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Planning Commission Study Session

TO: PLANNING COMMISSION

FROM: ASHLEE MACDONALD, AICP, PRINCIPAL PLANNER

(480) 503-6748, ASHLEE.MACDONALD@GILBERTAZ.GOV

THROUGH: EVA CUTRO, PLANNING MANAGER

(480) 503-6782, EVA CUTRO@GILBERTAZ.GOV

MEETING DATE: AUGUST 3, 2022

SUBJECT: A. GP22-09 STILLWATER RIVULON: REQUEST FOR MINOR

GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION ON APPROXIMATELY 10.31 ACRES LOCATED SOUTH AND WEST OF THE SOUTHWEST CORNER OF LINDSAY AND PECOS FROM GENERAL OFFICE (GO) TO RESIDENTIAL > 25-

50 DU/ACRE LAND USE CLASSIFICATION.

B. Z22-07: STILLWATER RIVULON: REQUEST TO REZONE APPROXIMATELY 10.31 ACRES ON APPROXIMATELY 10.31 ACRES LOCATED SOUTH AND WEST OF THE SOUTHWEST CORNER OF LINDSAY AND PECOS FROM BUSINESS PARK WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY TO MULTI-FAMILY/HIGH ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT

(PAD) OVERLAY DISTRICT.

STRATEGIC INITIATIVE: Exceptional Built Environment

This project would allow for the development of additional housing options as part of a larger mixed-use, master planned development.

RECOMMENDED MOTION

A. No motion requested, and

B. No motion requested.

<u>APPLICANT</u> <u>OWNER</u>

Company: Withey Morris Company: Nationwide Realty Investors

Name: Hanna Bleam Name: Dean Aquino

Address: 2525 E. Biltmore Cir Unit A-212 Address: 375 N. Front St., Unit 200

Phoenix, AZ 85016 Columbus, OH 43215

Phone: 602-230-0600 Phone: 614-221-2012

Email: hannah@witheymorris.com Email: aquinod@nationwide.com

BACKGROUND/DISCUSSION

History

Date	Description
Feb. 28, 2006	Town Council approved A05-20 annexing the subject site into the Town of Gilbert.
Feb. 28, 2006	Town Council approved case Z05-22 (Ordinance No. 1706) rezoning the 68 acre Esplanade site to Regional Commercial (RC).
Oct. 10, 2006	Design Review Board (DRB) approved case DR06-55 for the Gilbert Esplanade retail and office development with approx. 600,000 sq. ft. (since expired).
Dec. 10, 2012	Town Council approved the Rivulon Development Agreement with Nationwide Reality Investors for improvements and timing for the site.
Dec. 12, 2013	Town Council approved Ordinance No. 2464 (Z13-33), the Rivulon PAD amendment on 233 acres, which includes amended conditions and development standards for this site.

Overview

The subject site includes a total of 10.31 acres and is part of the larger 280-acre Rivulon PAD. The Rivulon master planned development extends from Gilbert Road east to Lindsay and from Pecos Road south to the San Tan Freeway. The 10.31-acre site is located south of Pecos Road and west of Lindsay Road and is internal to the overall development. The applicant is proposing to rezone the 10.31 acre portion of

the Rivulon PAD from Business Park (BP) to Multi Family – High (MF-H). The proposed plan includes a total of 352 units with a density of 38.52 DU/acre.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	General Office	Business Park/PAD (BP/PAD)	Vacant
South	General Office	Maricopa County RU-43	Rivulon Blvd then Single Family Residence
East	General Office	Business Park/PAD (BP/PAD)	Vacant
West	General Office	Business Park/PAD (BP/PAD)	Offices
Site	General Office	Business Park/PAD (BP/PAD)	Vacant

General Plan

The General Plan land use classification on the 10.31 acres site is General Office. The General Office classification designates areas for large scale, single or multistory medical, professional, general or service-type office, and light industrial uses, including high technology and research and development firms. This classification encourages an attractive campus-style environment. Developments within this classification may include employee-oriented onsite amenities, loft residential and accessory uses allowing for a mixed-use environment. To date, the Rivulon development has included uses consistent with this vision. To support existing development on-site, the applicant is proposing a change from General Office to Residential > 25-50 DU/acre in conjunction with a rezone.

