, Clerk

2. **PLEDGE OF ALLEGIANCE:**

Pledge of Allegiance led by COMMISSIONER FLANDERS.

3. **APPROVAL OF MINUTES**

a. Study Session Minutes of The Planning and Zoning Commission held on Wednesday, April 21, 2021. Approved

MOVED BY VICE CHAIRMAN ROSE, second by **COMMISSIONER FLANDERS** to approve Study Session Minutes of The Planning and Zoning Commission of the City of Chandler held on Wednesday, April 21, 2021.

The motion passed unanimously 6-0.

Chairman Rick Heumann – In Favor

Vice Chair David Rose – In Favor

Commissioner Matt Eberle– In Favor

Commissioner George Kimble – In Favor

Commissioner Gregg Pekau – In Favor

Commissioner Michael Flanders– In Favor

b. Regular Meeting Minutes of The Planning and Zoning Commission held on Wednesday, April 21, 2021. Approved

MOVED BY VICE CHAIRMAN ROSE, second by **COMMISSIONER FLANDERS** to approve Regular Meeting Minutes of The Planning and Zoning Commission of the City of Chandler held on Wednesday, April 21, 2021.

4. AGENDA ITEMS:

CHAIRMAN HEUMANN informed the audience before the regular meeting Commission and Staff met in open study session to discuss the items on the agenda, Items a, b, c, and d are on consent.

***a. PLH20-0019/PLH20-0008/PLT20-0009 COMMONWEALTH LOFTS**

Approved with stipulation

Request Area Plan Amendment to the Downtown South Arizona Avenue Corridor Area Plan from Low Density Residential (0-6 du/acre) to Townhome Medium Density Residential (12-14 du/acre), Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD), Preliminary Development Plan for site layout and building architecture, and preliminary plat approval for townhouse dwellings on approximately 3.0 net acres located at 699 E. Commonwealth Avenue approximately ¼ of a mile south and west of Chandler Boulevard and McQueen Road

Background

- Site is currently undeveloped and zoned for agricultural land uses.
- 3.0 net-acre site fronting on unimproved portion of Commonwealth Avenue

Surrounding Land Use Data

North	Commonwealth Avenue then Single-family dwellings	South	Single-family dwellings
East	Vacant land then church	West	Single-family dwelling then multifamily dwellings

General Plan and Area Plan Designations

Plan	Recommended Land Use	Proposed Amendment
General Plan	Growth Area 1: Downtown Chandler	No Change
Downtown South Arizona Avenue Corridor Area Plan	Low Density Residential (0-6 du/acre)	Townhome Medium Density Residential (12-14 du/acre)

Proposal

Units	• 39 Townhome lots • 12.8 du/ac
Parking	• 2 garage spaces per unit • 18 on-site guest parking spaces • +/- 14 New on-street public parking spaces
Open Space	• 6.5' private patio space per unit • Turfed retention court yards • Bocce Ball court and cabana grill area
Building Height	• 2-stories • 27.5 feet tall to top of parapet
Building Design	• Primary materials include stucco and stone • Roof design includes concrete tile accent roofs, metal canopies, and flat parapet roofline • Patio wall to be aesthetically vented stucco with welded mesh doors.

Review and Recommendation

Staff finds the proposed area plan amendment, rezoning, and preliminary development plan proposed for the site align with the goals of the General Plan.

The General Plan identifies the site as being located with Growth Area 1, Downtown Chandler which calls for the revitalization of vacant parcels and higher densities. Staff believes that this guidance supports the proposal to amend the Downtown South Arizona Avenue Corridor Area Plan to recommend Townhomes at a density 12-14 du/ac vs. single-family units up to 6 du/ac.

To accommodate garage parking but be sensitive to nearby single-family homes, the applicant has proposed two-story units instead of three. To further consider privacy, instead of providing living room space on the second floor, two non-master bedrooms without balconies are proposed in the rear of the units. The units are organized in an easily navigated layout that results in the majority of the frontage being occupied by patio spaces and front doors that are visible from the public sidewalk, instead of garages. This will help "activate" and provide a pleasant and safe feeling environment for this portion of Commonwealth Avenue by creating opportunities for neighbors to interact, and by increasing visibility of the street by residents.

