

Meeting Minutes

Planning and Zoning Commission

Regular Meeting

September 18, 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 5:42 p.m.

Roll Call

Commission Attendance

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

Absent

Commissioner Rene Lopez - Excused

Staff Attendance

Kevin Snyder, Director of Development Services
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
Alyssa Siebers, Associate Planner
Thomas Allen, Assistant City Attorney
Julie San Miguel, Clerk

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. August 21, 2024 Planning and Zoning Commission Meeting Minutes

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of August 21, 2024, and Regular Meeting of August 21, 2024.

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

3. PLH24-0001/PLT24-0001 TOLL BROTHERS UPTOWN

Request Rezoning from Regional Commercial District (C-3) to Planned Area Development (PAD) for multi-family residential, with Preliminary Development Plan approval for site layout and building architecture, and Preliminary Plat approval on approximately 14.1 acres located approximately ¼ mile north of the northeast corner of Arizona Avenue and Warner Road.

An Addendum Memo was presented relaying to the Commission a letter of support that Planning staff received from the Chandler Chamber of Commerce after the staff memo was distributed.

Rezoning

Move Planning and Zoning Commission recommend approval of Rezoning PLH24-0001 Toll Brothers Uptown from Regional Commercial (C-3) to Planned Area Development (PAD) for multi-family residential, subject to the conditions as recommended by Planning staff.

Preliminary Development Plan

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH24-0001 Toll Brothers Uptown for site layout and building architecture, subject to the conditions as recommended by Planning staff.

Preliminary Plat

Move Planning and Zoning Commission recommend approval of Preliminary Plat, PLT24-0001 Toll Brothers Uptown, subject to the condition as recommended by Planning staff.

Recommended Conditions of Approval:

Rezoning

Planning staff recommends Planning and Zoning Commission move to recommend approval of Rezoning from Regional Commercial District (C-3) to Planned Area Development (PAD) for multi-family residential, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Toll Brothers Uptown" and kept on file in the City of Chandler Planning Division, in File No. PLH24-0001, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.
2. Multiple-family residential shall be permitted at a maximum density of thirty five (35) dwelling units per acre.

3. Building height shall be limited to a maximum of fifty-five (55) feet in height.
4. Completion of the 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.
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.
6. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
7. Minimum building setbacks shall be as follows:

Property Line Location	Minimum Building Setback
Arizona Avenue	20'
North	10'
South	10'
East	20'

Preliminary Development Plan

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the Development Booklet, entitled "Toll Brothers Uptown" and kept on file in the City of Chandler Planning Division, in File No. PLH24-0001, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified or supplemented by Chandler City Council.
2. Landscaping plans (including for open spaces, retention, rights-of-way, and street medians) shall be approved by the Planning Administrator.
3. Fifty percent of the trees planted along the arterial streets shall be a minimum of 36-inch box and be a minimum of 12-feet in height at the time of planting.
4. The site shall be maintained in a clear and orderly manner.
5. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.

6. All mechanical equipment, including HVAC, utility meters, etc. shall be screened from view by material(s) that are architecturally integrated and consistent with the proposed buildings.
7. Sign packages, including free-standing signs as well as wall-mounted signs shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
8. A minimum of three (3) electric vehicle charging stations shall be installed per building.

Preliminary Plat

Planning staff recommends the Planning and Zoning Commission move to recommend approval of the Preliminary Plat subject to the following condition:

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

4. PLH24-0018 PECOS & MCQUEEN STORAGE

Request Use Permit approval to allow a self-storage facility on a property zoned Community Commercial District (C-2) located at the southeast corner of Pecos and McQueen roads

Move Planning and Zoning Commission recommend approval of Use Permit PLH24-0018 Pecos & McQueen Storage to allow a self-storage facility on a property zoned Community Commercial District (C-2), subject to the conditions as recommended by Planning staff.

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Use Permit, subject to the following conditions:

1. Development shall be in substantial conformance with exhibits entitled "PLH24-0018 Pecos & McQueen Exhibits" kept on file in the City of Chandler's Planning Division, modified by such conditions included at the time the exhibits were approved by the City Council and/or as thereafter amended, modified or supplemented by the City Council.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit apply.
3. All mechanical equipment shall be screened from view by material(s) that are architecturally integrated and consistent with the proposed buildings.
4. The site shall be maintained in a clean and orderly manner.