The Residential >25-50 DU/AC classification designates areas for very high density, multifamily residential uses including multi-story apartments, condominium, townhouse, loft apartment and congregate care/senior living product types.

The project site is located within the Gilbert and the 202 Growth Area. This Growth area focuses on economic growth in the areas of general office, business park, and light industrial land uses that have a need for quick freeway access or proximity to the airpark.

Rezoning

The property is part of the Rivulon Planned Area Development (PAD) and zoned Business Park (BP/PAD). The applicant proposes to rezone the subject site from BP/PAD to Multi Family – High with a PAD (MF/PAD). The site will remain within the Rivulon PAD. MF/H permits densities between 25 and 50 DU/acre. As part of the rezoning and PAD amendment, the applicant has included a development plan; if approved, any future development would be required to comply with the development plan which includes 352 units (34.14 DU/acre).

Project Data Table

Site Development	Required per LDC	Proposed
Regulations		
Minimum Parcel Area	35,000sf	398,166sf
Maximum Height	55'	65'/5 stories
(ft.)/Stories		
Minimum Building		
Setbacks (ft.)		
Front (Rivulon Blvd)	25'	25'
Side (La Arboleta)	25'	25'
Side (Rivulon Commons)	10'	10'
Rear	10'	10'
Minimum Landscape		
Setbacks (ft.)		
Front (Rivulon Blvd)	25'	25'
Side (La Arboleta)	20'	20'
Side (Rivulon Commons)	10'	8'
Rear	10'	10'
Separation between	20'	N/A
Buildings		
Private Open Space	60sf	60sf
Common Open Space	40% of net areas	40%

As shown in the table above, the applicant is proposing to deviate from the development standards of the MF-H zoning district. The first request is an increase in the overall height of the zoning district from 55' to 65'. Staff notes that this site is located within Vertical Development Overlay Area 5 which does permit heights up to 90' by right for properties zoned Regional Commercial, General Office, Business Park or Public Facilities/Institutional. Although Multi Family is not afforded additional height under the Vertical Development Overlay, the proposed increase is consistent with the built environment in this area.

The second deviation request is to reduce the west side landscape setback from 10' to 8'. The existing drive aisle on the western boundary between the subject site and the Rivulon Commons complex has a slight curvature resulting in small pinch points that don't meet the minimum dimension. Largely, the western boundary does comply or exceed the 10' minimum setback requirement.

Lastly, the existing Rivulon PAD includes deviations specific to the parking lot, that the applicant is requesting be applied to the MF/H zoning district as well. These include:

- One (1) parking lot landscape island shall be placed a maximum for each 12 consecutive parking spaces.
- One (1) 6' x 6' landscape diamond planter shall be placed a maximum of 1 for each 6 parking spaces, situated between parking lot landscape islands, except where situated beneath proposed parking canopy locations.
- Parking stall dimensions and drive aisle of 18 feet deep, 9 feet wide, and 25foot drive aisle width
- 50% of the length of the parking lot CMU screen walls may be substituted by landscaping and/or berming.
- 1 bicycle space per 100 vehicle parking stalls; to a maximum of 50 bicycle spaces.

PUBLIC NOTIFICATION AND INPUT

A virtual neighborhood meeting was held on March 28, 2022. There were no attendees outside of the development team and the Town of Gilbert staff.

PROPOSITION 207

An agreement to "Waive Claims for Diminution in Value" pursuant to A.R.S. § 12-1134 was signed by the landowners of the subject site, in conformance with Section 6.2.2 of the Town of Gilbert Land Development Code. This waiver is located in the case file.

