

**TOWN OF GILBERT
PLANNING COMMISSION STUDY SESSION
COUNCIL CHAMBERS
50 E. CIVIC CENTER DRIVE
GILBERT, AZ
MAY 1, 2019**

COMMISSION PRESENT: Chairman Brian Andersen
Vice Chair Carl Bloomfield
Commissioner David Cavenee
Commissioner Greg Froehlich
Commissioner Brian Johns
Commissioner Les Smith
Alternate James Torgeson

COMMISSION ABSENT: Alternate Philip Alibrandi

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

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

CALL TO ORDER

Chair Brian Andersen called the May 1, 2019 Study Session of the Planning Commission to order at 5:07 p.m. Chair Andersen called the first item on the agenda.

- 1. DR19-46, MASERATI ALFA ROMEO: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 1.95 ACRES, GENERALLY LOCATED SOUTH OF PECOS ROAD ON THE EAST SIDE OF GILBERT ROAD AND ZONED REGIONAL COMMERCIAL (RC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Ashlee MacDonald began her presentation on DR19-46, Maserati Alfa Romeo. She shared the location of the project off of Gilbert Road in the Rivulon Development. She said this will complete the corner from Pecos Road to the Mercedes dealership. She shared a vicinity map. She said the site was 1.95 acres in size and is quite narrow and the proposed building will take that narrow form as well. She said the 17,755 square foot building will offer a sales office, service and a showroom. She said the display area will be along the street frontage and customer parking will be towards the center between the display area and the building. She shared the location of a private service yard that will be fenced and will have employee access only. She pointed out on the Site Plan, where customers would be able to enter the site from the private collector road. She said it will have a full motion access from Gilbert Road onto the private collector road. She indicated where a vehicle would enter if coming to the site for service, noting where an employee would meet the customer and take the vehicle to the service area. In terms of parking, she said the applicant is required to have a total of 18 parking spaces, but with the service area, the inventory lot in back and their display area, they will have 107 parking spaces. She said they will have 10 customer parking spaces for those that are shopping for vehicles or are there for service. Planner MacDonald also showed the location of the service bays and employee parking in the back. She pointed out an area and provided some details regarding the hardscape, noting the use of pavers, benches, concrete planters and bollards. She shared the Elevations, indicating that it was a very modern looking building. She said the primary storefront would be an aluminum composite material in white and gray. She said they would also have EIFS accents. She said that Staff doesn't have any concerns with the Elevations or the Site Plan. She said that the applicant is seeking CD's at-risk, which requires them to come to Study Session. She said that Staff felt that the design was in keeping with other development they see along Gilbert Road and in the Rivulon development. She shared the Colors and Materials Board. She finished her presentation and asked for feedback.

Chair Andersen thanked Planner MacDonald for her presentation and called for questions or comments.

Comment: David Cavenee said he thought the project looked great. He said he didn't have any questions or concerns.

Question: James Torgeson asked what would happen to the other Maserati dealership (associated with Earnhardt's) with this one coming forward.

Answer: Ashlee MacDonald said that the previous Maserati dealership that was approved did not come to fruition.

Question: David Cavenee asked if they were requiring their site light heads. He asked if that was all themed for the frontage or if each dealership had a different theme.

Answer: Ashlee MacDonald said these are consistent with what they see in the other dealerships.

Comment: David Cavenee said he noticed that the street frontage landscape was existing, so he assumed it was put in by the master developer.

Response: Ashlee MacDonald answered affirmatively. She said the perimeter landscaping along the private collector and the private drive at the rear was also existing as well.

Question: David Cavenee asked if the entrance on the east side was gated.

Answer: Ashlee MacDonald answered affirmatively. She said that there would be an exit-only gate for service delivery. She shared where they would enter the site and noted that they would exit out the exit-only gate.

Comment/Question: David Cavenee said he was looking at the trash enclosure and its orientation and he said on a narrow site like this, you get concerned if the flow is going to work. He said it looks like they would pick up the trash by entering through the east gate. He asked how they would exit.

Answer: Ashlee MacDonald said they would exit through the gated area.

Question: Greg Froehlich asked to see the first access point closest to Gilbert Road. He asked if the intention for that access was right in/right out.

Answer: Ashlee MacDonald said that she would have to double check the plans, but she thought the intention was that customers could leave from there as well.

Comment: Greg Froehlich said he would just check that with Traffic because the left turn lane for storage goes beyond that driveway. He said because it is a low volume road, it probably isn't a problem, but he suggested that Planner MacDonald check into it.

Comment: Chair Andersen said he thought the building was nice, but he thought for a Maserati dealership, it would have been fancier looking. He said he thought the Mercedes dealership had done an awesome job and that dealership has a nice, sophisticated look to it. He pointed out that this one looks like it could be a Ford or Chevy dealership. He said he isn't saying they have to do anything, but just expressing his personal opinion.

2. DR19-40 EOS FITNESS: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, AND COLORS AND MATERIALS FOR APPROXIMATELY 4.5 ACRES, GENERALLY LOCATED NORTH OF THE NORTHWEST CORNER OF POWER ROAD AND GERMANN ROAD, AND ZONED GENERAL COMMERCIAL (GC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

Nathan Williams began his presentation on DR19-40, EOS Fitness. He shared that the site was north of the northwest corner of Germann and Power Roads. He shared a vicinity map, noting that the highlighted portion was what remains of the corner that is undeveloped. He said that EOS Fitness would be developing 4.5 acres of the remaining site. He pointed out that the site is zoned General Commercial (GC) with a Planned Area Development (PAD) overlay and is within the Power Ranch PAD. He said the design would be for a 1-story, 38,000 square foot building. The building would be 45' at its highest point. He said the building would be a modern design and would be different than the two existing buildings on the site, though it wouldn't dramatically

stand out. He pointed out the location of an existing Public Storage facility and the existing Dignity Health ER. He pointed out two vacant parcels. He said there would be a shared access drive, with multiple access points along Power. He said the applicant had provided a nice pedestrian connection through the parking lot and out to Power Road. He shared an aerial map to better show the existing drive aisles and access points. He said that the applicant had been given First Review comments and he would be pointing out those concerns in his presentation. Planner Williams said one of Staff's comments was the need for more foundation landscaping, especially on the front elevation. He shared the floor plans. He called attention to an outdoor fitness/exercise area. He said he would like to see the front entrance be a little more open and transparent. He said the entrance has minimal windows. He said the design also seems to have some fluted concrete columns that don't coordinate with the overall building architecture. He asked for input on that. He again referred to the outdoor exercise area, noting that the design had been changed from their original submittal to provide some more horizontal separation of material. He also asked for input as to whether the Commission thought there was enough roofline articulation. He said he had also asked the applicant to be a little clearer on their colors and materials. He said the colors and materials board seems to differ slightly in terms of tones, from the elevations, which look more like earth tones. He shared some Renderings. He finished his presentation and asked for input.

Question: Vice Chair Bloomfield asked about the outdoor exercise area. He asked if they were intending that the inside be two levels.

Answer: Nathan Williams said that none of the floor plans note a mezzanine level.

Comment: Vice Chair Bloomfield said he thought it looked like it was tall enough to have two levels, so he just wondered if that was what they were trying to accomplish. He said that overall, from a Design Review standpoint, he thought it looked good. He said it looks very similar to the EOS Fitness the Commission had approved last month. He said he believes they have hit all the targets the Commission would be looking for. He said that because this is the first of several vacant lots to develop, they want this applicant to do a really good job, so that the others will follow suit.