5. The landscaping shall be in compliance with current Commercial Development Standards.
6. The applicant shall provide a contact phone number for a responsible person to any interested neighbors or property owners to resolve any disturbances that may occur quickly and directly.

Note: Stipulation #7 was added as a result of the Planning and Zoning's discussion during the study session:

7. Fifty percent of the trees planted along the arterial streets shall be a minimum of 36-inch box and be a minimum of 12-feet in height at the time of planting.

5. **PLH24-0022 THE MEXICANO**

Request Entertainment Use Permit approval for live indoor and outdoor entertainment, speakers and tv screens at 3095 W Chandler Blvd, generally located at the southwest corner of Chandler Boulevard and Price Road.

Move Planning and Zoning Commission recommend approval of Entertainment Use Permit PLH24-0022 The Mexicano to allow live indoor and outdoor entertainment, speakers and tv screens, subject to the conditions as recommended by Planning staff.

Recommended Conditions of Approval

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Entertainment Use Permit, subject to the following conditions:

1. Substantial expansion or modification beyond the approved exhibits (PLH24-0022 The Mexicano Exhibits) shall void the Entertainment Use Permit and require new Entertainment Use Permit application and approval.
2. The Entertainment Use Permit is not-transferable to any other location.
3. The site shall be maintained in a clean and orderly manner.
4. The hours of outdoor live entertainment shall be limited to the following days and times:

Hours of Entertainment (outdoor)	Sunday to Saturday 10:00 a.m. - 11:00 a.m.
----------------------------------	---

5. Entertainment uses shall be controlled so as to not unreasonably disturb area residents.
6. The establishment will provide a contact phone number for a responsible person (i.e restaurant owner and/or manager) to any interested neighbors or property owners to resolve noise complaints quickly and directly.

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 reapplication and approval by the City of Chandler.

6. PLH22-0024 CORNERSTONE RANCH

Request Preliminary Development Plan approval for modification to existing signage. The property is located at 3999 S. Dobson Road, located at the northeast corner of Dobson Road and Ocotillo Road

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH22-0024 Cornerstone Ranch for modifications to existing signage, subject to the conditions as recommended by Planning staff.

Recommended Conditions of Approval

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Preliminary Development Plan, subject to the following conditions:

1. Signage shall be in substantial conformance with the Comprehensive Sign Plan kept on file in the City of Chandler Planning Division, File No. PLH22-0024, 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 the Chandler City Council.
2. Signs shall be designated in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

7. Notice of Cancellation of the October 2, 2024, Planning and Zoning Commission Hearing

Move Planning and Zoning Commission cancel the October 2, 2024 Planning and Zoning Commission Hearing.

Consent Agenda Motion and Vote

COMMISSIONER BARICHELLO moved to approve the Consent Agenda of the September 18, 2024, Regular Planning and Zoning Commission Meeting with stipulations presented by staff and added Stipulation No. 7 on Item no. 4; Seconded by VICE CHAIR KOSHIOL.

CHAIR HEUMANN explained he will be dissenting on Item No. 4 due to concerns with land use, stating this is not a good use for a major corner. He confirmed there were no further comments or questions from the Commission Members.

Motion carried unanimously (6-0) on Items 1, 3, 5, 6, 7.

Motion carried (5-1) as to Item No. 4, Chair Heumann dissenting.

Action Agenda Item 2 and Discussion

2. PLH24-0023 THE DISTRICT DOWNTOWN

LAUREN SCHUMANN, PRINCIPAL PLANNER, presented details regarding the request for Rezoning from Planned Area Development (PAD) for mixed uses including multi-family, office, and commercial uses permitted under the Community Commercial District (C-2) to PAD for mixed uses including multi-family, office, commercial uses permitted under the Community Commercial District (C-2) and automobile and truck sales with a Mid-Rise Overlay allowing for heights up to 120 feet, as well as Preliminary Development Plan (PDP) approval for site layout and conceptual building architecture for approximately 44.7 acres located at the northwest corner of Arizona Avenue and the SanTan 202 Freeway.

CHAIR HEUMANN thanked staff for the presentation and asked if the plan approved in 2022 had stipulations regarding the timing, where both retail and multifamily would be built in the first phase to avoid a scenario where only the multifamily was constructed while the rest remained incomplete. He asked, if under the new plan, said stipulation was removed, allowing the multifamily to be built without anything else being developed.

