

Meeting Minutes

Planning and Zoning Commission

Regular Meeting

May 15, 2024 | 5:30 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 5:30 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
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

Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Golla.

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. He explained that all items would remain on the Consent Agenda unless the speakers provided compelling reasons to move an item to the Action Agenda. He called up the first speaker, Jeff Miller, appearing on Item No. 4 PLH24-0004 The Forum.

JEFF MILLER, APPLICANT introduced himself as a representative from Arizona Liquor Industry Consultants, representing The Forum. He explained that nothing has changed since the last approval in 2022 and The Forum has not had a complaint about live music. He thanked the city for being great to work with and stated the Applicant is willing to reduce hours during the week. He further explained that he hopes this will ease concerns from the neighbors and stated the letter mentioned potential future problems, but there have not been any complaints about past events. He further stated The Forum is a great neighbor and values the community and built this venue as a community center where businesses can hold trainings and residents can gather. He explained that The Forum is committed to working with the neighbors and the owner has given his personal number to address any noise complaints directly.

CHAIRMAN HEUMANN thanked the speaker and stated he has visited the facility, and it is a great place. He mentioned there have not been any complaints and there are stipulations to manage the noise. He announced that the Vice Chair will be handling the next speaker card as it pertains to an item that he has recused himself on.

VICE CHAIR KOSHIOL He called up speaker, Terry Smith, appearing on Item No. 3 PLH23-0070 Chandler Palms Medical Offices.

TERRY SMITH, ARIZONA PRIORITY CARE introduced himself as Chief Operating Officer of Arizona Priority Care who is the largest tenant in one of the two office buildings proposed for rezone. He stated their corporate offices have been occupying the 585 building for eight years, leasing 32,000 square feet across three suites on two floors. He further stated they have 110 employees and have been a Chandler based business for 13 years with over 4,000 healthcare providers across the state. He explained ownership of these buildings changed in the last year and a half and the new owners are requesting rezoning to make it a medical office building. He stated the corridor is primarily administrative or corporate office buildings, and there are concerns with this change. He asked the Commission to oppose the rezoning because it fundamentally changes the building's use by introducing patient flow, patient care, and clinical space. He further explained this is not suitable for a corporate office setting and may drive away existing tenants. He mentioned if rezoning is approved and medical practices are allowed, that it could drive away other corporate tenants and Arizona Priority Care would likely not renew their lease. He stated the proposed rezoning would be disruptive due to the constant flow of patients and clarified that there are 32 medical specialties and staff has only listed 4 types. He stated mental health services or behavioral health services is not appropriate as this building backs to Desert Breeze Park with schools nearby and by introducing mental health services, could pose a public safety risk and is not appropriate for this location. He urged the Commission to consider these points.

VICE CHAIR KOSHIOL thanked the speaker and confirmed that Arizona Priority Care is located in the 585 building. She asked staff what buildings is the proposed request for.

BEN CERECERES, CITY PLANNER confirmed the request is for buildings 500 and 585.

CHAIRMAN HEUMANN asked staff if they had any comments in response to the speaker.

DAVID DE LA TORRE, PLANNING MANAGER explained when staff receives a request to allow medical uses in an existing building, it is reviewed based on potential impacts on the site and neighboring properties, such as traffic and parking. He stated for that reason, staff is proposing a stipulation to limit the types of medical uses. He further explained currently, both buildings allow general office use with a parking requirement of one space per 250 square feet and allowing all medical uses could increase parking demand and spill over onto the streets and adjacent properties. He stated this is the reason the proposal is limited to types of medical uses that are not as intense and there is a stipulation that requires a parking study to ensure compatibility with the original office use approved.

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

CHAIRMAN HEUMANN confirmed there were no further speakers and announced these five items will remain on the Consent Agenda and will be voted on in one motion.

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.

2. PLH23-0057 GUERRERO RESIDENCE

Request 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.

Move Planning and Zoning Commission recommend approval of PLH23-0057 Guerrero Residence, Rezoning from Agricultural District (AG-1) to Planned Area Development (PAD) for Single-Family Residential with reduced setbacks, subject to the conditions as recommended by Planning staff.

Recommended Conditions of Approval:

1. Uses permitted on the property shall be those permitted in the Single-Family (SF-33) zoning district, except as modified by conditions herein.

2. Minimum setbacks shall be as provided below:

Property Line	Building Setback
Front Yard	20 ft.
Side Yard	10 ft. for each side
Rear Yard	10 ft.

