

# Meeting Minutes

## Planning and Zoning Commission

### Study Session

September 20, 2023 | 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 4:47 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  
Lauren Schumann, Principal Planner  
Alisa Petterson, Senior Planner  
Ben Cereceres, City Planner  
Harley Mehlhorn, City Planner  
Darsy Olmer, Associate Planner  
Mika Liburd, Associate Planner  
Tulili Tuitelelapaga-Howard, Junior Planner  
Thomas Allen, Assistant City Attorney  
Julie San Miguel, Clerk

### Scheduled/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.

### 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.

CHAIRMAN HEUMANN confirmed there were no comments or questions from the Commission.

## **2. PLH23-0017/PLH22-0044 CHANDLER FARMS**

ALISA PETTERSON, SENIOR PLANNER presented details request 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 VELASQUEZ asked staff to present the site plan. He inquired about the open space situated between Hamilton Heights and Liv Avenida, as one moves to the southeast, is that open area affiliated with Hamilton Heights' or does it belong to Liv Avenida. He clarified the core inquiry revolves around whether this space, if walled off by the HOA, would impact Liv Avenida's connection up to Queen Creek Road due to the development.

KEVIN MAYO, PLANNING ADMINISTRATOR explained to his understanding, it was Liv Avenida that constructed it.

COMMISSIONER VELASQUEZ asked if it functions as their drainage basin.

KEVIN MAYO, PLANNING ADMINISTRATOR explained when the Dobson Crossing subdivision and the subdivisions to the west went through, a pedestrian path was established that stretches along the southern end of the Appleby Road. He further explained the initial request was for pedestrian access to the commercial property and originally, the planned pedestrian pathway ran right through the center of this commercial space. He stated, over time as the commercial area has been reduced in size, the primary objective of maintaining this pedestrian pathway has remained consistent and each phase has contributed to this goal. He further stated we are now at the final phase and as a solution, they transformed it into an open space, which also serves as a retention area. He mentioned the primary aim, was to provide pedestrian connection.

COMMISSIONER BARICHELLO thanked staff for the comprehensive presentation and asked if the slide delineating the various boundary lines and potential blockages could be presented. He asked for clarity on the existing walls and what barriers are being proposed and walled off.

ALISA PETTERSON, SENIOR PLANNER pointed out the property boundary, gated access to the common walking path, view fence, and internal amenities within the boundary. She stated there



is concern from residents regarding the existing block wall and they have requested to reinstall a secure gate or seal off the CMU wall completely, preventing any passage.

VICE CHAIR KOSHIOL echoed Commissioner Velasquez's initial query and asked who was responsible for maintaining the space on the presented image. She asked if Liv Avenida has to cross the Applicant's property to access the pathway.

ALISA PETTERSON, SENIOR PLANNER clarified there is a shared walking path at that location, which is adjacent to the dog park proposed by Chandler Farms. She explained the goal was for properties like Liv Avenida and Hamilton Heights to have access to this shared common walking path that is not secured or exclusive to any individual properties. She further explained the path is not exclusive to any single property and currently, there is access from Liv Avenida that leads through this pathway system and into the Greenbelt.

VICE CHAIR KOSHIOL asked if Liv Avenida was responsible for maintaining the area.

KEVIN MAYO, PLANNING ADMINISTRATOR stated that staff confirmed with the county that this area belongs to Liv Avenida.

VICE CHAIR KOSHIOL asked if there was a public access through their planning that allows people to traverse through this area.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified the original zoning intended for a pathway there and further investigation would be needed into the county assessor's records to determine if a pathway was formally dedicated. He explained after extensive research it was clear that the pathway was situated outside of the view fencing and this fencing delineated the usable area for their property.

VICE CHAIR KOSHIOL asked if the intent was that it be for public use.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed that was correct and as part of their request to change the zoning from commercial to multifamily, they were obligated to ensure the continuation of the path. He explained this meant integrating the path up to the point where the commercial area is planned, which is the subject site.

CHAIRMAN HEUMANN asked staff to clarify which gates locked and which did not.

