

**TOWN OF GILBERT  
PLANNING COMMISSION STUDY SESSION  
COUNCIL CHAMBERS  
50 E. CIVIC CENTER DRIVE  
GILBERT, AZ  
APRIL 3, 2019**

**COMMISSION PRESENT:**

Chairman Brian Andersen  
Vice Chair Carl Bloomfield  
Commissioner Philip Alibrandi  
Commissioner Greg Froehlich  
Commissioner Brian Johns  
Commissioner Les Smith  
Commissioner James Torgeson

**COMMISSION ABSENT:**

Commissioner David Cavenee

**STAFF PRESENT:**

Sydney Bethel, Planner II  
Stephanie Bubenheim, Planner II  
Ashlee MacDonald, Senior Planner  
Josh Rogers, Planner II  
Nathan Williams, Senior Planner  
Amy Temes, Interim Principal Planner  
Catherine Lorbeer, Interim Planning Services Manager

**ALSO PRESENT:**

Council Liaison Brigette Peterson  
Town Attorney Nancy Davidson  
Recorder Debbie Frazey

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**CALL TO ORDER**

Chair Brian Andersen called the April 3, 2019 Study Session of the Planning Commission to order at 5:07 p.m. Chair Andersen called the first item on the agenda.

- 1. DR19-08, GILBERT TOWN CENTER PHASE II - SHOPS C: MASTER SITE PLAN, SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 0.47 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GILBERT AND WARNER ROADS AND ZONED**

Town of Gilbert Planning Commission  
Study Session April 3, 2019

**REGIONAL COMMERCIAL (RC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Ashlee MacDonald began her presentation on DR19-08, Gilbert Town Center Phase II. She shared that this was a review of a project in which the Master Site Plan was approved in 2018. She shared the location of the project at the southeast corner of Gilbert and Warner Roads. She indicated that the project was zoned Regional Commercial (RC). She said the approval the applicant had received previously included the PAD sites and Shops A and B and Major A. She noted the location of those portions of the site in yellow on the Site Plan. She said today they are reviewing Shops C, indicating the portion of the Site Plan shown in green. She shared the elevations that were previously approved for Shops A, Shops B and Major A to show how this project fits in with the overall center. She said the proposed project had a similar color palette and a lot of similar massing and building movement with the existing center. She said that Staff has provided feedback to the applicant about the massing over the drive-thru canopy and the massing in one other area and requested feedback from the Commission. She said the design is in keeping with the Center and Staff has no major concerns with the overall concept, noting that the colors and materials are consistent. She finished her presentation.

Question: Brian Johns asked about Planner MacDonald's concern about the massing.

Answer: Ashlee MacDonald said that the corner pieces seem a bit heavy on the proposed design. She pointed out that on Shops A and B, those buildings were larger, so it might not have seemed as heavy on a larger building, but on this smaller building, the corner pieces seem a bit too large.

Question: Brian Johns asked Planner MacDonald to indicate the area of concern on the Elevation.

Answer: Ashlee MacDonald pointed out the two corner pieces.

Comment: Brian Johns said he didn't have an issue with the two corner pieces, because they seem to have a lot of movement there and it would be next to the other shops. Regarding the concern about the drive-thru, he said they have some elements that are underneath the mass that help transition it from the large mass to the narrow columns and that tie into the columns on the rest of the building. He said he agrees that the scale might be a little off, but he said it is reaching out to the main road, so he said it seems to be trying to bring attention back into the site. He said he didn't have any concern about it, though it would be nice if there was some additional massing in between, but he said that wasn't what they were trying to do. Regarding the Site Plan, he said he was concerned with carrying the 12' radius around the drive-thru. He said they usually widen it up around the corners to 14' to 15' or even a 20' radius in the turns. He said it was nice that it was 12' all the way through, but he thought it would be hard for a larger vehicle to make that radius. He said he was initially concerned with the site wall being close enough that a vehicle could hit it, but he said on further examination, it appears to be about 2' away. He said he thinks the site is consistent with the rest of the previously approved center. He said they have a lot of nice pedestrian connections.

Comment: Carl Bloomfield said he agreed with Brian Johns on his analysis of the building. He said he thinks the building is attractive and in keeping with what they are trying to do in the larger center. Regarding the massing, he said it appears that they are doing a pretty great shade company and that is working well. He said if the applicant wants to make the spindly columns a little bit bigger, that would be up to them, but he said he was agreeable to the design as it is.

Comment: James Torgeson said that at one time he had a car that was 220" in length, which is just over 18', so he is wondering if Commissioner Johns might not have a good point about the drive-thru radius.

**2. DR19-26, 455 E. BASELINE: MASTER SITE PLAN, SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 10.75 ACRES, GENERALLY LOCATED EAST OF THE SOUTHEAST CORNER OF MCQUEEN AND BASELINE ROADS AND ZONED GENERAL INDUSTRIAL (GI).**

Stephanie Bubenheim began her presentation on DR19-26, 455 E. Baseline. She shared the location of the site just east of McQueen Road along Baseline Road. She said she would be sharing the Master Site Plan and the subject site, which is a 25,000 square foot building along the frontage of Baseline Road. She shared a Project Overview, noting that the Master Site was a little over 10 acres and the subject site along the frontage is 4.66 acres. She said the site is within the General Industrial (GI) zoning district. She stated that the proposed building is a warehouse building and they are proposing wholesale vendors with a maximum of 10% of retail. She shared that the applicant was seeking CD's at risk, assuming that they address Staff and Planning Commission Comments after the 2nd Review. She said on the Master Site, there is an existing distribution facility for newspapers that is located towards the center, with parking to the south. She said that the southern portion would be reserved for future industrial development. She said there is also a proposed master retention basin that is following the west side of the properties. Planner Bubenheim indicated the location of the proposed building, noting the access points. She shared the location of the proposed amenity area, seeking input as to whether the amenity area was sufficient. She said that the applicant was providing 35% landscaping and they are also including the retention basin area. She shared the Elevations. She discussed the building itself, noting that it will be comprised of concrete tilt panel, with four different colors of gray with hues of brown. She shared a rendering, as well as the Colors and Materials board. She said they were proposing parking lot pole lighting, as well as some wall lighting, but Town Code requires that lighting be at 14' in height, or two additional Findings of Fact are required. She said the lighting is currently at 15'. She requested input as to whether the applicant needs to make those Findings of Fact or if they need to meet the 14' requirement. She finished her presentation and asked for input from the Commission on the need for additional building materials or if the building needs further horizontal articulation on the east and the west elevations.

Question: Chairman Andersen asked what the Findings of Fact were to approve lights to be above 14'.