Comment: David Cavenee said he agreed with Staff about the landscape along the front. He said because they are a new building, they have an opportunity to place where those planters are and what kinds of trees they use. He said as long as they watch out for blocking their own signage, he thought it would be a nice addition to the frontage to soften it up a bit. He said he wouldn't mind seeing a little more opening with glass or some other type of lightening materials to soften the front and make it more welcoming. Regarding the variation in the parapet heights, he said he thinks there is enough variation, given that this is what he envisions in an EOS Fitness.

Comment/Question: Greg Froehlich said he likes the building and thinks it looks nice. He said they did a good job with that. He asked about the sidewalk connectivity. He said it looks like there will be a future Phase 2. He asked if they were building the sidewalk with the health club.

Answer: Nathan Williams pointed out the Public Storage facility and the vacant undeveloped lot. He said there is pedestrian connection to the street and connectivity to the south, but it will depend on what they do with the undeveloped parcel in the future, as to whether it would tie in.

Comment/Question: Greg Froehlich said that sounded fair, but it would be nice if it would be connected in the future. He asked what would be constructed on the parcel to the north. He asked if the right turn lane was already in or if it was being constructed with this project.

Answer: Nathan Williams pointed out a shared access point that is existing and pointed out an access point that does not exist, but he believes it would be required by Town Traffic and would have to go in with this development. He said he believes that the existing lane has a right turn (decel) lane on it as well.

Comment: Greg Froehlich said he thought they had done everything they can do within their parcel to have that connectivity, but it would be nice to achieve that in the future.

Question: Les Smith said he had a question on the front entry and asked to pull up the architectural rendering. He said the rendering seemed to do the entry a little more justice than the elevation.

Answer: Nathan Williams agreed with Commissioner Smith.

Question: Les Smith asked if Staff's objections were with the columns.

Answer: Nathan Williams said that one minor objection would be the columns. He said he thinks it might be part of their corporate branding, but he wasn't sure. He said the column doesn't fit with the rest of the building, but if it is part of their corporate image, he can understand it. He agreed that the scale of the rendering seems to provide more of a sense of arrival, but he would argue that when he looks at the elevations he doesn't see the level of detail that is showing on the rendering. He said they would need to increase the amount of glass that is showing on the elevations.

Comment: Les Smith said that was his take as well.

Question: Chair Andersen asked Planner Williams if they matched the elevation to the rendering, if he would be okay with the design.

Answer: Nathan Williams said he would feel better about it.

Comment/Question: Brian Johns said he would agree with what the other Commissioners said about the landscaping. He said this project would set the pace, so it was a good idea to step it up a little bit. Regarding the elevations, he said the columns look different between the elevations and the renderings. He pointed out that he liked what they had done on the renderings. He said he thinks the shade and shadow are depicted incorrectly, because it's coming from the north and coming down. He said there would not be a dramatic cut out like it shows. He said there is a lot of mass on the side and around, so he thought they could celebrate that in some other way and if

they could possibly get some more depth or work that into the entry, he thought it would be a good idea. He said as it is, it's like you're going into this little tiny hole.

Response: Nathan Williams said they would have to assume that the elevation is what they would build to. That's what would be approved by the Planning Commission, regardless of what is shown on the rendering.

Comment/Question: Brian Johns said he does like the columns and thinks they have put a lot of nice elements on the design. He said he is concerned about the storefront that is facing south and west. He asked what that area was showing.

Response: Nathan Williams said that was the pool area.

Comment: Brian Johns said that the pool was in the back and clarified that he was referring to another area of the design.

Response: Nathan Williams said that was actually the exercise area.

Comment: Brian Johns said that that area was going to get inundated with a lot of sun going into that area. He said it would be nice to give some sort of relief by adding some kind of element to try to shade that.

Response: Nathan Williams suggested a shade canopy.

Comment: Brian Johns said it didn't necessarily have to be a shade canopy. He said whatever element they do on the west side could be brought around. He said they have a really nice element that is on the left-hand side of the main entry.

Question: Nathan Williams pointed out a metal accent. He asked if they brought the accent around, if that would be a good idea.

Answer: Brian Johns said that would work, but it is up to the designer to determine that. He just wanted to give a warning about how hot it would be, but said there is no ordinance that says you can't put a window in the sun. He said tying those elements together would be a good idea. He said he thought the massing looked really good, as do the materials. He said that overall, it's a good looking building.

Question: Nathan Williams asked Commissioner Johns if he wanted to see the windows go away.

Answer: Brian Johns said that he wouldn't. They were trying to get an environment element into the exercise room and it will be nice to bring natural light in there. He just thought they should protect the window a little bit better.

Question: Brian Johns asked if the site was sold with a Master Plan.

Answer: Nathan Williams answered affirmatively that there was a Master Plan and they have to abide by the front setback, but interior landscape setbacks are not required by individual parcels. He said they are providing landscape setbacks on most of it.

Comment: Brian Johns said he agreed with Commissioner Froehlich's previous comment, that if this was a Master Plan, they should at least try to do something to try to connect with the overall site. He said they did have a nice long pedestrian connection with the street. He just thought they should have something heading in the direction that wasn't developed yet.

Question: Nathan Williams asked if he was referring to the north.

Answer: Brian Johns answered affirmatively.

Question: Brian Johns asked if there were going to be restaurants located to the south.

Answer: Nathan Williams said that it was just a preliminary layout, but it could be anything. He said they had just provided a depiction of how it could unfold.

Comment: Brian Johns said that since it is a Master Plan and that was kind of the purpose of a Master Plan, he thought they should at least try and work on the cross accesses. He said it was exciting to see this area develop.

Question: Brian Andersen asked about the outdoor exercise area. He asked if they had done that type of area on any of their other projects. He asked what type of exercise would be going on out there.

Answer: Nathan Williams said he would have to inquire, but he imagines it would be some type of cross-fit or group fitness training.

Comment: Brian Andersen said that he couldn't imagine anyone being out there exercising in June, July or August. He said it seems like an odd appendage the way it is just hanging out the side of the building. He said if they build it and it turns out that they aren't really utilizing it, then it will become a garbage collector. He said he would like some more clarification on what they plan to do out there and that would help sell the idea to the Commission.

Comment: Brian Johns said he had forgot to mention that on the self-storage side, it seems like there's a lot of massing there, that's not really seen. He said it seems like there's a lot of wasted material there.

Question: Nathan Williams asked to clarify the area that Commissioner Johns was referring to. He asked if he was referring to the north elevation.

Answer: Brian Johns said in their exercise area where they have the fence that goes around and then there's a big huge massive wall.

Comment: Nathan Williams said he believes they did that to make it look a little more coordinated with the storage facility.

Response: Brian Johns said he didn't think they were going to get that same feel, because they have a thin fence. He said on their elevations it looks solid, but what he is seeing is this big huge mass hanging out there.

Question: Nathan Williams asked if Commissioner Johns thought it was too much or too high.

Answer: Brian Johns said that Chair Andersen described it well when he said it looked like an appendage stuck on the side of the building. He said he doesn't know the answer, but it just doesn't seem natural.

Comment: Chair Andersen said maybe they could add some windows there to tie the indoor and outdoor space together. He said there isn't really a connection. He said they are creating this outdoor space, but it's all enclosed. He said why not try and carry some connectivity between the two spaces.