LAUREN SCHUMANN, PRINCIPAL PLANNER explained in the development booklet, when the multifamily portion pulls a permit, it is anticipated that a portion of the commercial development and a hotel would also be constructed at the same time.

CHAIR HEUMANN sought clarification asking at time of construction or when the permit could be pulled. He expressed concerns of the retail portion might not get built while the multifamily development could proceed and stated the last time this came through, it was all stacked. He asked if the new proposal changes this.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated this question would best be directed to the Applicant who is present and can explain the phasing plan.

CHAIR HEUMANN asked staff based on the new proposal compared to the one approved two years prior, if the phases would still be in sync in terms of permits, building, and certificates of occupancy (CFO).

KEVIN MAYO, PLANNING ADMINISTRATOR explained that historically, phasing plans had been part of Planned Development Plans (PDP). He further explained, Phase 1 indicated both an office building and a multifamily building, they ensured that a building permit for the multifamily development could not be issued until a permit for the office was granted; however, the city has never enforced the synchronization of inspections or certificates of occupancy, as these phases typically followed different construction timelines. He stated the current stipulations, which

required parallel submissions, approval, and inspections, were challenging because one phase could not be linked to the other. He further stated the city has never implemented stipulations this specific to a project.

CHAIR HEUMANN sought clarification stating this came through Planning and Zoning Commission, then City Council reviewed the project and changed and added stipulations.

KEVIN MAYO, PLANNING ADMINISTRATOR confirmed this was corrected and stated the concern was that permits could be submitted and pulled, but no actual construction would occur. He mentioned staff does not actively monitor the construction process after permits were pulled.

CHAIR HEUMANN sought further clarification, asking if the new proposal would remove these stipulations.

KEVIN MAYO, PLANNING ADMINISTRATOR agreed and clarified the proposed plan would return what has been done historically to implementing phasing plans.

COMMISSIONER BARICHELLO asked for further details about Phase 2 of the phasing plan. He asked how staff determined the order of development, specifically whether multifamily could be completed before the hotels in Phase 2. He wanted to understand how the phasing would be applied in practice.

KEVIN MAYO, PLANNING ADMINISTRATOR explained if they were to go back to 2018, before the current stipulations, they would expect a permit to be submitted for the entire area identified in Phase 2, including permits for the individual buildings, which might have different owners or franchisees. He further stated it would anticipate receiving larger site permits as well as individual building permits, applying the same approach to the hotels and multifamily components. He explained that phasing plans like this had been historically implemented over the years.

CHAIR HEUMANN sought clarification on the second multifamily development, which was not listed as a specific phase. He wondered if, based on the current plan, the multifamily portion to the west could be built before the middle portion, or if other elements would need to be completed first. He expressed curiosity about the phasing approach since it did not note which phase.

KEVIN MAYO, THE PLANNING ADMINISTRATOR explained the development would be subject to its own Planned Development Plan (PDP), which would establish its own phasing plan once approved. He clarified that it was not tied by phase to the current plan, as it did not yet have an approved PDP. He further stated the development would still need to go through architectural and site design.

CHAIR HEUMANN stated if the portion to the west was built first, the developers could return with a plan, saying they had a user and a PDP.

KEVIN MAYO, THE PLANNING ADMINISTRATOR agreed, adding the Commission and Council could decide the phasing plan, currently they cannot do anything because it does not have a PDP.

COMMISSIONER QUINN pointed out one of the two hotels was planned for Phase 2, and asked whether the second hotel would come later as part of a future phase based on market demand, despite the entire site being highlighted as Phase 2. He further asked if all of the multifamily development on the west side was part of Phase 2.

LAUREN SCHUMANN, PRINCIPAL PLANNER confirmed that one of the two hotels would indeed be built during Phase 2.

COMMISSIONER QUINN presented concerns that the diagram does not fully support what is being discussed.

LAUREN SCHUMANN, PRINCIPAL PLANNER responded that the Applicant can provide a better explanation of their phasing plan.

