

Meeting Minutes

Planning and Zoning Commission

Regular Meeting

September 15, 2021 | 5:30 p.m.
Chandler City Council Chambers
88 E. Chicago St., Chandler, AZ



Call to Order

The meeting was called to order by Chairman Heumann at 5:36 p.m.

Roll Call

Commission Attendance

Chairman Rick Heumann
Vice Chairman David Rose
Commissioner Matt Eberle
Commissioner George Kimble
Commissioner Erik Morgan

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Lauren Schumann, Senior City Planner
Harley Mehlhorn, Associate Planner
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Eberle.

Consent Agenda and Discussion

- September 1, 2021, Planning and Zoning Commission Meeting Minutes**
Move Planning and Zoning Commission approve Planning and Zoning Commission Study Session Minutes of Wednesday, September 1, 2021, and Regular Meeting Minutes of Wednesday, September 1, 2021.
- PLH20-0053 Chandler Airpark Area Plan Update**
Move Planning and Zoning Commission recommend approval of PLH20-0053 Chandler Airpark Area Plan Update, adopting an update to the Chandler Airpark Area Plan, clarifying recommended future land uses, establishing conceptual design guidelines, and adopting revisions to the Airport Conflicts Evaluation process, located within the area surrounding

the Chandler Municipal Airport, bounded by Santan 202 Freeway, Gilbert Road, Ocotillo Road, and Arizona Avenue, as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of adoption of an update to the Chandler Airpark Area Plan, clarifying recommended future land uses, establishing conceptual design guidelines, and adopting revisions to the Airport Conflicts Evaluation process.

3. PLH 21-0045 SanTan Brewing Company Inc

Move Planning and Zoning Commission recommend approval of Use Permit and Entertainment Use Permit, PLH21-0045 SanTan Brewing Company Inc. for a patio expansion with a Series 7 Beer and Wine Bar License and to allow outdoor speakers and acoustic live entertainment, located at 495 E Warner Road, approximately half a mile east of Arizona Avenue on the south side of Warner Road, subject to the conditions recommended by Planning staff.

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

1. Substantial expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require new Use Permit application and approval.
2. The Liquor Use Permit and Entertainment Use Permit are non-transferable to any other location.
3. The Use Permit and Entertainment Use Permit Approvals are only for the liquor extension of premise and the entertainment uses approved herein, no variances or waivers for site development standards are granted via this Use Permit approval.
4. The site shall be maintained in a clean and orderly manner.
5. All live entertainment shall be acoustic and non-amplified, utilizing no full drum kits and when percussive instruments are used they shall be limited to instruments similar to bongos, cajons, and small box drums.
6. The hours of live entertainment shall be limited to 3pm to 9pm Monday through Thursday, between 11am and 10pm on Saturday, and between the hours of 11am and 9pm on Sunday.

7. 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.

8. The establishment shall provide a contact phone number for a responsible person (i.e., brewery owner and/or manager) to any interested neighbors and property owners to resolve noise complaints quickly and directly.

9. The Entertainment Use Permit shall remain in effect for three (3) year from the date of City Council approval. Continuation of the Entertainment Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler

CHAIRMAN HEUMANN informed the audience before the regular meeting Commission and staff met in open study session to discuss the items on the agenda and opened the floor to discuss the Consent Agenda Items.

NORM HASKETT, 933 EAST GILA LANE stated he was unable to attend the Neighborhood Meeting for SanTan Brewery, but he sat on the patio on Saturday and listened to the traffic and wondering how anybody could enjoy the patio at eight in the morning or at noon. He further stated he attempted to listen to the morning news on his radio, but he could not hear it over the sound of tires going over the railroad and nearby traffic. He explained the sounds were enormously distracting and asked what level decibel the noise is and if SanTan Brewery would increase their music for it to be amplified over the sound of traffic. He asked how SanTan's noise will affect the nearby neighborhoods and facility, unless its moderated or dampened up. He stated he can hear the Mesquite High School marching band from his house and its farther than SanTan. He asked if the City knows what is the current decibel noise and what SanTan Brewery is going to do to prevent that. He mentioned that he is the president of Stone Gate Crossing Three.

CHAIRMAN HEUMANN Thanked Mr. Haskett for his service. He explained the traffic noise level on the patio is a problem for the business. He further explained it is no different than patios in downtown Chandler where there is Arizona Avenue, and it is the business's responsibility if somebody wants to use it or not. He stated their tasting room is used more than anything else at the business. He explained in terms of noise in your neighborhood, there is a stipulation that no noise shall be emitted from external speakers in such a manner exceeds the general level of noise emitted by the use is outside the premises of business and disturbs adjacent businesses and residential areas. He further stated that there is another stipulation that the establishment shall provide a contact phone number for a responsible person to any interested neighbors and property owners to resolve noise complaints quickly and directly. He explained if a person has a problem with the noise being too loud, they will have a number to call to remedy the issue, he also stated this is a temporary use permit for three years. He explained there are caveats to protect the neighborhood and if they were to call due to the noise, the people at Santan Brewery are great community partners.