3. DR19-41, NEW HORIZONS WOMEN'S CARE: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 1.26 ACRES, GENERALLY LOCATED WEST OF THE SOUTHWEST CORNER OF ROME STREET AND MELROSE STREET, AND ZONED BUSINESS PARK (BP) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

Keith Newman began his presentation on DR19-41, New Horizon's Women's Care. He shared the location of the site south of Gilbert Mercy Hospital and west of the southwest corner of Melrose and Rome Street. He said the site is 1.26 acres in size and is zoned Business Park (BP). He said the building they are proposing is approximately 7,800 square feet. He pointed out the current entrance on the Site Plan. The current entrance is located off of Melrose. Per the circulation plan for Improvement District 20 that has been established for this entire area around the hospital, it requires shared access and dictates the number and distancing of curb cuts, based on traffic safety standards. He said Staff has already provided First Review comments. He said one of the comments was that the entrance along Melrose needs to move slightly over to the west to be shared with the adjacent property to the west, so they can have shared access in the future to minimize the number of curb cuts along the streets. He said a majority of the businesses in this area have done the same thing. He said Staff is still working with the applicant on that configuration and how exactly it will work. Planner Newman said they will be able to share that when they come back before the Commission. He said the building will be located at the northeast corner of the site and all the parking will be to the west and to the south. He said the applicant has provided the required 52 parking stalls. He said there is a pick up and drop off area south of the ADA parking stalls. He said that during First Review, they made a comment that there is actually an existing block wall along the entire western boundary. He indicated that it isn't showing on the Site Plan, but they have asked the applicant to make sure that the wall remains and that it be painted to complement the colors of the building. He said it is designed to screen the parking from the adjacent property, which is an existing residence. He said there are also some small parking lot screen walls to screen the parking from Melrose Street. He discussed the Landscape Plan, specifically noting the landscape buffers on the west, south and east boundaries of the site, as well as landscaping along Melrose within a 20' landscape setback area. He said they have also asked

the applicant to match the plant material and the trees that are provided along the street frontages and the immediate area in front of existing businesses. He discussed grading and drainage. He shared some Renderings, noting that it is a contemporary building design with a gray color palette. He discussed the materials being used. He said there was a unique element on the west side of the building which is the main entrance. He said they are using a perforated metal screen wall that extends from the floor to the roof and it goes above the canopy on the majority of the elevation. He said the building was approximately 22' in height. He shared another perspective which showed some canopies on the south side. He also pointed out the parking canopy south of the building that will be used for doctors and staff. Planner Newman shared the east elevation, noting the good horizontal movement. He said they have expressed some concerns during First Review concerning the north elevation. He said they would like to get Commission feedback on that elevation. He said the perspective doesn't show it very well, but he provided another graphic which showed the elevation more clearly. He said that Staff has shared with the applicant that they would like to see additional horizontal and vertical movement on that elevation to dress it up and make it more presentable to the general public, which will see it along Melrose. Staff feels that the level of design on that elevation can be improved. He also asked for input on the color palette, which consisted mainly of three different shades of gray. Planner Newman finished his presentation, noting that the applicant was requesting CD's at-risk. He stated that by the time this case comes back before the Commission, the applicant will have probably already submitted for construction documents.

Comment/Question: David Cavenee said that the driveway discussion was interesting to him. He said he understands the point of having a certain number of curb cuts allowed, but he said he isn't seeing it presented in the applicant's plan as to how they would share the drive entrance. He said with the masonry wall dividing the two properties, with a commercial and a residential use trying to come off of the drive, he doesn't see how splitting that is going to work. He said he is concerned that they might get to the approval period and have something blow up next month. He said that is a concern to him and Planner Newman might want to take it back to the applicant as a concern. He also asked if they had any feeling for what was going to happen to those residential properties. Answer: Keith Newman said that eventually those residential homes to the west, as well as the one on the site will be demolished. He said they have been in communication with the property owner to the west and he also pointed out that he owns the properties to the east as well. He said eventually the other residences will be demolished and they will build something similar to a medical office type building. He said as far as the shared access is concerned, they don't know what that is going to look like and they are still working with the applicant on that. He said they hope to see how it will work and how that will be shared, as well as how that will provide cross access or access to the future development to the west and how that will affect the fence along the boundary and some of the parking stalls to the south of that as well. He said they are working with the applicant, but they don't have a resolution on the design yet, but they know it is something they have done on other developments in this area.

Comment/Question: David Cavenee said that puts the CD's at-risk in a position to be "at-risk."

He asked to clarify that the same property owner owned the property to the east as well.

Answer: Keith Newman answered affirmatively. He said they own the property on all sides.

Comment/Question: David Cavenee said it looks like it is going to be a fairly narrow sliver of land that will be remaining. He asked if there were any concerns with the future ability to use that sliver of land.

Answer: Keith Newman said that was one of Staff's first thoughts when they saw the remaining piece to the east. He said as of right now, they have no idea what can actually be developed there and what the design will be, so until they see a design come forward, they can't offer too many comments on it.

Comment: David Cavenee said that if the same owner owns both, it would be nice to see some congruent master planning. Regarding elevations, he said he really likes their front (west) elevation and thinks it is very attractive. It is modern and streamlined and it looks very good. He said he agrees with Staff on the Melrose frontage. He asked to see the Rendering of the Melrose frontage. He said it looks like they have tried to incorporate some horizontal accents through the layering of the materials and you can see the vertical movement through the window lines and some of the other features. He said he thinks what could improve this elevation is a little bit more of the roofline variation. He said it wouldn't have to be much, but he noted that some of the other elevations are benefitted by the mechanical screening on the roof, which adds a little additional layering and depth to the façade. He said they might want to tweak the roofline to add a little flavor to that side and then it would probably be fine. He said that will be a prominent entry.

Comment/Question: Vice Chair Bloomfield said that in looking the Landscape Plan, it looks like they are providing heavy landscaping on Melrose. He asked if their intent was to soften that edge and not do much with the building, but just heavy up the landscaping to soften it that way and kind of hide it.

Answer: Keith Newman said he wasn't certain, but that could be the case. He said he believes that regardless, it will still be highly visible. He said that might have been their approach, but he wasn't exactly sure. He would have to talk to the applicant more about that.

Comment: Vice Chair Bloomfield said that he thought Planner Newman was correct in being concerned about how that looks. He said he thought he was on the right track and he would encourage him along those lines. He said he also agreed with Commissioner Cavenee in regards to the horizontal massing and articulation. He said that overall he likes the building and thinks it fits the area and what is going on down there, but said it could be dressed up a little more. He said that he thinks all in all, it looks like the building that it's intended to be. Regarding the color palette, he said he was a civil engineer, so he didn't have any comments on that.

Comment/Question: Brian Johns said he thought they had done a wonderful job on the elevations. He said it has a very unique main entry. He said he has been contemplating the concern about the Melrose elevation, but because it isn't a huge building and they have packed a ton inside the

building, he doesn't see it being a huge, long elevation that he is looking at. He said he sees 4-sided architecture all around the building. He said it is a simple elevation, but he thinks there is a lot happening on it. He said the other elevation has a lot going on and he sees that as one big block and it is separated by the next block by the area that's pulled in. He said they could do a little bit more with the windows and he thinks this is the first time he has seen a fire riser room have a glass door. He said he appreciates them putting a little bit extra in and not just sticking a metal door on it. He said this kept the design clean all the way down. He said it would be hard to pull the windows in, because the office is very full and they wouldn't have much room. He said they used every single part of their building envelope. He said he is okay with the design, but maybe they could incorporate some differences in the change of materials. He said he was okay with the massing. Regarding the center aisle and trying to do a cross access, he thought if they did a cross access, they would lose their parking and he said since it was such a small site, he didn't see an easy answer on how they could do a shared driveway. He said it is a tight site and it was hard to include everything in it. He asked if there was a pedestrian connection.

