

Meeting Minutes

Planning and Zoning Commission

Work Session

February 16, 2022 | 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 Erik Morgan
Commissioner Sherri Koshiol
Commissioner Michael Quinn
Commissioner Jeff Velasquez

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Lauren Schumann, Senior City Planner
Kristine Gay, Senior City Planner
Harley Mehlhorn, City Planner
Ben Cereceres, City Planner
Thomas Allen, Assistant City Attorney
Dhaky Mullangi, Law Department Intern
Julie San Miguel, Clerk

Scheduled and Unscheduled Public Appearances

CHAIRMAN HEUMANN stated, members of the audience may address any item not on the agenda. State Statute prohibits the Board or Commission from discussing an item that is not on the agenda, but the Board or Commission does listen to your concerns and has Staff follow up on any questions you raise.

Briefing

1. Training for Planning and Zoning Commission Members

City staff will instruct the Commission on topics related to service as Commissioners. There will be no formal Commission business conducted at this meeting.

CHAIRMAN HEUMANN thanked everyone for introducing themselves and wanted to mention for work he runs a manufactures rep group, and he is responsible for the western region of the United States, and they do a lot of home furnishings and deal with a lot of independent retailers.

KEVIN MAYO, PLANNING ADMINISTRATOR introduced himself to the Commission and stated he has been working for the city for twenty-one years. He explained the presentations will start with an introduction to our planning team, then to legal for legal basics, next to Planning Manager, David de la Torre, for a tutorial on the general plan, area plan, and zoning, then back to him with final thoughts and future challenges. He stated that the planning division works for the Development Services Department for the City and most everything that comes to the Planning and Zoning Commission will come through our division. He presented an organization chart for the Development Services Department and explained that everything built in Chandler is examined through three lenses: planning, civil, and a building. He stated there is also a telecommunication utilities division, in Development Service and they are responsible for private and public utilities and communications. He explained his role as Planning Administrator oversees the planning division which is broken into three groups and explained a brief synopsis of each of the groups: Planning, Site Development, and Geographic Information System (GIS). He further explained the collaboration amongst the Planning Division on projects and described the structure and staff of the planning team. He mentioned the Planning Team is currently recruiting as there is one vacancy and Senior Planner, Susan Fiala, is retiring in March. He explained the Planning Team for Chandler is one of the smallest teams in the valley in proportion to population, square miles, and development area.

CHAIRMAN HEUMANN complimented the planning team on their efficiency.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY thanked the members of the commission for their service as Planning and Zoning Commission is an important part of growth and development in the City and it is his pleasure to be a part of the group. He stated he has been with the City of Chandler for three years and before he was at the City of Surprise and the Attorney General's office. He mentioned his colleague, Law Department Intern, Dhaky Mullangi, will also be presenting to the Commission tonight as part of the Legal Basics presentation. He explained, Open Meeting Law is a statutory requirement by Arizona State Legislature that says business of public body of government needs to be open, so the public can view what government is doing. He states as members of the Commission you are not to conduct business unless it is at a public meeting. He explained the requirements of the agenda and how it must be posted publicly for at least 24 hours before a meeting and there must be a quorum to conduct business. He mentioned the commission should keep the Open Meeting Laws in mind when discussing Commission business or meeting together outside of posted meetings. He stated a "meeting" under Arizona law is anytime a quorum of the public body discusses proposals or takes legal action, he further stated this can be a traditional meeting like the one we have today, but it can also happen outside of this context. He mentioned the Commission should not discuss anything not posted on an agenda and pointed out the announcement at the beginning of the meeting

CHAIRMAN HEUMANN thanked Dhaky Mullangi for his presentation and stated he will make a great lawyer. He asked about the disclosure forms and asked if it was necessary to fill the form or if it was enough to make an announcement on the dais.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY stated the law requires public disclosure, so stating it on the record and it being noted in the minutes would be part of that. He further stated the form may be a procedural city requirement and he will investigate and report back to the Commission regarding this.

CHAIRMAN HEUMANN mentioned over the years Commission Members have declared conflict by announcing on record.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY stated the general recommendation is to have the forms filled out and he will investigate the form requirement. He further stated there are times when Commission Members will make an announcement out of an abundance of caution and ask to recuse themselves, although technically there is no conflict of interest as only certain relationships are a conflict of interest under State Law. He recommended to error on the side of caution when in doubt and feel free to talk to Law or Planning Staff.

CHAIRMAN HEUMANN stated if anyone is having any doubts regarding conflicts of interest to ask Law Staff or recuse themselves so there is nothing to worry about in the future.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY reminded the Commission Members to talk to Staff if in doubt and to do the "Headline Test", meaning and if there is a connection to a project that you would not want to be published as headline news article that is an indicator to disclose and recuse. He stated the Commission would need to preserve documents in the event of a public request for record and mentioned all documents created by the Commission are public records and that includes communications and emails.

COMMISSIONER QUINN asked if someone called us a head of time and we recognized that he was calling other Commission Members, would that constitute a serial meeting.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY replied no, because the person is speaking to Commission Members individually. He explained the problem would be if that person had spoken with one Commissioner and then that Commissioner when to speak to another Commissioner and another and the members themselves had discussions on a project.

COMMISSIONER QUINN mentioned he is uncomfortable when he receives phone calls at work about an agenda items that will be presented to the Commission.