Staff finds that this proposal balances the General Plan's guidance to increase density, providing a transition between old and new development, promoting a compatible mix of housing types, and promoting civic engagement.

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 digital neighborhood meetings via Zoom on September 8, 2020
- Four households attended the meeting where a variety of questions were asked regarding wall height, irrigation, building height, unit cost, and landscaping. The applicant answered each question after which there was no opposition shared.
- One resident preferred that the open space of the Commonwealth Avenue right-of-way remain. The applicant explained that a portion of the unimproved land includes right-of-way that has been reserved for the proposed roadway.
- A question was asked about irrigation to adjoining properties. The applicant confirmed that irrigation will be preserved and underground as desired to adjoining properties.
- As of writing this memo, Planning staff has not received opposition from residents regarding the proposal.

Recommended Actions

Area Plan Amendment

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Area Plan Amendment to the Downtown South Arizona Avenue Corridor Area Plan by changing Low Density Residential (0-6 dwelling units per acre, du/ac) to Townhome Medium Density Residential (12-14 du/ac) as shown on the Area Plan Amendment Exhibit.

Rezoning

Planning staff recommends Planning and Zoning Commission move to recommend approval of rezoning from AG-1 to PAD for Townhomes subject to the following conditions:

1. Development of the overall site shall be in substantial conformance with the Development Booklet, entitled, "Commonwealth Lofts" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0008, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by 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. Residential dwelling units shall be permitted with a maximum density of 13 dwelling units per acre.
5. No building façade shall be closer than 15' from the right-of-way line of Commonwealth Avenue.
6. No building façade shall be closer than 25' from the common shared property lines located on the east, west, and south of the overall site.

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 "Commonwealth Lofts" and kept on file in the City of Chandler Planning Division, in File No. PLH20-0008, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by the Chandler City Council.
2. The site shall be maintained in a clean and orderly manner.
3. The landscaping and all other improvements 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. Signage shall be designed in coordination with landscape plans, planting materials, storm water basins, site contours, utility pedestals, and other site appurtenances or features so as not to create problems with sign visibility or prompt the removal of required or proposed landscaping.
7. All mechanical equipment shall be fully screened on all sides. Said screening shall be architecturally integrated with the building.

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.

Note: Stipulation #9 was added as a result of the Planning and Zoning's discussion during the study session:

9. The applicant shall work with staff to revise the design of the left elevation to provide larger windows, popouts, and materials similar to the design of the right elevation in order to break up the proposed span of stucco.

Preliminary Plat

Upon finding consistency with the General Plan and the proposed rezoning and preliminary development plan, 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.

Proposed Motions

Area Plan Amendment

Move Planning and Zoning Commission recommend approval of PLH20-0019, Area Plan Amendment to the Downtown South Arizona Avenue Corridor Area Plan by changing Low Density Residential (0-6 dwelling units per acre, du/ac) to Townhome Medium Density Residential (12-14 du/ac) as shown on the Area Plan Amendment Exhibit, as recommended by Planning staff.

Rezoning

Move Planning and Zoning Commission recommend approval of PLH20-0008 Commonwealth Lofts, rezoning from AG-1 to PAD for "Townhomes," as recommended by Planning Staff.

Preliminary Development Plan

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan, PLH20-0008 Commonwealth Lofts, subject to conditions as recommended by Planning staff.

Preliminary Plat

Move Planning and Zoning Commission recommend approval of Preliminary Plat, PLT20-0009, as recommended by Planning staff.

CHAIRMAN HEUMANN advised that an additional stipulation was added prior to the regular meeting. He requested staff present the additional stipulation to the commission and audience.

DAVID DE LA TORRE, PLANNING MANAGER presented the additional stipulation reflected under #9 of Preliminary Development Plan.