CHAIR HEUMANN stated the Applicant will provide a presentation and will be available to answer questions about the phasing plan. He confirmed there were no further comments or questions from staff. He asked the Applicant to come forward to present to and confirmed he would be available to answer questions from the Commission regarding the

BRENNAN RAY, APPLICANT introduced himself and presented a conceptual site plan, expressing gratitude for staff and mentioning numerous discussions about the property. He stated the challenges with design, layout, and integrating automotive uses into a mixed-use development. He further stated staff was pleased with the layout and satisfied with the product and this was the reason for their recommendation of approval. The Applicant explained that the land uses remained the same as previously approved, and staff has done a great job explaining the changes. He emphasized the importance of considering how the development would look and feel as people walked and moved through it, rather than just from a high-level view. He highlighted the landscape, open space elements, and monument sign, which aligned with the architectural theme previously discussed and approved. He noted the administrative and design guidelines and the stipulations from 2022, were similar under the new proposal. He reminded the Commission, if staff felt the development was inconsistent with what was represented in the development booklet, staff would have to return for further approvals. He pointed out that the main concern of the Commission is the phasing plan. He acknowledged the concerns expressed by the Commission, particularly the fear that only the multifamily portion would be built while the rest of the site remained vacant. He explained the site plan locked in the specific locations

for multifamily, commercial, and hotel uses. He further explained stipulations required substantial conformance with the development booklet, meaning any deviations would require a new application and additional approvals from the City Council. The Applicant addressed further concerns about the automotive dealerships and clarified there were no restrictions preventing new dealerships from locating on the site, despite rumors to the contrary. He shared that an expert familiar with the automotive industry and state regulations was consulted and confirmed that several new dealerships could potentially be located on the site. He continued to explain the development phasing and described how Phase 1 would focus on horizontal improvements, including work along Arizona Avenue, Pecos Road, and the internal Loop Road. Additional infrastructure would also be included in Phase 1, as requested by a Commissioner who was not present. He stressed that horizontal improvements had to be completed before any vertical construction could begin. He explained that Phase 2 would include both horizontal and vertical improvements, such as commercial development along Arizona Avenue, multifamily development on the west side, and hotels to the south. He noted that while one of the hotels would go vertical during Phase 2, the second hotel would remain a finished pad, ready for future construction. He emphasized the importance of checks and balances throughout the development process and that council would retain oversight to ensure non-residential development proceeded as planned. He further stated the multifamily parcel to the west was already under contract, with interested parties ready to move forward once lending requirements were met. He also pointed out that significant changes had been made to the phasing plan since the last approval, resulting in an increase in non-residential development in the same phase as the multifamily construction. He reiterated the balance between government regulation and market forces, explaining that while they understood the concerns, they had worked hard to address them. He reminded the Commission of the stipulations and checks in place to prevent uncontrolled multifamily expansion and ensure phased development. He stressed that there was no desire for a vacant site, and the proposed plan would facilitate development while allowing for necessary oversight. He thanked the Commission and requested the recommendation for approval in accordance with staff's recommendation.

CHAIR HEUMANN presented statements regarding the relationship between government regulation versus market and how he has observed many areas undeveloped, and he wanted to ensure that things were done correctly. He has heard that Volkswagen is pulling out of Baseline and Arizona Avenue and tonight the Toll Brothers project is taking over the location of the Earnhardt Dealership and pointed out that most major dealerships are in clustering along the I-10, 101, Scottsdale, and the 202 on both sides of Gilbert Road. He pointed out the proposed is for one or two dealerships on a corner and asked why do the Applicants believe these dealerships would be successful.

BRENNAN RAY, APPLICANT stated the proposed site has strong freeway visibility and the location is situated between other dealership clusters in Chandler, Gilbert, and along I-10. He further stated there are dealerships that are unrepresented in these corridors and the

Applicants understand the location and demographics of the area and see this as a viable location for dealerships to be.

CHAIR HEUMANN asked what would happen if the dealerships never come to fruition due to market conditions or other reasons. He asked if the Applicant is prepared to come back before the Commission and propose another use and go through this process again.

BRENNAN RAY, APPLICANT confirmed if dealerships did not materialize that his client was prepared to return to the Commission, as per the stipulations.

CHAIR HEUMANN sought clarification on the phasing of the development. He asked with the multifamily, what would happen if phase 2 was completed with the multifamily units, but the hotel and retail components were not developed, leaving parts of the site unfinished. He presented concerns about the site being the last remaining site as the gateway to downtown. He is very concerned of the possibility of ending up with only multifamily housing and vacant land.