Answer: Stephanie Bubenheim said that the Findings of Fact are as follows: The fixtures are used for the purpose of: accentuating architectural features of the building, accentuating signage, accentuating landscape or hardscape features, security or for service areas; and The fixtures are located on building elevations that do not side onto property designated for residential use in the General Plan.

Question: Vice Chair Bloomfield asked if they were counting the retention area as part of the required 35% landscaping.

Answer: Stephanie Bubenheim said that the subject site has to meet the required minimum, outside of the retention area, and they are showing 35%.

Question: Greg Froehlich asked about the right-in/right-out access. He said he sees that the drive aisle is pretty wide, but he asked about the drive aisle to the east that is full access. He asked how wide it was south of the parking stalls.

Answer: Stephanie Bubenheim said that the drive aisle is 26' in width.

Question: Greg Froehlich asked to clarify that the drive aisle was wide enough for 2-way traffic.

Answer: Stephanie Bubenheim answered affirmatively.

Question: Greg Froehlich asked about landscaping. He said it looks like there is additional landscaping to the existing trees that are already there.

Answer: Stephanie Bubenheim answered affirmatively. She said the Landscape Plan shows what existing trees there are, but they are dashed in, so it's kind of hard to see them on the Site Plan. She said they were proposing additional trees and shrubs.

Question: James Torgeson asked if this was within the employment corridor on Baseline Road.

Answer: Stephanie Bubenheim said this was within the Industrial Corridor area.

Question: James Torgeson asked if this increased the density of jobs in the area.

Answer: Stephanie Bubenheim said she was having trouble hearing his question because his microphone was cutting in and out.

Comment/Question: James Torgeson said that this was within an Employment Corridor and in that corridor, they are supposed to increase the density of jobs in the area. He said he doesn't remember the exact number, but thinks it is about 5 times the density of jobs already in the area. He asked if this project would contribute to the density that Economic Development is talking about. He also asked about sewage. He said they are operating under an Intergovernmental Agreement for sewage, but he thinks they will have to build sewage to accommodate more development in the area. He said he believes they only have 15 to 20% usage of the current system and would need to build another to accommodate if they are going up 500% in density.

Answer: Stephanie Bubenheim said this project would provide more jobs and will require to be a part of the sewer system. She said she would have to check with the Engineering team to see what the capacity is for the sewer system. She said that the existing newspaper distribution facility was connected to the sewer, but she wasn't sure if those further to the west were connected.

Comment/Question: James Torgeson said they are all connected to the same sewer system. He said he wants to know what impact this is going to make on the area and at what point they should start addressing it.

Answer: Stephanie Bubenheim said she would look into this.

Question: Brian Johns asked if this design was consistent with the other architecture in the neighboring area. He asked if Staff felt it was consistent.

Answer: Stephanie Bubenheim said that the building wasn't using the same exact type of materials that the building to the south had previously used, because that was approved in 1995, making it a bit outdated. She said it is using consistent materials with the building to the east.

Comment/Question: Brian Johns said they have come a long way since the 80s and 90s and it would be nice to see a little more movement in the design, similar to what the Commission has been approving recently. He said the design is pretty flat and he would like to see more horizontal movement. Regarding the request for input on whether the design needed more horizontal movement on the east and west, he said he thought it needed more horizontal movement on all sides, not just east and west. He didn't think they needed to use additional building materials. He asked if this was tilt-up or masonry.

Answer: Stephanie Bubenheim said it was concrete tilt panel.

Comment: Brian Johns said that they could only do so much with the concrete tilt panel. He said they could do a little bit to show off the middle section, where it is a little bit taller. He said other than that, it seems to be pretty consistent with the area around it. He said he never found the amenity area.

Response: Carl Bloomfield said it was on the far east side of the building.

Comment/Question: Greg Froehlich said that in regards to the lighting, it was easy to approve the first Finding of Fact, that there aren't any neighborhoods right by the property. He asked if Staff knew why they were asking for a 1' difference. He asked if Staff knew the purpose for the request.

Answer: Stephanie Bubenheim said that Staff has sent 1st Review Comments, but they haven't received the applicant's response yet.

Question: Greg Froehlich asked for further information to see about the second Finding of Fact.

Answer: Stephanie Bubenheim said she tried to circle in red where the lights are. She said they wrap around the building at the same height. She said they were small rectangles on the Site Plan.

Comment/Question: Greg Froehlich said it wouldn't appear that the lights are lighting up any signage, but it could be lighting the building, which is one of the requirements. He asked to see the two required Findings of Fact again.

Answer: Stephanie Bubenheim again read the two required Findings of Fact.

Comment: Greg Froehlich said that it would seem the only possible Finding that it might be meeting is accentuating the building, but it was hard to tell if it was.

Comment: Chair Andersen said he thinks you could make the argument that it's accentuating the architectural features at those locations. He said they are on the piers that are on the forefront, and that is kind of an architectural feature. He said what they are using are a lot nicer than traditional wall packs that you see on buildings. He said he thinks that would be an architectural feature. He mentioned that it had already been stated that it was meeting one Finding of Fact, so he said this would be a way that it meets the second Finding. He said he would be agreeable to them moving it up 1' and keeping it at 15'.

**3. DR19-29 GILBERT GATEWAY COMMERCE CENTER: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 29 ACRES, GENERALLY LOCATED SOUTHWEST OF POWER AND WARNER ROADS AND ZONED LIGHT INDUSTRIAL (LI) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Josh Rogers began his presentation on DR19-29, Gilbert Gateway Commerce Center. He said the site was located southwest of Power and Warner Roads. He said it was located directly west of the American Furniture Warehouse and is zoned Light Industrial (LI) with a Planned Area Development (PAD). He said the site is approximately 29 acres. He said the applicant is proposing a total of 420,000 of industrial office warehousing type buildings divided up into three separate buildings. He said they have provided significant landscaping along the western boundary. He shared the elevations, noting that Staff is pleased with the horizontal and vertical movement that they ask for in this type of buildings. He said they haven't neglected the rear (dock) areas of the buildings, even though only one will be seen by the public along the freeway. He shared the colors and materials. He said that Staff doesn't have any major concerns and had just finished 1st Review Comments. He said this will result in significant economic development activity in this area after having sat vacant since the site was annexed into the Town. He finished his presentation and asked for input on architectural or site details.

Comment: Vice Chair Bloomfield said he can appreciate that there might be some concern from the neighbors because these are three very large buildings. He said their lots are about 150' to 180' wide and there is approximately 90' to 100' of landscaping and offsets. He said there will be more truck traffic in the area and it will change their neighborhood and what they are used to, but tonight they are reviewing the Design Review, so he didn't have anything extra to offer in terms

of design review. He said he believes the neighbors are concerned that there is industrial development going into the area at all, but that has already been decided and isn't before the Commission. He said he is excited to see a project like this come in.

