

Meeting Minutes

Planning and Zoning Commission

Regular Meeting

September 7, 2022 | 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 5:30 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
Commissioner Kyle Barichello

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Lauren Schumann, Senior City Planner
Alisa Petterson, Senior City Planner
Ben Cereceres, City Planner
Harley Mehlhorn, City Planner
Davis Robinson, Plans Examiner
Darsy Omer, Associate Planner
Tulili Tuiteleleapaga – Howard, Planning Intern
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk

Pledge of Allegiance

The Pledge of Allegiance was led by Vice Chairman Rose.

Scheduled and Unscheduled Public Appearances

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.

CHAIRMAN HEUMANN announced there is a speaker card in opposition for Agenda Item No. 2

PLH21-0088/PLT21-0059 Earnhardt Ranch, he stated he would like to hear a brief statement from the speaker before determining whether to move Agenda Item No. 2 to the Action Agenda.

MICHAEL JUKICH, 850 E. PEACH TREE PLACE thanked the Commission and presented concerns regarding traffic due to the entrance on McQueen. He asked if a traffic study was conducted with consideration of an entrance on Hunt Highway.

LAUREN SCHUMANN, PRINCIPAL PLANNER replied this question is better suited for the Applicant as it was their choice to put the entrance on McQueen. She explained a traffic impact statement was submitted by the Applicant and reviewed by the transportation engineer. She further explained there are certain separations and the entrance had to be so far from the subdivision entrance across the street to the West and Hunt Highway/McQueen intersection. She stated the current location of the entrance is where the traffic engineer signed off.

MICHAEL JUKICH, 850 E. PEACH TREE PLACE stated he understood traffic study and asked why the entrance is on McQueen and not on Hunt Highway. He pointed out, there is more than enough distance and there are no side streets close for an entrance on Hunt Highway. He presented statements regarding the number of homes proposed and if the number would be reduced if the entrance was on Hunt Highway.

LAUREN SCHUMANN, PRINCIPAL PLANNER mentioned she is not a traffic engineer, but in reviewing Hunt Highway, it does not appear that any other subdivisions use the highway for their primary entrance.

MICHAEL JUKICH, 850 E. PEACH TREE PLACE interjected there are several gated communities to the east and they have gated access to Hunt Highway.

CHAIRMAN HEUMANN pointed out the SunBird Neighborhood has an emergency exit on the southside and asked if he is referring to the fire access.

MICHAEL JUKICH, 850 E. PEACH TREE PLACE stated no, the cars go in and out.

CHAIRMAN HEUMANN asked the Applicant to answer the question regarding the location of the entrance on McQueen.

BRENNAN RAY, 1850 N. CENTRAL stated there are a number of reasons why McQueen road is the primary entrance and pointed out there are streets that access Hunt Highway, but none are used as a primary entrance. He further stated there is nothing on Hunt Highway and therefore, does not provide a good marketing window or the look or feel that is desired for this community. He pointed out the historical significance of the Tex Earnhart's property and how the Applicant intends to provide a better view for drivers along McQueen than they could along Hunt Highway. He explained that these are just a few of the reasons and he can provide more if

necessary.

CHAIRMAN HEUMANN asked Mr. Jukich if the Applicant was able to answer his questions and mentioned Hunt Highway is busier than McQueen.

MICHAEL JUKICH, 850 E. PEACH TREE PLACE asked if they have been on McQueen recently.

CHAIRMAN HEUMANN responded yes and mentioned that Hunt Highway is designed to take on more traffic over a period. He noticed another member of the audience wanted to speak and asked him to come down to the microphone.

ROBERT CLIFFORD 2656 S. MCQUEEN stated he resides west of the entrance of the property. He explained that he read the proposal and was concerned with the sentence "the development plan does not constitute final development plan approval, compliance with the details required for codes and conditions". He presented further concerns regarding McQueen Road and access to properties on the west side.

CHAIRMAN HEUMANN asked if Mr. Clifford was a country resident and if the Applicant could come forward to respond to Mr. Clifford.