CHAIRMAN HEUMANN explained zoning attorneys will call different Commission and Council Members to get a feel for what is going on. He further explained, if a Commission Member is

and what to do with the remaining land. He further stated both times, it was decided to hold on to our land that is plan for employment and industry and not give in to pressure to convert that into more housing, because a variety of jobs are needed for the City to be sustainable.

CHAIRMAN HEUMANN mentioned Price Road as an example where nothing should be built except for industrial and commercial. He further mentioned, we have had many home builders make runs for Price Road and the City Council and Planning and Zoning Commission have stuck to their guns for years. He warned when the land is gone, the lands gone and some home builders have tried to come through and they have the right too, but we protect that that quarter.

DAVID DE LA TORRE, PLANNING MANAGER explained the Land Use Plan and the General Plan is broad as it was created to be strategic and flexible. He presented a map and noted there are only four different colors on there to show neighborhoods, regional commercial, employment and open space and recreation. He stated, other cities are not like this, for example Town of Gilbert has a very specific land use on each parcel. He further stated the issue with that is they are constantly having to amend the General Plan because developers change their minds and property owners want to do something different. He explained in Chandler's General Plan, there is a variety of different land uses allowed to be considered within each broad category. He used an example in the neighborhoods category, as the text of the General Plan specifies if your site is located within the intersection of two arterial streets, you can build single family or you can also build office or public institutional uses or even multifamily. He stated there are a variety of different options based on the specific location within that broader category. He explained the text of the General Plan plays an important role as it is very strategic, flexible, and the intent is to not constantly amend the General Plan. He presented a slide of the Airpark Area Plan, which was recently updated and approved by Council, he pointed out the purple on the left is converted to more specific, Innovation Zone and industrial zones. He mentioned that it is just a progression of very broad to more specific land use guidance from the General Plan to a specific Area Plan. He explained that zoning must be in conformance with both the Area Plan and the General Plans. He stated many times there are Area Plan Amendments that come together as part of a package, for example, a request to rezone and amend the Area Plan. He explained both the Area Plan and the zoning must be in conformance with the General Plan. He presented a slide listing the types of applications reviewed by Planning staff and notated the case types that must be reviewed by Planning and Zoning Commission. He stated Staff also handles a lot of Administrative Design Review Applications, which are a request to do minor modifications to a development that was previously approved for zoning. He explained, Staff reviews the application and if the changes are minor, we can approve administratively and if the modifications are significant and not in substantial conformance with the approved plans, then the Applicant would need a new Preliminary Development Plan (PDP). He further explained Staff will also review zoning clearances for group homes, medical marijuana applications, zoning verifications, and plot plan reviews. He explained when a new subdivision comes in for review, the home builder will submit standard plans to the City and the Planner assigned to that case

Planning and Zoning Commission meeting dates, a link to the Staff Memo, and the City Council meeting dates.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the interactive planning map lives in real time and as soon as the case is filed, the parcel is identified and as the case progresses more information is added, for example neighborhood meeting and other dates. He explained, folks moving to Chandler can look if there is an approved project on vacant land with an approve project that has not been built and can find the exhibits and decide if they want to live next to it. He explained Chandler is different from other cities, as state statutes allow a path to consider use and custom zoning via Planned Area Development (PAD). He further explained Chandler's PAD process allows the Planning and Zoning Commission to review these development proposals with a singular goal of raising the bar of design in the City, he stated instead amending our design guidelines every six months when trends, materials, and expectations change, the PAD is used to custom for each piece. He read aloud a statement from a 1986 memo written by Hank Pluster, former Planning Administrator:

"A PAD is intended to promote innovative design for residential and non-residential uses as large as a self-contained plan community with a mixture of uses, for as small as a single parcel, which requires some flexibility in design standards or as an interface between existing dissimilar land dissimilar uses. One of its key provisions is flexibility in design, PAD is not intended to function primarily as a package of variances. Instead, its purpose is to offer some departure from strict conformance in return for greater environmental quality and innovation."

He explained, almost every rezoning that comes before Planning and Zoning Commission is going to see the subsequent code required PAD or PDP and the purpose is to attain the highest design quality and raise the bar incrementally. He further explained a PAD, is regarding land use and PDP is design. He explained a recent challenge the Planning Division is facing is our design standards as they were created in a suburban frame of mind and do not fit with infill and redevelopment. He stated there is a need to update our design guidelines for infill and redevelopment. He further explained, another challenge is continually negotiating with Applicants to elevate architectural elements in projects. He stated that Staff will hold off on bring projects before Planning and Zoning Commission until it's at the City's level, however, there are times projects are brought forward due to pressure. He further stated the major influences on projects are the unpredictable costs of material, land, and labor and the pricing of these influences' developers as they are working with tighter margins. He stated at this time most multifamily developers are buying lumber and appliances in the entitlement process before a project has been approved due to shortages and costs of materials. He explained another future challenge is an oversaturation of planned commercial land, especially in southeast Chandler. He stated the need for retail locations are shifting as Amazon type businesses and online shopping grows and the City must figure out land use solutions for those parcels. He stated the final challenge is keeping up with change in market demands, he explained, there is an increase in

Adjourn

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



Kevin Mayo, Secretary



Rick Heumann, Chairman