Answer: Keith Newman said there was a pedestrian connection and he pointed it out.

Keith Newman asked if he could provide some further context to the shared access requirement. He said that there has already been an approved and adopted circulation master plan for this entire area and it has dictated the number and spacing between entrances and curb cuts. He said the Traffic department, in conjunction with the Town, has already adopted this plan and it specifies exactly where all the entrance points are supposed to be. He said it is located throughout the whole area south of the hospital. He said per the circulation plan, they have already been delineated. He said that they provided that to the applicant early on in the pre-app process.

Question: Brian Johns asked if there was no deviating from that circulation plan.

Answer: Keith Newman said that it has not been their practice to allow developers to deviate from that plan. He said all of the development that has come in since that plan was adopted, have complied with the plan. He said it has been widely implemented.

Question: Brian Johns asked who had set the plan.

Answer: Keith Newman said the plan had been adopted by the Town. He asked Planner Temes to weigh in on how the plan was adopted.

Answer: Amy Temes said that as part of the PAD for this area, there was a requirement to have an overall Master Plan for the area. She said there were a lot of different landowners, so in an effort not to force design onto each property, they opted for an overall circulation Master Plan. She said a public meeting was held with all the owners in the area, as well as the Town Traffic Engineers, and this circulation plan was adopted through that process. She said they have held to it because with a collector road designed in this area, there are spacing requirements for safety and they can't have too many curb cuts before they are going to start having collisions.

Comment: Brian Johns said he appreciated the clarification.

Comment: Chair Andersen asked to see the north elevation. He pointed out an area on the east elevation where they have a cool masonry detail. He suggested they might try and replicate that on the north elevation. He asked to see the floor plan.

Response: Keith Newman said that the floor plan wasn't in the presentation, but was only in the Commissioner's packets.

Comment: Chair Andersen said he would attempt to describe it as best he could. He said on that elevation, there are two corridors with two exam rooms in the middle (Exam rooms 105 and 107) and in the back (Exam rooms 106 and 108). He said if there was a way to take the whole wall and push it back from 12" to 16" and maybe take 6" out of each exam room, that could be an option that they look at. He said it is a cool masonry detail they are doing there and if they do that on the elevation around the corner, he thinks it would address the concerns for fronting the street. He suggested they entertain that option and if Staff supports it, maybe they could make that change to address that concern. He said if they are asking for CD's at-risk, it would be good to make sure everyone is on the same page.

4. Discussion of Regular Meeting Agenda

Chair Andersen said that they had a couple of items on the Public Hearing (Non-Consent) agenda that are being requested to Continue to the June hearing. He said if no member of the Public wished to speak on those items, they could consider moving them to the Public Hearing (Consent) agenda.

ADJOURN STUDY SESSION

With no further business before the Commission, Chair Andersen adjourned the Study Session at 6:08 p.m.

Brian Andersen, Chairman

ATTEST:

Debbie Frazey, Recording Secretary

**TOWN OF GILBERT
 PLANNING COMMISSION REGULAR MEETING
 COUNCIL CHAMBERS
 50 E. CIVIC CENTER DRIVE
 GILBERT, AZ
 MAY 1, 2019**

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 Town Attorney Nancy Davidson
 Recorder Debbie Frazey

PLANNER	CASE	PAGE	VOTE
Ashlee MacDonald	DR18-204	7	Approved
Sydney Bethel	S19-01	7	Continued
Sydney Bethel	DR19-14	7	Continued
Keith Newman	UP18-25	7	Continued
Keith Newman	DR18-163	7	Continued
Sydney Bethel	Z19-03	7	Continued
Josh Rogers	GP18-15	7	Continued
Josh Rogers	Z18-29	7	Continued
Sydney Bethel	Z19-04	9	Continued
Sydney Bethel	UP18-40	12	Approved
Sydney Bethel	UP19-16	13	Approved

Town of Gilbert Planning Commission
 Regular Meeting May 1, 2019

Sydney Bethel	DR18-208	13	Approved
Amy Temes	Z18-30	13	Approved

CALL TO ORDER REGULAR MEETING

Chair Brian Andersen called the May 1, 2019 Regular Meeting of the Planning Commission to order at 6:21 p.m.

PLEDGE OF ALLEGIANCE

Commissioner David Cavenee led the audience in the Pledge of Allegiance.

ROLL CALL

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

5. APPROVAL OF AGENDA

Chair Andersen asked if any member of the public wished to speak on Public Hearing (Non-Consent) items 19 and 20. Seeing no member of the public that wished to speak, he suggested moving Items 19 and 20 to Public Hearing (Consent). He then called for a motion to approve the agenda. Vice Chair Carl Bloomfield made a **MOTION** to approve the agenda with the recommended changes; seconded by Brian Johns; motion passed unanimously.

Motion passed 7-0

6. 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.

7. Report from Council Liaison on Current Events

Council Liaison Brigitte Peterson informed the audience that last week Gilbert was named Kindness USA and they spent the week observing different ways to share kindness with people in the community. She said it was fun to watch people's stories online as they shared kindness with each other and their neighbors or experienced kindness themselves. She said she hopes

Gilbert will always be known as a place where they are kind to their neighbors. She said that Governor Ducey had signed into law a Distracted Driving ordinance. She said it goes into effect immediately, so we should be driving hands-free in Arizona and following those regulations, but they will not be doing any fining until 2021. She reminded everyone of the slogan, “Let’s go hands-free in AZ” and “Speed down, eyes up” as they say in Gilbert. She also mentioned that Judge James Bean, who was recently appointed to the Arizona Supreme Court, is a Gilbert resident and a former member of the Planning Commission. She wished him the best of luck serving in his role on the Supreme Court.

PRESENTATION AND DISCUSSION

8. Presentation and Discussion of the 2020 General Plan Update

Interim Planning Services Manager Catherine Lorbeer introduced Matt Klyszeiko, with Michael Baker International. She said he is representing the consultant that is helping the Town of Gilbert with the 2020 Gilbert Plan Update. Matt Klyszeiko began his presentation to the Commission. He said the last time they were before the Planning Commission was back in November of 2018 during a joint session with the Town Council to kick off the project and discuss some of the preliminary feedback that they had received up to that point. He said tonight, he would like to bring the Commission up to speed on the work that has taken place since then. He said they have had conversations with Staff, they have held several General Plan Advisory Group meetings, as well as doing outreach with the community. He said they even participated in Student Government days. He said they have collected a lot of information and he wants to roll out some of that information to the Commission. He said he would also be sharing the next steps in the process.