BRENNAN RAY, APPLICANT emphasized the high value of multifamily-zoned properties in Chandler and explained that such sites are few and far between. He mentioned speaking with several multifamily developers, all of whom expressed a desire to develop and this is why the Applicant has agreed to the Preliminary Development Plan (PDP) with included stipulations. He stated that he cannot make guarantees and presented statements regarding the housing shortage and mentioned the recent presentation to City Council, which highlighted the city's efforts in building housing units. He stated the Applicants have agreed to the PDP to ensure there was a system of checks and balances and offered to modify Stipulation no. 2. He stated the Applicant is willing to add sentence that says, "the PDP Application for parcel 4 cannot be filed until 75% of the non-residential uses in phase 2 have received a certificate of completion." He explained that addition not only requires a PDP, it puts a restriction on when the Applicant can file the PDP to begin.

CHAIR HEUMANN acknowledged the need for multifamily housing is widely recognized and that developers are ready to build. He then raised concerns about the 75% completion requirement, specifically referencing the hotel and some retail in the area. They questioned whether the project as a whole was being driven primarily by the multifamily component, asking for confirmation that this was the case for the entire parcel

BRENNAN RAY, APPLICANT confirmed that the project's demand is heavily influenced by the multifamily component as retailers are interested in the site due to the 800 units already entitled. He further stated they have been hesitant to move forward until the multifamily component is confirmed.

COMMISSIONER BARICHELLO pointed out that even if the multifamily component was in phase 4, there would be no guarantee that the commercial development would progress quickly, and it

could remain vacant for years. He emphasized that rooftops attract commercial development, referencing Chandler's growth pattern where multifamily residential projects have driven surrounding commercial accumulation. He mentioned if the multifamily portion did not move forward, there was no certainty that the commercial development would not be delayed for five or six years, and its progress was not necessarily contingent on the multifamily component.

VICE CHAIR KOSHIOL sought clarification regarding the two multifamily components in the latest proposal, noting the one on the west was for 400 units and asked if the maximum allowed on parcel 4, which would go through the PDP process, was also 400 units.

BRENNAN RAY, APPLICANT confirmed that both parcels were approved for a maximum of 400 units each. He stated there were 400 units on a max of 400 units on parcel 5, and a max of 400 units on parcel 4.

VICE CHAIR KOSHIOL asked which is the current approval under mixed-use and with the new proposed 75% of phase 2 non-residential, does the Applicant see that as being the commercial uses, or would that also include the hotel and is the 75% based on square footage of buildings.

BRENNAN RAY, APPLICANT confirmed the 75% would be calculated based on square footage. He suggested there is a strong incentive for the hotel to move forward, as the property owner's daughters are planning to build and operate the hotel and there are incentives for women-owned businesses and women-owned hotels. He mentioned there has been considerable interest in the retail component, with the design of the building already 60% complete. He further explained with the proposed horizontal improvements in phase 1, the multifamily development in phase 2, and the strong financial incentives for the hotel, the pieces are in place for the project to succeed. He mentioned Arizona Avenue as a road of regional significance, with heavy traffic, which is a critical factor in supporting commercial development.

CHAIR HEUMANN sought clarification on the size of the hotel and the retail space at the corner, particularly in terms of the 75% being measured by square footage. He asked what this percentage actually represents and understanding what constitutes 75% of the project would be helpful.

BRENNAN RAY, APPLICANT stated the hotel was approximately 60,000 square feet, the commercial space is slightly over 15,000 square feet, totaling 75,000 square feet and 75% of that total would be roughly 56,000 square feet.

CHAIR HEUMANN asked if this meant that the hotel could be built without the retail using the 75% calculation. He pointed out there would be no assurance on the retail being developed within the next two or three years due to market conditions.

BRENNAN RAY, APPLICANT confirmed under the proposed stipulation, the hotel could indeed be built first, with no immediate guarantee that retail development would follow. He stated if the Commission had suggestions he can discuss options with the Applicant.

COMMISSIONER SCHWARZER pointed out the text on the site indicated that there was 60% for retail sites with CDs completed, he asked which one of those paths on those retail sites are currently going through construction documentation.

BRENNAN RAY, APPLICANT presented an image and pointed out the detailed buildings identified in green labeled as buildings 2B, 2C, 2D, and 2E.

VICE CHAIR KOSHIOL asked if the Applicant would consider committing to 75% of the commercial retail, since it has already been established that one of the two hotels will be constructed in phase 2 as part of this proposal.