BRENNAN RAY, 1850 N. CENTRAL advised the Applicant has met with Mr. Clifford regarding what is planned for McQueen Road. He stated there are other municipal departments including traffic who are coordinating improvements required and discussions were held others who live along McQueen Road, including Mr. Clifford. He explained those are details to be worked out as we continue into construction and beyond this conceptual initial phase.

CHAIRMAN HEUMANN thanked the Applicant and stated part of the process is approval by an engineer. He further stated this Commission is a recommending body, therefore the proposal will go before the City Council for final approval. He explained traffic engineers look for any issues in terms of access and the Applicant will work with the engineers to ensure it meets code and the City's standards. He asked staff when Item No. 2 will go before the City Council.

DAVID DE LA TORRE, PLANNING MANAGER replied this Item will go to the City Council on Thursday, September 22, 2022.

CHAIRMAN HEUMANN stated he hopes this discussion and the Applicant was able to address all concerns and questions.

ROBERT CLIFFORD 2656 S. MCQUEEN asked if the public has any say in final configuration.

CHAIRMAN HEUMANN stated whether this Commission recommends approval it or not, there are plans laid out for along McQueen, Hunt Highway, and where the entrance is. He advised Mr. Clifford to speak with staff after the meeting for information on the process.

ROBERT CLIFFORD 2656 S. MCQUEEN asked if the final plans have been determined.

CHAIRMAN HEUMANN asked if staff could come up and answer Mr. Clifford's question.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated as part of this submittal there's a preliminary plat associated and the last exhibit of development booklet number four, shows what McQueen Road will ultimately look like, as well as one highway. She further stated she is happy to share this with Mr. Clifford and this has been reviewed by engineering.

CHAIRMAN HEUMANN advised Mr. Clifford to get with staff and review the plan and if he still had objections to speak before City Council as this Commission is a recommending body and this will go to Council for final approval. He confirmed there were no questions or comments from the audience or Commission regarding any items on the agenda.

Consent Agenda and Discussion

1. July 20, 2022, Planning and Zoning Commission Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of July 20, 2022, and Regular Meeting of July 20, 2022.

2. PLH21-0088/PLT21-0059 EARNHARDT RANCH

Request Rezoning from Agricultural (AG-1) district 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 100-lot single-family subdivision on approximately 37.26 acres located at the northeast corner of McQueen Road and Hunt Highway.

Rezoning

Move Planning and Zoning Commission recommend approval of Rezoning PLH21-0088 Earnhardt Ranch, Rezoning from AG-1 to PAD for single-family residential, subject to the conditions as recommended by Planning staff.

Preliminary Development Plan

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH21-0088 Earnhardt Ranch for subdivision layout and housing product, subject to the conditions as recommended by Planning staff.

Preliminary Plat

Move Planning and Zoning Commission recommend approval of Preliminary Plat, PLT21-0059 Earnhardt Ranch, subject to the condition as recommended by Planning staff.

Rezoning

Planning staff recommends Planning and Zoning Commission move to recommend approval of Rezoning from AG-1 to PAD for single-family subdivision, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Earnhardt Ranch" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0088, 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 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. 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.
6. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
7. Minimum setbacks shall be as provided below and further detailed in the development booklet:

Front yard setback	20 ft. to forward facing garage door 10 ft. to livable area components of the home 10 ft. to porch or side-entry garage
Side yard setbacks	Min. 5 ft. and 10 ft.

Rear yard setbacks	15 ft. for single-story, 25 feet for two-story Hunt Highway: 20 ft. for single-story, 30 feet for two-story Accessory Structure minimum 10 ft.
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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 "Earnhardt Ranch" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0088, 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. Lots located along the east (lot numbers 23,48, 49, 50, 51, 52, 85, & 86) and the five lots located at the northeast corner (lot numbers 18-22) shall be constructed with single-story homes only.
3. Lots along the north property line shall prohibit two-story homes built side-by-side.
4. For lots adjacent to an arterial street, with no more than two, two-story homes built side-by-side.
5. The same elevation shall not be built side-by-side or directly across the street from one another.
6. The site shall be maintained in a clean and orderly manner.
7. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
8. The following enhanced landscape standards shall apply to the common open space and retention area along McQueen Road and Hunt Highway:
 - a. 50% of required trees shall have a minimum planting size of a 36-inch box and a minimum of 12-feet in height at the time of planting.
 - b. A minimum of one (1) tree and six (6) shrubs per twenty-five (25) lineal feet of frontage on arterial or collector street rights-of-way.

