



21,22

Planning Commission Public Hearing

TO: PLANNING COMMISSION

FROM: ASHLEE MACDONALD, AICP, PRINCIPAL PLANNER *Am*
(480) 503-6748, ASHLEE.MACDONALD@GILBERTAZ.GOV

THROUGH: EVA CUTRO, AICP, PLANNING MANAGER *EC*
(480) 503-6782, EVA.CUTRO@GILBERTAZ.GOV

MEETING DATE: NOVEMBER 2, 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. Move to recommend to Town Council approval of GP22-09 Stillwater Rivulon, a Minor General Plan Amendment; and

- B. For the reasons set forth in the staff report, move to recommend approval to the Town Council for Z22-07, Stillwater Rivulon, as requested, subject to the conditions listed in the staff report.

APPLICANT

Company: Withey Morris
Name: Hannah Bleam
Address: 2525 E. Biltmore Cir Unit A-212
Phoenix, AZ 85016
Phone: 602-230-0600
Email: hannah@witheymorris.com

OWNER

Company: Nationwide Realty Investors
Name: Dean Aquino
Address: 375 N. Front St., Unit 200
Columbus, OH 43215
Phone: 614-221-2012
Email: aquinod@nationwide.com

BACKGROUND/DISCUSSION

History

Date	Description
<i>Feb. 28, 2006</i>	Town Council approved A05-20 annexing the subject site into the Town of Gilbert.
<i>Feb. 28, 2006</i>	Town Council approved case Z05-22 (Ordinance No. 1706) rezoning the 68 acre Esplanade site to Regional Commercial (RC).
<i>Oct. 10, 2006</i>	Design Review Board (DRB) approved case DR06-55 for the Gilbert Esplanade retail and office development with 2pprox.. 600,000 sq. ft. (since expired).
<i>Dec. 10, 2012</i>	Town Council approved the Rivulon Development Agreement with Nationwide Realty Investors for improvements and timing for the site.
<i>Dec. 12, 2013</i>	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.
<i>August 3, 2022</i>	Planning Commission reviewed GP22-09 and Z22-07 as study session items.

October 5, 2022	Planning Commission continued GP22-09 and Z22-07 to the November 2, 2022 Planning Commission hearing at the applicant's request.
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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 353 units with a density of 34.2 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 multi-story 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 airport.

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 353 units (34.2 DU/acre).

Project Data Table

Site Development Regulations	Required per LDC	Proposed
Minimum Parcel Area	35,000sf	398,166sf
Maximum Height (ft.)/Stories	55'	65'/5 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 Buildings	20'	N/A
Private Open Space	60sf	60sf
Common Open Space	40% of net areas	30%

As shown in the table above, the applicant is proposing to deviate from certain 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.

A third deviation request proposes to decrease the common open space requirement from 40% to 30%. The proposed multi-family site is part of a larger master planned development that contains greenbelts and open space within close proximity to the site. The open space on adjacent sites exceeds the requirements for the Business Park zoning district. The adjacent Rivulon Commons development included an excess of 122,870 sf of open space; this more than exceeds the 36,569sf deficit within the multi-family portion of the overall Rivulon master planned development. Additionally, the proposed multi-family site is truly integrated into the master development. No perimeter walls are proposed, and pedestrian connections are provided in multiple locations to connect to nearby open space areas.

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 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.

PUBLIC NOTIFICATION AND INPUT

A notice of public hearing was published in a newspaper of general circulation in the Town, an official notice was posted in all the required public places within the Town and neighborhood notice was provided per the requirements of the Land Development Code Article 5.205.

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.

Staff has received 33 comments from the public in opposition. Concerns regarding the number of existing apartments, traffic, building height, density, infrastructure and public safety were raised in these comments.

SCHOOL DISTRICT

Gilbert Public Schools has provided comments which are included within the correspondence section of this staff report. The district has indicated that they do not foresee concerns with the proposed development on the nearby schools.

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.

REASONS FOR THE RECOMMENDATION

1. The proposed zoning amendment conforms to the General Plan as amended, any applicable Specific Area Plan, neighborhood, or other plan and any overlay zoning district.
2. All required public notice has been conducted in accordance with applicable state and local laws.
3. All required public meetings and hearings have been held in accordance with applicable state and local laws.
4. The proposed rezoning supports the Town’s strategic initiative for Community Livability. It supports the motto “Gilbert: Clean, Safe, Vibrant.”

