

**TOWN OF GILBERT
PLANNING COMMISSION, REGULAR MEETING STUDY SESSION
GILBERT MUNICIPAL CENTER, 50 E. CIVIC CENTER DRIVE GILBERT ARIZONA
July 2, 2014**

COMMISSION PRESENT:

**Chairman Jennifer Wittmann
Commissioner David Blaser
Commissioner Carl Bloomfield
Commissioner Kristofer Sippel
Commissioner David Cavenee
Commissioner Brigette Peterson
Alternate Brent Mutti**

COMMISSION ABSENT:

None

STAFF PRESENT:

**Planning Services Manager Linda Edwards
Principal Planner Catherine Lorbeer
Planner Nichole McCarty**

ALSO PRESENT:

**Town Attorney Michael Hamblin
Town Attorney Jack Vincent
Recorder Margo Fry**

CALL TO ORDER:

Chairman Jennifer Wittmann called the meeting to order at 5:15 p.m.

Administer Oath of Office – Alternate Planning Commission Member

Chairman Wittmann invited Brent Mutti to the podium where she administered the oath of office to the new Alternate Planning Commission Member.

UP14-04: SENNA AT SANTAN VILLAGE; A CONDITIONAL USE PERMIT FOR A MULTI-FAMILY MIXED USE DEVELOPMENT IN THE REGIONAL COMMERCIAL (RC) ZONING DISTRICT ON 16.34 ACRES OF REAL PROPERTY LOCATED WEST OF THE SOUTHWEST CORNER OF SANTAN VILLAGE PARKWAY AND RAY ROAD, IN THE REGIONAL COMMERCIAL (RC) ZONING DISTRICT.

Planner Nichole McCarty stated that the project site was on a vacant parcel of land that is approximately 16.34 acres. The site plan was displayed and it was noted that to the West and across Ray Road to the North of the project is Single Family. There is a small pocket of Neighborhood Commercial adjacent to the property. To the South is existing Multifamily Residential apartments and to the East is vacant land which is zoned Regional Commercial. Top Golf is across the street. The property was originally in the Crossroads PAD. In 2008, the property was removed from that PAD and in 2012 the current developer came in for a Use Permit for 366 rental units which were approved. The Design Review was approved in 2013. The same developer has returned with a new product, 208 for sale condominiums. Multifamily in RC is allowed if it is part of the mixed-use integrated plan. Even though this is not part of the Crossroads PAD any longer the developer has been working with staff to make sure that it is integrated into the area as horizontal mixed-

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use. There are 3 existing programs that the project relates to; Santan Master Sign Program, Santan Parcel Development Guidelines, Santan Property Owners Association. That is what helps integrate the project with this area. There is also a development agreement with the Town that was approved in 2012 and staff does believe that multifamily is viable land use in this corridor and that this project can be used as a buffer between the low-density Single-Family and the commercial uses. The developer has agreed to stipulate that the 17 acres directly to the East of the site will not be developed as multifamily. Staff has found that the project meets the 4 findings of fact required by the Town. In addition to those findings the Planning Commission recommended to Town Council four additional findings that are specific to Multifamily in Regional Commercial. Planner McCarty referred to the following additional findings from page 4 of the staff report:

- #5. Facilitate approval of mixed-use development projects that align with the vision, goals and policies contained in Gilbert's General Plan.
- #6. Support and encourage infill and redevelopment.
- #7. Accommodate developer interests in developing multi-family uses within Regional Commercial projects.
- #8. Use Permit Findings should ensure significant functional and physical integration of project components.

Planner McCarty said that in terms of finding #5, the project integrates with the area through horizontal mixed-use. It is one quarter mile to the mall and 1/8 of a mile to Top Golf and eventually it will be immediately adjacent to commercial. Finding #6 is sustainability through compact design and staff believes the design of this project is compact and pedestrian friendly. There have been some issues with internal sidewalks and staff has met with the developer and they are working on the internal connectivity and making sure that even within the project there is good connectivity. In terms of finding #7, this project is unique in that the entire site is not walled off. It has a 3 foot low landscape wall around the perimeter and has several pedestrian portals going into the site at various locations. There is also an urban street Plaza and on street parking. Regarding finding #8, staff feels that the overall sidewalk system is connecting to the overall area and thus meets that finding.

Chairman Wittmann asked if the applicant had reached out to the neighborhood in terms of the Use Permit request.

Planner McCarty responded that they had not.

Chairman Wittmann said that it did not appear that there was a three story element to the project.