9. 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.
10. 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.
11. Each garage shall be pre-wired to provide 240V electrical capacity necessary to accommodate future electric vehicle charging equipment.
12. 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: Stipulations No. 13 – No. 15 were added as a result of the Planning and Zoning Commission's discussion during the Study Session:

13. All homes built on corner lots adjacent to an arterial street shall be single-story.

14. The applicant shall work with staff to enhance any blank right-side elevations.

15. The applicant shall replace all thornless mesquite tree with a different tree from the low-water-use plant list.

Preliminary Plat

Planning staff recommends the Planning and Zoning Commission move to recommend approval of the Preliminary Plat subject to the following condition:

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

LAUREN SCHUMANN, PRINCIPAL PLANNER read aloud Preliminary Development Plan added Stipulations reflected under No. 13 - No. 15 of Consent Agenda Item No. 2.

3. PLH21-0089 MCQUEEN LIVE WORK

Request rezoning from Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses to PAD for C-1 uses and motor vehicle repairs and Preliminary Development Plan for site layout and building architecture for an automotive repair shop on an approximate 1-acre site, generally located at the northeast corner of Riggs and Gilbert roads.

Move Planning and Zoning Commission continue Rezoning and Preliminary Development Plan PLH21-0089, McQueen Live Work to the October 19, 2022, Planning and Zoning Commission hearing, as requested by the applicant.

4. PLH21-0095 BRAKE MASTERS AT MESQUITE GROVE

Request rezoning from Planned Area Development (PAD) for Neighborhood Commercial (C-1) uses to PAD for C-1 uses and motor vehicle repairs and Preliminary Development Plan for site layout and building architecture for an automotive repair shop on an approximate 1-acre site, generally located at the northeast corner of Riggs and Gilbert roads.

Rezoning

Move Planning and Zoning Commission recommend approval of Rezoning PLH21-0095 Brake Masters at Mesquite Grove, Rezoning from PAD for C-1 uses to PAD for C-1 uses and motor vehicle repairs, subject to the conditions as recommended by Planning staff.

Preliminary Development Plan

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH21-0095 Brake Masters at Mesquite Grove, for site layout and building architecture for an automotive repair shop, subject to the conditions as recommended by Planning staff.

Rezoning

Planning staff recommends Planning and Zoning Commission move to recommend approval of Rezoning from PAD for C-1 uses to PAD for C-1 uses and motor vehicle repairs, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet entitled "Brake Masters at Mesquite Grove" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0095, 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. Compliance with original conditions adopted by the City Council as Ordinance No. 3024 in case PL99-035 except as modified by condition herein.

3. 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.
4. 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.
5. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
6. 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.
7. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
8. The motor vehicle repair uses are limited to the approximately 1-acre parcel on Riggs Road.

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 "Brake Masters at Mesquite Grove" and kept on file in the City of Chandler Planning Division, in File No. PLH21-0095, 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. The landscaping shall be maintained at a level consistent with or better than at the time of planting.
3. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
4. 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.

5. Signage shall follow all applicable criteria of the City of Chandler Sign Code, unless noted within the Development Booklet.
6. Fifty percent of the trees planted along the arterial streets shall be a minimum of 36-inch box and a minimum 12-feet in height at the time of planting.
7. All mechanical equipment, including HVAC, utility meters, etc. shall be screened from view by material(s) that are architecturally integrated and consistent with the proposed buildings.
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.

5. PLH22-0029 GB INVESTMENTS

Request rezoning from Planned Area Development (PAD) for commercial uses to Planned Industrial District (I-1) on an approximate 0.8-acre site, located at the southwest corner of Chandler Blvd. and 56TH Street.