BRENNAN RAY, APPLICANT sought clarification asking if the Commission was suggesting 75% of the four buildings and stated that would be acceptable. He further stated the Applicant would suggest adding this at the end of Stipulation no. 2. He stated the revised Stipulation would indicate that a new PDP application for parcel 4 could not be filed until 75% of the Arizona Avenue commercial development is completed and add a requirement that one of the hotels, along with 75% of the commercial area, must be completed before any application can be submitted for the second multifamily phase. He stated the Applicant will work with staff, to refine the wording.

VICE CHAIR KOSHOL thanked the Applicant stating that she believes strongly that it is important to keep in mind the ultimate goals of this development while considering market conditions. She acknowledged that there could be market changes beyond the Applicant's control, but the residential and hotel components will be strong drivers for the retail development and hopefully, this will translate into success for future retail phases as well. She thanked the Applicant for their cooperation.

BRENNAN RAY, APPLICANT thanked the Vice Chair and Commission.

CHAIR HEUMANN thanked the Applicant and Confirmed there were no further questions or comments from the Commission.

Action Agenda Item No. 2 Motion and Vote

Rezoning

Move Planning and Zoning Commission recommend approval of Rezoning PLH24-0023 The District Downtown, Rezoning from Planned Area Development (PAD) for mixed used development including multi-family, office, and commercial uses as permitted under Community

Commercial (C-2) to PAD for mixed uses including multi-family, office, commercial uses permitted under the Community Commercial District (C-2) and automobile and truck sales with a Mid-Rise Overlay allowing for heights up to 120 feet, subject to the conditions as recommended by Planning staff.

Preliminary Development Plan

Move Planning and Zoning Commission recommend approval of Preliminary Development Plan PLH24-0023 The District Downtown for site layout and conceptual building architecture, subject to the conditions as recommended by Planning staff.

A separate Preliminary Development Plan application shall be required for the proposed multi-family on Parcel 4. The PDP application for Parcel 4 cannot be filed until one hotel and 75% of the commercial building (2-B, 2-C, 2-D, and 2-E along Arizona Avenue) in Phase 2 have received a Certificate of Completion.

Recommended Conditions of Approval:

Rezoning

Planning staff recommends Planning and Zoning Commission move to recommend approval of Rezoning from PAD for mixed used development including multi-family, office, and commercial uses permitted under Community Commercial (C-2) to PAD for mixed uses including multi-family, office, commercial uses permitted under the Community Commercial District (C-2) and automobile and truck sales with a Mid-Rise Overlay allowing for heights up to 120 feet, subject to the following conditions:

1. Development shall be in substantial conformance with the conceptual plans included in the Development Booklet, entitled, "The District Downtown" and kept on file in the City of Chandler Planning Division, in File No. PLH24-0023, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified, or supplemented by Chandler City Council.
2. Building heights shall not exceed 120 (one hundred and twenty) feet in height as measured to the top of parapet of the building façade.
3. Residential density shall be permitted up to a maximum density of forty (40) dwelling units per acre for Parcel 5 and seventy (70) dwelling units per acre for Parcel 4.
4. Uses permitted within the office buildings include general office and medical office. Medical office shall be contingent upon compliance with minimum parking requirements per Zoning Code section 35-1804 Parking Schedule.
5. Users for the automobile and truck sales shall be limited to franchise dealerships only. Franchise dealerships are those dealerships that (a) meet the definition of a "franchisee"

under A.R.S. 28-4301, (b) have received a New Motor Vehicle Dealer license from the Arizona Motor Vehicle Division to sell new vehicles, and (c) have the legal right to sell new vehicles to the public for a specific manufacturer or brand.

6. Completion of the 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.
7. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
8. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s) the developer shall be required to upgrade such landscaping to meet current City Standards.
9. The landscaping and all other improvements 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.
10. The landscaping in all rights-of-way shall be maintained by the adjacent property owner or property owners' association.
11. Minimum building setbacks shall be as follows:

Property Line Location	Minimum Building Setback
Arizona Avenue	30 feet
Pecos Road	30 feet
West	20 feet
South	10 feet

Preliminary Development Plan

Planning staff recommends Planning and Zoning Commission move to recommend approval of the Preliminary Development Plan, subject to the following conditions:

1. Development shall be in substantial conformance with the conceptual plans included in the Development Booklet, entitled, "The District Downtown" and kept on file in the City of Chandler Planning Division, in File No. PLH24-0023, modified by such conditions included at the time the Booklet was approved by the Chandler City Council and/or as thereafter amended, modified, or supplemented by Chandler City Council.