STAFF RECOMMENDATION

A. Staff requests Planning Commission input; and

B. Staff requests Planning Commission input.

Respectfully submitted,

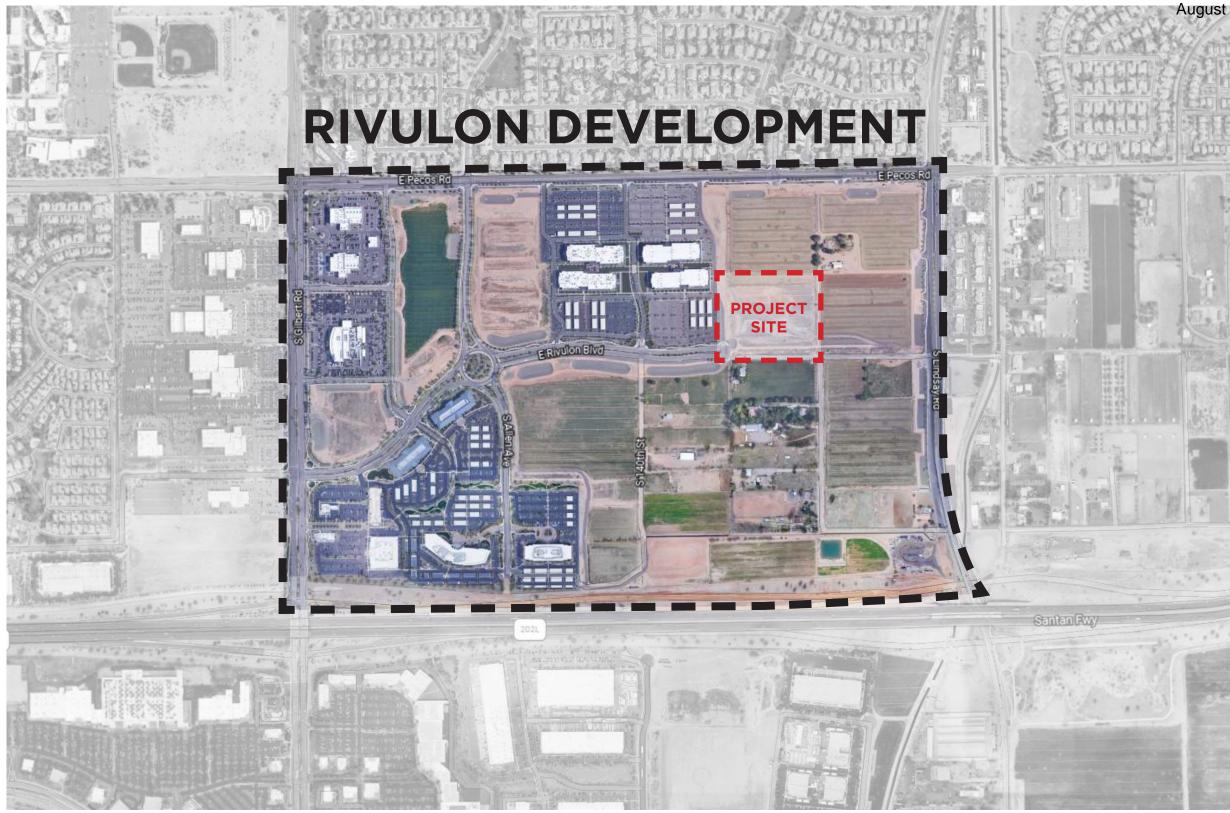
ashlu MacDonald

Ashlee MacDonald, AICP

Principal Planner

Attachments and Enclosures:

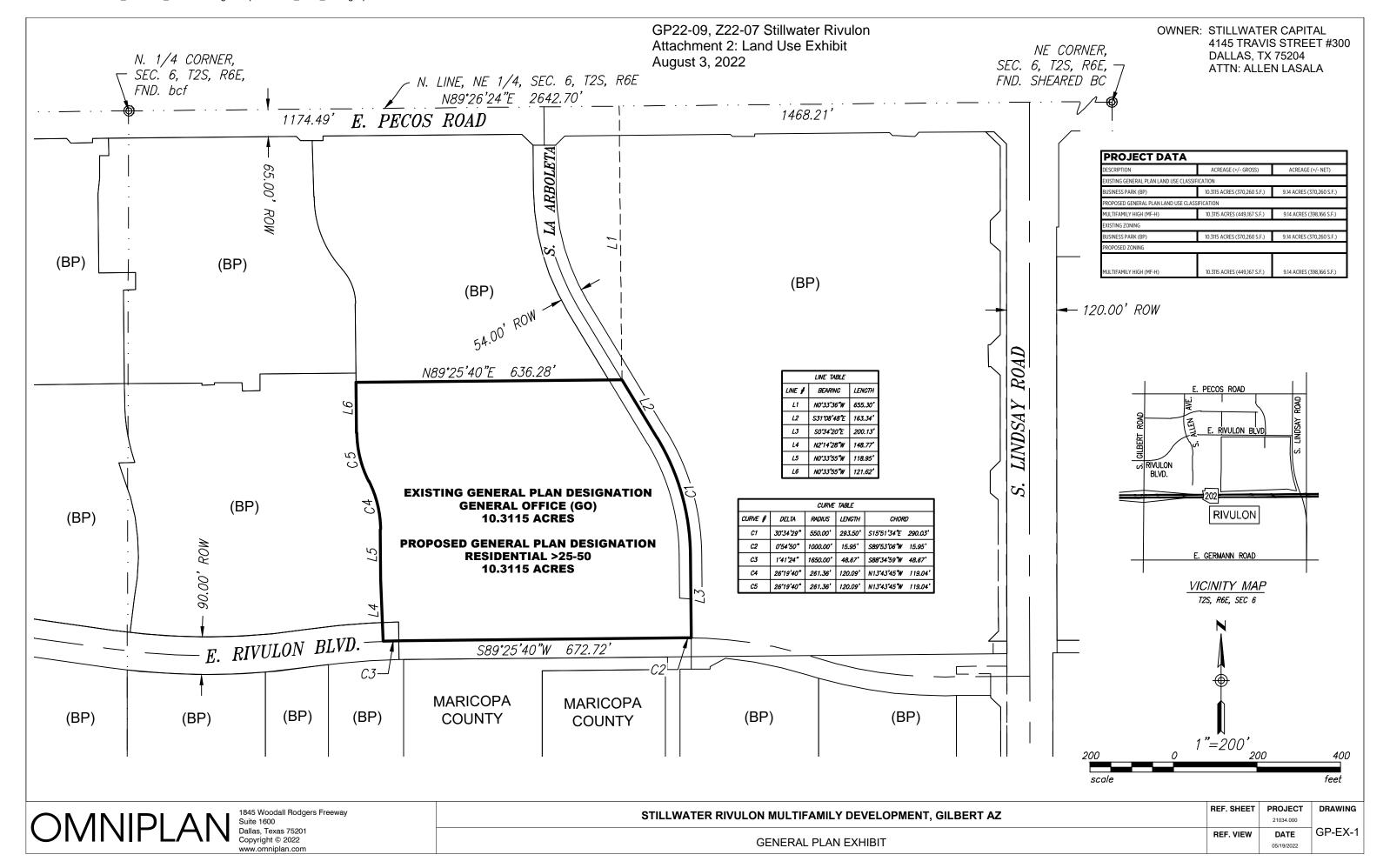
- 1) Aerial Photo
- 2) Land Use Exhibit
- 3) Zoning Exhibit
- 4) Development Plan5) Applicant's Narrative

