

Meeting Minutes

Planning and Zoning Commission

Regular Meeting

September 20, 2023 | 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 5:43 p.m.

Roll Call

Commission Attendance

Chairman Rick Heumann
Vice Chair Sherri Koshiol
Commissioner Erik Morgan
Commissioner Michael Quinn
Commissioner Jeff Velasquez
Commissioner Kyle Barichello
Commissioner Rene Lopez

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Ben Cereceres, City Planner
Harley Mehlhorn, City Planner
Darsy Olmer, Associate Planner
Mika Liburd, Associate Planner
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Morgan.

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 two speaker cards were received for Item No. 2 PLH23-0017/PLH22-0044 Chandler Farms. He advised that the commission would hear from the speakers and the item will remain on the Consent Agenda unless moved to the Action Agenda based on the feedback from the speakers.

Consent Agenda and Discussion

1. August 16, 2023, Planning and Zoning Commission Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of August 16, 2023, and Regular Meeting of August 16, 2023.

2. PLH23-0017/PLH22-0044 CHANDLER FARMS

Requests for Area Plan Amendment to Section 16 Area Plan from Commercial to High-Density Residential and commercial, Rezoning from Planned Area Development (PAD) for commercial to PAD for multi-family residential and commercial, and Preliminary Development Plan approval for site layout and building architecture on approximately 14.9 net acres located at the southwest corner of Arizona Avenue and Queen Creek Road.

An Addendum Memo was presented to the Commission with added Rezoning Stipulation No. 8. and additional community input received by staff.

CHAIRMAN HEUMANN invited the first speaker, Bruce Walag, to the podium and requested him to state his name and address.

BRUCE WALAG, 396 W. DESERT BROOM DRIVE expressed his gratitude to the builders for their consideration of the community's feedback, specifically regarding building height reductions. He presented concerns about the influx of residents and maintenance costs for the pathway and common area. He mentioned the area proposed for the site was intended for commercial but is now used for residential properties. He elaborated on the financial burdens borne by the community and the HOAs for upkeep of various shared amenities and mentioned lack of equal access to amenities across different sections. He proposed a permanent barrier to address the concerns and stated that petition to block off the HOA common areas was circulated and obtained forty-five signatures. He concluded by expressing that while he was not opposed to the Chandler Farms development, he felt it essential to voice the concerns regarding the common area and walking path.

CHAIRMAN HEUMANN thanked the speaker for his comments and called the next speaker, Robert Sty, and requested him to state his name and address.

ROBERT STY, 3120 S. DAKOTA PLACE introduced himself as resident of Hamilton Heights for over ten years, previous president of the HOA. He voiced his opposition to the proposed development citing concerns about housing density, traffic implications, and overall impact of the proposed changes on the neighborhood. He suggested additional traffic studies and potential traffic management solutions, in anticipation of more drivers using Queen Creek Road and drivers turning left on Arizona Avenue. He recommended the addition of a right turn lane

for the apartment complex to alleviate congestion on Queen Creek Road and that the general contractor be required to work with the HOA. He thanked the Commission for their time and consideration.

CHAIRMAN VELASQUEZ stated he believed that a deceleration lane would be added for those who are making a right turn.

CHAIRMAN HEUMANN confirmed the existence of a deceleration lane on Queen Creek Road and asked staff to address traffic concerns related to the development.

ALISA PETTERSON, SENIOR PLANNER confirmed the continuous deceleration lane along both Queen Creek Road and Arizona Avenue. She reviewed the traffic analysis and stated the proposed driveway locations, were deemed satisfactory by the City's traffic engineer.

CHAIRMAN HEUMANN asked the Applicant to come forward and address the concerns of the speakers. He mentioned traffic implications of the proposed development and asked the Applicant if they could make coordination efforts with the neighborhood during construction.

BRENNAN RAY, APPLIANT acknowledged the coordination concerns and confirmed their commitment to collaborating with the Hamilton Heights HOA on construction activities and any potential disruptions.

CHAIRMAN HEUMANN asked about the walking path that was designed and approved by Council back 2007.

