

Meeting Minutes

Planning and Zoning Commission

Study Session

November 17, 2021 | 4:30 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 4:31 p.m.

Roll Call

Commission Attendance

Chairman Rick Heumann
Vice Chairman David Rose
Commissioner George Kimble
Commissioner Erik Morgan
Commissioner Sherri Koshiol
Commissioner Michael Quinn

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Dana Alvidrez, City Transportation Engineer
Lauren Schumann, Senior City Planner
Benjamin Cereceres, City Planner
Zachary Werdean, City Planner
Harley Mehlhorn, Associate Planner
Thomas Allen, Assistant City Attorney
Michelle Reeder, Clerk
Julie San Miguel, Clerk

Consent Agenda and Discussion

1. October 20, 2021, Planning and Zoning Commission Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of October 20, 2021, and Regular Meeting of October 20, 2021.

CHAIRMAN HEUMANN confirmed there were no corrections or changes to the minutes.

2. PLH21-0005/PLT21-0004 THE VILLAGE AT HAMILTON LANDING

BENJAMIN CERECERES, CITY PLANNER presented details regarding the request rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for single-family attached

residential, Preliminary Development Plan for subdivision layout and housing product, and preliminary plat approval on approximately 7.3 acres. The subject property is located on the southwest corner of McQueen and Willis Roads.

BENJAMIN CERECERES, CITY PLANNER clarified the setbacks in the staff report.

CHAIRMAN HEUMANN asked why the two neighbors were in opposition to the item.

BEN CERECERES, CITY PLANNER explained the concerns expressed by one neighbor was parking and traffic congestion. He further explained Staff informed the resident, a total of 135 parking spaces will be provided on site and a traffic statement was provided by the developer and has been reviewed and accepted by traffic engineering. He stated the second neighbor was concerned no city services were offered to the residents to the north and he was hoping the developer could accommodate.

CHAIRMAN HEUMANN noted the stipulations for this item are common for developments next to the freeway and asked if the wall on the south side will be raised.

BEN CERECERES, CITY PLANNER responded the south side wall will be staying as is.

CHAIRMAN HEUMANN is concerned with parking on the site. He stated there are similar projects in the city with a one car garage and two tandem spaces and the garages are typically used for storage instead of parking and due to the tandem spaces there is an issue of your car getting blocked if you are the first person home. He asked where overflow parking would go and asked if parking was not allowed on Willis Road.

BEN CERECERES, CITY PLANNER confirmed parking is not allowed on Willis Road.

CHAIRMAN HEUMANN stated he is concerned with parking, although it is supposedly over parked. He explained, when you have tandem spaces, someone is getting blocked and your constantly moving cars with your spouse to leave.

BEN CERECERES, CITY PLANNER explained there are a total of 135 parking spaces being provided by the Applicant and per city code 75 parking spaces are required. He further stated there will be 25 parking spaces on street parking and the previously mentioned product, Brighton Place has the equivalent or something very similar in place.

CHAIRMAN HEUMANN asked if Brighton Place was a rental property.

BEN CERECERES, CITY PLANNER confirmed, Brighton Place is a rental property.

CHAIRMAN HEUMANN mentioned because Brighton Place is a rental property, they have more conditions. He is concerned three spaces are counted for each unit as a double driveway is not provided. He explained, when you have a double driveway, it counts for two parking spaces and 36 of these spaces could be counted out because it is not a double driveway. He is afraid parking is going to be a tight situation as only one side of the street can be used for parking and the other is a fire lane. He asked for the average size of the homes.

BEN CERECERES, CITY PLANNER presented an exhibit regarding parking and stated the average unit is approximately 1,200 square feet.

CHAIRMAN HEUMANN asked if one side of the street will be a designated fire lane.

BEN CERECERES, CITY PLANNER responded he is not sure, but the City's Traffic Engineer is here and available for questions.

VICE CHAIRMAN ROSE mentioned this is a tough little project and asked for background regarding the sections to be annexed.

BEN CERECERES, CITY PLANNER presented the corresponding exhibit and pointed out the sections currently within the city and the county areas with proposed annexations.

VICE CHAIRMAN ROSE asked if the housing development will be gated.

BEN CERECERES, CITY PLANNER responded it would not be gated.