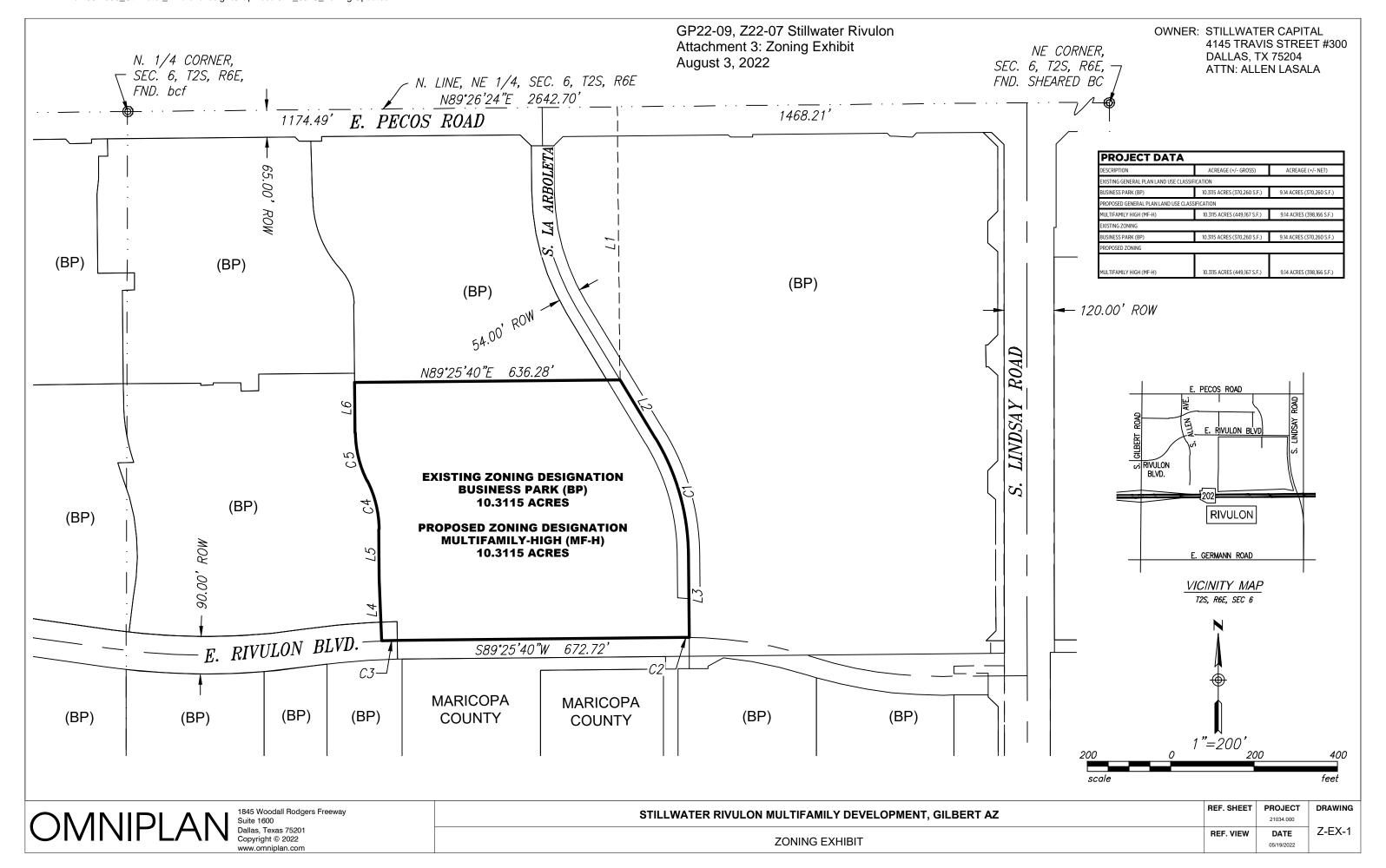


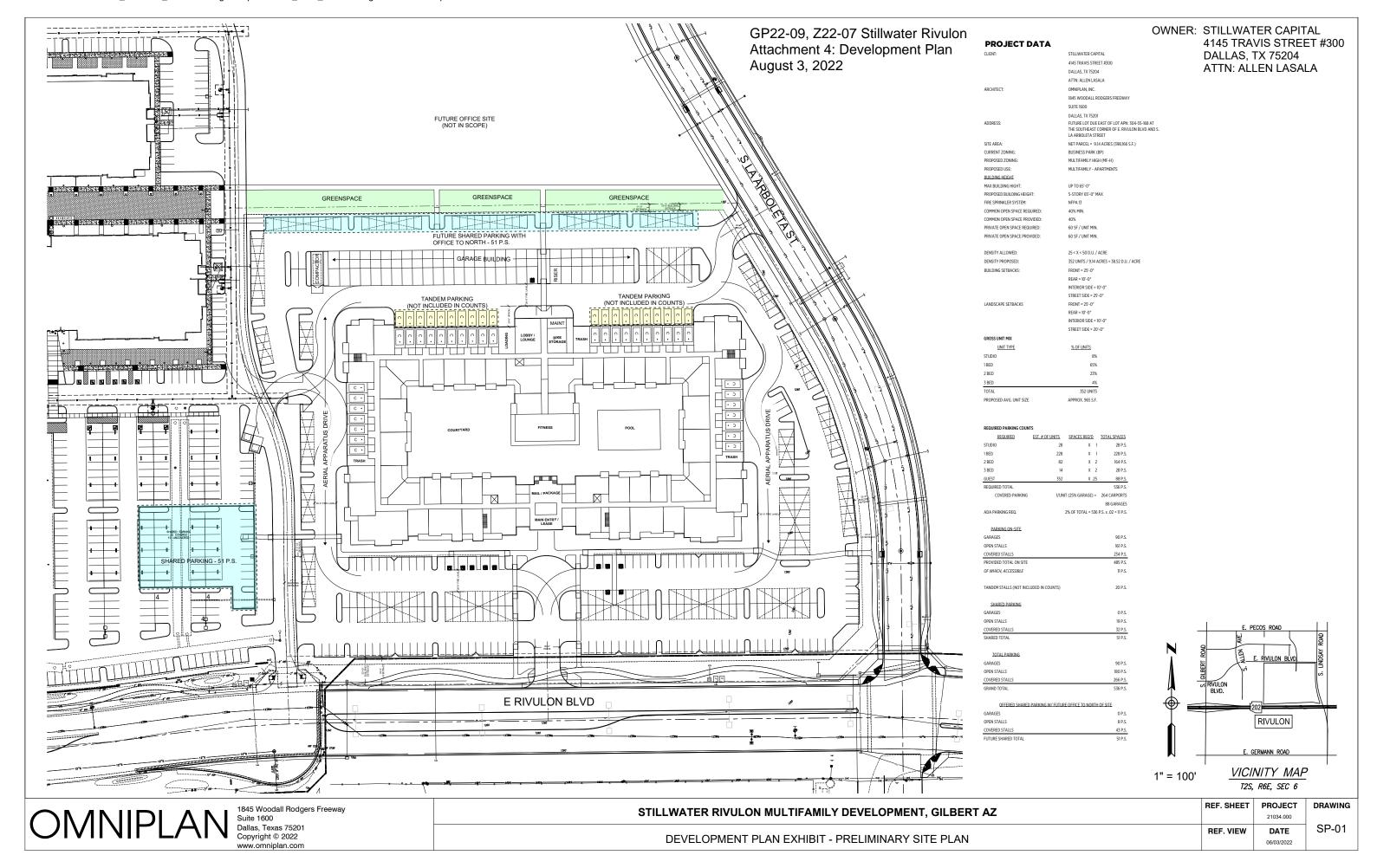


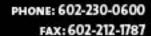














2525 E. Arizona Biltmore Circle, Suite A-212, Phoenix, AZ 85016

GP22-09, Z22-07 Stillwater Rivulon Attachment 5: Applicant's Narrative August 3, 2022

Rivulon

Rezone and GPA Application Narrative Approx. 10.31 gross acres located at the southwest corner of Lindsay Road and Pecos Road

A. Project Location

Our office represents Nationwide Realty Investors regarding the Rivulon property, located at the southwest corner of Lindsay Road and Pecos Road in Gilbert, Arizona (the "Property"). The Property in question is approximately 10.31 gross acres of vacant land currently zoned BP.

B. Request

This application requests the following:

- Minor General Plan amendment to change the land use map classification for 10.31 acres from General Office (GO) to Multi-Family/High Density (MF/H).
- Amend the Zoning Map for 10.31 acres from Business Park (BP) *to* Multi-Family/High Density (MF/H) and will amend the existing Rivulon Planned Area Development (PAD).

C. <u>Site Background</u>

Rivulon is a 280-acre high-quality mixed-use development which serves as a key employment center in the town of Gilbert. Rivulon is currently home to Deloitte, Isagenix, Morgan Stanley, AmeriFirst Financial and Merrill Lynch among others. Key to its success and long-term vision are supporting uses such as retail, restaurant, and multi-family options that employers require to attract and retain exceptional talent. Rivulon's initial development phases have been successful at attracting significant office, retail and restaurant uses, but until now supporting residential uses have been underserved. To this end, Rivulon is beginning its next phase of development focused on a premium multi-family residential community which will add additional high-quality dimension to Rivulon. This integral component of this development will provide seven days per week energy and will meet the requests of the existing and prospective businesses for a near-by residential opportunity for their employees. Nationwide Realty Investors has selected Stillwater to help develop this next phase of progress.