Move Planning and Zoning Commission recommend approval of Rezoning PLH22-0029 GB Investments, Rezoning from Planned Area Development (PAD) for commercial uses to Planned Industrial (I-1), subject to the conditions as recommended by Planning staff.

Rezoning

Planning staff recommends Planning and Zoning Commission move to recommend approval of Rezoning from Planned Area Development (PAD) for commercial uses to Planned Industrial District (I-1), subject to the following conditions:

1. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
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. Uses permitted on the property shall be those permitted in the I-1 zoning district.
5. The site shall be maintained in a clean and orderly manner.
6. 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.
7. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
8. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.

6. PLH22-0038 PICKLEBALL KINGDOM

Request Use Permit approval for a Series 7 Beer and Wine Bar license. The proposed business is located at 4950 W. Ray Road, generally located at the northeast corner of Ray and Rural Road.

Move Planning and Zoning Commission recommend approval of Use Permit PLH22-0038 Pickleball Kingdom for a Series 7 Beer and Wine Bar License, subject to the conditions as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Use Permit/Preliminary Development Plan, 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 Use Permit is non-transferable to any other location.
3. The site shall be maintained in a clean and orderly manner.
4. This Use Permit approval is solely for a Series 7 Beer and Wine Bar license.
5. The Use Permit shall remain in effect for two (2) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

7. PLH22-0041 DOGTOPIA – USE PERMIT EXTENSION

Request Use Permit time extension for the continued operation of an outdoor dog play area. The business is located at 4901 S. Arizona Ave., Suite 7, at the northeast corner of Arizona Avenue and Chandler Heights Road.

Move Planning and Zoning Commission recommend approval of Use Permit PLH22-0041 Dogtopia Use Permit Extension for the continued operation of an outdoor dog play area, subject to the conditions as recommended by Planning staff.

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

1. Substantial expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, Elevations and Narrative), as kept on file in Case No. PLH22-0041, shall void the Use Permit and require new Use Permit application and approval, unless otherwise amended via conditions herein.
2. The site shall be maintained in a clean and orderly manner.
3. Sound shall be controlled so as to not unreasonably disturb area residents and shall not exceed the ambient noise level as measured at the commercial property line.
4. The establishment shall provide a contact phone number of a responsible person (i.e., owner and/or manager) to interested neighbors to resolve noise complaints quickly and directly.
5. The outdoor animal play area shall be limited to the hours of 8:00 a.m. to 11:00 a.m. and 3:00 pm to 6:00 p.m., Monday through Friday; and, 10:00 a.m. to 12:00 p.m. on Saturday. There shall be no outdoor animal play within the outdoor animal play area on Sunday.
6. No dogs shall be left unattended in the outdoor animal play area and a staff member of the business shall always accompany any outdoor activity.
7. The number of dogs in the outdoor dog play area shall not exceed 40.
8. Any change in business ownership shall void this Use Permit and shall require new Use Permit application and approval by the City of Chandler.
9. The Use Permit shall be valid for a period of four (4) years from the date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.

8. PLT22-0020 WOODSPRING SUITES AND EVERHOME SUITES

Preliminary Plat, located west of the northwest corner of Willis and Price roads.

Move Planning Commission recommend approval of Preliminary Plat PLT22-0020 Woodspring Suites and Everhome Suites, as recommended by Planning staff.

9. Cancellation of the September 21, 2022, and October 5, 2022, Planning and Zoning Commission Hearing

Move Planning and Zoning Commission cancel September 21, 2022, and October 5, 2022, Planning and Zoning Commission Hearing.

Consent Agenda Motion and Vote

Vice Chairman Rose moved to approve the Consent Agenda of the September 7, 2022, Regular Planning and Zoning Commission Meeting, with Preliminary Development Pad Stipulations No. 13 – No. 15 added to the Consent Agenda Item No. 2; Seconded by Commissioner Koshiol.

Motion carried unanimously (7-0).

Member Comments/Announcements

None.

Calendar

The next regular meeting will be held on Wednesday, October 19, 2022, in the Chandler City Council Chambers, 88 E. Chicago Street.

Informational Items

Adjourn

The meeting was adjourned at 5:44 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chairman