Question: Greg Froehlich asked to see the Site Plan. He said he thinks the applicant has done a good job on the separation on the west side. He said there is quite a bit of landscaping. He said it looks like they have used a lot of trees, which should provide separation and blocking of views. He asked about the existing access road south of the project.

Answer: Josh Rogers said there is not an access road south of the project, but there is only one road to the north called Nunneley Drive. He said in the future, the Town has plans for another industrial collector to go north to Warner Road, as well as plans for a signal on that intersection.

Question: Greg Froehlich asked about the west side of the property. He said there was an existing dirt road with access to an irrigation structure. He asked if that access would remain.

Answer: Josh Rogers said it isn't technically a road, but the residents have been using it as such to reach an irrigation valve. The applicant has been working with the neighbors and they are leaving space between their wall and the property line, to allow neighbors to still access their portion of the property and give them room to access that valve to the north.

Comment: Greg Froehlich said he is comfortable with the project and thinks they have done a great job with what they have for this type of product.

**4. DR18-200 AUTOZONE: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 1.01 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGLEY ROAD AND PALMER STREET, AND ZONED NEIGHBORHOOD COMMERCIAL (NC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Planner Nathan Williams began his presentation on DR18-200, AutoZone. He shared the location of the project at the southwest corner of Palmer Street and Higley Road. He said it is the last remaining parcel of the Chandler Heights Village Commercial Shopping Center. He said the site is just over an acre and is Neighborhood Commercial (NC) zoning. He said the applicant is proposing general retail usage, which is permitted. They are proposing a 1-story building of about 7370 square feet in area. He said the applicant is looking to submit CD's at risk, so he wanted Commission feedback if they had any. He said they were in 2nd Review and most of Staff's comments had been addressed. He shared the Elevations, noting that the highlighted portion was the undeveloped parcel. He shared the access points, noting that they will have cross access between adjacent users to the east and to the west. In terms of color and materials, he said they had done a good job of trying to coordinate with the existing shopping center. He provided some photos of what exists on the site today. He finished his presentation and asked for feedback.

Chair Andersen called for questions or comments for Staff. With no questions or comments for Staff, he called the next case.

**5. Z19-03, LDC TEXT AMEND – HIGH DENSITY MULTI-FAMILY: CITIZEN REVIEW AND INITIATION OF AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER 1 ZONING REGULATIONS, DIVISION 1 GENERAL PROVISIONS, DIVISION 2 LAND USE DESIGNATIONS, DIVISION 6 USE DEFINITIONS, THE GLOSSARY OF GENERAL TERMS AND THE APPENDIX 1 GRAPHICS, RELATED TO THE CREATION OF A MULTI FAMILY – HIGH DENSITY ZONING DISTRICT.**

Planner Sydney Bethel began her presentation on Z19-03, LDC Text Amend – High Density Multi-Family: Citizen Review and Initiation of Amendment to the Town of Gilbert LDC. She provided some context as to what was existing in the General Plan regarding this subject. She said that per the Gilbert General Plan, there is a Residential land use classification of Residential > 25-50 DU/Acre, but there is not a corresponding multi-family zoning district. She pointed out that the two existing multi-family zoning districts are Multi-Family / Low (MF/L) which is 8-14 DU/Acre and Multi-Family / Medium (MF/M) which is 14-25 DU/Acre. She said they also allow Loft Above by right in commercial zoning districts. She shared the definition that they have in the Town’s General Plan for this land use classification of 25-50 DU/Acre. She said that these were designated for high density, multi-family residential uses including multi-story apartments, condominiums, townhomes, loft apartment and congregate care/senior living product types. She provided a brief overview of the items that will be addressed in the draft text changes. These include: the creation of a new zoning district, Multi-Family / High (MF/H) to match the existing General Plan land use classification. She said the proposed standards are similar to that of Regional Commercial, except that the setbacks were further reduced, when not adjacent to single family, to allow for more of this type of urban development, that this higher density multi-family zoning district would permit. She said the proposed Multi-Family / High (MF/H) uses align with the permitted and conditional uses of the Multi-Family / Low (MF/L) and Multi-Family / Medium (MF/M) zoning districts. She said that Staff recommends that the Commission Initiate a Text Amendment to the Land Development Code (LDC) and to conduct a Citizen Review Meeting to discuss the proposed LDC text amendment to create a Multi-Family / High (MF/H) zoning district.

Question: Philip Alibrandi asked if they are requesting going from 25 – 50 DU/Acre, what would be defined as Multi-Family / Medium (MF/M). He said he wanted to know what that would look like on an acre. He asked what were the limits and what would be the smallest dwelling allowed.

Answer: Sydney Bethel said that from the different development standards that have been proposed, for example, the height limit of 55’ that they are currently proposing, is still in preliminary stages. She said they haven’t worked through everything yet, but the height would mean that a building could be approximately five stories. In terms of landscaping, they are proposing that the Open Space be reduced from the traditional 40 percent to 25 percent to allow for more density on these sites. She said there are a couple of other elements that they are

exploring, like allowing indoor or rooftop pools as part of the amenity areas. She said these are all preliminary areas that they are continuing to explore, as they think about how to create this district and how to allow for more urban development, while maintaining the standard that Gilbert strives to achieve.

Question: Philip Alibrandi asked if there was a minimum square footage for a dwelling unit.

Answer: Sydney Bethel said that presently the minimum would be 35,000 square feet for one of the buildings.

Question: Philip Alibrandi sought to further clarify the minimum square footage per unit.

Answer: Sydney Bethel said there is not a limit on an individual unit. She said that doesn't currently exist in their Code for any of their residential zoning districts.

Question: Philip Alibrandi asked if they weren't indirectly saying that when they say no more than X number of dwelling units per area. He asked if that wouldn't be a de facto limit.

Answer: Sydney Bethel said she apologizes if she isn't answering the question correctly, but she said there are different constraints that come with each site, due to a number of items like the acreage. She said that contributes to how much a developer can put on their property or decide to implement. She said these restrictions support the development standards and create the parameters of the highest amount you could do and the lowest amount you could do, based off of the setbacks, height, and other restrictions, as well as the minimum building size requirement.

Comment/Question: Philip Alibrandi said he apologized for not framing his questions properly. He said it sounds like they aren't doing anything with height, but simply allowing people to push out to the boundaries to get more density.

Response: Sydney Bethel answered Commissioner Alibrandi's question by sharing some details about setbacks in the different zoning districts.

Question: Philip Alibrandi asked if they had looked at the Master Plan to see what the Town will look like in 20 years if they start approving the higher density with the mix of lower density and large residential and very dense apartments.

Answer: Sydney Bethel said that they are undergoing a General Plan Update, so that is being explored by the consulting team and Staff, in an effort to determine what they would like Gilbert to look like in the future. She said it is being looked at and discussed. She said Gilbert has core values of maintaining a very family-oriented community with a lower density. She said they are exploring options to create a variety of housing for all of their resident's needs, as well as employment. She said the 25-50 DU/Acre is from the previous General Plan.

