

# Meeting Minutes

## Planning and Zoning Commission

### Regular Meeting

November 15, 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 5:30 p.m.

### Roll Call

#### Commission Attendance

Chairman Rick Heumann  
Vice Chair Sherri Koshiol  
Commissioner Michael Quinn  
Commissioner Jeff Velasquez  
Commissioner Kyle Barichello

#### Staff Attendance

Kevin Mayo, Planning Administrator  
Lauren Schumann, Principal Planner  
Alisa Petterson, Senior Planner  
Harley Mehlhorn, City Planner  
Thomas Allen, Assistant City Attorney  
Julie San Miguel, Clerk

#### Absent

Commissioner Rene Lopez  
Commissioner Erik Morgan

### Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Velasquez.

### 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.

### Consent Agenda and Discussion

1. October 18, 2023, Planning and Zoning Commission Study Session and Regular Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of October 18, 2023, and Regular Meeting of October 18, 2023.

## **2. PLH23-0026 City Code Amendments related to Zoning, Property Maintenance, & Garbage**

An Addendum Memo was presented to the Commission, Planning staff revised portions of the draft text after receiving additional feedback and comments.

CHAIRMAN HEUMANN announced that there were two study sessions, and based on those discussions, stipulations were modified. He requested the staff to read the additional or modified stipulations aloud.

LAUREN SCHUMANN, PRINCIPAL PLANNER read aloud the amendments to Item No. 2. She explained the amendments included changing Motion E to require guest parking to 0.25 spaces per unit; amending Motion F to specify “No more than one high turnover user for street frontage”; and amending Motion L to allow the use of swim lessons as a permitted activity for home occupations.

A. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-200 Definitions of the Zoning Code relating to mid-rise development, bar, and other updates, as recommended by Planning staff.

B. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-305 Use Permit, relating to renewal enforcement, as recommended by Planning staff.

C. Move Planning and Zoning Commission recommend approval of proposed text amendments to articles IV. AG-1-Agricultural District, V. SF-33-Single Family District, VI. SF-18-Single Family District, VI.1. SF-10 Single Family District, VIII. MF-1-Medium Density Residential District, IX. MF-2-Multiple Family Residential District, and X. MF-3-High Density Residential District of Chapter 35 Land Use and Zoning, cleaning up language and permitting single family homes on parcels zoned multifamily residential that are less than 12,000 square feet, as recommended by Planning staff.

D. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-1203, 35-1503, 35-1703, and 35-1902.4, granting authority to the Planning Administrator to reduce front yard setbacks within the Infill Incentive District, as recommended by Planning staff.

E. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-1802 General Requirements and 35-1804 Parking Schedule, relating to parking requirements, as recommended by Planning staff.

Note: Motion E was amended as a result of the Planning and Zoning's discussion during the Zoning Code Amendment Study Session. The modification requires guest parking spaces to .25 per unit.

F. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-1902.8(c) Site Development Plan, allowing the Planning Administrator to administratively approve more than two free-standing pads, as recommended by Planning staff.

Note: Motion F was amended as a result of the Planning and Zoning's discussion during the Zoning Code Amendment Study Session. The modification adds the following: "No more than one high turnover user per street frontage".

G. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-1902 Site Development Plan, relating to drive-through requirements, use of shipping containers, and screening of roof-mounted equipment, as recommended by Planning staff.

H. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2100 Table of Permitted Uses for Nonresidential Districts, modifying the layout, adding new previously unlisted uses, clarifying ancillary use provisions, and other related changes, as recommended by Planning staff.

I. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2202 Accessory Buildings and Guest Quarters, permitting accessory dwelling units within single-family lots, as recommended by Planning staff.

J. Move Planning and Zoning Commission recommend approval of proposed text amendments to section 35-2204 General, relating to perimeter wall requirements, as recommended by Planning staff.

K. Move Planning and Zoning Commission recommend approval of proposed text amendments to sections 35-2202.1, 35-2205, and 35-2208, relating to open-air ramadas, swimming pool setbacks, and satellite dish antenna requirements, as recommended by Planning staff.

L. Move Planning and Zoning Commission recommend approval of adding section 35-2215 Home Occupation, as recommended by Planning staff.

Note: Motion L was amended as a result of the Planning and Zoning's discussion during the Zoning Code Amendment Study Session. The modification adds swim lessons to permitted uses.

M. Move Planning and Zoning Commission recommend approval of proposed text amendments to Chapter 39 Sign Code, relating to murals and temporary sign requirements, as recommended by Planning staff.