ALISA PETTERSON, SENIOR PLANNER clarified the gate into Liv Avenida is secured with a key fob, so only residents can have access. She stated the gate at Hamilton Heights is open and pointed out another area where the gate is open. She does not believe there are secured or locked gates, however, she received photographs from a particular resident who indicated their frustration with the multifamily having a secured entrance. She explained the concerns raised

pertains to the residents accessing and exiting through the initial Greenbelt area and traversing the boundary marked by the solid masonry wall owned by Dobson Crossing HOA. She further explained the question at hand is the equity of access: Is it equitable for these residents to utilize lake amenities and play equipment while other residents are restricted from access. She admitted the issue has only recently come to light and staff will need to explore this issue further as there is no solution for the issue at this time.

COMMISSIONER LOPEZ stated as he understands there is a discussion going on between the existing properties regarding access to other properties and gates. He asked how does this issue tie into the current Applicants and in the proposed design if they will have gate access or not. He believed that is the only thing the Applicant needs to address as the rest should be dealt by the existing property owners.

ALISA PETTERSON, SENIOR PLANNER clarified from staff's perspective, the intent was for Chandler Farms to complete the final link in that larger greenbelt connection. She stated it is preferred to see that area open and maintained to serve those single-family residents so they have access to the buildings on the corner.

COMMISSIONER LOPEZ understood that as the intent ten to fifteen years ago, but it seems there have been some changes as the initial plan suggested major commercial development and a pathway. He stated given that the commercial space has since been scaled down and it is now designated for multifamily use, he wondered if the Applicant still believes this fits and there is a long term need. He stated the gate appears to lead directly into the dog park and asked if that is correct or if there is going to be a walkway connection.

ALISA PETTERSON, SENIOR PLANNER stated the gate is adjacent to the enclosed dog park, there is an open pathway, and one would not actually go through the enclosure for access.

COMMISSIONER LOPEZ thanked staff and can see the pathway between the two properties leading to the commercial.

CHAIRMAN HEUMANN confirmed there were no comments or questions from the Commission.

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

MIKA LIBURD, ASSOCIATE PLANNER presented details regarding the request 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.

CHAIRMAN HEUMANN confirmed there were no comments or questions from the Commission.



#### **4. PLH23-0024 THE STILLERY**

HARLEY MEHLHORN, CITY PLANNER presented details regarding the request 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.

CHAIRMAN HEUMANN stated The Stillery is a great addition to downtown Chandler and confirmed there were no comments or questions from the Commission.

#### **5. PLH23-0014 GOOD TIME CHARLI'S**

DARSY OMER, ASSOCIATE PLANNER presented details regarding the request 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.

CHAIRMAN HEUMANN mentioned a previous business at this location had it's Use Permit revoked. He explained it is rare for a permit to be revoked, however, the neighboring community was assertive in response to a loud business. He stated Good Time Charlie's is a good neighbor and the 8 o'clock start is appropriate. He urged the Applicant to continue to be good neighbors and confirmed there were no comments or questions from the Commission.

#### **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.

### **Action Agenda**

#### **6. PLH23-0020 HUNT HIGHWAY CELL TOWER**

Request 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 announced that Item No. 6 PLH23-0020 HUNT HIGHWAY CELL TOWER was moved from the Consent Agenda to the Action Agenda. He explained there would be a full hearing and presentation on the Action Agenda at the Regular Meeting following the Study Session this date. He highlighted the importance of filling out speaker cards for those who wished to address the Planning and Zoning Commission. He stated there will be a short break

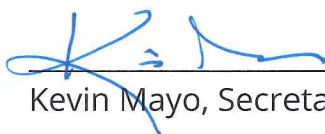
and instructed attendees to fill out yellow speaker cards if they intended to speak at the Regular Meeting on this item.

## Calendar

The next Study Session will be held before the Regular Meeting on Wednesday, October 18, 2023, in the Chandler City Council Chambers, 88 E. Chicago Street.

## Adjourn

The meeting was adjourned at 5:33 p.m.

A handwritten signature in blue ink, appearing to read 'Kevin Mayo', written over a horizontal line.

Kevin Mayo, Secretary

A handwritten signature in blue ink, appearing to read 'Rick Heumann', written over a horizontal line.

Rick Heumann, Chairman