

# **Planning Commission** Continuance

TO: PLANNING COMMISSION

**AMY TEMES, PLANNER II** FROM:

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CATHERINE LORBEER, AICP, PRINCIPAL PLANNER THROUGH:

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**MEETING DATE: JANUARY 8, 2014** 

**SUBJECT:** A. GP13-16, EPICENTER: REQUEST FOR MINOR GENERAL PLAN

AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION

OF APPROXIMATELY 22.5 ACRES OF REAL PROPERTY

GENERALLY LOCATED AT THE NORTHWEST CORNER OF HIGLEY AND RAY ROADS FROM GENERAL COMMERCIAL TO

REGIONAL COMMERCIAL LAND USE CLASSIFICATION.

B. Z13-27, EPICENTER: REQUEST TO AMEND ORDINANCE NOS.

1305 AND 2364 AND REZONE APPROXIMATELY 22.5 ACRES OF REAL PROPERTY WITHIN THE AGRITOPIA PLANNED AREA

DEVELOPMENT (PAD), GENERALLY LOCATED AT THE

NORTHWEST CORNER OF HIGLEY AND RAY ROADS FROM APPROXIMATELY 22.5 ACRES OF GENERAL COMMERCIAL

(GC) WITH A PLANNED AREA DEVELOPMENT OVERLAY

**ZONING DISTRICT TO APPROXIMATELY 22.5 ACRES OF** 

REGIONAL COMMERCIAL (RC) WITH A PLANNED AREA

DEVELOPMENT OVERLAY ZONING DISTRICT.

STRATEGIC INITIATIVE: **Economic Development** 

Allow for a mixed use development within a master planned community.

## **RECOMMENDED MOTION**

#### A. MOVE TO TABLE GP 13-16 A MINOR GENERAL PLAN AMENDMENT; AND

#### B. MOVE TO TABLE Z13-27

# APPLICANT/OWNER

Company: WhitneyBell Perry Company: Johnston Farms LLC

Name: Francisco Soto Name: Joe Johnston

Address: 575 W. Chandler Blvd. Address: 3000 E. Ray Road, #5

Chandler, AZ 85224 Gilbert, AZ 85296

Phone: 480-814-2802 Phone: 602-330-3093 Email: Francisco@whitneybellperry.com Email: joe@agritopia.com

# **BACKGROUND/DISCUSSION**

#### **History**

September 19, 2000 The Town Council adopted Ordinance Nos. 1304 and 1305 annexing

(A00-1) and rezoning (Z00-1) creating the Agritopia 175 acres PAD.

From 2000-2008 Town Council and the Design Review Board approved the open space plan

and several commercial pads and community facilities including the following: Surrey Garden School, Agritopia Community Center, Joe's Farm Grill, the bakery shop, the commercial guidelines for the Agro-Commercial component, Mid First Bank (at the corner of the intersection)

and Agritopia Senior Living.

April 5, 2012 Town Council approved GP11-06 (Resolution No. 3113) and Z11-42

(Ordinance No. 2364) for 32 acres within Agritopia from Shopping Center

to General Commercial.

October 2, 2013 Planning Commission Continued GP13-16 and Z13-27 EpiCenter to

November 6, 2013

November 6, 2013 Planning Commission Continued GP13-16 and Z13-27 EpiCenter to

December 4, 2013

December 4, 2014 Planning Commission Continued GP13-16 and Z13-27 EpiCenter to

January 8, 2014

#### **OVERVIEW**

The Agritopia PAD is located within the Gateway Character Area, which promotes development features such as: pedestrian-oriented commercial configuration surrounded by traditional residential neighborhoods; design of interesting building facades with ground floor retail and entertainment uses, upper floor office and residential units; minimal setbacks that bring buildings close to the street and promote pedestrian activity, window shopping and street-side dining.

Located at the northwest corner of Ray and Higley Roads, Agritopia EpiCenter is the capstone of the Agritopia community/project. The community is designed to create an urban/suburban village that preserves the agricultural heritage of Gilbert in a sustainable way. EpiCenter was rezoned from Shopping Center to General Commercial in 2012. The goal of the previous rezoning was to encourage mixed use development. The previous 2012 design had loft residential over commercial uses. The proposed project has apartment lofts over commercial, but also has some freestanding apartments that are not in a loft configuration. Therefore, the applicant is requesting a General Plan amendment and rezoning from General Commercial to Regional Commercial. Regional Commercial also allows freestanding multi-family within a mixed use environment with a Conditional Use Permit.