BRENNAN RAY, APPLIANT stated the path has a long history. He explained the pedestrian connection was deemed important for developments, and this specific path was likely imposed by stipulation on other developments. He further explained, the path runs along the western side of their property and is not gated, but there are existing gates on the adjacent property.

CHAIRMAN HEUMANN asked if the entrance way of the proposed property is different from Liv Avenida because they have gate, which was a point of concern.

BRENNAN RAY, APPLIANT presented an image and pointed out that the path is uninterrupted, with no gates on their property preventing access. He further pointed out the only restrictions are on the adjacent property to the south. He stated that there is a perimeter fence on the property, but it does not prevent access.

CHAIRMAN HEUMANN thanked the speaker and asked if there were any questions from the Commission.

COMMISSIONER LOPEZ asked for clarification on the proposed fence between the two properties.

BRENNAN RAY, APPLIANT confirmed that the intention is for open access.

CHAIRMAN HEUMANN pointed out the ambiguity regarding the pathway and asked staff if it would be more effective to allow Council to determine the adjustments based on the ordinance. He explained that he is hesitant to propose numerous motions about the inclusion or exclusion of this pathway if past ordinances have already established its existence. He wondered if it would be better for the Commission to wait for Council's decision regarding the path, given previous ordinances.

KEVIN MAYO, PLANNING ADMINISTRATOR explained the complications of the path's final leg and its implications for private properties. He suggested the Commission decide on the path's completion for the current property and deal with further issues afterward. He explained in the recent weeks, staff has grappled with the implications if pathway on the subject site remains incomplete. He stated any decision made by this Commission tonight, and subsequently by the Council, only pertains to the subject property. He pointed out that we do not have the jurisdiction to impose decisions on private properties, however if Council chooses not to continue with the path's development, there will be challenges of addressing its segment on Liv Avenida. Over time, we've approved zoning cases with preliminary plans (PDP) that indicate public access. He recommended the Commission provide recommendations concerning the segment on the subject property and depending on Council's decision, staff will then need to collaborate with neighborhoods and stakeholders to resolve the situation.

CHAIRMAN HEUMANN expressed that he has no desire not to delay the discussion and hoped that staff could work with Council to address the path's legality and other concerns.

KEVIN MAYO, PLANNING ADMINISTRATOR recommended the Commission decide whether to complete the path or deem it unnecessary due to changes.

CHAIRMAN HEUMANN advised that this item shall remain on the Consent Agenda. He reminded the audience that the Planning and Zoning Commission is a recommending body and this matter will be heard before the Council for decision.

Area Plan

Move Planning and Zoning Commission recommend approval of Section 16 Area Plan amendment, PLH23-0017 Chandler Farms, as recommended by Planning staff.

Rezoning

Move Planning and Zoning Commission recommend approval of Rezoning PLH22-0044 Chandler Farms, Rezoning from Planned Area Development (PAD) for commercial to PAD for mixed-use

development including multi-family and commercial, subject to the conditions as recommended by Planning staff.

Preliminary Development Plan

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH22-0044 Chandler Farms, for site layout and building architecture, subject to the conditions as recommended by Planning staff.

Area Plan Amendment

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Area Plan Amendment to the Section 16 Area Plan from Commercial Uses to Multi-Family and Commercial uses.

Rezoning

Planning staff recommends Planning and Zoning Commission move to recommend approval of Rezoning from PAD for commercial to PAD for mixed-use development, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Chandler Farms" and kept on file in the City of Chandler Planning Division, in File No. PLH22-0044, 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. Multiple-family residential shall be permitted at a maximum density of 24 dwelling units per acre.
3. Uses permitted within the commercial buildings shall be limited to retail, restaurants, and personal services, except the following uses shall be prohibited: tattoo and body piercing parlors, dry cleaners and laundromats, and sexually oriented businesses.
4. 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.
5. 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.
6. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.

7. Minimum building setbacks shall be as provided below and further detailed in the development booklet:

Property Line	Building Setback
North (Queen Creek Rd.)	50 feet at commercial, and 165 feet at multi-family (168 feet actual)
East (Arizona Ave.)	50 feet at commercial, and 100 feet at multi-family
West	95 feet at multi-family adjacent to existing single-family (100 feet actual), and 80 feet at multi-family adjacent to existing multi-family (85 feet actual)
South	10 feet at multi-family adjacent to existing multi-family

Note: Stipulation #8 was added on the Addendum Memo presented to Planning and Zoning Commission this date:

8. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.