3. Development standards in the City of Chandler Zoning Code for SF-33-Single Family District shall apply, except as modified by conditions herein.
4. Developer shall provide all required right-of-way dedications and/or easements as determined by the Development Services Director at the time of construction plan review.
5. Developer shall complete 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.
6. Landscaping in all rights-of-way shall be maintained by the adjacent property owner. Additionally, hardscape improvements located behind the sidewalk and within the right-of-way shall be maintained by the adjacent property owner.

3. PLH23-0070 CHANDLER PALMS MEDICAL OFFICES

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.

Move Planning and Zoning Commission recommend approval of Rezoning PLH23-0070 Chandler Palms Medical Offices, amending the existing PAD to allow medical office uses in addition to the uses currently allowed, subject to the conditions as recommended by Planning staff.

Recommended Conditions of Approval:

1. Development shall be in substantial conformance with exhibits and representation entitled "Chandler Corporate Center" kept on file in the City of Chandler's Planning Division in file No. PDP05-0009, modified by such conditions included at the time the exhibits were approved by City Council and/or as thereafter amended, modified or supplemented by the City Council.
2. Uses permitted shall be limited to light industrial, general office, and warehouse. Additionally, medical uses, such as but not limited to counseling services and medical

specialists, shall be permitted subject to providing a parking study that demonstrates the services provided generate a parking demand that does not exceed one (1) space per two hundred and fifty (250) square-feet. More intense medical uses such as but not limited to general practitioners, pediatricians, dental and optometrists shall be prohibited.

3. All employees and clients shall park on-site.
4. The site shall be maintained in a clean and orderly manner.
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.

4. PLH24-0004 THE FORUM

Request 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 Dr, generally located south of the southwest corner of Gilbert Rd and Germann Rd.

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.

Move Planning and Zoning Commission recommend approval of PLH24-0004 The Forum, a Use Permit time extension for a Series 6 Bar license and an Entertainment Use Permit time extension for live music inside and on an outdoor patio, subject to the conditions as recommended by Planning staff.

Recommended Conditions of Approval:

1. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Use Permit and require a new Use Permit application and approval.
2. The Use Permit is non-transferable to any other location.
3. This Use Permit approval is solely for a Series 6 Bar license.
4. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan and Narrative) shall void the Entertainment Use Permit and require a new Entertainment Use Permit application and approval.
5. The Entertainment Use Permit is non-transferable to any other location.

6. The site shall be maintained in a clean and orderly manner.
7. 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.
8. 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.
9. 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 complaints quickly and directly.

Note: Stipulations #10 was added on the Addendum Memo presented to Planning and Zoning Commission this date:

10. Amplified live music and entertainment on the patio may occur from 10 a.m. to 9 p.m. Sunday through Thursday and from 10 a.m. to 11 p.m. Friday and Saturday. Non-amplified live music and entertainment on the patio may occur from 8 a.m. to 10 p.m. Sunday through Thursday and from 8 a.m. to 11 p.m. Friday and Saturday
11. The Entertainment Use Permit shall remain in effect from the date of Council approval.
12. The Use Permit does not override any State liquor licensing requirements. The applicant must comply with all regulations that pertain to the liquor license.

5. PLT23-0039 CHANDLER INNOVATION CENTER

Request for Preliminary Plat on approximately 23.45 acres, located 1/4 mile south of the southeast corner of Arizona Avenue and Germann Road.

Move Planning Commission recommend approval of Preliminary Plat PLT23-0039 Chandler Innovation Center, per Planning staff recommendation.

Recommended Conditions of Approval:

1. Approval by the City Engineer and Planning Administrator with regard to the details of all submittals required by code or condition.

Consent Agenda Motion and Vote

COMMISSIONER BARICHELLO moved to approve the Consent Agenda of the May 15, 2024, Regular Planning and Zoning Commission Meeting with stipulations presented by staff and modified stipulation #10 on Item No. 4; Seconded by COMMISSIONER QUINN.

Motion carried unanimously. Chair Heumann recused from the vote on Item No. 5.

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.

VICE CHAIR KOSHIOL nominated Rick Heumann to serve as Chair.

CHAIRMAN HEUMANN nominated Sherri Koshiol to serve as Vice Chair.

Action Agenda Item No. 6 Motion and Vote

VICE CHAIR KOSHIOL moved for Rick Heumann to serve as Chair; Seconded by COMMISSIONER BARICHELLO.

Motion carried unanimously (6-0).

CHAIRMAN HEUMANN moved for Sherri Koshiol to serve as Vice Chair; Seconded by COMMISSIONER QUINN.

Motion carried unanimously (6-0).

Member Comments/Announcements


CHAIRMAN HEUMANN wished everyone a great Memorial Day Weekend.

Calendar

The next regular meeting will be held on Wednesday, June 5, 2024, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

Adjourn

The meeting was adjourned at 5:42 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chairman