D. Development Proposal

The property is uniquely situated internally from Lindsay Road and behind future office uses. Nationwide Realty Investors proposes to develop a high-quality, professionally managed 5-story multifamily community with approximately 352 units. The unit mix includes studios (28 units), 1-bedroom (228 units), 2-bedroom (82 units) and 3-bedroom (14 units) configurations.

The community will include perimeter landscaping and several landscaped open area spaces including: a resident pool, an open courtyard with accessory uses, and indoor areas that include a fitness area and resident focused amenities. These amenities will provide a gathering place for residents and cultivate a sense of community.

Primary access to the site is provided by Rivulon Blvd to the south and La Arboleta Street to the east. Unlike most multi-family communities in this area, this development emphasizes connectivity to other uses within the Rivulon development. In this manner, the site can create pedestrian linkages with nearby offices, and future retail opportunities planned to the east, thereby reducing vehicle trips and overall parking demand. This is facilitated by shaded detached walkways along the street and an open space area to the north.

The inter-connected nature of the design also allows the development to utilize shared parking on the adjacent office parcel in a manner that is proximate to the site without adding a sea of unused asphalt parking. The parking area will occur in areas where there is surplus above minimum office parking. Additionally, it occurs at times when the office parking is not in peak demand use, thus capturing better utilization of the parking space and accommodating higher development densities.

Based on the unit mix, the development requires 536 parking spaces (of which 264 are covered and 88 are garages). The proposed site plan provides 485 spaces (of which 234 are covered and 90 are garages). The balance of 51 spaces is provided on the shared parking lot next door (of which 32 are covered).

In short, through a shared parking, the required parking of 536 will be met. The applicant will pursue an administrative use permit (AUP) for the shared parking as a separate but concurrent application.

E. PAD Overlay

This proposal will utilize many of the existing approved deviations under the current Rivulon PAD, and seeks to amend some additional standards outlined below

Development Standards	Conventional MF/H	Proposed MF/H PAD
Min. Building Setback Front Rear (Non-residential) Side (Non-residential) Side (street)	25' 10' 10' 25'	25' Rivulon Blvd 10' (Adjacent BP to north) 10' (Adjacent BP to west) 25' La Arboleta St.
Min. Landscape Setback Front Rear (Non-residential) Side (non-residential) Side (street)	25' 10' 10' 20'	25' Rivulon Blvd 10' (Adjacent BP to north) 8' (Adjacent BP to west) 20' La Arboleta St.
Private Open Space	60 sf	60 sf
Common Open Space Min.	40%	40%

Maximum Building Height	55'	65'
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PAD Deviation Justification

<u>Building Height</u>: This PAD requests a deviation to allow an increase in building height up to 65 feet. The specific deviation request will facilitate vertical development and preserve more ground level area for employment uses and adjacent green space throughout Rivulon. The height requested is aligned with the expectations of the Vertical Height Overlay for this area.

<u>Landscape setback (west side)</u>: The landscape setback on the west side ranges in size from 8' to 20' due to the curvature of the drive aisle. While this PAD requests an 8' landscape (instead of 10') at its narrowest point, much of that setback actually exceeds the code standard.

Rivulon PAD Deviations Already per Ordinance No. 2464

This PAD intends to utilize the same deviations approved under the current Rivulon PAD, with the multi-family component included, as stated below:

- One (1) parking lot landscape island shall be placed a maximum for each 12 consecutive parking spaces,
- One (1) 6 x 6ft landscape diamond planter shall be placed a maximum of 1 for each 6 parking spaces, situated between parking lot landscape islands, except where situated beneath proposed parking canopy locations.
- Parking stall dimensions and drive aisle of 18 feet deep, 9 feet wide, and 25-foot drive aisle width
- 50% of the length of the parking lot CMU screen walls may be substituted by landscaping and/or berming.
- 1 bicycle space per 100 vehicle parking stalls; to a maximum of 50 bicycle spaces.