He discussed the Community Assessment Report, which was a report they had compiled of the feedback they had received. He said that report is available on the Town’s website within the Projects web page. He said anyone in the audience that wanted to find the report could go on the Town’s website (www.gilbertaz.gov) and do a keyword search for 2020 General Plan Update. He said it is a very important document in the overall General Plan Update process because it captures some of the current characteristics, trends and conditions that exist within the Town. He said those are very important so they can make educated decisions about the future. He said the document also captures feedback that they have heard from their General Plan Advisory Committee. He said the Community Assessment also makes connections to what they are hearing back from the public. He shared some of the overarching takeaways from the Report. He said that population growth is expected to continue in Gilbert all the way through 2050. He said Gilbert is also an aging community and the median age is increasing. He said with that growth, density and diversity of the development pattern is changing. He said that triggers an understanding that they have to continue to create capacity for that growth, but they also have to figure out how they can maintain the qualities that are driving that growth. He said this is a delicate balancing act that they will be working through over the summer as they draft the elements of the General Plan.

Matt Klyszeiko also discussed Vision Validation. He said every General Plan usually starts off with a Vision Statement. He said in conversations with their General Plan Advisory Committee, they heard that the Vision Statement from the current General Plan had served the community well and is still applicable to how the Town would like to be in the future. With this in mind, the Committee made very few changes to the Vision Statement. He pointed out that with the Community Assessment finished and the vetting of the Vision Statement, their compass is now set and they are at the stage where they are looking at how they will structure the General Plan. He said the structure of the General Plan is very important, because from that structure, they develop the goals and policies and action items that they will utilize to implement the plan. They decided to take a slightly different approach than they have used previously and took a look at organizing the document around a set of themes. These themes are intended to convey what they are planning for, and in that way, they are better setting up the community to develop goals and action items that will achieve their vision. He shared the areas they were planning for: Community, Opportunity and Connectivity. He said that over the summer they would be taking this out to the public to get their feedback on any specific themes that they think might be missing or need adjusting. He offered the Commission the opportunity to share any thoughts on this particular concept.

Chairman Andersen asked if any member of the Commission had any questions or comments.

Comment: James Torgeson said it was great to see Matt Klyszeiko's excitement for the process and he really appreciated that. He said it was important to continue that excitement because that would engage people in the process.

Comment: Vice Chair Bloomfield said he appreciates the insight and the different direction they are taking on this where the focus is really on the community, not just on the legal requirements in the General Plan. He said he looks forward to seeing this develop and hearing the feedback from the community in regards to that interaction.

Response: Matt Klyszeiko said that in addition to getting out to the public, they will be rolling out an opportunity for the public to give their feedback online.

Comment: David Cavenee said he likes the focus on themes. He said he thought one of the things that he thought might be missing in General Plans is getting developers to buy in. He said the developers are the ones that come in the door with the projects, so he thinks it is important that they buy into the themes and the methods that are being proposed. He said he and the other Commissioners sit on the Planning Commission and receive variance requests when a developer doesn't want to do something. He said he didn't know how to best do it, but he thought it was important to include the developers.

Response: Matt Klyszeiko said that Commissioner Cavenee made an excellent point. He said it is a high priority for them. He said one of the key aspects of the General Plan Advisory Group is to have members of the development community participate on that committee. He said that is one way they are trying to get feedback from the development community, but as they move forward and solidify more specific text and elements of the plan, they will be coordinating with Staff to identify any professional organizations that they should be presenting to. He said it

might be a more appropriate time to gain their feedback when they have more information for them to look at.

Question: Chair Andersen asked if Mr. Klyszeiko planned to come back at some point in the future.

Answer: Matt Klyszeiko said this would not be the last time he would present to the Commission. He said they will be working through the summer to draft the key elements of the Plan and once they have those drafts in place, they will come back before the Commission to highlight those takeaways. He said they would also be giving them draft portions of the Plan for the Commission to review in increments.

To finish his presentation, Matt Klyszeiko shared a slide which showed what the process would look like over the next weeks and months.

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 asked if any member of the Public wished to speak on Items 12 or 13, Gilbert Recycling Center or anything else on the Consent Calendar. Seeing no member of the public who wished to speak, he asked if any member of the Commission had any conflicts with the Consent Calendar. Seeing no conflicts, Chair Andersen then read the Consent Calendar (listed below with Staff Recommendations) which consisted of Item 9, DR18-204, Candlewood Lift Station; Item 10, S19-01, Val Vista & Pecos, to be Continued to June 5, 2019; Item 11, DR19-14, Val Vista & Pecos, to be Continued to June 5, 2019; Item 12, UP18-25, Gilbert Recycling Center, to be Continued to June 5, 2019; Item 13, DR18-163, Gilbert Recycling Center, to be Continued to June 5, 2019; Item 14, Z19-03, LDC Text Amendment, to be Continued to June 5, 2019; Item 19, GP18-15, Cadiz, to be Continued to June 5, 2019; Item 20, Z18-29, Cadiz, to be Continued to June 5, 2019.

- 9. DR18-204, CANDLEWOOD LIFT STATION: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, AND COLORS AND MATERIALS FOR APPROXIMATELY 0.146 ACRES, GENERALLY LOCATED SOUTH OF MADERA PARC DRIVE ON THE EAST SIDE OF COOPER ROAD, AND ZONED SINGLE FAMILY - 7 (SF-7) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

STAFF RECOMMENDATION

Town of Gilbert Planning Commission
Regular Meeting May 1, 2019

Approve the Findings of Fact and approve DR18-204, Candlewood Lift Station: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 0.146 acres, generally located south of Madera Parc Drive on the east side of Cooper Road, and zoned Single Family - 7 (SF-7) 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 May 1, 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.

10. S19-01, VAL VISTA & PECOS

STAFF RECOMMENDATION

Move to continue S19-01 Val Vista & Pecos to the June 5, 2019 public hearing.

11. DR19-14, VAL VISTA & PECOS

STAFF RECOMMENDATION

Move to continue DR19-14 Val Vista & Pecos to the June 5, 2019 public hearing.

12. UP18-25: GILBERT RECYCLING CENTER

STAFF RECOMMENDATION

Move to continue UP18-25 Gilbert Recycling Center to the June 5, 2019 public hearing.

13. DR18-163: GILBERT RECYCLING CENTER

STAFF RECOMMENDATION

Move to continue DR18-163 Gilbert Recycling Center to the June 5, 2019 public hearing.

14. Z19-03, LDC TEXT AMEND – HIGH DENSITY MULTI-FAMILY: REQUEST TO AMEND THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I 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.

STAFF RECOMMENDATION

A. Move to continue Z19-03 to **June 5, 2019**.

19. 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.

20. 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; and

B. Move to continue Z18-29 to June 5, 2019.

Chair Andersen then asked for a motion on the Consent Agenda. Vice Chair Bloomfield made a **MOTION** to recommend approval of the Consent Agenda, as it was just read, on Item 9, DR18-204, Candlewood Lift Station; Item 10, S19-01, Val Vista & Pecos; Item 11, DR19-14, Val Vista & Pecos; Item 12, UP18-25, Gilbert Recycling Center; Item 13, DR18-163, Gilbert Recycling Center; Item 14, Z19-03, LDC Text Amendment; Item 19, GP18-15, Cadiz and Item 20, Z18-29, Cadiz; seconded by Les Smith; 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.

15. Z19-04 LDC TEXT AMEND – HERITAGE SIGN PLANS: REQUEST TO AMEND 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,

Town of Gilbert Planning Commission
Regular Meeting May 1, 2019

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.