3. PLH21-0078 POLLACK BUSINESS PARK NORTH 1 & 2

BENJAMIN CERECERES, CITY PLANNER presented details regarding the Request to amend the Planned Area Development zoning by removing a limitation on sign colors. The subject site consists of five buildings located at 3205 through 3245 N. Arizona Avenue, generally located north of the northeast corner of Arizona Avenue and Elliot Road.

COMMISSIONER MORGAN asked what was the intention of limiting the colors to red and blue.

BEN CERECERES, CITY PLANNER responded researched was conducted and a reason could not be found. He asked Chairman Heumann if was familiar with the reason.

CHAIRMAN HEUMANN stated he believes it was added by the Applicant at the time. He further stated this has been around for nearly twenty years and Applicant may have added it to keep it clean and not to risk different colors and combinations.

4. PLH21-0065 AIRSTREAM OF CHANDLER

HARLEY MEHLHORN, ASSOCIATE PLANNER presented details regarding the request to amend the Planned Area Development (PAD) zoning for Community Commercial (C-2) uses to permit indoor motor vehicle sales, indoor motor vehicle repair including body work, and limited short term overnight stays for recreational vehicles. The existing development is located at 1375 S. Arizona Avenue, generally located on the southeast corner of Arizona Avenue and the Loop 202 Santan Freeway.

An Addendum Memo was presented to the Commission with an added stipulation reflected under #9.

CHAIRMAN HEUMANN mentioned Chandler has a lot of centers where the landscaping has gone downhill and asked if there is landscaping that needs to be brought up to meet the standards that were approved twenty years ago.

HARLEY MEHLHORN, ASSOCIATE PLANNER responded as part of the administrative design review it was looked at and the Applicant is bringing the landscaping up to our standard.

CHAIRMAN HEUMANN asked Staff to clarify the concern of the person who had issues with the site.

HARLEY MEHLHORN, ASSOCIATE PLANNER stated the concern was regarding potential difficulties with people camping. He further stated the added stipulation will increase regulations and after the Applicant discussed this with the resident the concern was alleviated regarding that aspect.

COMMISSIONER KIMBLE mentioned he liked the project and that it came together nicely. He asked what if would happen if the Commission recommended denial, since the business is already in operation.

HARLEY MEHLHORN, ASSOCIATE PLANNER responded currently recreational vehicle sales and storage is a permitted use. He stated it was after Staff discovered uses that were not permitted under their current designation that the Applicant sought rezoning. The Applicant was unaware of the aspects and are going through the process.

CHAIRMAN HEUMANN stated he spoke to the Applicant and appreciated the added stipulation as one of his concerns was overnight parking. He further stated the stipulation is clear to prevent a campground with parties in the business center. He explained the Applicant will have a contract with people who are receiving services, so they will know the rules and regulations and it will be backed by the City. He thanked Staff for working with the Applicant.

5. PLH21-0041 Treeland by Tri Pointe Homes

LAUREN SCHUMANN, SENIOR CITY PLANNER presented details regarding the Request Preliminary Development Plan approval for housing product. The approximate 25-acre subdivision is located at the southwest corner of Chandler Heights Road and 124th Street.

VICE CHAIRMAN ROSE stated he is happy with the way the housing product turned out. He thanked the Applicant for listening to the concerns and reacting accordingly.

CHAIRMAN HEUMANN mentioned since this is a Preliminary Development Plan, this has nothing to do with 122nd Street or 124th Street and we went through that months ago. He thanked the Applicant for stepping up to the plate and adding changes after Design Review Committee. He asked if the light features and things like that were standard or optional.

LAUREN SCHUMANN, SENIOR CITY PLANNER confirmed they are not optional.

CHAIRMAN HEUMANN explained he wanted to make sure because sometimes images are presented with options that cost extra and the homes do not get built the same as the images presented. He stated the Applicant has done a nice job and thanked Staff and the Applicant for working together.

6. PLH21-0035 VERIZON PHO TWELVE OAKS

ZACHARY WERDEAN, CITY PLANNER stated the Applicant is requesting additional time to update exhibits for the Use Permit to modify and relocate an existing wireless facility.