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 "Chandler Farms" and kept on file in the City of Chandler Planning Division, in File No. PLH22-0044, 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 clear and orderly manner.
3. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
4. Fifty percent of the trees planted along the arterial streets shall be a minimum of 36-inch box and be a minimum of 12-feet in height at the time of planting.

5. 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.
6. 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.
7. 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.
8. Signs for commercial businesses shall comply with C-2 standards as provided for in section 39-9.7 C-2 Community Commercial District of the City of Chandler Code.
9. Applicant shall work with staff to enhance the multi-family buildings with stucco score lines to break up large stucco areas and further enhance the building architecture.
10. Applicant shall provide lighted bollards along the pedestrian path at the west property line.

3. PLH22-0046 REZAMP LLC Office #2 & 3

Requests for Rezoning from SF-8.5 to SF-8.5/PAD for professional offices to allow reduced setbacks for an existing building located at 484 and 456 W. Chandler Blvd.

Move Planning and Zoning Commission recommend approval of Rezoning PLH22-0046, Rezoning from SF-8.5 to SF-8.5/PAD for professional offices to allow for reduced setbacks, subject to the conditions as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of Rezoning from SF-8.5 to SF-8.5/PAD for professional offices, subject to the following conditions:

1. Development shall be in substantial conformance with the attached exhibits and kept on file in the City of Chandler Planning Division, on file in Rezamp LLC PLH22-0046, modified by such conditions included at the time the exhibits were approved by the City Council and/or as thereafter amended, modified or supplemented by the City Council.
2. Uses permitted shall be those permitted in the SF-8.5 Single-Family District and Office, except that medical uses such as but not limited to general practitioners, pediatricians, dental, and optometrists shall be prohibited. Medical uses such as but not limited to psychiatry, counseling services and other medical specialists, shall be permitted subject to providing a parking study to be reviewed and approved by the Zoning Administrator that demonstrates the

services provided will not generate a parking demand that exceeds the number of spaces on the site.

3. Any development on either lot must comply with SF-8.5 development standards except that building setbacks for the existing structure located at the northwest corner of the site shall comply with a side yard setback of zero (0) feet and a rear setback seven (7) feet.
4. The maximum number of on-site employees per address shall not exceed six (6).
5. No building shall operate on weekends and shall close no later than 6 p.m. during the week.
6. All employees and clients shall park on-site.
7. The site shall be maintained in a clean and orderly manner.

4. PLH23-0024 THE STILLERY

Requests for Use Permit approval for a Series 6 Bar Liquor License and a time extension for an Entertainment Use Permit for live indoor entertainment and outside patio speakers for background music only. The existing business is located at 130 S Arizona Ave, at the northwest corner of Arizona Ave and Chicago St.

Move Planning and Zoning Commission recommend approval of case PLH23-0024 The Stillery, Use Permit approval for a Series 6 Bar Liquor License and a time extension for an Entertainment Use Permit for live indoor entertainment and outside patio speakers for background music only, subject to the conditions as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Use Permit and Entertainment 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 Entertainment Use Permit and require new Use Permit and Entertainment Use Permit application and approval.
2. The Use Permit and Entertainment Use Permit is non-transferable to any other location.
3. The site shall be maintained in a clean and orderly manner.
4. No noise shall be emitted from external speakers or live entertainment in such a manner that exceeds the general level of noise by uses outside the premises of the business and disturbs adjacent businesses and residential areas.

5. The establishment shall provide a contact phone number for a responsible person (i.e. wine bar owner and/or manager) to any interested neighbors or property owners to resolve noise complaints quickly and directly.
6. The Entertainment Use Permit shall remain in effect for three (3) years 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

5. PLH23-0014 GOOD TIME CHARLI'S

Requests for Use Permit approval for a Series 6 Bar Liquor License and a time extension for an Entertainment Use Permit for live indoor and outdoor entertainment. The existing business is located at 6045 W. Chandler Boulevard, Ste. 7, at the southwest corner of Kyrene Rd and Chandler Blvd.