### **3. PLH23-0029 ALMA OFFICE BUILDING REZONING**

Request for rezoning from Single-Family Residential (SF-8.5) to Planned Area Development (PAD) for administrative office and limited commercial uses. The subject site is located at 877 N. Alma School Road, more generally located south of the southeast corner of Alma School and Ray Roads.

Move Planning and Zoning Commission recommend approval of Rezoning case PLH23-0029 Alma Office Building Rezoning, rezoning from Single-Family Residential (SF-8.5) to Planned Area Development (PAD) for administrative office and limited commercial uses, subject to the conditions as recommended by Planning staff.

Recommended Conditions of Approval:

1. Development and use of the overall site shall be in substantial conformance with the exhibit labeled "Site Plan" kept on file in the City of Chandler Planning Division, in File No. PLH23-0029, modified by such conditions included at the time the exhibit was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.
2. Commercial uses shall be limited to administrative office; professional services including legal office, accounting, and other like services; limited counseling services that have no more than one customer on-site at a time; and other like uses.
3. Except for limited counseling services that have no more than one customer on-site at a time, medical office is prohibited.
4. No business on-site shall operate beyond 6 p.m.
5. All employees and clients shall park on-site.
6. The site shall be maintained in a clean and orderly manner.
7. Any modifications to the existing building or any future development shall comply with SF-8.5 development standards and shall be subject to administrative approval by the Zoning Administrator prior to building permit issuance.

8. Signage shall be processed under separate permit and shall follow the guidelines for Neighborhood Commercial (C-1) as prescribed in Chapter 39 of Chandler City Code.

**4. PLH23-0045 BUON PADRE PIZZA**

Request for Entertainment Use Permit approval to allow televisions with speakers and live entertainment within an outdoor patio. The establishment is located at 1080 E Pecos Rd, Suite 23, at the northeast corner of Pecos Road and McQueen Road.

Move Planning and Zoning Commission recommend approval of Entertainment Use Permit PLH23-0045 Buon Padre Pizza to allow televisions, speakers and live entertainment within an outdoor patio.

Expansion or modification beyond the approved attachments (Exhibits and Narrative) shall void the Entertainment Use Permit and require a new Entertainment Use Permit application and approval.

1. The Entertainment Use Permit is non-transferrable to other locations.
2. The site shall be maintained in a clean and orderly manner.
3. 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.
4. 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.
5. The establishment shall provide a contact phone number for a responsible person (i.e. owner or manager) to any interested neighbors and property owners to resolve noise complaints quickly and directly.
6. Live music on the patio may occur Tuesday, Wednesday, Thursday and Sunday no later than 8:00 pm; and Friday and Saturday, no later than 9:00 pm, and shall be limited to acoustic and non-amplified instruments.
7. The Entertainment Use Permit shall remain in effect for one (1) year 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. Notice of Cancellation of the December 6, 2023, Planning and Zoning Commission Hearing**

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

## Consent Agenda Motion and Vote

VICE CHAIR KOSHIOL moved to approve the Consent Agenda of the November 15, 2023, Regular Planning and Zoning Commission Meeting with modified stipulations on Item 1; Seconded by COMMISSIONER QUINN.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY clarified that the modified stipulations were for Item No. 2.

VICE CHAIR KOSHIOL withdrew her prior motion and moved to approve the Consent Agenda of the November 15, 2023, Regular Planning and Zoning Commission Meeting with Amended Stipulations on Item 2; Seconded by COMMISSIONER QUINN.

Motion carried unanimously (5-0).

## Member Comments/Announcements

CHAIRMAN HEUMANN thanked the Commission Members and staff for all their work on the proposed code amendments. He wished to comment on Proposed Amendment M and directed his comments to the City Council, he pointed out all COVID restrictions were eliminated post-COVID, except for one enforcing the temporary sign code. He stated if the amendment is not enforced, there is no purpose in having it. He explained there are numerous violations sign code all over the City, making it appear ragged, and urged the City Council to consider reinstating the temporary sign code.

KEVIN MAYO, PLANNING ADMINISTRATOR, expressed his gratitude to the Chairman and the Commission for their efforts in developing the code. He acknowledged that it was a significant undertaking and expressed excitement at progressing towards finalization. He wished everyone a happy and safe Thanksgiving.

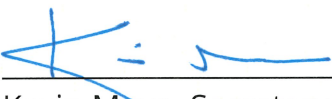
CHAIRMAN HEUMANN thanked staff and wished everyone a happy Thanksgiving.

## Calendar

The next regular meeting will be held on Wednesday, December 20, 2023, in the Chandler City Council Chambers, 88 E. Chicago Street.

## Adjourn

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



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Kevin Mayo, Secretary



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Rick Heumann, Chairman