STAFF RECOMMENDATION

B. Move to continue Z19-04 to **September 4, 2019**.

Chair Andersen stated that it was being recommended that this case be Continued to the September 4, 2019 hearing, but noted that there were members of the public that wished to speak on the item.

Sydney Bethel began her presentation on Item 15, Z19-04, LDC Text Amend – Heritage Sign Plans. She reminded the Commission that they had Initiated the Text Amendment last month at Study Session for the addition of Historic or Rooftop Sign Types and Sizes within the Heritage District. She said that she had gone before the Redevelopment Commission (RDC) on April 17, 2019 and at that time, the RDC recommended postponement of the Text Amendment until after consideration of the updated Heritage District Site Guidelines. It is anticipated that those will be brought forth to the Town Council for approval in the fall of this year. She said with this in mind, Staff is requesting a Continuance for this Text Amendment to the September 4, 2019 Planning Commission hearing. She said this date may be changed, based on when the Design Guidelines go through.

Chair Andersen read the name of Doralise Machado and invited her to the podium to speak. He informed her that she would have three minutes to address the Commission. Doralise Machado-Liddell, of Gilbert, introduced herself. She said she resides in the Heritage District. She said that the reason she was coming before the Commission today, was that although the Text Amendment was seen previously in Study Session and introduced for public comment, the public wasn't there. She pointed out that she wasn't aware that there was a Study Session that addressed this. She said that today, she has brought some of her neighbors, who are knowledgeable about the Text Amendment. She said that public comments were actually given when the Redevelopment Plan was done. She said it was a very long process and the public had input and it was approved by the Town Council in August of 2018. She said that during that time, at any and all meetings, the Text Amendment for having rooftop signs on buildings was never mentioned. She said that at a different meeting, someone had stated that a developer had come to them over a year ago and wanted rooftop signs. She said she would say to that developer, if that was the case, why wasn't that addressed during public hearings, so that the public had the ability to comment on it. She said the public did comment on the Redevelopment Plan and the Plan was approved. She said she is here tonight to say that the Text Amendment goes against the Redevelopment Plan. She said she heard through the Town employees, that they were going to deviate from the Plan, which wasn't even approved by Council. She asked the Commissioners not to deviate from the Redevelopment Plan, as it is a Plan that has been approved. She said she feels that having rooftop signs is a substantial change to the Redevelopment Plan. She said they would have to go back to the public for public input and

they would have to notify all residents in the Heritage District. She said her neighbors in attendance tonight did not have any knowledge about what was going on, but they do now. She then stated the specific reasons she believed this Text Amendment goes against the Redevelopment Plan, especially that any rooftop signage would overpower the water tower, which is an icon for Gilbert. She said they don't need another icon, because they have an icon in the water tower. She also expressed her concerns regarding height. She also informed the Commission that many municipalities across the country don't allow rooftop signs. She said the reason they have the Redevelopment Plan is to eliminate blight in their neighborhood. She asked the Commission that they wouldn't introduce sign blight into their neighborhood. She finished by saying that her neighbors, who have lived in the neighborhood for 20 to 50 years represent Gilbert's heritage. She said they don't want to look up at rooftop signs because they aren't necessary and they don't provide anything to the neighborhood, but just would provide advertising to the developers. She said that the way the Text Amendment was written, the Town wouldn't be able to regulate the content of the sign.

Chair Andersen thanked Ms. Machado-Liddell for speaking and he invited her to come back in September to further voice her concerns. He then read several other yellow cards. He said he had received a card from Sandra Tristan, who was opposed to the item, but didn't wish to speak. He then read a card from Esther Vasquez, who was opposed to the item, but didn't wish to speak. He then read the name of Manuela Tristan, who was also opposed to the item, but didn't wish to speak. Chair Andersen then called for a motion to Continue Item 15 to the September 4, 2019 hearing.

Vice Chair Andersen made a **MOTION** to Continue Item 15, Z19-04, LDC Text Amendment, to the September 4, 2019 hearing; seconded by James Torgeson; motion passed unanimously.

Motion passed 7-0

Vice Chair Andersen said they would hear Items 16, 17 and 18, Cooper and Guadalupe Retail, in one presentation, but vote on each item individually. He then invited Planner Sydney Bethel forward to begin her presentation on Items 16, 17 and 18 (listed below with Staff Recommendations).

16. DR18-176, UP18-40, COOPER & GUADALUPE RETAIL: A CONDITIONAL USE PERMIT FOR APPROX. 1.07 ACRES GENERALLY LOCATED AT THE NORTHEAST CORNER OF COOPER AND GUADALUPE ROADS, TO ALLOW VEHICLE SERVICES, LIGHT IN THE NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STAFF RECOMMENDATION

Make the Findings of Fact and approve UP18-40, Cooper & Guadalupe Retail: a Conditional Use Permit for approx. 1.07 acres located at the northeast corner of Cooper and Guadalupe

Roads to allow *Vehicle Services, Light* in the Neighborhood Commercial (NC) 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. UP19-16, COOPER & GUADALUPE RETAIL II: A CONDITIONAL USE PERMIT FOR APPROX. 1.07 ACRES LOCATED AT THE NORTHEAST CORNER OF COOPER AND GUADALUPE ROADS TO ALLOW A RESTAURANT, LIMITED SERVICE IN THE NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STAFF RECOMMENDATION

Make the Findings of Fact and approve UP18-40, Cooper & Guadalupe Retail: a Conditional Use Permit for approx. 1.07 acres located at the northeast corner of Cooper and Guadalupe Roads to allow a *Restaurant, Limited Service* in the Neighborhood Commercial (NC) zoning district within 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.

18. DR18-208, COOPER & GUADALUPE RETAIL: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, AND COLORS AND MATERIALS FOR APPROXIMATELY 1.07 ACRES, GENERALLY LOCATED AT THE NORTHEAST CORNER OF COOPER AND GUADALUPE ROADS, AND ZONED NEIGHBORHOOD COMMERCIAL (NC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR18-208, Cooper & Guadalupe Retail: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.07 acres, generally located at the northeast corner of Cooper and Guadalupe Roads, and zoned Neighborhood Commercial (NC) 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/Design Review Board at the May 1, 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. Administrative Design Review approval is required for all signage prior to submitting for sign permits.