Move Planning and Zoning Commission recommend approval of Use Permit case PLH23-0014 Good Time Charli's for a Series 6 Bar Liquor License and a time extension for an Entertainment Use Permit for live indoor and outdoor entertainment.

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

1. Expansion or modification beyond the approved attachments (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. No noise shall be emitted from external speakers or live entertainment in such a manner that exceeds the general level of noise by uses outside the premises of the business and disturbs adjacent businesses and residential areas.
5. Music 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.
6. The establishment shall provide a contact phone number for a responsible person (i.e. bar owner and/or manager) to any interested neighbors or property owners to resolve noise complaints quickly and directly.
7. Live music on the patio may occur Friday through Sunday, no later than 8:00 pm, and shall be limited to acoustic and non-amplified instruments. When percussive instruments are used,

they shall be limited to cajons, small box drums and the like. Drum kits and steel drums shall be prohibited.

8. The eastern door facing Kyrene Road shall remain closed and shall be used for an emergency exit only. Said door shall have an automatic door closer installed.
9. The Entertainment Use Permit and Use Permit shall remain in effect for one (1) year from the date of City Council approval. Continuation of Entertainment Use Permit beyond the expiration date shall require reapplication to and approval by the City of Chandler.

7. Cancellation of the October 4, 2023, Planning and Zoning Commission Hearing

Move Planning and Zoning Commission cancel October 4, 2023, Planning and Zoning Commission Hearing.

Consent Agenda Motion and Vote

CHAIRMAN HEUMANN confirmed there were no further speakers or Commission comments or questions regarding Items on the Consent Agenda.

COMMISSIONER LOPEZ moved to approve the Consent Agenda of the September 20, 2023, Regular Planning and Zoning Commission Meeting, with added Rezoning Stipulation No. 8 of Consent Agenda Item No. 2; Seconded by COMMISSIONER MORGAN.

Motion carried unanimously (7-0).

Action Agenda Item No. 6 and Discussion

6. PLH23-0020 HUNT HIGHWAY CELL TOWER

BEN CERECERES, CITY PLANNER presented details regarding the requests for Use Permit approval to install a wireless communication facility. The subject site is located within the Sunbird Golf Resort community located at the southwest corner of Riggs Road and Cooper Road.

An Addendum Memo was presented to the Commission with additional emails from residents that staff received after posting of the memo.

CHAIRMAN HEUMANN asked if it was possible to add more trees and if there was space available to plant additional trees in other spaces for better screening without causing interference with course.

BEN CERECERES, CITY PLANNER stated staff will confirm this with the Applicant and collaborate with the golf course management to add additional trees.

CHAIRMAN HEUMANN thanked staff and asked the Applicant to come forward for a presentation.

MICHAEL POWERS, APPLICANT introduced himself and stated other specialized professionals were present and available for questions. He explained they have been working with the staff for an extended period, and it had taken considerable effort to provide a product that adheres to the code and maintained consistency with other similar structures. He highlighted that the Applicant would be the main point of contact for any future concerns and the tower would serve Verizon as possibly other carriers as a sub-tenant. Michael emphasized the importance of the technology and their adherence to FCC safety standards. He further stated the FCC essentially had full control over the safety, manufacturing, distribution, installation, and operation of wireless equipment and thus, any Commission decisions based on this could lead to an appeal. He mentioned if there were any questions on safety from the Commission or audience that Steven Kennedy, is present and prepared a brief presentation. He emphasized the Applicant has worked diligently to ensure the proposed tower complies with the code and this technology is crucial for the communication needs of the area, especially for safety and first responders. He expressed hope for the recommendation of approval, believing the proposed tower is legally acceptable and would greatly benefit the community.

CHAIRMAN HEUMANN asked where the closest existing tower was located and mentioned first responders have had issues in this area in the past.

BEN CERECERES, CITY PLANNER presented an image showing the location of the proposed facility and the closest existing tower.

CHAIRMAN HEUMANN asked the Applicant if they had any issues planting additional trees.

MICHAEL POWERS, APPLICANT stated planting additional vegetation is not an issue.