NORM HASKETT, 933 EAST GILA LANE asked if the business was going to have sound deadening walls.

HARLEY MEHLHORN ASSOCIATE PLANNER stated it is my understanding that there are no walls proposed. He further stated SanTan will be utilizing landscape architect to create a living sound barrier that can create some noise attenuation in both ways, both from the street because they want their patrons to enjoy a smooth experience, and to limit the noise coming out of the facility.

NORM HASKETT, 933 EAST GILA LANE stated there is a berm there and maybe if they raised the berm, it would be more enjoyable to be on the patio.

CHAIRMAN HEUMANN stated that is up to the business, and if it is not conducive to being there, people will not spend their money there. He explained SanTan has been a great community partner and the Applicant always done a great job in making sure there is quality. He further stated there is a stipulation if someone has an issue, they can pick up the phone and if they violate that then they can also call staff. He further stated this is not an open-ended permit where they cannot just do whatever they want.

CHAIRMAN HEUMANN asked if anyone else from the audience would like to speak about an agenda item.

NIK MCCURDY, 395 EAST WARNER stated that he owns a neighboring business to SanTan Brewery Company Inc. and asked what hours the patio would be open and as they are concerned about parking. He explained the parking is problematic due to the gymnastic center and SanTan. He further explained when we bought back in 2007, there were regulations about what we could not do and now there are two or three gyms next to us. He would like to know the hours as he is concerned about parking.

CHAIRMAN HEUMANN stated in the summertime no one will be on the patio and asked staff to answer Mr. McCurdy's question regarding operation hours.

HARLEY MEHLHORN ASSOCIATE PLANNER stated any events held on the patio that would produce above average traffic, for the most part will be held on the afternoons or weekends and that would not interfere with other surrounding businesses. He further stated hours of the patio are limited by stipulation, so they are only allowed to be used at certain times; Monday to Thursday 9:00 a.m. to 3:00 p.m.

CHAIRMAN HEUMANN stated on Saturdays and Fridays 11:00 a.m. to 10:00 p.m. and Sunday 11:00 a.m. to 9:00 p.m., so most of it will be on weekends.

NIK MCCURDY, 395 EAST WARNER stated that presents a problem in the afternoon. He explained parking is really crowd.

CHAIRMAN HEUMANN stated SanTan Brewery also has parking in the back.

HARLEY MEHLHORN ASSOCIATE PLANNER stated they also have a shared parking agreement with the adjacent building,

NIK MCCURDY, 395 EAST WARNER stated there is a lot of traffic in there now.

CHAIRMAN HEUMANN advised the audience that Planning and Zoning Commission is a recommending body to City Council. He suggested to work with staff to just make sure concerns are brought up in terms of the parking. He stated if the gymnastics place is violating their original uses, then that's something the City will need to address. Chairman Heumann stated he was at SanTan Brewery a couple weeks ago, and there is a gym and parking is difficult depending on the time of the day.

4. Cancellation of the October 6, 2021, Planning and Zoning Commission Hearing

Move Planning and Zoning Commission cancel October 6, 2021, Planning and Zoning Commission Hearing.

Consent Agenda Motion and Vote

Vice Chairman Rose moved to approve the Study Session and Regular Meeting Minutes of the September 1, 2021, Planning and Zoning Commission; Seconded by Commissioner Kimble.

Motion carried (4-0), Chairman Heumann abstaining.

Commissioner Kimble moved to approve the Consent Agenda of the September 15, 2021, Regular Planning and Zoning Commission Meeting; Seconded by Commissioner Eberle.

Motion carried unanimously (4-0), Commissioner Eberle abstaining.

Member Comments/Announcements

KEVIN MAYO, PLANNING ADMINISTRATOR stated Harley Mehlhorn has been with the City for over a year and during that time has been a paid intern working under the title junior planner. He announced the City was able to hire Harley Mehlhorn as a full time staff member and now he an Associate Planner.

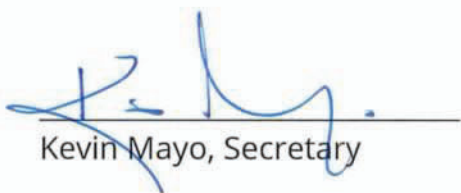
CHAIRMAN HEUMANN congratulated Harley Mehlhorn for his new role at the City.

Calendar

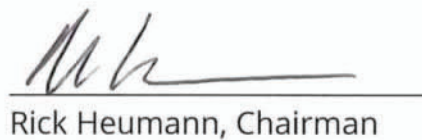
The next regular meeting will be held on Wednesday, October 20, 2021, in the Chandler City Council Chambers, 88 E. Chicago Street.

Adjourn

The meeting was adjourned at 5:49 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chairman