4. The Design Review approval is contingent upon the approval of UP18-40 and UP19-16.

Sydney Bethel began her presentation on Item 16, UP18-40, Cooper & Guadalupe Retail, Item 17, UP19-16, Cooper & Guadalupe Retail, Item 18, DR18-208, Cooper & Guadalupe Retail. She said they are combining the three items because they all concern the same subject site. She shared the location of the site at the northeast corner of Cooper and Guadalupe Roads. She said it was approximately 1.07 acres in size and is a vacant parcel within the existing Casa De Cooper Retail Center. She said there is an existing gas station on the western portion of the greater site area that has been there since 1995. She informed the Commission that there were three requests before them tonight. The first request was for a Use Permit to allow *Vehicle Services, Light* in the Neighborhood Commercial (NC) zoning district. The second request is to allow a Use Permit to allow *Restaurant, Limited Services* in the Neighborhood Commercial (NC) zoning district. The third request is for Design Review for the overall design, landscaping, and elevations for the subject site. She indicated that the site has been vacant for a number of years. She said the gas station was built in 1995, followed by Casa De Cooper in 2005, the office and retail that exists to the north and east of the site. She said there had been two previously approved designs on the existing vacant parcel. The first was for a Jack in the Box that did not come to fruition. The second prior approval was for a Human Bean coffee shop, proposed in 2007, which also did not come to fruition and has expired. Planner Bethel said that the Commission had seen this in Study Session in February of this year. She said an additional Use Permit was added to the site and the overall design of the site was greatly modified to accommodate for this new proposed use and redesign. She shared the Site Plan, noting that two buildings are proposed on the site. She said Pad A would be a 2415 square foot restaurant. This requires a Conditional Use Permit for *Restaurant, Limited Service*. She said this will be a fast food type user with a drive-thru. She said Pad B would be a 2500 square foot automobile repair shop with six service bays and a 200 square foot office/lobby area. She said both of the buildings would be located on the northern portion of the site. She pointed out the existing retail buildings located on the north and east of the site. She said beyond those buildings was the Silverhawke residential community. She said the two proposed buildings are buffered by the existing buildings, as well as some existing landscaping ranging from 10' to 40' behind the commercial. She said some of the drive aisles that they are utilizing are existing on the site to the north and the west. She said the applicant is also proposing connections to the north, west and east. She said they are exceeding the landscape requirement by 14% and are providing foundation landscape on both buildings, as well as along the proposed drive-thru located to the west of the Pad A restaurant. She provided some context to the existing center and noted the location of the various existing buildings. She said the existing buildings were an influence to the design of the new buildings. She shared the Colors and Materials. She shared the Elevation for Pad A. She shared the Elevation for Pad B. She pointed out that the work in the auto repair would be conducted in the six service bays. She reminded the Commission that this was *Vehicle Repair, Light* as Heavy would not be permitted in a NC zoning district. She said this would limit the type of repairs to minor things like oil changes. She also noted that in the NC zoning district, you were only permitted to have hours of operation between 6:00 a.m. to 11:00 p.m. She said that will be implemented for both the auto repair shop and the restaurant. She said to approve

the Conditional Use Permits presented, four Findings of Fact must be met. She said that Staff believes both Conditional Use Permits have met the four Findings required. She finished her presentation and offered to answer any questions.

Chair Andersen called for questions or comments.

Comment: Vice Chair Bloomfield sought to clarify that the hours would be limited to 11:00 p.m. at night for a restaurant. He said that seemed early.

Response: Sydney Bethel said that for the NC zoning district, which is the smallest commercial zoning district, any type of business is limited to that, unless they would pursue a separate Conditional Use Permit to modify those hours of operation. She said they don't have a specific user identified at this time.

Comment/Question: Brian Johns said that the elevations matched the overall center and they had worked well with what they had. He asked why there were two doors right next to each other on the floor plan.

Answer: Sydney Bethel said that behind that area was proposed landscaping, so she would have to look into why they were proposing two doors.

Comment: Brian Johns said they didn't go to a Pad or anything.

Response: Sydney Bethel said that Planner Johns was correct because 10' behind that was the Arco gas station, so it was just landscaping back there.

Comment/Question: Brian Johns said they might want to at least put a 3' x 3' pad or something. He said they did a lot on a tiny site. He asked if sanitation had approved the dumpsters and the size, being that they are sharing between two buildings.

Answer: Sydney Bethel said that Environmental Services looked at this and did approve it prior to coming before the Commission.

Comment/Question: David Cavenee said that any time there is a drive-thru, you worry about queuing of cars. He said he noticed that it looked like they had moved the menu board around the curb to create a longer queuing. He asked if there were any Comments by Traffic about people backing into the main drive aisle.

Answer: Sydney Bethel said they are required to have four spaces of vehicle queuing for this type of proposed development, so the area is approximately 80' in length. She said they are meeting that and the reason it comes around the corner a little bit more is because they want to avoid that type of traffic conflict in the drive aisle.

Chair Andersen asked if the applicant wished to speak. The applicant did not wish to speak. He then asked if any member of the public wished to speak on these items. Seeing none, he closed the Public Hearing and brought the discussion back to the dais. With no further discussion, Chair Andersen called for a motion on each of the three items.

Vice Chair Bloomfield made a **MOTION** to make the Findings of Fact and approve Item 16, UP18-40, Cooper & Guadalupe Retail: a Conditional Use Permit for approximately 1.07 acres located at the northeast corner of Cooper and Guadalupe Roads to allow *Vehicle Services, Light* in the Neighborhood Commercial (NC) zoning district with a Planned Area Development (PAD) overlay, subject to conditions in the Staff Report; seconded by David Cavenee; motion passed unanimously.

Motion passed 7-0

David Cavenee made a **MOTION** to make the Findings of Fact and approve UP19-16, Cooper & Guadalupe Retail: a Conditional Use Permit for approx. 1.07 acres located at the northeast corner of Cooper and Guadalupe Roads to allow a *Restaurant, Limited Service* in the Neighborhood Commercial (NC) zoning district within a Planned Area Development (PAD) overlay, subject to conditions in the Staff Report; seconded by Les Smith; motion passed unanimously.

Motion passed 7-0

David Cavenee made a **MOTION** to approve the Findings of Fact and approve DR18-208, Cooper & Guadalupe Retail: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.07 acres, generally located at the northeast corner of Cooper and Guadalupe Roads, and zoned Neighborhood Commercial (NC) with a Planned Area Development (PAD) overlay, subject to conditions in the Staff Report; seconded by James Torgeson; motion passed unanimously.

Motion passed 7-0

- 21. Z18-30, LDC TEXT AMEND - REMOVE MF FROM RC: REQUEST TO AMEND THE TOWN OF GILBERT LAND DEVELOPMENT CODE, CHAPTER I ZONING REGULATIONS, DIVISION 2 LAND USE DESIGNATIONS, ARTICLE 2.3 COMMERCIAL DISTRICTS, SECTION 2.306 ADDITIONAL USE REGULATIONS, RELATED TO THE DELETION OF ADDITIONAL REQUIRED FINDINGS FOR MULTI-FAMILY USE IN REGIONAL COMMERCIAL DISTRICT, AND ARTICLE 2.9 USE REGULATIONS, TABLE 2.902 USE REGULATIONS, RELATED TO THE DELETION OF LIMITATIONS AND ADDITIONAL STANDARDS FOR MULTI-FAMILY USES IN THE REGIONAL COMMERCIAL ZONING DISTRICT AND CHAPTER II DESIGN STANDARDS AND GUIDELINES, ARTICLE 1.10 INTEGRATING MULTI-FAMILY USES IN REGIONAL COMMERCIAL ZONING DISTRICTS DESIGN GUIDELINES, RELATED TO THE DELETION OF DESIGN GUIDELINES.**

STAFF RECOMMENDATION

For the following reasons: the proposed regulations will provide for better Land Development Code clarity and maintain the public's welfare, the Planning Commission moves to recommend

Town of Gilbert Planning Commission
Regular Meeting May 1, 2019

approval to the Town Council for Z18-30, a request to amend Land Development Code regulations: related to the deletion of additional required findings, limitations and standards for Multi-Family uses in the Regional Commercial zoning district; and by amending Chapter II Design Standards and Guidelines related to deleting design guidelines for integrating Multi-Family (MF) uses in Regional Commercial (RC) zoning districts.