Comment: Philip Alibrandi said he wanted to make sure no one misunderstood his questions. He said he thinks it is important that they have these sort of higher density options for young families.

Comment: Vice Chair Bloomfield asked if he was correct in thinking that there were only a couple of places in Town that would match this General Plan designation. He said it might be helpful to provide a little history as to what has come before the Commission in terms of Regional Commercial (RC) projects in the past. He said RC was a way to get higher density multi-family, but the RC wasn't really designed to do that, but rather was designed to be more of an integrated commercial development with residential. Instead of this integration, what they were seeing was multi-family in the Commercial and they didn't integrate very well. He said the Commission struggled with that, so one of their recommendations was that if the reason an applicant was wanting this was to get the higher density, then they should give them the multi-family designation to do so. He said he appreciates that Staff has brought this forward. He said it will be limited, but as they take a look at Downtown Gilbert, no one would have guessed that Downtown Gilbert would have a vibe, but it's got a vibe and it's fun to be down there. He said there are people that will be attracted to the Town and will like to have this kind of opportunity available to them.

Comment: Brian Johns said he supports seeing this type of development and he knows that the General Plan isn't going to allow it to go just anywhere. He said he would like to see it taller. He doesn't think 55' will allow for five stories very easily. He said he is excited to see how this develops and thinks Staff has done a great job on it.

Comment: Les Smith said he would commend Staff also in preparing for the inevitable. He said that is where they are headed and he appreciates the fact that they are thinking along those lines.

Question: James Torgeson asked what percentage of that acre could actually be building, as opposed to landscaping or parking. He said he wanted to know how much of the acre would actually be built upon.

Answer: Sydney Bethel said that it would look different from case to case, but there are parameters set forth to make sure that it is a livable community and environment. She said they will be restricted by their building envelope, as well as landscape setbacks and the Open Space requirement (which they are trying to reduce to 25%). She said that the area allowed for build-out will be less than it would be in a very urban environment with zero lot line setbacks, but they will have to see as they move forward what it will look like exactly. She said they have some examples of higher density multi-family in Gilbert. She shared that in the San Tan area, there are a couple of products that go up to 32 DU/Acre and these examples can show them what might happen in the future. She said they can also learn from other communities across the valley that have these higher densities and are implementing it and still creating livable products. She said they can't say at this point, exactly what it is going to look like.

Question: James Torgeson informed Planner Bethel that she had not answered his question. He asked if the project was one level, what would the maximum amount of livable square footage on one acre be. He said that if the acre has 25% landscaping, would they built the other 75% out.

Answer: Sydney Bethel said they don't have a limit on exactly how much development can be on there. He said they only have a maximum per building. As an example, she shared that in the

other two multi-family districts, 35,000 square feet is the minimum the building must be, but they don't have a required maximum. She said if the applicant desires to have multiple buildings, they would each need to be 35,000 square feet or higher.

Question: Chair Andersen asked how they had come up with the maximum of 50 DU/Acre.

Answer: Sydney Bethel said that the 25-50 DU/Acre was from the existing General Plan, so they are matching the existing General Plan Land Use Classification. She said she could do some research into how that was decided upon in that last General Plan Update, but they are presently basing this multi-family zoning district off of that land use classification.

Comment: Chair Andersen said that it seems like an unrealistic number to hit. He said it is a nice cushion to have, but he said the reality is that the building height that is being proposed, would only allow 30 units to the acre. He said you would likely never reach 50 DU/Acre once you start incorporating parking and other items that are needed on the site. He said if a developer has a 10 acre site and they wanted to get 50 units per acre, that would be 500 units. If you tried to spread that over five stories, you'd be looking at 100 units per story. He said Gilbert has a fairly high parking requirement for multi-family, so having to squeeze all the required parking on there and with having to meet all the design requirements, there is no way that anyone could hit that 50/DU/Acre. He said he would recommend keeping a height restriction, but suggested they keep it at five stories, plus 10' for architectural articulation at the top or mechanical screening. He said that would be more user friendly for developers to design to. He said he also suggested they might want to consider allowing developers a higher story level if the Town is looking to do that.

Comment: Interim Planning Manager Catherine Lorbeer said she appreciates all of the comments as they are putting this together. She said they have also received some information from some multi-family stakeholders that they met with earlier in March. She said they would try and find a balance that will be the right fit for Gilbert and when they come back with this in May, they will try to incorporate the comments they have received.

Chairman Andersen Initiated the Text Amendment. He then opened up the Citizen's Review by inviting any member of the public who wished to speak on this Text Amendment. With no one wishing to address the Commission, he proceeded to the next agenda item.

**6. Z19-04 LDC TEXT AMEND – HERITAGE SIGN PLANS: CITIZEN REVIEW AND INITIATION OF AMENDMENT TO THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I ZONING REGULATIONS, DIVISION 4 GENERAL REGULATIONS, ARTICLE 4.4 SIGN REGULATIONS, THE GLOSSARY OF GENERAL TERMS, AND THE APPENDIX 1 GRAPHICS, RELATED TO THE ADDITION OF NEW NOSTALGIC OR HISTORIC ROOFTOP SIGN TYPES AND SIZES WITHIN THE HERITAGE VILLAGE CENTER ZONING DISTRICT.**

Sydney Bethel began her presentation on Z19-04, Text Amend – Heritage Sign Plans: Citizen Review and Initiation of Text Amendment to the Town of Gilbert Land Development Code. She said this Text Amendment is to allow new nostalgic or historic rooftop signs within the Heritage Village Center zoning district. She shared some background on what is presently existing in the LDC and some history on rooftop signage. She said the LDC currently prohibits rooftop signage. She said that some cities have preserved or restored some of their existing rooftop signs as iconic landmarks. She provided an example of The Hotel Monte Vista in Flagstaff, which is on the National Registry for both the building and the sign. She said the proposal for the rooftop signage would be specifically within the Heritage Village Center zoning district and not throughout the whole town. She said they believe this is appropriate in the Heritage District because of the type of design that is already existing there and the guidelines that are already in place. She shared a sign from Portland, Oregon, noting that this type of signage represents what they are hoping to achieve if they proceed with this Text Amendment. She said they are looking for something to be a district identifier that would welcome people into the Heritage District. She shared a brief overview of some of the items they are considering in this Text Amendment. She stated that the proposed sign type would be a Heritage District identification route sign and would be a non-commercial sign and would not promote a particular business, service or product, but would serve as a visible identifier of the community in which it is located. She said it might say Gilbert or Heritage District or something along those lines. She said that specific standards would regulate the size, location, and design of the sign to make sure it has that quality they are looking for within the Heritage District. She said that Staff recommends that the Commission Initiate a Text Amendment and Conduct a Citizen Review meeting.