The applicant is in the process of responding to staff and public comment.

# PUBLIC NOTIFICATION AND INPUT

Staff has received comment from the public regarding this project. The applicant has held two neighborhood meetings. Staff has received numerous comments and email from the public. The key items brought forward by the public are listed below:

- Rental units vs. ownership (apartments vs. condos)
- Property devaluation
- Increased traffic
- Traffic intrusion into neighborhoods
- Maximum height of buildings
- Amenity use
- Scale and aesthetics of the Agritopia development
- Noise
- Crime

# **PROPOSITION 207**

An agreement to "Waive Claims for Diminution in Value" Pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 5.201 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

#### **STAFF RECOMMENDATION**

- A. Move to table GP13-16; and
- B. Move to table Z13-27.

Respectfully submitted, Amy Temes Planner II

#### **Attachments:**

Attachment 1: Notice of Public Hearing

# Notice of Public Hear GP13-16 and Z13-27: EpiCenter Attachment 1 -Notice of Public Hearing

PLANNING COMMISSION DATE: TOWN COUNCIL DATE:

Wednesday, October 2, 2013\* TIME: 6:00 PM Thursday, November 7, 2013\* TIME: 7:00 PM

LOCATION: Gilbert Municipal Center 50 E. Civic Center Drive Gilbert, Arizona 85296

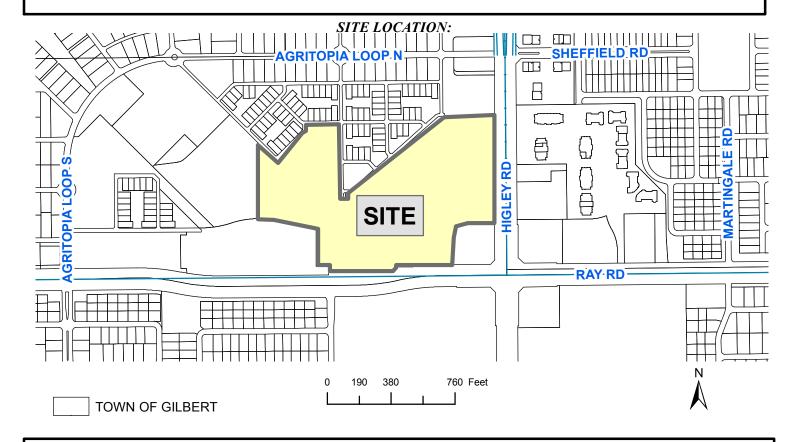
\* Call Planning Department to verify date and time: (480) 503-6700

#### **REQUESTED ACTION:**

\* The application is available for public review at the Town of Gilbert Development Services division M-Th-7:00-6:00.

GP13-16- EpiCenter: Request for Minor General Plan Amendment to change the land use classification of approximately 22.5 acres of real property generally located at the northwest corner of Higley and Ray Roads from General Commercial land use classification to Regional Commercial land use classification. The effect of this amendment will be to change the plan of development for the property to allow increased commercial and mixed use development.

Z13-27 - EpiCenter: Request to amend Ordinances No.1305 and 2364 and rezone approximately 22.5 acres of real property within the Agritopia Planned Area Development (PAD), generally located at the northwest corner of Higley and Ray Roads from approximately 22.5 acres of General Commercial (GC) zoning district with a Planned Area Development overlay zoning district to approximately 22.5 acres of Regional Commercial (RC) zoning district with a Planned Area Development overlay zoning district, as shown on the exhibit (map), which is available for viewing in the Planning and Development Services Office, and to amend conditions of development in the Agritopia Planned Area Development (PAD) for the Regional Commercial zoning district as follows: increase maximum building height, decrease front, side, and rear building setbacks, decrease separation between buildings, and decrease front, side and rear perimeter landscape areas. The effect of the rezoning will be to provide increased opportunities mixed use development and to allow more dense development by decreasing setbacks and landscape requirements. Amy Temes 503-6729



APPLICANT: Johnston Farms, LLC

**CONTACT:** Joe Johnston

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