Interim Principal Planner Amy Temes asked the Commission if they would like a full or shortened presentation. She informed the Commission that nothing had significantly changed since the Initiation of the Text Amendment in Study Session. Chair Andersen said that since two members of the Commission weren't in attendance at the April meeting when it was presented, he suggested making a medium length presentation. Amy Temes began her presentation on Item 21, Z18-30, LDC Text Amend – Remove MF in RC. She said that currently Multi-family is allowed in Regional Commercial (RC) with a Use Permit for integrated mixed-use. She said that was brought forward and approved in 2014. In 2017, Design Guidelines were adopted. In October of 2018, the Town Council, at their retreat, requested that Staff Initiate a Text Amendment to remove Multi-family from Regional Commercial as a standalone use under a Use Permit. Town Council stated that “it did not live up to the expectations of integrated mixed-use.” With that in mind, Staff has Initiated a Text Amendment for Multi-family at a higher density than 25 in order to match a category that already exists within the General Plan (25-50 DU/Acre). She said they are looking at other ways to look at integrated mixed-use, but at this time, they are going to move forward to remove Multi-family from Regional Commercial as a Use Permit. She reminded the Commission that Loft Above living is still allowed. She said you can also have an integrated mixed-use development through a PAD process, if an applicant would like to go through that zoning. She said they will be taking this to Council with any other changes to the Multi-family zoning district in August. She said they wanted to go ahead and move forward with it, but it would not be going further to Town Council until they are ready with the rest of the Text Amendments related to Multi-family. She indicated the proposed changes (shown below):

Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.3 Commercial Districts, Section 2.306 Additional Use Regulations would be amended to read as follows (additions in ALL CAPS UNDERLINE; deletions in ~~strikeout~~):

2.306 Additional Use Regulations

* * *

~~H. **Multi-Family Use in Regional Commercial District.** In addition to the findings required in Section 5.403: Required Findings, the Planning Commission shall approve, approve with modifications and/or conditions, or deny a use permit for a multi-family use in a Regional Commercial district only after making the following additional Findings of Fact. Methods to achieve these findings can be found in the Land Development Code, Chapter II: Design Standards and Guidelines.~~

- ~~1. **Mixed Land Uses.** The project is a mixed-use development where land uses are mixed on-site or are mixed in combination with adjacent uses (existing or planned).~~

Town of Gilbert Planning Commission
Regular Meeting May 1, 2019

A mixed-use development is an efficient integration (horizontally or vertically) of non-residential and residential uses that cultivates a sense of community in a live, work, and play environment.

2. ~~Sustainability through Compact Design.~~ Site layout is compact and configures buildings, parking areas, streets, driveways and gathering places in a way that lessens dependence on automobiles, and reduces impacts on the natural environment. Parking for the multi-family residential component meets multi-family residential parking requirements or an approved “shared parking” model.
3. ~~Pedestrian Scale and Orientation.~~ All portions of the development are accessible by a direct, convenient, and safe system of pedestrian facilities and pedestrian amenities, and gathering places are appropriately scaled for the project.
4. ~~Transportation and Connectivity.~~ The development provides appropriate vehicular and pedestrian connectivity that serves vehicles, pedestrians and bicycles.

Chapter I Zoning Regulations, Division 2 Land Use Designations, Article 2.9 Use Regulations, Table 2.902 Use Regulations, would be amended to read as follows (additions in ALL CAPS UNDERLINE>; deletions in ~~strikeout~~):

Use Category	Mixed Use and Non-Residential															Additional Standards
	NC	CC	SC	GC	RC	HVC	NO	GO	BP	LI	GI	PF/I	GVC	GBC		
Subcategory																
Specific Use Type																
Residential																
Household Living																

Residential, permanent																
<i>Loft Unit</i>		P	P	P	P	L1		P	P				L1	L1 L2		
<i>Single Family</i>									L4							See Section 4.603C & 4.605B
<i>Multi-Family</i>					L5	L6							L6	L6 L2		See Section 2.306
***																See Section 2.106

L1	Permitted only above the ground floor of a mixed-use building
L2	Permitted only above the ground floor of a mixed-use building within 300' of Recker Road or Williams Field Road; permitted use in other locations
L3	Legal non-conforming single family uses existing prior to March 3, 2005 may be expanded and/or repaired without limitation on valuation in conformance with site development regulations applicable to the Single Family Detached (SF-D) zoning district as set forth in Table 2.104: Lot Development Regulations – Single Family Residential Districts
L4	Existing single family uses may be continued, expanded, and repaired without limitation on valuation. Site development regulations and accessory uses of the Single Family-43 (SF-43) zoning district apply and are shown in Table 2.104: Lot Development Regulations – Single Family Residential Districts.
L5	Only permitted as part of an integrated, mixed-use plan. Conditional Use Permit required, subject to the additional findings required pursuant to Section 2.306(H). RESERVED
L6	Use permit required for ground floor location
* * *	

Chapter II Design Standards and Guidelines, Article 1.10 Integrating Multi-Family Uses in Regional Commercial Zoning Districts Design Guidelines, would be completely deleted.

Planner Temes finished her presentation and offered to answer any questions.

Chair Andersen called for questions or comments.

Comment/Question: David Cavenee said that he applauded this change given the parameters that were around the previous scenario. He said he thinks it is an opportunity to head in the right direction to make sure they do it right. He thanked Staff for being a part of this change. He then asked about loft living. He said he thought loft living was a good outcome to mixing residential with retail. He asked if there were any parameters around loft living as to what would be allowed.

Answer: Planner Temes said that loft living has been allowed by right within Regional Commercial (RC) and in other zoning districts within the Town of Gilbert for many years. She said there are no set parameters regarding a density cap on loft living, so it is whatever can fit on the site in question. She said it would be reviewed under Design Review if it didn't require any kind of zoning modification and noted that it would also have to meet the height limitation within Regional Commercial or whatever PAD it was within. She said requirements for amenities or playgrounds or other typical Multi-family amenities are not in place at this time. She said they can definitely think about that in the future as they move forward with it. They can look at what would be an appropriate amenity package for 25-50 DU/Acre.

Comment: David Cavenee said it might not need more parameters. He said maybe they should allow some creativity because it is going in the right direction. He said he is anxious to see this move forward and he is very supportive.

Chair Andersen asked if any members of the public wished to speak on the item. Seeing none, he closed the public hearing and brought the discussion back to the dais. Seeing none, he called for a motion. Vice Chair Bloomfield made a **MOTION**, for the reasons set forth in the staff report, to recommend approval to the Town Council for Z18-30, as requested; seconded by David Cavenee; 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.

- 18. Planning Commission Minutes** – Consider approval of the minutes of the Study Session and Regular Meeting of April 3, 2019.

Chair Andersen called for a motion to approve the minutes of the April 3, 2019 Planning Commission Study Session and Regular Meeting. A **MOTION** was made by Vice Chair Bloomfield; seconded by Greg Froehlich; motion passed.

Motion passed 6-0 with David Cavenee abstaining, due to absence at the April Meeting.

COMMUNICATIONS

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

None.

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

Interim Planning Services Manager Catherine Lorbeer provided the Commission with a few statistics. She said they currently have 130 active planning cases. She said in the month of March, they received 43 new ones. She said things are still healthy in the Town and moving along. She thanked the Commission for all of their work and said she appreciated all of their input.

ADJOURNMENT

With no further business before the Planning Commission, Chair Andersen adjourned the Regular Meeting at 7:20 p.m.

Brian Andersen, Chairman

ATTEST:

Debbie Frazey, Recording Secretary

DRAFT