***b. PLH21-0006 INFANT SWIMMING RESOURCE Approved**

Request Use Permit approval to allow for swim lessons within a property zoned Planned Area Development (PAD) for single-family. The property is located at 2720 East Coconino Drive, in the Fonte Al Solé subdivision, which is located west of the southwest corner of Gilbert and Ocotillo roads.

Background

- Subject site zoned PAD for single-family; constructed 2003
- 10,800 square foot lot with one-single family home with pool in rear yard
- Homeowner has been operating swim lessons from subject site for over 12 years
- City staff received complaint about the homeowner operating a business from the home
- Per the Zoning Code, businesses can occur within a single-family if no employees or customers come to the property
- The Zoning Code can permit additional uses within a single-family home through Use Permit approval
- Infant Swimming Resource is a certified training program to teach infant/children how to survive in bodies of water
- The homeowner is a certified master instructor and trains instructors across the county during the off-season

Surrounding Land Use Data

North	Single-family residence	South	Single-family residence
East	Single-family residence	West	Single-family residence

Proposed Development

Proposed Time/Day	Monday-Friday, typically 7 a.m. to 1 p.m.
Lesson length	Lessons are 15 minutes long, 5 days a week, for 3-6 weeks
Swim Season	Typically April- August

Parking	3 spaces in driveway for guest & 3 car garage for residents; Lessons are staggered to avoid overlapping of more than two guest vehicles
Access to Pool	Lessons limited to one guardian, access rear yard by side gate along eastern property

Review and Recommendation

Planning staff has reviewed the request and compatibility with the surrounding single-family residences. The route to access the property from Ocotillo Road, utilizes Normal Way, a collector street that doesn't have any homes fronting the street. Closer to the property, customer traffic on Kimberlee and Coconino Drives, traffic is mitigated by staggered lesson times and requiring all guardians to park on-site on one of the three provided parking spaces. Additionally, lessons are only conducted five months of the year and during the morning hours thus lessening the impact on the surrounding neighborhood. Infant Swimming Resource has only one employee, the homeowner, which further reduces the impacts of a business within a single-family home.

Public/Neighborhood Outreach

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on April 15, 2021. The applicant and Planning staff held an in-person meeting at the subdivision's common ramada area. Seven residents attended, all had high recommendations for the service the applicant provides to Chandler residents. Many of the attendees have or had at one point had children attend the applicant's lessons and praised the applicant for the confidence their children have around water. Furthermore, expressing the relief they have as a parent/guardian knowing if their child fell into a body of water, the child could maneuver to safety if an adult was not around.

The other attendees never utilized lessons from the applicant but lived on the same street including a neighbor from across the street: all stating support for the service being provided by the applicant.

- As of the writing of this memo, Planning staff is not aware of any formal opposition to the request. The resident who called in the complaint has been given multiple opportunities to contact the assigned planner and has not as of writing this memo. Furthermore, letters of support from surrounding neighbors are attached praising the service offer by the applicant to the community.

Recommended Action

Planning staff recommends Planning and Zoning Commission move to recommend approval of Use Permit, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
3. The site shall be maintained in a clean and orderly manner.
4. All customers must park on-site within the subject site's driveway.

Proposed Motion

Move Planning and Zoning Commission recommend approval of Use Permit case PLH21-0006 Infant Swimming Resource, subject to conditions as recommended by Planning staff.

***c. PLH21-0011 NORTH PRICE STABLES Approved with Stipulation**

Request Use Permit extension approval to continue to allow for the boarding of horses within a residential property zoned Agricultural (AG-1). The property is located at 2885 N. Price Road, located on the east side of Price Road south of Elliot Road.