Chair Andersen called for questions or comments for Staff. Seeing none, he Initiated the Text Amendment. He then opened up a Citizen Review by asking if any member of the public was in attendance that wished to speak on this item. No one wished to speak on the item.

#### 7. Discussion of Regular Meeting Agenda

Chair Andersen said that they would not be changing anything on the agenda.

### **ADJOURN STUDY SESSION**

With no further business before the Commission, Chair Andersen adjourned the Study Session at 6:03 p.m.

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Brian Andersen, Chairman

ATTEST:

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Debbie Frazey, Recording Secretary

DRAFT

**TOWN OF GILBERT  
 PLANNING COMMISSION REGULAR SESSION  
 COUNCIL CHAMBERS  
 50 E. CIVIC CENTER DRIVE  
 GILBERT, AZ  
 APRIL 3, 2019**

**COMMISSION PRESENT:** Chairman Brian Andersen  
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 Catherine Lorbeer, Interim Planning Services Manager

**ALSO PRESENT:** Council Liaison Brigette Peterson  
 Town Attorney Nancy Davidson  
 Recorder Debbie Frazey

<b>PLANNER</b>	<b>CASE</b>	<b>PAGE</b>	<b>VOTE</b>
Josh Rogers	DR18-156	7	Approved
Josh Rogers	DR18-182	7	Approved
Sydney Bethel	DR18-193	7	Approved
Nathan Williams	ST18-12	5	Approved
Nathan Williams	ST18-13	5	Approved
Ashlee MacDonald	UP18-29	13	Approved

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Ashlee MacDonald	DR18-176	13	Approved
Josh Rogers	GP18-15	7	Continued
Josh Rogers	Z18-29	7	Continued
Keith Newman	UP18-25	7	Continued
Keith Newman	DR18-163	7	Continued

**CALL TO ORDER REGULAR MEETING**

Chair Brian Andersen called the April 3, 2019 Regular Meeting of the Planning Commission to order at 6:15 p.m.

**PLEDGE OF ALLEGIANCE**

Commissioner Philip Alibrandi led the audience in the Pledge of Allegiance.

**ROLL CALL**

Recording Secretary Debbie Frazey called roll and a quorum was determined to be present.

**8. APPROVAL OF AGENDA**

Chair Andersen said there would be no changes to the agenda. He then called for a motion to approve the agenda. Vice Chair Carl Bloomfield made a **MOTION** to approve the agenda; seconded by Greg Froehlich; motion passed unanimously.

**Motion passed 7-0**

**9. COMMUNICATION FROM CITIZENS.**

At this time, members of the public may comment on matters within the jurisdiction of the Town, but not on the agenda. The Commission/Board response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.

Chair Andersen asked if there were any members of the public who wished to speak on something that was not on the agenda. Seeing no members of the public who wished to speak, he moved on to the next item on the agenda.

**10. Report from Council Liaison on Current Events**

Council Liaison Brigitte Peterson informed the audience that the Town’s new parking structure is now open in Downtown Gilbert. She said it has 600 parking spaces, with six electric vehicle plug-in spaces and 100 spaces that are being leased by Culinary Dropout for valet parking, since they don’t have any dedicated parking spaces. She said that she had attended a Gilbert Chamber

of Commerce ribbon cutting at Culinary Dropout earlier that morning and they are now officially open. She said it is an amazing space, with indoor/outdoor space, games, delicious food and private meeting and dining spaces for events. She said they are very grateful to have Sam Fox open the facility in the Heritage District. She said that this coming Saturday, they will be holding the Global Village Festival at Town Hall, 50 E. Civic Center Drive, from 9:00 a.m. to 2:00 p.m. She said it is a great time to come out with the family and experience all the different cultures that are in Gilbert. She said it is a mostly free event with food trucks and food available for purchase. She shared that in coordination with Valley Metro's bicycle month, if you ride a bike to the Global Village event with your family, there are free items to be earned for doing so. She also mentioned that the Gilbert Chamber of Commerce is doing great work in the Town, noting that they are up to about 790 members as of today. She said they are excited for them to hit 800 members. She said that she sits on the Gilbert Leadership Board, which is a leadership group under the Gilbert Chamber Foundation. She said her term is almost up and she will term out. She said that Class 27 is just about ready to graduate in June and they will be recruiting for the next class. She said they will have an informational breakfast on May 15, 2019 for anyone interest in being a part of Gilbert Leadership.

### **PUBLIC HEARING (CONSENT)**

All items listed below are considered public hearing consent calendar items. The Commission/Board may, by a single motion, approve any number of public hearing items where, after opening the public hearing, no person requests the item be removed from the public hearing consent calendar. If such a request is made, the Commission/Board shall then withdraw the item from the public hearing consent calendar for the purpose of public discussion and separate action. Other items on the agenda may be added to the consent calendar and approved under a single motion.

Chair Andersen sought clarification from Planning Staff if it was acceptable to move Agenda Items 18, 19, 20 and 21 to the Consent Agenda due to the fact that they were all requesting to be Continued. After receiving confirmation that this was acceptable, he opened the Public Hearing and then closed the Public Hearing. He then called for a motion to move Items 18, 19, 20 and 21 to the Public Hearing Consent Agenda. Vice Chair Carl Bloomfield made a **MOTION** to move Items 18, 19, 20 and 21 to the Consent Agenda, as they were being Continued to the May 1, 2019 Regular Meeting; seconded by Les Smith; motion passed unanimously.

### **Motion passed 7-0**

Chair Andersen then asked if any member of the Commission had a Conflict of Interest. Commissioner Greg Froehlich declared a Conflict of Interest on Item 14, ST18-12 and Item 15, ST18-13, Hamstra Dairy. Chair Andersen said the Commission would take two votes due to Commissioner Froehlich's Conflict of Interest. The first vote would be on Consent Agenda Items 14, ST18-12, Hamstra Dairy and Item 15, ST18-13, Hamstra Dairy (listed below with Staff Recommendations.