CHAIRMAN HEUMANN confirmed there were no further questions or comments from the Commission. He announced the Commission will now hear from the audience and if there are any questions that required answers, they will call the Applicant and experts to speak. He advised there are several speaker cards, and he will call the name of the individual and ask if they would like to speak or note their stance record. He further advised if the individual would like to speak, they will have three minutes to present and to start with their name and address. He announced the first speaker is Michael Reed.

MICHAEL REED, 1909 E. GLENEAGLE advised he would like to speak on the matter and spoke about deteriorating mobile connectivity over the past three years. He shared his personal experience of using a mobile hotspot and changing service providers due to difficulties with connectivity. He mentioned the challenges faced in maintaining consistent signal and highlighted

an alarming incident where he faced difficulty in reaching 9-1-1 during a medical emergency with his wife. He stated it took three tries to connect with 9-1-1 and that this tower is a necessary infrastructure for those who live along Hunt Highway.

CHAIRMAN HEUMANN thanked the speaker and called the next speaker card.

TONI LEONARD, 1558 E. SPYGLASS DRIVE advised that she did not wish to speak but wanted her support of the item noted.

CHAIRMAN HEUMANN proceeded to the next speaker card.

PATRICIA KICS, 1877 E. LINDRICK DRIVE advised that she did not wish to speak but wanted her support of the item noted.

CHAIRMAN HEUMANN called the next speaker who wished to present statements before the Commission.

GLENDIA JACOBSON, 1569 E. SPYGLASS stated she has lived in the area for the past nine years and spoke about cell connectivity challenges in the area, especially during emergencies. She presented statements regarding a personal health scare where she faced difficulty reaching 9-1-1, stated that it took multiple attempts to connect and quite alarming. She is deeply concerned about connectivity to first responders and stated the tower is very much needed for the safety of the community.

CHAIRMAN HEUMANN thanked the speaker and called the next speaker cards. The following individuals indicated that they did not wish to speak, but wanted their support of the item noted:

BOB LAMA, 1560 E. BUENA VISTA DRIVE
JULIA PONCE, 6371 S. PEBBLE BEACH DRIVE
CAROL DELK, 1793 E. PALM BEACH DRIVE
SCOTT STOHR, 6510 S. CHAMPIONSHIP DRIVE
MARY STOHR, 6510 S. CHAMPIONSHIP DRIVE
DEAN TUCKER, 1511 E. COUNTY DOWN DRIVE
LISA ONYX, 6321 S. TOURNAMENT LANE
LAURETTA DOYLE, 6949 S. OAKMONT DRIVE
GUDRUN HUFFMAN, 1946 E. DORAL DRIVE
LINDA KNUTSON, 1820 E. KERBY FARMS ROAD
PATRICK LEACH, 6480 S. CHAMPTIONSHIP DRIVE
MARJORIE LEACH, 6480 S. CHAMPTIONSHIP DRIVE
CINDY WILSON, 6311 S. SAWGRASS DRIVE
BRUCE WILSON, 6311 S. SAWGRASS DRIVE
DAVE WHITE, 6371 S. SAWGRASS DRIVE

GARY POPELKA, 1548 W. INDIAN WELLS DRIVE
SUZANNE POPELKA, 1548 W. INDIAN WELLS DRIVE
LOREN WALLACE, 6501 S. TOURNAMENT LANE
BARBARA WALLACE, 6501 S. TOURNAMENT LANE

CHAIRMAN HEUMANN called the next speaker who wished to present statements before the Commission.

RENE SEAMAN, E. TORREY PINES presented concerns due to poor cell service, emphasizing the importance of safety and better connectivity for emergency services. She after observing a broken-down door during a walk, she faced difficulties contacting the guard station due to call interruptions. She mentioned the increase of cell phone usage and population due to the evolving neighborhood and school bringing a younger population in the area. She emphasized the need for newer infrastructure to support the demands of the community and increased people in the area.

CHAIRMAN HEUMANN thanked the speaker and emphasized the importance of community vigilance. He called the next speaker who wished to present statements before the Commission.

GARY HALL, 6361 S. SAWGRASS DRIVE stressed the multifaceted benefits of the proposed project for the community. He explained this is a win-win for those involved, the citizens will feel more secure in their ability to communicate and there will be revenue generated to help with the future of the golf course.