Background

- Zoned Agricultural (AG-1)
- Approximately 4 acres in size
- The AG-1 zoning district allows up to two horses to be kept by right per 35,000 square feet of lot area (equivalent to 9 horses on the subject site). Additionally, the AG-1 district permits riding stables on properties containing a minimum of 10 acres. A Use Permit is required to both exceed the maximum number of horses and to allow riding stables on less than 10-acre sites.
- Four previous Use Permits and Use Permit extensions have been granted: original approval in 2009 for 1 year, extensions in 2010 and 2013 for 3 years and in 2016 for 5 years.
- Site contains a single-family home, a yard, stables, and a lit riding arena east of the stables.
- The horses are used for psychotherapy, this does not generate large amount of traffic as the sessions are by appointment only and are short in duration.

Surrounding Land Uses

North	Single family subdivision zoned PAD	South	A currently vacated lot planned and zoned for a medium density apartment complex
East	Large lot single family within Maricopa County	West	Price Road then Arizona Loop 101

Review and Recommendation

Planning staff finds the boarding of up to 22 horses and ridings stables to be appropriate at this location provided that it continues to be managed well and follows the stipulations previously applied and again proposed herein. Over the past decade, the ownership has, to staff's knowledge, followed these stipulations and no incidents have occurred. No complaints have been filed against the property since the subject site began operations; given this, staff is supportive of no further time stipulation. Finding compatibility with surrounding land uses, self-contained operations, and consistency with the General Plan, Planning staff recommends approval subject to conditions.

Public / Neighborhood Notification

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A Virtual neighborhood meeting was held on April 26th, 2021, at which four residents attended to express their support for the project.
- Four residents have reached out to express their support for this Use Permit extension, letters of support are attached.

Recommended Action

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Use Permit extension, subject to the following conditions:

1. Expansion or modification beyond the approved exhibits (Site Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to any other location.
3. The number of horses shall be limited to 22.
4. Riding activities shall be limited to a maximum of three days per week.
5. Riding activities shall cease by 9:00 p.m. each night.
6. The site shall be maintained in a clean and orderly manner.

7. The riding area shall be watered down prior to riding activities.
8. The property shall remain in compliance with any applicable Maricopa County Air Quality Department regulations.

Note: Stipulation #9 was added as a result of the Planning and Zoning's discussion during the study session:

9. Any change of ownership or management of horse stable operations shall require a new Use Permit.

CHAIRMAN HEUMANN advised that an additional stipulation was added during the study session prior to the regular meeting. He requested staff present the additional stipulation to the commission and audience.

DAVID DE LA TORRE, PLANNING MANAGER presented the additional stipulation reflected under condition #9.

Proposed Motion

Move Planning and Zoning Commission recommend approval of Use Permit extension case, PLH21-0011 North Price Stables, subject to the conditions as recommended by Planning staff.

***d. CANCELLATION OF THE MAY 19, 2021 PLANNING AND ZONING COMMISSION MEETING Approved**

CHAIRMAN HEUMANN opened the floor to discuss any items and informs the audience that he had received one speaker card in favor of Item c. PLH21-0011 North Price Stables.

DUANE LIDMAN, 2315 WEST PALOMINO DRIVE, advised that he is in favor of Item c. PLH21-0011 North Price Stables, but he did not wish to speak before the board regarding this item.

MOVED BY COMMISSIONER PEKAU seconded by **COMMISSIONER EBERLE** to approve the consent agenda.

The motion passed unanimously 6-0.

Chairman Rick Heumann – In Favor
Vice Chair David Rose -In Favor
Commissioner Matt Eberle– In Favor

Commissioner George Kimble – In Favor
Commissioner Gregg Pekau – In Favor
Commissioner Michael Flanders– In Favor

5. BRIEFING ITEMS:

None

6. MEMBERS COMMENTS/ANNOUNCEMENTS

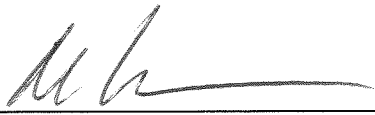
None

7. CALENDAR

The next regular meeting will be held on Wednesday, June 2, 2021, in the Chandler City Council Chambers, 88 E. Chicago Street.

6. ADJOURNMENT

The regular meeting was adjourned at 5:43 p.m.



Rick Heumann, Chairman



Kevin Mayo, Secretary