**14. ST18-12, HAMSTRA DAIRY (65-SERIES): FOUR (4) NEW STANDARD PLANS (65-1, 65-2, 65-3 AND 50-2) BY MARACAY HOMES, ON 57 LOTS (LOTS 97 – 114 AND 116 - 154) WITHIN THE PHASE 1 DEVELOPMENT OF THE HAMSTRA DAIRY PAD, GENERALLY LOCATED AT THE NORTHWEST CORNER OF VAL VISTA DRIVE AND CHANDLER HEIGHTS ROAD AND ZONED SINGLE FAMILY 7 (SF-7) AND SINGLE FAMILY 8 (SF-8) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY, SUBJECT TO CONDITIONS.**

**STAFF RECOMMENDATION**

Approve the Findings of Fact and approve ST18-12, Hamstra Dairy (65-Series): Four (4) new Standard Plans (65-1, 65-2, 65-3 and 50-2) by Maracay Homes, on 57 lots (Lots 97 – 114 and 116 - 154) within the Phase 1 development of the Hamstra Dairy PAD, generally located at the northwest corner of Val Vista Drive and Chandler Heights Road and zoned Single Family 7 (SF-7) and Single Family 8 (SF-8) with a Planned Area Development (PAD) overlay, subject to conditions, subject to conditions:

1. All standard plans shall meet the requirements set forth in the Resolution of the Design Review Board adopting standard residential house plan conditions approved on December 14, 2000.
2. All standard plan elevations shall be built per exhibits approved by the Planning Commission/ Design Review Board as presented at the public meeting of April 3, 2019.

**15. ST18-13, HAMSTRA DAIRY (78-SERIES): FOUR (4) NEW STANDARD PLANS (78-1, 78-2, 78-3 AND 65-3) BY MARACAY HOMES, ON 44 LOTS (LOTS 1 – 44) WITHIN THE PHASE 1 DEVELOPMENT OF THE HAMSTRA DAIRY PAD, GENERALLY LOCATED AT THE NORTHWEST CORNER OF VAL VISTA DRIVE AND CHANDLER HEIGHTS ROAD AND ZONED SINGLE FAMILY 10 (SF-10) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY, SUBJECT TO CONDITIONS.**

**STAFF RECOMMENDATION**

Approve the Findings of Fact and approve ST18-13, Hamstra Dairy (78-Series): Four (4) new Standard Plans (78-1, 78-2, 78-3 and 65-3) by Maracay Homes, on 44 lots (Lots 1 – 44) within the Phase 1 development of the Hamstra Dairy PAD, generally located at the northwest corner of Val Vista Drive and Chandler Heights Road and zoned Single Family 10 (SF-10) with a Planned Area Development (PAD) overlay, subject to conditions:

1. All standard plans shall meet the requirements set forth in the Resolution of the Design Review Board adopting standard residential house plan conditions approved on December 14, 2000.

2. All standard plan elevations shall be built per exhibits approved by the Planning Commission/ Design Review Board as presented at the public meeting of April 3, 2019.

Chair Andersen then asked for a motion on Consent Agenda Items 14 and 15. Vice Chair Bloomfield made a **MOTION** to recommend approval of Item 14, ST18-12, Hamstra Dairy and Item 15, ST18-13, Hamstra Dairy; seconded by Brian Johns; motion passed.

**Motion passed 6-0 with Commission Greg Froehlich abstaining due to Conflict of Interest.**

Chair Andersen then read the remainder of the Consent Agenda (listed below with Staff Recommendations) which consisted of Item 11, DR18-156, Platinum Paint & Body; Item 12, DR18-182, Cooper & Warner Commercial; Item 13, DR18-193, Superstar Car Wash; Item 18, GP18-15, Cadiz, to be Continued to May 1, 2019; Item 19, Z18-29, Cadiz, to be Continued to May 1, 2019; Item 20, UP18-25, Gilbert Recycling Center, to be Continued to May 1, 2019 and Item 21, DR18-163, Gilbert Recycling Center, to be Continued to May 1, 2019.

- 11. DR18-156 PLATINUM PAINT AND BODY: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, AND COLORS AND MATERIALS FOR APPROXIMATELY 7.76 ACRES, GENERALLY LOCATED AT THE NORTHWEST CORNER OF POWER AND PECOS ROADS, AND ZONED GENERAL COMMERCIAL (GC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

#### **STAFF RECOMMENDATION**

Approve the Findings of Fact and approve DR18-156 Platinum Paint and Body: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 7.76 acres, generally located at the northwest corner of Power and Pecos Roads, and zoned General Commercial (GC) with a Planned Area Development (PAD) overlay, subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission at the January 9, 2019 Conditional Use Permit and March 6, 2019 Design Review public hearings.
2. Right-turn deceleration lanes shall be installed at all driveways along the Pecos Road frontage.
3. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
4. Signage is not included in this approval. Administrative Design Review approval is required prior to submitting for sign permits.

5. A photometric and lighting plan shall be submitted to Planning staff for review and approval prior to construction document submittal. All site lighting will be required to comply with Town codes and standards.

**12. DR18-182: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 0.91 ACRES, GENERALLY LOCATED EAST OF THE SOUTHEAST CORNER OF COOPER AND WARNER ROADS, AND ZONED SHOPPING CENTER (SC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

**STAFF RECOMMENDATION**

Approve the Findings of Fact and approve DR18-182: site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials for approximately 0.91 acres, generally located east the southeast corner of Cooper and Warner Roads, and zoned Shopping Center (SC) with a Planned Area Development (PAD) overlay, subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission at the April 3, 2019 public hearing.
2. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
3. Signage is not included in this approval. Administrative Design Review approval is required prior to submitting for sign permits.
4. Existing landscape areas along the western internal private drive, the Warner Road right-of-way, and southern boundary shall be protected and brought back up to Town standards if damaged or have fallen into disrepair.

**13. DR18-193, SUPERSTAR CAR WASH: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS, FOR APPROXIMATELY 1.75 ACRES, GENERALLY LOCATED THE SOUTHEAST CORNER OF VAL VISTA DRIVE AND QUEEN CREEK ROAD, AND ZONED SHOPPING CENTER (SC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

**STAFF RECOMMENDATION**

Approve the Findings of Fact and approve DR18-193, Superstar Car Wash: Site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials, for approximately 1.75 acres, generally located the southeast corner of Val Vista Drive and Queen Creek Road, and zoned Shopping Center (SC) with a Planned Area Development (PAD) overlay, subject to conditions:

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1. Construction of the project shall conform to the exhibits approved by the Planning Commission/Design Review Board at the April 3, 2019 public hearing.
2. Administrative Design Review approval is required for all signage prior to submitting for sign permits.

**18. GP18-15 CADIZ: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 9.99 ACRES GENERALLY LOCATED SOUTH OF THE SOUTHEAST CORNER OF S. GREENFIELD AND E. GERMANN ROADS FROM RESIDENTIAL >0-1 DU/ACRE TO RESIDENTIAL > 3.5-5 DU/ACRE.**

**19. Z18-29 CADIZ: REQUEST TO REZONE APPROXIMATELY 9.99 ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTH OF THE SOUTHEAST CORNER OF S. GREENFIELD AND E. GERMANN ROADS FROM SINGLE FAMILY-43 (SF-43) TO SINGLE FAMILY-DETACHED (SF-D) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

**STAFF RECOMMENDATION**

- A. Move to continue GP18-15 Cadiz, a Minor General Plan Amendment; and
- B. Move to continue Z18-29 Cadiz, to May 1, 2019

**20. UP18-25: GILBERT RECYCLING CENTER**

**STAFF RECOMMENDATION**

Move to continue UP18-25 Gilbert Recycling Center to the May 1, 2019 public hearing.