CHAIRMAN HEUMANN thanked the speaker and called the next speaker cards. The following individuals indicated that they did not wish to speak, but wanted their support of the item noted:
DEB ROLLINGS 6331 S. TOURNAMENT LANE
KEN CROSS, 6391 S. SAWGRASS DRIVE
ED LEONARD, 1558 E. SPYGLASS DRIVE
MICHAEL VIAL, 6321 S. PEBBLE BEACH DRIVE

CHAIRMAN HEUMANN thanked everyone who submitted a speaker card and asked if there were any members of the audience who submitted a card and was not called or have not submitted a card and wishes to speak.

JOAN HART, 1570 E. FIRESTONE DRIVE advised that her and her sister did not submit a speaker card, but she would like to express their support for this item.

CHAIRMAN HEUMANN confirmed there were no additional individuals who wished to speak on the matter. He asked the Applicant if they wished to address any of the comments from the audience.

COMMISSIONER LOPEZ mentioned some of the topics discussed were regarding increased bandwidth and increased residents impacting tower capacity and he would like to hear from the Applicant's engineer. He asked about aspects of internet reception, increase streaming, cellular usage, and whether the residents would see immediate improvements in their communications because of the tower.

STEVEN KENNEDY, 11143 NW. 165TH DRIVE introduced himself a radiofrequency engineer with 34 years of experience. He described the difference between coverage and capacity, explaining how capacity gets divided with increased usage. He mentioned an area of the site is overcapacity and emphasized the importance of increasing capacity in the area by adding more equipment. He predicted a significant bandwidth increase when the proposed site is activated and considerably improved coverage and service.

CHAIRMAN HEUMANN emphasized the significance of cell towers in ensuring reliable phone coverage for emergencies and encouraged the Applicant to work with staff to add more trees.

COMMISSIONER LOPEZ mentioned there was feedback from a few individuals, both in person and via email, expressing opposition to this matter and he would like to emphasize that even if these discussions seem overwhelmingly one-sided to those with opposing views who may not have voiced them, he assured that they are still acknowledged. He advised the Commission listens to both sides of the argument, and this issue will be brought before the Council and Mayor, who also consider all perspectives. Whether you feel you 'win' or 'lose' in these discussions, rest assured, your opinions are heard. I just wanted to ensure everyone is aware of that.

CHAIRMAN HEUMANN added that the Planning and Zoning Commission is a recommending body to Council and this matter will be heard before City Council

Action Agenda Item No. 6 Motion and Vote

Move Planning and Zoning Commission recommend approval of Use Permit PLH23-0020 Hunt Highway Cell Tower for the installation of a wireless communication facility, subject to conditions as 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. Expansion of the wireless facility or modification of the use beyond the approved exhibits shall void the Use Permit and require a new Use Permit application and approval except that any application for modification as an "eligible facilities request" under Section 6409(a) of the Spectrum Act of 2012 shall not require a new Use Permit application.

2. Use Permit 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 facility pole that resembles a tree trunk shall use material and color that mimics tree bark.
4. The color of the leaves on the facility shall closely resemble the color of the leaves of the existing pine trees on the subject site.

Note: Stipulation #5 was added due to discussions held during Planning and Zoning Commission Hearing this date:

5. The Applicant shall work with City staff to provide more pine trees around the wireless communication facility to provide additional screening of the facility.

COMMISSIONER VELASQUEZ moved to approve the Action Agenda of the September 20, 2023, Planning and Zoning Commission Regular Meeting, with added Stipulation No. 5 on Item No. 6; Seconded by COMMISSIONER LOPEZ.

Motion carried unanimously (7-0).

Member Comments/Announcements

KEVIN MAYO, PLANNING ADMINISTRATOR thanked the Commission for their time and valuable feedback at the Work Session held before Study Session and the Regular Meeting. He stated their insights were appreciated.

Calendar

The next regular meeting will be held on Wednesday, October 18, 2023, in the Chandler City Council Chambers, 88 E. Chicago Street.

Adjourn

The meeting was adjourned at 6:38 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chairman