Note: PDP Stipulation #2 was amended as a result of the Planning and Zoning's discussion during the regular meeting:

2. A separate Preliminary Development Plan application shall be required for the proposed multi-family on Parcel 4. The PDP application for Parcel 4 cannot be filed until one hotel and 75% of the commercial building (2-B, 2-C, 2-D, and 2-E along Arizona Avenue) in Phase 2 have received a Certificate of Completion.
3. In the event that a different use, other than automobile and truck sales, proposes to develop on Parcel 1, a separate Preliminary Development Plan application will be required.
4. As part of the Administrative Design Review process, where staff determines the proposed site improvements do not achieve a high-quality interconnected mixed-use development, the request may be reverted to Council for approval of a revised Preliminary Development Plan.
5. As part of the Administrative Design Review process, where staff determines that the proposed building design does not achieve a high-quality architectural design as rendered in exhibits within the Development Booklet, the request may be reverted to Council for approval of a revised Preliminary Development Plan.
6. Phase 1 shall include all off-site improvements, landscaping along Arizona Avenue and Pecos Road, and internal drive through the site, as depicted in the Phasing exhibit.
7. The development shall be in compliance with current Commercial Design Standards and Parking Schedule, unless indicated within the "The District Downtown" development booklet.
8. Tree-lined sidewalks connecting all uses within the development shall be provided.
9. A minimum of one passenger loading area shall be provided for each multi-family parcel, office, and one for each commercial parcel.
10. Electric vehicle charging stations shall be provided in each commercial parcel and a minimum of two electric vehicle charging stations shall be provided per residential building.
11. All roof-mounted mechanical equipment shall be fully screened on all sides by top of parapet. Said screening shall be architecturally integrated with the building.

12. The developer shall provide a porte cochère at the entrance of each hotel.
13. Preliminary Development Plan approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Preliminary Development Plan shall apply.
14. Landscaping plans (including for open spaces, rights-of-way, and street medians) and perimeter walls shall be approved by the Planning Administrator.
15. Fifty percent of the trees planted along Arizona Avenue and Pecos Road shall be a minimum of 36-inch box and 12-feet in height at the time of planting.
16. The mesquite tree species shall be replaced with another species from the City approved low-water use plant list.
17. Except as shown in the Development Booklet, all signs shall comply with Chapter 39, Sign Code, of the Chandler City Code.
18. The proposed digital monument sign shall only be utilized by the permitted automobile and truck dealerships on Parcel 1.
19. Signage shall be designed in coordination with landscape plans, planting materials, storm water basins, site contours, utility pedestals, and other site appurtenances or features so as not to create problems with sign visibility or prompt the removal of required or proposed landscaping. Building signage shall be architecturally coordinated with the respective façade.
20. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
21. The site shall be maintained in a clean and orderly manner.

VICE CHAIR KOSHIOL moved to approve Action Agenda Item no. 2 of the September 18, 2024, Regular Planning and Zoning Commission Meeting with stipulations presented by staff, including modified PDP Stipulation No. 2; Seconded by COMMISSIONER GOLLA.

CHAIR HEUMANN confirmed there were no further questions or comments from the Commission and stated that he would be voting no on the project. He explained that he has been involved with the city for a long time and has seen this project returned in many different variations and he did not think that auto dealerships are an appropriate land use at this location being the gateway to downtown.

Motion carried (5-1), Chair Heumann dissenting.

CHAIR HEUMANN asked staff when this item would be go before the City Council.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated that this item is due to go before City Council on October 17, 2024.

Member Comments/Announcements

DAVID DE LA TORRE, PLANNING MANAGER expressed gratitude to Ben Cereceres for his service to the City of Chandler. He announced that Ben was leaving the city and heading to San Diego. He also introduced Alyssa Siebers, a new associate planner to the Commission, he stated that Alyssa had previously interned with Maricopa Association of Governments.

CHAIR HEUMANN wished Ben Cereceres best of luck in San Diego and welcomed new associate planner, Alyssa Siebers, to the team.

Calendar

The next regular meeting will be held on Wednesday, October 16, 2024, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

Adjourn

The meeting was adjourned at 5:50 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chair