Miss McCarty responded that they were all two stories.

Commissioner Peterson asked how many units there would be.

Planner McCarty said that there would be 208 condominiums.

Commissioner Peterson encouraged the connectivity with the surrounding commercial.

Commissioner Cavenee said that he thought there was a lot of things right about what they were doing and that he liked the concept of transitioning into the commercial from the single-family and the continuation from the multifamily. He commented that he would like to see a detailed parking table at the next presentation.

Planner McCarty said that the units would all have two space garages and that there were 81 guest spaces.

UP14-05: EXTRA SPACE STORAGE; A CONDITIONAL USE PERMIT TO ALLOW AN INDOOR STORAGE FACILITY, FOR APPROXIMATELY 2.2 ACRES OF REAL PROPERTY,

LOCATED WEST OF THE SOUTHWEST CORNER OF BASELINE ROAD AND HORNE STREET, IN THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT.

Z14-15: CITIZEN REVIEW AND INITIATION OF AN AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE TO AMEND LAND USE REGULATION TABLES IN ALL ZONING DISTRICTS, AMEND DEVELOPMENT REGULATIONS AND SITE REGULATIONS IN ALL ZONING DISTRICTS, AMEND SIGN REGULATIONS AND SUBDIVISION REGULATIONS.

Planner Nichole McCarty displayed an aerial map and indicated the project location at the southwest corner of Baseline Road and Horne Street. The site has approximately 300 feet of frontage on Baseline Road and the zoning is Light Industrial. There are vacant parcels as well as existing uses in the area surrounding the project site. The property was annexed in 1984 and zoned LI in 2005 the project is a proposed two-story facility of approximately 83,000 ft.² with a 1200 foot sales office. The size and height of the project has been reduced somewhat due to some retention in the rear which had to be expanded. The height of the structure varies from 29 to 32 feet with the tower feature going up to approximately 41 feet which is consistent with the area. The project meets all development standards. There are two entrances into the property. The primary entrance is off Baseline Road and the secondary through a cross access easement to the neighboring property. Both entrances are right in right out only as there is a median on Baseline Road. There is a signalized intersection at Baseline and Horne. There are 18 parking spaces along the front of the site. At the back of the building is a loading area and parking for large trucks. Staff has asked the developer to connect all sidewalks to the Baseline Road access. There will be an 8 foot wall around the property.

Z14-15: CITIZEN REVIEW AND INITIATION OF AN AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE TO AMEND LAND USE REGULATION TABLES IN ALL ZONING DISTRICTS, AMEND DEVELOPMENT REGULATIONS AND SITE REGULATIONS IN ALL ZONING DISTRICTS, AMEND SIGN REGULATIONS AND SUBDIVISION REGULATIONS.

Planning Manager Linda Edwards stated that staff has been working on the comprehensive review of the Land Development Code (LDC) for a variety of reasons; to be sure that Gilbert can compete and reach the strategic initiatives that the Town Council has set, specifically in economic development. Staff has looked at six peer communities and hired a consultant to determine if Gilbert has the best practices and a good range of uses that they want to attract to the community to build out. Staff has listened to the Small Business Alliance, Developers and the Chamber of Commerce, and with all of that information, and as development has gone forward, they have kept a list of interesting regulations and situations that are unique or districtwide. Staff has put together some changes that they feel should be addressed. These are 33 new uses that Gilbert should consider in its LDC. This is to make the LDC more usable and friendly. Instead of having a land use table in each zoning district staff is proposing a land use table where all the zoning districts would be grouped by uses rather than alphabetically. The terms have also been clarified to be sure that they are not mixing glossary terms with use definition terms and that they are not providing regulations in a use definition or glossary but are pulling those all to the land use table and referencing them and linking them so that someone looking at the code can quickly determine if the use is permitted, with what limitations in what zoning district. Planner Edwards displayed an example exhibit of the new table. She gave an example that in the use "Retail" they do not call out every type of retail that exists, they just know that it's retail. The new table would be a way to be sure that as they attract uses to Gilbert they know exactly where they fit. Ms. Edwards said that another topic that staff is reviewing with others is what uses require a Use Permit and is it necessary. An example would be a 2nd dwelling unit and do they really need a use permit for a 2nd dwelling unit. The Planning Commission has approved every one that has come forward with no conditions of approval. Ms. Edwards said that there is a range of text amendments which will be brought back before the Planning Commission. She referred to the following information from pages 2 and 3 of the staff report:

1. Add new use definitions to the land use regulation tables. Examples include: Vocational-Technical and Trade School, Hospice, Arboretum or Botanical Garden, Student Housing, Auction House, Brewery/Distillery/Winery, Stadium, Radio/Television/Recording Services, Health

- Resort/Spa, Computer Design and Development, Data Center, Digital Production, Energy production, Wholesale Sales and Distribution, and Urban Agriculture/Community Garden. Provide all zoning districts on one table and reorganize the uses to be in categories, not alphabetically. Provide a cross reference guide for assistance. Review all use definitions and glossary terms to clarify and group regulations as limitations or with additional regulations. Review and propose deletions or additions for when a Use Permit is required.
2. Commercial and Employment Districts – examine use definitions to include certain uses and incidental, increase permitted retail space, reduce landscaping requirements, reduce setbacks, increase depth of encroachment into setbacks for canopies and awnings, reduce fence height, clarify outdoor storage and business property storage terms, permit barbed wire when not in view, permit optional concrete curbing when separating parking and drive aisles from landscaped areas, increase percentage of retention in right-of-way, provide for shrubs where trees are not permitted in utility easements, remove the requirement for landscaping in the rear and side yards when blocked from public view by a solid wall, remove requirement for building step back when adjacent to residential, permit metal buildings and pre-manufactured, reduce distance required to separate service bays from residential property, permit the sale/rental/lease of business property in the outdoor business property storage use, permit vehicles to extend into the required landscape area, increase the minimum percent of new construction that requires compliance with landscape requirements, delete the restriction that landscaped areas under parking overhangs are not part of the required landscaped areas, remove requirement at final Design Review to landscape all areas of a parcel not covered by structures, permit a County curb standard, and delete the restriction for metal curbing.
 3. Propose a different mix of expertise for Design Review Board members. Provide for a more flexible range of projects to be approved administratively for Design Review applications.
 4. Permit corporate flags for non-residential projects. Develop signage regulations for Multi-family similar to real estate development signage. Consider murals or art outside of the Village Centers for art and advertising.
 5. Residential Districts – remove Use Permit requirement for second dwelling unit, reduce clear zone dimension for setback, permit a guest quarter be loft over a garage, delete requirement for a Use Permit for a field and track use, review setbacks for accessory buildings, permit roof mounted equipment if screened, count tandem parking towards required parking, provide for a minimum garage parking space dimension, revise ratio for more visitor parking in SF-A, SF-D and Multi-family districts, and permit recreational or shade structures in setbacks.
 6. Commercial Districts - update screening requirements for transformers to be in line with the utility company requirements, provide for shared parking of 1/250 in all commercial districts, and permit RV parking in commercial parking (Walmart).
 7. Update with new position title, add reference to the Design Review Board acting at the Building and Construction Regulations Code Board of Appeals.
 8. Extend the permitted hours of operation for a medical marijuana dispensary.
 9. Provide maximum height in all zoning districts and delete maximum number of stories.

Planning Manager Edwards noted that Town Council Liaison Victor Peterson has also worked with the Design Review Board and staff to propose some changes to the makeup of the DRB which would be a LDC change. She noted that an example of how staff would bring the information back to the Planning Commission would be that staff would provide a narrative of the request and give a strikethrough version with the code section of what the proposed new language is and also provide what research has been done to give an idea what neighboring communities are doing. With the help of staff and other agencies such as the Small Business Alliance or the Chamber, staff will provide photos to give some data on why the information or request was brought forward. Ms. Edwards displayed a photo of a detached garage and said that they would like to bring forward the possibility of guest quarters being permitted above a detached

garage as they permitted for a secondary dwelling unit which can actually be more dense or intense. Ms. Edwards asked the Planning Commission to initiate the text amendment and hold a citizen's review. She noted that staff would come back before the Commission in August, in study session, with more details.

Commissioner Peterson asked if Recovery Residences will be called out in residential like some of the other housing is. She said in terms of hospitals with a Conditional Use Permit, was that before they decided to have the separate discussion on behavioral health facilities?

Planning Manager Edwards responded that recovery residences would be called out in residential. She said that what they are looking at exists currently. There are some districts where a Use Permit is required with a hospital but not all districts.

A motion was made by Commissioner Brigitte Peterson and seconded by Commissioner David Cavenee to initiate the text amendment as requested by staff.

Discussion of Regular Meeting Agenda

No Changes were made.

ADJOURN MEETING

Study Session Meeting adjourned at 5:45 p.m.

Chairman Jennifer Wittmann

ATTEST:

Recorder Margo Fry