G. General Plan Amendment

1. Why is the current classification not suitable?

The Town of Gilbert General Plan Land Use Map identifies the surrounding area as General Office which Nationwide Realty Investors is actively creating. However, a high-quality office development the scale of Rivulon requires other complimentary land uses which help balance and support the office uses. Key to its success and long-term vision are supporting uses such as retail, restaurant, and multi-family options that employers require to attract and retain exceptional talent. Thus, updating the General Plan will expand residential opportunities on this site to support the employment uses (existing and planned) in the area. This will be a win-win for all.

2. How the proposed change is compatible with adjacent properties and other elements of the General Plan.

Rivulon's initial development phases have been successful at attracting significant office, retail and restaurant uses but until now supporting residential uses have been underserved. A premium multi-family residential community will add additional high-quality dimension to Rivulon. This integral component will

provide seven days per week energy and will meet the requests of the existing and prospective businesses for a near-by residential opportunity for their employees.

This zone change makes perfect land use sense given the location next to key employers, freeway access, and proximity to commercial shopping. Approval of the rezone would create new residential living opportunities for the immediate workforce within Rivulon. This would complement and support the other surrounding commercial and employment uses in the immediate area.

Further, there are goals, policies, and objectives of the General Plan that support the residential use at this location. The following are some excerpted provisions from the General Plan:

GOAL CM-1: Encourage A Balanced Land Use Framework

Policy 2: "Encourage high quality housing in suitable areas that can accommodate a variety of lifestyles, households, ages, market preferences, and incomes."

Development of the Property as a multi-family residential use will provide new housing opportunities. The proposed development will further the goal of the General Plan to provide a "balanced land use framework" as it will further housing diversity options for Gilbert residents, which is particularly important near employment and growth areas.

GOAL CM-5: Provide Diverse, High-Quality Housing

Policy 5: "Guide a greater diversity of housing types and densities, retail and commercial centers, and employment opportunities into identified growth areas where significant change is foreseeable."

Major employers within Rivulon have been asking for new multi-family housing in the development to help them attract top talent. The addition of new residents at this location is appropriate given that it is a growth area which will support other uses, including the employment campus.

3. What unique physical characteristics of the site present opportunities or constraints for the development under the existing classification?

The proximity to the office buildings creates an opportunity for pedestrian linkages and connections, from living spaces to working environments. For this specific reason, the multi-family was placed internal to the Rivulon development rather than on its perimeter edge. It's placement within the interior of the employment park is a testament to its desire to support the immediate workforce area. This is best highlighted by the continuous green space on the north end which creates connectivity to the overall campus.

4. Explanation on the availability of public utilities and services.

The subject property already has adequate infrastructure in place to support this development, which is intended to serve a greater intensity of future uses.

5. What is the proposed fiscal impact of future development based on evaluation of projected revenues and the additional cost of providing public facilities and services to accommodate projected increases or decreases in population?

We believe this use will have a beneficial fiscal impact. This project is a key component of a high-quality mixed-use development that will help fulfill the mutual objectives of the town of Gilbert and Nationwide Realty Investors to best of class jobs center. At the same time, Nationwide Realty Investors has been careful to not absorb more land area than is needed, hence the vertical height nature of the request. In this manner, they can provide for new housing while preserving land for commercial office use.

This project should create a net fiscal benefit. This location is next to employment and commercial uses that will directly benefit from having residents living nearby and shopping/working at these locations. We expect it will have tremendous customer support from the residents living in the area. The proposed development should have no negative impact on existing public facilities and services.

6. How will the proposed amendment affect the ability of the community to sustain the physical and cultural resources, including air quality, water quality, energy, natural and human-made resources necessary to meet the demands of present and future residents?

The proposed amendment does not diminish the ability of the Town to sustain its physical and cultural resources. This development is appropriately located in an existing employment area and at a major freeway on ramp, and near key town employers. Residential living is the right choice for an employment corridor with housing nearby.

H. Conclusion

As noted above, the Property is a key aspect to the overall Rivulon master plan and has long been envisioned here. The Property has been meaningfully programmed to fulfill the vision of the employment park and is designed in a way that complements the office and retail components without any external impacts on surrounding properties. Ultimately, the Project will provide new residential housing opportunities to Gilbert residents in an area that is close to new and future employers and retail, with convenient access to major transportation arteries.