STAFF RECOMMENDATION

- A. Recommend to the Town Council approval of GP22-09, to change the land use classification of approximately 10.31 acres, generally located at the west of the southwest corner of Lindsay and Pecos Roads from General Office (GO) to Residential > 25-50 DU/Acre land use classification; and
- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z22-07 rezoning approximately 10.31 acres within the Rivulon Planned Area Development (PAD) and] generally located south and west of the southwest corner of Lindsay and Pecos Roads from approximately 10.31 acres of Business Park (BP) zoning district with a Planned Area Development (PAD) overlay to approximately 10.31 acres of Multi Family – High (MF-H) zoning district with a Planned Area Development (PAD) overlay, subject to the following conditions. (additions shown in ALL CAPS, deletions shown in strikeout)
- a. Dedication to Gilbert for Pecos Road east of Allen Street and Lindsay Road rights-of-way that are adjacent to the Property and are owned by Nationwide Realty Investors, Ltd. Or NRI-Rivulon, LLC (collectively “NRI”) shall be provided with each subsequent phase of development or as required by the Town Engineer and in compliance with the Rivulon development agreement, as amended. Failure to complete dedication of lands owned by NRI prior to issuance of a building permit for any phase of the project adjacent to right-of-way may result in reversion of the zoning to the prior zoning classification. Dedication of all other portions of Pecos Road and Lindsay Road rights-of-way shall be made in accordance with Paragraph 4.3 of the Rivulon Development Agreement, as amended.
- b. Dedication of Pecos Road half street right-of-way shall extend 65 feet from the centerline from Allen Street to Lindsay Road and dedication of Lindsay Road half street right-of-way shall extend 65 feet from the centerline along the northern boundary of the site. Additional roadway dedication may be required at intersections.
- c. Dedication of the remaining portion of Rivulon Blvd. located from immediately east of the traffic circle and extending to Lindsay Road shall be provided with each subsequent phase of development or as required by the Town Engineer and in compliance with the Rivulon Development Agreement, as amended.

d. (i) Deleted.

ii. Construction of off-site improvements to Pecos Road adjacent to Blocks B, C or D of the Property as depicted on Exhibit A to the Rivulon Development Agreement shall be completed prior to issuance of a certificate of occupancy or final approval for any building constructed on the respective adjacent Block, subject to the ownership provisions set forth in Section 4.3 of the Rivulon Development Agreement. If development of Block C or D occurs prior to development of Block B, construction of off-site improvements to Pecos Road shall include improvements adjacent to Block B.

iii. Construction of off-site improvements to Lindsay Road adjacent to Blocks D, H or M of the Property as depicted on Exhibit A to the Rivulon Development Agreement shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the respective adjacent Block, subject to the ownership provisions set forth in Section 4.3 of the Rivulon Development Agreement. If development of Block H OR M occurs prior to development of Block D, construction of off-site improvements to Lindsay Road shall include improvements on Lindsay Road adjacent to Block D.

e. Deleted.

f. Prior to the effective date of this ordinance, Developer shall enter into a Development Reimbursement and Lien Agreement agreeing that Developer will reimburse Gilbert for the costs of design and construction of off-site improvements required by this ordinance if Gilbert constructs the improvements as part of its capital improvements program. Failure by Developer to execute a Development Reimbursement and Lien Agreement may result in reversion of the zoning to the prior zoning classification, except any parcel or portion of the property on which construction of improvements has commenced pursuant to duly issued building permits. If Developer constructs the improvements, Gilbert shall release Developer from its obligations under the Development Reimbursement Agreement.

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 when and as specified in the Rivulon Development Agreement and in compliance with Town of Gilbert construction standards.

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, with the inclusion of additional parcels within 30 days of submittal for construction documents for those properties.

i. The Project shall be developed in conformance with Gilbert’s zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Development Standard	Rivulon PAD
<p><i>Minimum Dimension for Parking Lot Spaces and Drive Aisles:</i> Office Uses AND MULTI-FAMILY</p>	<p>18 ft. deep, 9 ft. wide and 25 ft. drive aisle width</p>
<p><i>Parking Lot Landscaping:</i></p> <p>Parking Lot Landscape Islands</p> <p>Landscape Diamond Planters</p>	<p>One (1) parking lot landscape island shall be placed a maximum for each 12 consecutive parking spaces;</p> <p>One (1) 6 x 6 ft. 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.</p>
<p><i>Landscaping and Berming for Parking lot Screening:</i></p> <p>Parking Lot Screen walls</p>	<p>50% of the length of parking lot CMU screen walls may be substituted by landscaping and/ or berming.</p>
<p><i>Bicycle Parking:</i></p> <p>Bicycle Parking Standard</p>	

	1 bicycle space per 100 vehicle parking stalls; to a maximum of 50 bicycle spaces
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SITE DEVELOPMENT REGULATIONS	MULTI FAMILY – HIGH PAD
MIN. LANDSCAPE SETBACK SIDE (NON RESIDENTIAL)	8' (ADJACENT TO BP TO WEST)
MAXIMUM BUILDING HEIGHT	65'
COMMON OPEN SPACE	30%

Respectfully submitted,



Ashlee MacDonald, AICP
Principal Planner

Attachments and Enclosures:

- 1) Notice of Public Hearing/Vicinity Map
- 2) Aerial Photo
- 3) Land Use Exhibit
- 4) Zoning Exhibit
- 5) Legal Description
- 6) Development Plan
- 7) Applicant’s Narrative
- 8) Minutes from the Planning Commission Study Session of August 3, 2022
- 9) Correspondence from surrounding property owners/residents
- 10) Correspondence from Gilbert Public Schools