**21. DR18-163: GILBERT RECYCLING CENTER**

**STAFF RECOMMENDATION**

Move to continue DR18-163 Gilbert Recycling Center to the May 1, 2019 public hearing.

After reading the Consent Agenda, Chair Andersen called for a motion. Vice Chair Bloomfield made a **MOTION** to recommend approval of the Consent Agenda as follows: Item 11, DR18-156, Platinum Paint & Body; Item 12, DR18-182, Cooper & Warner Commercial, Item 13, DR18-193, Superstar Car Wash; Item 18, GP18-15, Cadiz – to be Continued; Item 19, Z18-29, Cadiz – to be Continued; Item 20, UP18-25, Gilbert Recycling Center – to be Continued and Item 21, DR18-163, Gilbert Recycling Center – to be Continued; seconded by Brian Johns; motion passed unanimously.

**Motion passed 7-0**

**PUBLIC HEARING (NON-CONSENT)**

Non-Consent Public Hearing items will be heard at an individual public hearing and will be acted upon by the Commission/Board by a separate motion. During the Public Hearings, anyone wishing to comment in support of or in opposition to a Public Hearing item may do so. If you wish to comment on a Public Hearing Item, you must fill out a public comment form, indicating the item number on which you wish to be heard. Once the hearing is closed, there will be no further public comment unless requested by a member of the Commission/Board.

Chair Andersen informed the audience that they would now hear Public Hearing (Non-Consent) Item 16, UP18-29, The Abbington at Gilbert and Item 17, DR18-276, The Abbington at Gilbert (listed below with Staff Recommendations):

**16. UP18-29, THE ABBINGTON AT GILBERT: CONDITIONAL USE PERMIT FOR APPROX. 3.18 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MERCY AND PECOS ROADS TO ALLOW A CONGREGATE LIVING FACILITY IN THE GENERAL OFFICE (GO) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

**STAFF RECOMMENDATION**

Make the Findings of Fact and approve of UP18-29, The Abbington at Gilbert: a Conditional Use Permit for approx. 3.18 acres generally located at the corner of Mercy and Pecos Roads, to allow a congregate living facility in the General Office (GO) zoning district with a Planned Area Development (PAD) overlay, subject to conditions:

1. The Project shall be in substantial conformance with the site plan shown on the Exhibits provided under Attachment No. 4.

**17. DR18-176, THE ABBINGTON AT GILBERT: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 3.18 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MERCY AND PECOS ROADS, AND ZONED GENERAL OFFICE (GO) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

**STAFF RECOMMENDATION**

Approve the Findings of Fact and approve DR18-176, The Abbington at Gilbert: site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials for approximately 3.18 acres, generally located at the southeast corner of Mercy and Pecos Roads, and zoned General Office (GO) with a Planned Area Development (PAD) overlay, subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission at the April 3, 2019 public hearing.
2. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
3. Should the applicant not be the successful bidder of the town surplus property, APN 304-46-477, the applicant shall submit revised grading and drainage plans removing retention basin E and retaining that retention volume on-site, prior to construction document submittal.
4. Should the applicant be the successful bidder of the town surplus property, APN 304-46-477, the applicant shall submit revised landscape plans as part of the construction document submittal providing landscaping on this parcel in accordance with the requirements of the Land Development Code.
5. All water features shall comply with the Towns Water Conservation Code as provided in Article VIII of the Code of Gilbert. Water features are to be limited to six feet in height measured from the base of the water column.
6. Signage is not included in this approval. Administrative Design Review approval is required prior to submitting for sign permits.

Planner Ashlee MacDonald began her presentation on Item 16, UP18-29 and Item 17, DR18-176, The Abbingdon at Gilbert. She shared the location of the project at the corner of Pecos and Mercy Drive. She pointed out the old Pecos Road right-of-way that was acquired by ADOT when they were putting in the 202 Freeway, as well as a remnant parcel that the Town acquired with the realignment of Pecos Road. She stated that the site was a total of 3.18 acres and was part of the Celebration Campus PAD that rezoned the area from Residential to General Office (GO) in anticipation of supporting the medical campus, Mercy Gilbert, located on Mercy Road and Val Vista. She said the site is within the Val Vista Medical Growth Area as identified in the General Plan, which anticipates medical offices, general office, and business park, in conjunction with mixed-use commercial and hospitality uses. She said that The Abbingdon at Gilbert is an 85-unit Congregate Living facility. She said for it to be located in the General Office (GO) zoning district, it does require a Use Permit. A Use Permit requires that four Findings of Fact be met for the Planning Commission to approve the Use Permit. She said they are proposing a 78,650 square foot, 2-story building, with 85 assisted living and memory care units. She shared the access points and the drop-off area. She noted that 157th Place was an access easement and not a dedicated right-of-way. She said the applicant has proposed an access point along the southern boundary of the site that aligns with the EVO Swim School access point. She also pointed out the location of the emergency access. She said the access point is too close to Pecos Road to allow public ingress and egress, so there is a gate at the location for emergency vehicles. She said the applicant has proposed DG to cover the surface of the emergency access area, so it

doesn't look too inviting to vehicles, but would support an emergency vehicle. She shared the Elevations, noting that the building is U-shaped with a central courtyard. She told the Commission that the property has some constraints. She pointed out that there is a 40' access easement and a wellsite encumbers the property. Planner MacDonald shared the Landscape Plan. She said that the 20' access easement on the property takes up the required landscape buffer, so the applicant has provided landscaping along the face of their building, just on the other side of the access easement. She shared the central courtyard and the way they have oriented that away from the existing residential to the south. She shared some renderings of the proposed buildings. She discussed colors and materials for the building itself, noting that the design was in keeping with the southwest mission style that ties to the Mercy Gilbert campus. She said that Staff feels they have done a lot of vertical movement on all sides of the building with pop-outs and insets to add some interest to the building. They also have varying roof heights, varying parapets, roof forms, and chimneys and towers to add some interest to the property. She shared the four Findings of Fact that the applicant was required to meet. They are as follows:

- 1. The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general.***

Although there are residential homes in the vicinity, the area is planned to develop in accordance with the General Office land use. The site has been designed to provide primary vehicular access from Mercy Road and limits access to the site from 157<sup>th</sup> Place. The site has been designed to provide the facility's outdoor amenities within a central courtyard limiting the impact to surrounding properties.

