

# Meeting Minutes

## Planning and Zoning Commission

### Study Session

October 16, 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 Chair Heumann at 5:00 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

#### Staff Attendance

Kevin Mayo, Planning Administrator  
David de la Torre, Planning Manager  
Lauren Schumann, Principal Planner  
Alisa Petterson, Senior Planner  
Darsy Omer, Associate Planner  
Taylor Manemann, Associate Planner  
Alyssa Siebers, Associate Planner  
Thomas Allen, Assistant City Attorney  
Julie San Miguel, Clerk

#### Absent

Commissioner Rene Lopez – Unexcused

CHAIR HEUMANN noted Commissioner Lopez is not present and announced if he does not appear by the Regular Meeting at 5:30 p.m. his absence this date will be deemed unexcused as Commissioner Lopez has not contacted Planning staff.

### 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. September 18, 2024, Planning and Zoning Commission Meeting Minutes**

Move Planning and Zoning Commission approve Planning and Zoning Commission meeting minutes of the Study Session of September 18, 2024, and Regular Meeting of September 18, 2024.

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

**2. PLH24-0025 CITY CODE AMENDMENTS-STATE HOUSING MANDATES**

LAUREN SCHUMANN, PRINCIPAL PLANNER presented details regarding the City of Chandler initiative to amend city code Chapter 35 Land Use and Zoning pertaining to state bills signed within the 2024 legislative session relating to backyard chickens, accessory dwelling units, and establishing review timelines for residential zoning applications. The city code amendments include Chapter 14 Animals and 48 Subdivisions, however, Planning and Zoning Commission purview is limited to Chapter 35 Land Use and Zoning.

COMMISSIONER BARICHELLO asked if preliminary plats have always gone before the City Council for approval.

LAUREN SCHUMANN, PRINCIPAL PLANNER responded preliminary plats have always gone before the Planning and Zoning Commission for recommendation then before City Council for approval. She stated final plats only to City Council for approval.

VICE CHAIR KOSHIOL asked if the 30-day and 180-days were counted as business days or calendar days.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY clarified they are counted as calendar days.

COMMISSIONER SCHWARZER asked if there was a minimum lot size for accessory dwelling units (ADUs).

LAUREN SCHUMANN, PRINCIPAL PLANNER stated there is no minimum lot size restriction for ADUs.

COMMISSIONER GOLLA sought clarification on the presented image. She asked with the minimum requirement of stucco and tile roofs if the presented image would not be allowed.

LAUREN SCHUMANN, PRINCIPAL PLANNER confirmed Commissioner Golla was correct and it was staff's intention to set minimum design standards of stucco and a tiled roof to prevent the use of shipping containers without being enhanced.

CHAIR HEUMANN mentioned he spoke to staff earlier and it is his understanding that this will generally not affect HOAs.

LAUREN SCHUMANN, PRINCIPAL PLANNER replied this is correct, this bill should not affect CC&Rs in place with HOAs.

CHAIR HEUMANN pointed out while the state aims to increase housing, it does not restrict short-term rentals, and it defeats the purpose. He further pointed out how short-term rentals are reducing available housing around the world and used Sedona and Scottsdale as examples.

### **3. PLH24-0036 COMMERCIAL BUILDING ADAPTIVE REUSE POLICY**

LAUREN SCHUMANN, PRINCIPAL PLANNER presented details regarding the request for adoption of city policy establishing objective standards to allow multi-family residential development or adaptive reuse of existing commercial, office, or mixed-use buildings on parcels at least one (1) acre in size but not larger than twenty (20) acres without requiring a public hearing, if the developer provides ten (10) percent of the total dwelling units for either moderate-income or low-income housing for at least twenty (20) years. The policy originates from House Bill 2297 signed within the 2024 legislative session.

COMMISSIONER BARICHELLO asked if there was an existing 50,000-square-foot commercial building were to be demolished, would 10% of that square footage be eligible to be rebuilt as multifamily. He asked if the 10% is square footage.

LAUREN SCHUMANN, PRINCIPAL PLANNER explained that 10% of identified buildings could be used under this policy and the whole property could be eligible.

CHAIR HEUMANN clarified it is 10% of eligible buildings citywide.

