

Meeting Minutes

Planning and Zoning Commission

Study Session

May 15, 2024 | 5:00 p.m.
Chandler City Council Chambers
88 E. Chicago Street, Chandler, AZ



Call to Order

The meeting was called to order by Chairman Heumann at 5:00 p.m.

Roll Call

Commission Attendance

Chairman Rick Heumann
Vice Chair Sherri Koshiol
Commissioner Michael Quinn
Commissioner Kyle Barichello
Commissioner Charlotte Golla

Absent

Commissioner Rene Lopez - Excused

Staff Attendance

Kevin Mayo, Planning Administrator
David de la Torre, Planning Manager
Lauren Schumann, Principal Planner
Alisa Petterson, Senior Planner
Ben Cereceres, City Planner
Mika Liburd, Associate Planner
Darsy Omer, Associate Planner
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk
Michelle Reeder, 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. May 1, 2024, Planning and Zoning Commission Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of May 1, 2024, and Regular Meeting of May 1, 2024.

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

2. PLH23-0057 GUERRERO RESIDENCE

MIKA LIBURD, ASSOCIATE PLANNER presented details regarding the request for Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Single-Family Residential with reduced setbacks on approximately 3.35 acres located at 943, 953 and 963 N Mill Avenue, generally located ½ mile east of the southeast corner Kyrene and Ray roads.

CHAIRMAN HEUMANN sought clarification on the 10-foot setbacks, asking if they are along the canal and the other house.

MIKA LIBURD, ASSOCIATE PLANNER responded that is correct.

3. PLH23-0070 CHANDLER PALMS MEDICAL OFFICES

BEN CERECERES, CITY PLANNER presented details regarding the request to amend existing Planned Area Development (PAD) zoning district by allowing Medical Office uses in addition to the uses currently allowed, which include Industrial, Office and Warehouse. The site consists of two (2) existing buildings located at 500 N Juniper Drive, generally located ½ mile north and west of Chandler Boulevard and McClintock Drive.

CHAIRMAN HEUMANN announced he was recusing himself on this item.

VICE CHAIR KOSHIOL asked if there were any questions or comments from the Commission Members.

COMMISSIONER BARICHELLO questioned if the striking of the general medical office was related to meeting the parking provision in the code and if there was concern from the Applicant regarding removing general office uses or medical office uses.

BEN CERECERES, CITY PLANNER clarified that the conditions and staff report were presented to the Applicant and they did not express any concerns.

COMMISSIONER BARICHELLO mentioned the reason for the question was to address any potential future PAD amendments and if the Applicant could address it now if they wanted those uses.

VICE CHAIR KOSHIOL sought clarification regarding the parking study stipulation and asked at what point in the process will the Applicant be required to provide a parking study.

BEN CERECERES, CITY PLANNER stated that whenever a new unit is proposed, a parking study must be submitted for staff's review and if the proposed use of the unit is intense, the Applicant must demonstrate that similar uses at other locations or facilities are not as intense.

VICE CHAIR KOSHIOL asked if a professional traffic engineer or data from other projects will be used in assessing the information.

BEN CERECERES, CITY PLANNER responded staff would rely on the Applicant providing information based on their historic parking information and demand. He clarified it would be the responsibility of the Applicant to provide that information to staff.

VICE CHAIR KOSHIOL confirmed there were no further questions or comments from the Commission Members.

4. PLH24-0004 THE FORUM

DARSY OMER, ASSOCIATE PLANNER presented details regarding the request for Use Permit time extension for a Series 6 Bar license and an Entertainment Use Permit for live music inside and on an outdoor patio. The business is located at 2301 S Stearman Drive, generally located south of the southwest corner of Gilbert Road and Germann Road.

An Addendum Memo was presented to the Commission, Planning staff received correspondence from residents after the staff memo was distributed regarding the proposed Use Permit and Entertainment Use Permit. Additionally, the Applicant agreed to modify condition #10, limiting the hours of operation of amplified live music and entertainment.

COMMISSIONER BARICHELLO asked if there was a time limit on the conditions of approval for this case.

DARSY OMER, ASSOCIATE PLANNER confirmed there is no time limit on this case.

CHAIRMAN HEUMANN asked if the hours of operation were being changed from the original plan approved in 2022 and 2017.

DARSY OMER, ASSOCIATE PLANNER clarified the hours of operation were not changing, staff checked the website and the Applicant's narrative was slightly different. She explained that staff used the hours that was listed on their website and that could have been different than what was originally approved.

CHAIRMAN HEUMANN sought clarification questioning if the Applicant was requesting an extension or a modification of the hours from what was previously approved.

DARSY OMER, ASSOCIATE PLANNER confirmed the hours of operation have change, but not the hours of entertainment.

CHAIRMAN HEUMANN asked if the Applicant was requesting to change the hours of entertainment, not the hours of operation.

DAVID DE LA TORRE, PLANNING MANAGER explained staff was unaware of any opposition to the request, until recently when three emails included in the Addendum Memo were received by staff. He stated the opposition was from residents east of Gilbert Road and as a result, staff contacted the Applicant, who agreed to reduce the hours of outside amplified live entertainment during the week by one hour from 10:00 p.m. to 9:00 p.m. He clarified that staff is not proposing an additional time stipulation as the Applicant is reducing the hours, not expanding them.

CHAIRMAN HEUMANN asked if the hours approved in 2022 were the same, except for the one-hour reduction.

DAVID DE LA TORRE, PLANNING MANAGER confirmed that the hours would have remained the same except for the agreement to reduce the hours during weeknights.

CHAIRMAN HEUMANN asked if the usual stipulations for ambient noise were added. He stated that he wants to ensure if the newly approved hospital is built and the music is too loud, that the hospital will have recourse to address the issue.

DAVID DE LA TORRE, PLANNING MANAGER confirmed the stipulations were added.

COMMISSIONER BARICHELLO sought clarification on the typical 1-3-5 year timeline for Use Permits and why this case did not have a time limit.

KEVIN MAYO, PLANNING ADMINISTRATOR explained staff received feedback from City Council over the past years that the 1-3-5 year timeline seemed arduous for most Applicants. He stated it was originally intended to control those who could not be good neighbors and this case, aside from two households sending opposition emails, had not faced significant opposition. He further stated Council directed staff to grant indefinite Use Permits unless there were substantial complaints from neighbors.

CHAIRMAN HEUMANN stated that staff has recently adopted a more flexible approach regarding the 1-3-5 year rule and indefinite Use Permits are proposed for Applicants with no significant issues. He mentioned stipulations regarding noise levels have been added to manage problematic Applicants.

5. PLT23-0039 CHANDLER INNOVATION CENTER

BEN CERECERES, CITY PLANNER presented details regarding the request for Preliminary Plat on approximately 23.45 acres, located 1/4 mile south of the southeast corner of Arizona Avenue and Germann Road.

CHAIRMAN HEUMANN confirmed with staff this will be going to City Council for annexation.

Action Agenda Item No. 6 and Discussion

6. ELECTION OF OFFICERS

Move Planning and Zoning Commission elect a Chair and Vice Chair of the Planning and Zoning Commission.

Calendar

The next Study Session will be held before the Regular Meeting on Wednesday, June 5, 2024, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

Adjourn

The meeting was adjourned at 5:19 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chairman