7. PLH21-0054 GOOD TIME CHARLI'S

ZACHARY WERDEAN, CITY PLANNER presented details regarding the requested Entertainment Use Permit approval to allow live entertainment indoors and live acoustic music on an outdoor patio. The restaurant is located at 6045 W Chandler Blvd., Suite 7, generally located on the southwest corner of Chandler Blvd. & Kyrene Road.

COMMISSIONER MORGAN asked Staff to explain the specifics about the noise complaints, if there were any known causes, how frequent were the complaints, and if there were any resolutions.

CHAIRMAN HEUMANN stated there is more history than what was presented tonight and this property was once The Regal Beagle. He further stated The Regal Beagle is one of two properties that he has seen have their Use Permit pulled. He explained after Good Time Charli's took it over, although they have done a better job, there were some issues with the neighbors to the east due to sound traveling. He stated there were serious concerns over the years and a one-year time stipulation is appropriate. He noted the self-closing door on the east side and stated he wants the

Applicant to know the property has a history and the neighbors are vocal, therefore, it is imperative to follow the rules. He mentioned with new ownership, things can change and stated the business has been successful for the last couple of years, aside from a couple minor things. He thanked Staff and the Applicant for working through the issues.

COMMISSIONER MORGAN mentioned on previous Use Permits seen by the Commission there has been a contact person for when issues happen and asked if the Applicant had one.

CHAIRMAN HEUMANN stated that is included in the stipulations. He explained that specific stipulation has been added to cases for at least ten years to ensure someone is able to pick up the phone. He stated the stipulation prevents the problem of someone disregarding callers if the business is contacted by phone.

ZACHARY WERDEAN, CITY PLANNER stated even though Charli is no longer the owner of the restaurant she will still be with the restaurant as an employee.

CHAIRMAN HEUMANN stated that is not his understanding.

ZACHARY WERDEAN, CITY PLANNER explained Staff wanted to continue with what was approved in the past, so that is the reason for the one-year time stipulation. He stated the patio came in on the last approval and the hours for the patio were until 10:00 p.m. or 11:00 p.m., but currently it is only used until 8:00 p.m. and that has helped with the neighbors. He further explained when the new owner bought in January, there were a lot of complaints and a few police reports. He stated Staff met with the owner and showed them the case history and the previous history of the site. He further stated the new owner was receptive to the information presented and after January there were less calls and neighbors seemed to be more supportive.

8. PLH21-0074 THIRD BASE

ZACHARY WERDEAN, CITY PLANNER presented details regarding request Use Permit approval for a Series 6 bar liquor license and Entertainment Use Permit approval to allow indoor live acoustic music and speakers on the outdoor patio for background music. The site is located at 4910 W Ray Rd, Suite 3, generally located on the northeast corner of Rural and Ray roads.

CHAIRMAN HEUMANN mentioned this is a challenging location and it could be a great spot, but it has been on and off for many years. He stated it's a big space, but this business has a clientele already. He further stated he lives down the street and he is excited for this to get going since it has been empty.

9. **PLH21-0066 BOTTLE AND BEAN**

HARLEY MEHLHORN, ASSOCIATE PLANNER presented details Request Use Permit approval for a Series 7 Beer and Wine Bar license. The business is located at 2577 W Queen Creek Road, Suite 100, generally located west of the southwest corner of Dobson and Queen Creek roads.

CHAIRMAN HEUMANN asked why there is a two-year time stipulation if there is no music, and the request is strictly for a series seven beer and wine bar license.

HARLEY MEHLHORN, ASSOCIATE PLANNER stated to be consistent with recent use permits for series seven beer and wine bar license.

CHAIRMAN HEUMANN advised he would be okay with a three-year stipulation as this is just a beer and wine license in a successful shopping center and not entertainment. He asked the Commission for their thoughts or if they had questions and stated rather than having the Applicant come back in two years if the time could be changed to three years.

10. **Cancellation of the December 1, 2021, Planning and Zoning Commission Meeting**

Due to management of cases, Planning staff is recommending cancellation of the December 1, 2021, Planning and Zoning Commission Hearing.

Calendar

The next study session will be held before the regular meeting will be held on Wednesday, December 15, 2021, in the Chandler City Council Chambers, 88 E. Chicago Street.

Adjourn

The meeting was adjourned at 5:20 p.m.



Kevin Mayo, Secretary

Rick Heumann, Chairman