COMMISSIONER BARICHELLO thanked the Chair and staff for clarifying.

COMMISSIONER SCHWARZER asked if the policy would require developers to demolish existing structures or if they could adaptively reuse existing buildings.

LAUREN SCHUMANN, PRINCIPAL PLANNER stated developers have the option of adaptive reuse or demolish and redevelop the site entirely.

COMMISSIONER SCHWARZER asked if there were any stipulations regarding adaptive reuse.

LAUREN SCHUMANN, PRINCIPAL PLANNER clarified there are no such stipulations.

CHAIR HEUMANN asked if the 10% has to be affordable housing and if there is a mechanism for enforcement to prevent rent increases after five years into the future.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY stated the City could require developers to place an enforceable restriction on the property, which would allow the City to initiate enforcement if rents were raised above low-income levels. He further stated the difficulty would be in finding out if this happened, but the City can find a way to make it work.

CHAIR HEUMANN presented concerns of low-income tenant's rent suddenly being increased and asked how this could be enforced by the City and if enforcement is feasible.

THOMAS ALLEN, ASSISTANT CITY ATTORNEY acknowledged that enforcement would be a challenge.

KEVIN MAYO, PLANNING ADMINISTRATOR explained because developers were required to allocate at least 10% for low to moderate income housing, they would likely seek LIHTC financing or other similar financing that would require to partner up with a housing authority. He further explained that there are annual reporting requirements to the housing authority and enforcement could be taken care of that way.

CHAIR HEUMANN presented a scenario of a 100-foot distance between a property and a residential area and asked if a 50-foot landscape setback and 50 feet of parking would meet this requirement and allow five stories of development.

LAUREN SCHUMANN, PRINCIPAL PLANNER clarified the 100-foot restriction is not a setback and it is the property line that defines it. She explained if the property falls within 100 feet from residential, they are restricted to two stories.

CHAIRMAN HEUMANN thanked staff for the clarification.

COMMISSIONER GOLLA sought clarification on the 10%, asking if there were two different 10% guidelines. She asked if 10% of eligible buildings meant 272 out of 2,721 buildings and that 10% of the units on these properties needed to be affordable.

LAUREN SCHUMANN, PRINCIPAL PLANNER explained Commissioner Golla's first statement was correct and that any property developed under this policy would have to allocate 10% of units as affordable.

COMMISSIONER BARICHELLO pointed out that the wording states low or moderate and moderate-income housing often did not need subsidies like LIHTC credits.

LAUREN SCHUMANN, PRINCIPAL PLANNER referenced the footnotes that described moderate-income housing as households earning up to 120% of the area median income and mentioned that this could be considered a high threshold for affordability.

COMMISSIONER BARICHELLO pointed out by the bill including moderate, they might not see as much low-income housing as they intended.

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

## 5. Notice of Cancellation of the November 6, 2024, Planning and Zoning Commission Hearing

Move Planning and Zoning Commission cancel the November 6, 2024 Planning and Zoning Commission Hearing.

## Action Agenda Item 4

### 4. PLH24-0031 SNEAKERHEADZ RESTAURANT AND LOUNGE

Request for Use Permit approval for a Series 6 Bar Liquor License and for an Entertainment Use Permit to allow outdoor patio speakers/TVs for sporting events and live indoor entertainment including DJs, live musical performances, karaoke, and comedy. The new business is located at 3002 N Arizona Ave, Suites 18 and 19, at the northwest corner of Arizona Ave and Elliot Rd.

An Addendum Memo was presented to the Commission with additional items that were received after the staff memo was distributed.

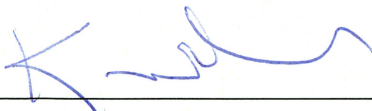
CHAIR HEUMANN announced that Item No. 4 PLH24-0031 Sneakerheadz Restaurant and Lounge, has been pulled to action and there will be a full presentation at the Regular Meeting following the Study Session this date.

## Calendar

The next Study Session will be held before the Regular Meeting on Wednesday, November 20, 2024, in the Chandler City Council Chambers, 88 E. Chicago Street, Chandler, Arizona.

## Adjourn

The meeting was adjourned at 5:31 p.m.



Kevin Mayo, Secretary



Rick Heumann, Chair