

Meeting Minutes

Planning and Zoning Commission

Study Session

August 16, 2023 | 5:00 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 5:03 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
Ben Cereceres, City Planner
Harley Mehlhorn, City Planner
Mika Liburd, Associate Planner
Tulili Tuitelelapaga-Howard, Planning Intern
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. July 19, 2023, Planning and Zoning Commission Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of July 19, 2023, and Regular Meeting of July 19, 2023.

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

2. PLH23-0011/PLH21-0069/PLT21-0046 HARRIS PLACE

BEN CERECERES, CITY PLANNER presented details request amendment to the Kerby Property Area Plan from Rural Ranchette to Traditional Suburban Character, rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for single-family residential, Preliminary Development Plan for subdivision layout and housing product, and preliminary plat for a nine (9) lot single-family subdivision. The subject site is located on approximately 3.4 acres located ¼ mile west of the southwest corner of McQueen Road and Ocotillo Road.

CHAIRMAN HEUMANN provided clarification on the comment about rural notification of animals, stating it is part of the deed of the land. He asked about the streetscape and if there were provisions concerning housing structures, ensuring diversity in appearance, and preventing multiple two stories directly next to each other.

BEN CERECERES, CITY PLANNER confirmed there is a stipulation to prevent the same housing products built next to each other.

CHAIRMAN HEUMANN emphasized the importance of diverse housing products.

COMMISSIONER LOPEZ asked if there were going to be any added enhancements to the roadway on either side of the entrances on Kirby or 119th Street.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified that there would be minimal changes, primarily related to curb return modifications for the proposed subdivision. He confirmed no significant changes would be made to make the road wider or a turn lane. He stated anything that will be done will occur on the east corner of the subject site.

COMMISSIONER LOPEZ understood that traffic was not requiring a light and clarified that he was curious if other roadway modifications were needed.

KEVIN MAYO, PLANNING ADMINISTRATOR stated the nine lots would not prompt such.

CHAIRMAN HEUMANN confirmed there were no further comments or questions from staff.

3. PLH22-0055 K9 RESORTS

MIKA LIBURD, ASSOCIATE PLANNER presented details regarding the request 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 Avenue, at the northwest corner of Arizona Avenue and Chicago Street.

COMMISSIONER BARICHELLO pointed out a similar Use Permit case for Dogtopia who was given a longer time stipulation and asked why this case was given a three-year time stipulation.

MIKA LIBURD, ASSOCIATE PLANNER stated she would get clarification on the reason Dogtopia was given more time and will report back to the Commission.

COMMISSIONER BARICHELLO clarified he was asking because if K-9 Resorts has been in business is for a number of years without complaints, he would like staff and the Commission to consider the time stipulation be increase to match the Dogtopia case.

KEVIN MAYO, PLANNING ADMINISTRATOR clarified historically, the standard procedure for use permits is to have a time condition that would start with one year, then three years, followed by five years, then no expiration. He explained Dogtopia experienced a significant amount of neighborhood involvement during its initial stages and since it took them over a year to work through the neighbors' concerns, staff tried to find a middle ground with Dogtopia and allowed four years. He stated for more traditional cases without such involvement, staff followed the pattern.

COMMISSIONER BARICHELLO thanked staff for the explanation.

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

4. PLH23-0024 THE STILLERY

Move Planning and Zoning Commission continue Entertainment Use Permit PLH23-0024 The Stillery to the September 20, 2023, Planning and Zoning Commission hearing.

5. PLH23-0036 BOTTLE AND BEAN

HARLEY MEHLHORN, CITY PLANNER presented details regarding the request for Use Permit approval to expand the serving area of a Series 7 Beer and Wine Bar license and Entertainment Use Permit approval for live indoor and outdoor entertainment. 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.

COMMISSIONER LOPEZ presented statements regarding a prior case requesting an extension but due to its circumstances it had to be rejected because it was an incontiguous extension permit. He wanted to confirm that the proposed complies with State of Arizona specifications.

HARLEY MEHLHORN, CITY PLANNER stated the Applicant is here to answer any questions and from his understanding there were scenarios where the noncontiguous extension of a premise crossed either a property land or a right of way. He explained, in such situations, it is deemed inadmissible, however, in instances where the extension occurred on the same property but within a certain distance, it was allowed. He further explained the State has a set distance for permitting noncontiguous serving areas and there are times where the noncontiguous

extension of premise is across a property and in those cases, it is unimprovable, but in this case because it is on the same property within the allowed distance, it is permitted.

COMMISSIONER VELASQUEZ asked for the details of the latest opposition that was received by staff and if it was due to the third-floor performance or outdoor amplification.

HARLEY MEHLHORN, CITY PLANNER confirmed that the opposition was primarily about noise and intensification. He explained the opposition received did not mention the third-floor, however this was a popular topic at the neighborhood meeting. He stated that the issues were addressed, and the Applicant agreed not to have amplified music on the third-floor deck.

CHAIRMAN HEUMANN reiterated the importance of being cautious about noise, especially during early morning hours as this case has a one-year time stipulation. He encouraged the Applicant to be a good neighbor and pointed out weekend hours of amplified performances start early and recommended the Applicant select music that would be well-received by the neighboring community in the morning hours. He confirmed there were no further comments or questions from the Commission.

6. Cancellation of the September 6, 2023, Planning and Zoning Commission Hearing

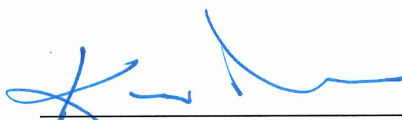
Move Planning and Zoning Commission cancel September 6, 2023, Planning and Zoning Commission Hearing.

Calendar

The next Study Session will be held before the Regular Meeting on Wednesday, September 20, 2023, in the Chandler City Council Chambers, 88 E. Chicago Street.

Adjourn

The meeting was adjourned at 5:23 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chairman