- 2. The proposed use conforms to the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council.***

The site is located within the Val Vista Medical Growth area. The hospital located southeast of the Val Vista Road and Loop 200 Santan Freeway interchange has already spurred growth in medical office, medical research and rehabilitation/care facilities. Additionally, this growth area anticipates medical office, general office and business park growth that is supported by mixed-use, commercial and hospitality uses. Specifically, the Land Use and Growth Areas chapter of the General Plan promotes diversity of housing types for all age groups (Policy 1.3) and protecting sites for employment uses in appropriate locations to increase the Town's employment base (Policy 1.5).

- 3. The proposed use conforms to the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements.***

The proposed project complies with the approved Celebration Campus PAD and the Land Development Code standards for the General Office zoning district. As depicted in the

Project Data Table, the proposed project meets all minimum development standards. Applicable business and state licenses for operating this facility will be required prior to permitting.

**4. *The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.***

The proposed congregate living facility is designed to complement the existing medical offices in proximity to the site. The site is designed in a manner to limit vehicular impacts to the surrounding properties by taking its primary access directly from Mercy Road. The secondary access point off of 157<sup>th</sup> Place was positioned to align with the EVO Swim School driveway to further reduce potential vehicular conflicts. Landscape buffering is provided along the property boundaries and all existing access easements benefiting residents further south of the subject site are being maintained.

Planner MacDonald said that Staff recommends approval of the Use Permit as well as approval of the design review portion of the case. She said that there are some members of the public in the audience at tonight's hearing. She said they had requested further information about the access points. She provided a slide to help the public understand the way that circulation would work on the site. She finished her presentation.

Question: Vice Chair Bloomfield asked for further clarification on the private access easement. He asked if it was just for access into the wellsite.

Answer: Ashlee MacDonald said there are two different easements. One that runs the length of the property that provides access to the properties and then it actually jogs into the wellsite and extends to 40'. She showed the area that is 40' which encumbers the entire wellsite and then the second access easement runs the length of the property down 157th Place and is also on the EVO Swim School site as well.

Question: Vice Chair Bloomfield asked if that was how those properties gained access.

Answer: Ashlee MacDonald answered affirmatively.

Question: Vice Chair Bloomfield asked to clarify that there isn't any access on this property until they come onto the EVO Swim School site and then it jogs over.

Answer: Ashlee MacDonald answered affirmatively that there is a 40' access easement and as they come down it tapers. She shared another image to better indicate how the access would work.

Question: Vice Chair Bloomfield said it seems like there would be a way to provide access without having to retain that. He said it seems like an odd way to provide access.

Answer: Ashlee MacDonald said that this parcel is a conglomeration of ownership amongst the properties that it serves, with approximately 12 different owners of the wellsite, which has complicated things.

Chair Andersen invited the applicant forward to make a presentation.

Jared Humphries, of Woodbury Corporation, introduced himself and said they were a partner on this project and also the architect. He said he didn't have anything further to add to the presentation, but would be happy to answer any questions the Commission might have.

Question: Brian Johns asked if this was a memory care facility.

Answer: Jared Humphries said that they would have 16 units of memory care and the remainder would be assisted living.

Question: Brian Johns asked to clarify about the memory care courtyard.

Answer: Jared Humphries said that the memory care courtyard would be subdivided from the remainder of the courtyard, so it will have a secured courtyard. He pointed out the area on the Site Plan.

Comment: Brian Johns said he thought they had done a great job on the elevations and there was a lot of movement.

Question: Greg Froehlich said it was mentioned that the public had some questions about access. He asked if there were any other comments or concerns raised by the neighbors during the design process.

Answer: Jared Humphries said they weren't aware of any other concerns.

Question: Carl Bloomfield asked the applicant if they had reached out to the neighbors, like EVO Swim School and others.

Answer: Jared Humphries said he believed they had spoken to the EVO Swim School at one point. He invited Matt Walker forward to address the question, as he was with the operations side of things.

Question: Carl Bloomfield asked if there wasn't a notification requirement.

Answer: Matt Walker said they had sent out notification and they had also spoken with the person that is in charge of the well parcel. That person has had communication with all the individuals. They haven't received any negative comments.

Answer: Attorney Nancy Davidson said that the Town Attorney's office has also been working with them.

Comment: James Torgeson said he had noticed a couple in the rear of the audience and he wanted to make sure that they have an opportunity to speak.

Response: Brian Andersen said he had also noted that and he asked them to fill out a yellow public comment card if they wished to speak.

Chair Andersen then invited the member of the public forward to speak.

Chris Halverson, of Gilbert, introduced himself and said he lives just southwest of the property. He asked if the road area (shown in red on the Site Plan) would be paved.

Planner Ashlee MacDonald answered affirmatively.

Chair Andersen then closed the Public Hearing. He asked the Commission if anyone had further questions for Planner MacDonald. Seeing no questions, he brought the discussion back to the dais. With no further discussion, he called for a motion. Vice Chair Bloomfield made a **MOTION** to recommend approval of Item 16, UP18-29, The Abbington at Gilbert; seconded by Greg Froehlich; motion passed unanimously.

**Motion passed 7-0**

Vice Chair Bloomfield then made a **MOTION** to recommend approval of Item 17, DR18-176, The Abbington at Gilbert; seconded by Les Smith; motion passed unanimously.

**Motion passed 7-0**

**ADMINISTRATIVE ITEMS**

Administrative items are for the Commission/Board discussion and action. It is to the discretion of the majority of the Commission/Board regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a public comment form indicating the Item Number on which they wish to address. The Commission/Board may or may not accept public comment.

- 22. Planning Commission Minutes** – Consider approval of the minutes of the Study Session and Regular Meeting of March 6, 2019.

Chair Andersen called for a motion to approve the minutes of the March 6, 2019 Planning Commission Study Session and Regular Meeting. A **MOTION** was made by Vice Chair Bloomfield; seconded by Philip Alibrandi; motion passed unanimously.

**Motion passed 7-0**

**COMMUNICATIONS**

- 23. Report from Chairman and Members of the Commission on current events.**

None.

- 24. Report from Planning Services Manager on current events.**

Interim Planning Services Manager Catherine Lorbeer thanked the Commissioners for their service. She reminded the Commission that Staff is working diligently on the General Plan

Update and they recently released the Community Assessment, which looks at the existing conditions and trends in the community. She said that document would be available for viewing on the General Plan Update website for anyone interested. She said there is also a document that addresses the public involvement to date. She said both of those two pieces (the existing conditions and trends, as well as what the public has been sharing to date) are helping them form policy considerations as the document moves forward.

**ADJOURNMENT**

With no further business before the Planning Commission, Chair Andersen adjourned the Regular Meeting at 6:44 p.m.

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Brian Andersen, Chairman

ATTEST:

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Debbie Frazey, Recording Secretary

DRAFT