



**TOWN OF GILBERT
PLANNING COMMISSION**
Gilbert Police Department - Amphitheatre
75 E. Civic Center Drive, Gilbert, AZ
February 15, 2022

COMMISSION PRESENT:

Jän Simon, Chairman
Noah Mundt, Vice-Chairman
Anthony Bianchi
William Fay
Tyler Jones
Brian Andersen

STAFF PRESENT:

Ashlee MacDonald, Principal Planner
Josh Rogers, Planner II

COMMISSION ABSENT

Brian Johns
Sean Des Portes
David Blaser

COUNCIL LIAISON ABSENT:

Scott September

PLANNER	CASE	PAGE	VOTE
Josh Rogers	GP21-06	2	6-0
Josh Rogers	Z21-08	3	6-0

CALL TO ORDER OF REGULAR MEETING

Chair Jän Simon called the February 15, 2022, Regular Meeting of the Planning Commission to order at 5:00 p.m.

PLEDGE OF ALLEGIANCE

Chair Jän Simon led the Pledge of Allegiance.

ROLL CALL

Principal Planner Ashlee MacDonald called roll and determined that a quorum was present.

1. APPROVAL OF AGENDA

Chair Simon called for a motion to approve the agenda.

MOTION: On a motion made by Vice-Chair Mundt and seconded by Commissioner Bianchi, it was moved to approve the agenda as presented. **Motion passed 6-0.**

COMMUNICATIONS

2. COMMUNICATION FROM CITIZENS:

At this time, members of the public may comment on matters within the Town's jurisdiction but not on the agenda. Therefore, the Commission's 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.

There were no requests to speak.

PUBLIC HEARING (NON-CONSENT)

Non-Consent Public Hearing items will be heard at an individual public hearing and acted upon by the Commission by a separate motion. Anyone wishing to comment in support of or opposition to a Public Hearing item may do so during the Public Hearings. If you wish to comment on a Public Hearing Item, you must fill out a public comment form, indicating the Item Number 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.

- 3. GP21-06 HOPEWELL INDUSTRIES: Request for Minor General Plan Amendment to change the land use classification of approx. 12.81 acres generally located south of the southwest corner of Swan Drive and Warner Road from General Office to Industrial. Josh Rogers (480) 503-6589.**
- 4. Z21-08 HOPEWELL INDUSTRIES: Request to rezone approx. 12.81 acres generally south of the southwest corner of Swan Dr. and Warner Rd. from General Office (GO) to Light Industrial (LI). The effect will be to allow for a new industrial commerce park. Josh Rogers (480) 503-6589.**

Planner Josh Rogers stated that GP21-06 and Z21-08 are a proposed rezone and minor general plan amendment. The area has seen a lot of development in recent months. Hopewell Industries did an annexation and rezoned for an industrial property in Phase 1. This is a continuation, with a small industrial commerce park. There are 12 acres of general office proposed to be changed to light industrial for Phase 2. There have been no comments from the public on the request, and staff recommends approval of the project.

Commissioner Jones asked about height difference and potential changes in setbacks when rezoning from office to light industrial with adjacent residential. Planner Josh Rogers responded that there are additional setbacks with light industrial, at a minimum of 75 feet. In terms of height, if buildings are 100 feet within residential, anything over 30 feet has to be stepped back. Commissioner Jones asked if this would be less or more impactful to residential neighbors. Planner Josh Rogers responded that impact is dependent on use, and there are measures in the code meant to balance industrial use.

Chair Simon requested confirmation that there is no use, and only zoning is being requested at this time. Planner Josh Rogers responded that there is no active design review case; however, it is anticipated that the product will be similar to what is south in the commerce center and Phase 1.

STAFF RECOMMENDATION

- a. Dedication to Gilbert for Swan Drive right-of-way adjacent to the Property shall be completed before or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication of Swan Drive shall extend 40 feet from the property line.
- b. Dedication to Gilbert for Nunnelley Road roadway easement adjacent to the Property shall be completed before or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication for the Nunnelley Road roadway easement shall extend 25 feet from the property line or as needed for site access, as approved by the Town Engineer.
- d. Construction of off-site improvements to Swan Drive and Nunnelley Road adjacent to the Property shall be completed before issuing a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earlier.
- e. Developer shall submit a Traffic Study for review and approval by the Town within 30 days of the effective date of this Ordinance.
- f. Developer shall enter into a Reimbursement and Lien Agreement agreeing that Developer will reimburse Gilbert 25% of the estimated costs of design and construction of a future traffic signal at Warner and Swan. These costs include any off-site improvements identified in the Town-approved Traffic Study (see Condition 2.e., above). The Developer shall pay for these improvements prior to the Town issuing a certificate of occupancy or final approval of any building constructed on the Property.
- g. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- h. Developer shall create a Property Owner's Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and open space areas, and landscaping within the rights-of-way.
- i. Developer shall record easements to be owned by the POA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. Such easements shall be open to public access and use.
- j. Prior to final plat approval, Developer shall pay for its proportional share of water and sewer mains benefitting the Property, as required by the Town Engineer.
- k. Any Proposed permanent or temporary structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigate airspace and air navigation facilities. An FAA determination notice of no hazard to air navigation shall be provided.

MOTION: Vice-Chair Mundt moved to recommend approval of Non-Consent Agenda Item 3. GP21-06, Hopewell Industries, seconded by Commissioner Bianchi. **Motion passed 6-0.**

MOTION: Vice-Chair Mundt moved to recommend approval of Non-Consent Agenda Item 4. Z21-08, Hopewell Industries, subject to conditions a) through k), seconded by Commissioner Fay. **Motion passed 6-0.**

ADJOURNMENT

Chair Simon adjourned the meeting at 5:13 p.m.

Jän Simon, Chairman

ATTEST:

Tracey Asher

DRAFT