Notice of Public Hearing

GP22-09, Z22-07 Stillwater Rivulon
Attachment 1: Notice of Public Hearing/ Vicinity Map

PLANNING COMMISSION DATE:

Wednesday, November 2, 2022* TIME: 6:00PM

LOCATION: Gilbert Police Department - Amphitheater
75 E Civic Center Dr., Gilbert, AZ 85296

Tuesday, November 15, 2022* TIME: 6:30PM

TOWN COUNCIL DATE:

LOCATION: Public Safety Training Facility
6860 S Power Rd., Gilbert 85297

*Call Planning Division to verify date and time: (480) 503-6748

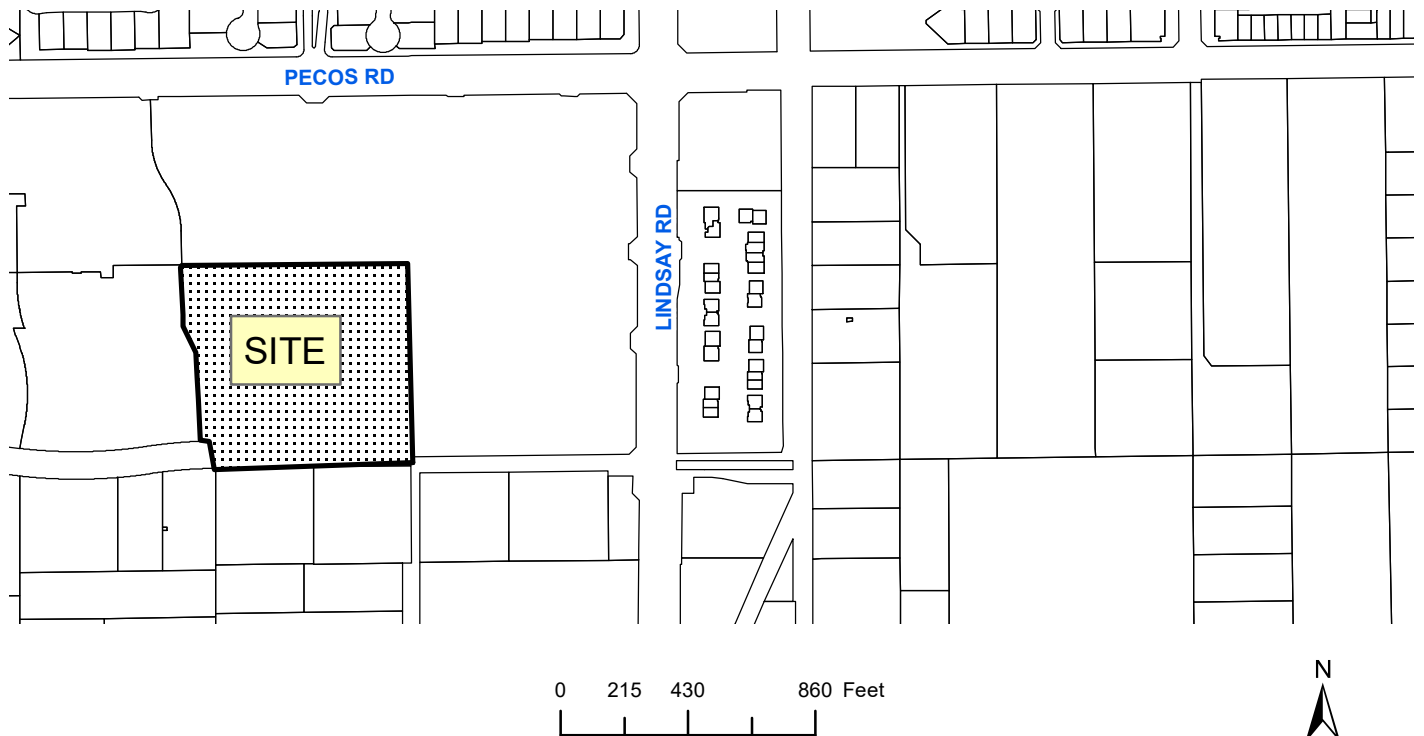
The application is available to the public for review at the Town of Gilbert Planning Division Monday - Thursday 7AM - 6PM. Staff reports are available prior to the meeting at www.gilbertaz.gov/departments/development-services/planning/planning-commission and www.gilbertdocs.com/gilbertagendaonline.

REQUESTED ACTION:

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. The effect will be to allow residential development.

Z22-07: STILLWATER RIVULON: Request to rezone approximately 10.31 acres located south and west of the southwest corner of Lindsay and Pecos Roads from Business Park (BP) with a Planned Area Development (PAD) overlay to Multi Family-High Zoning District (MF-H) with a Planned Area Development (PAD) overlay district. The effect will be to allow for multi family development with deviations to reduce setbacks, increase building height, decrease common open space and modify PAD conditions related to parking.

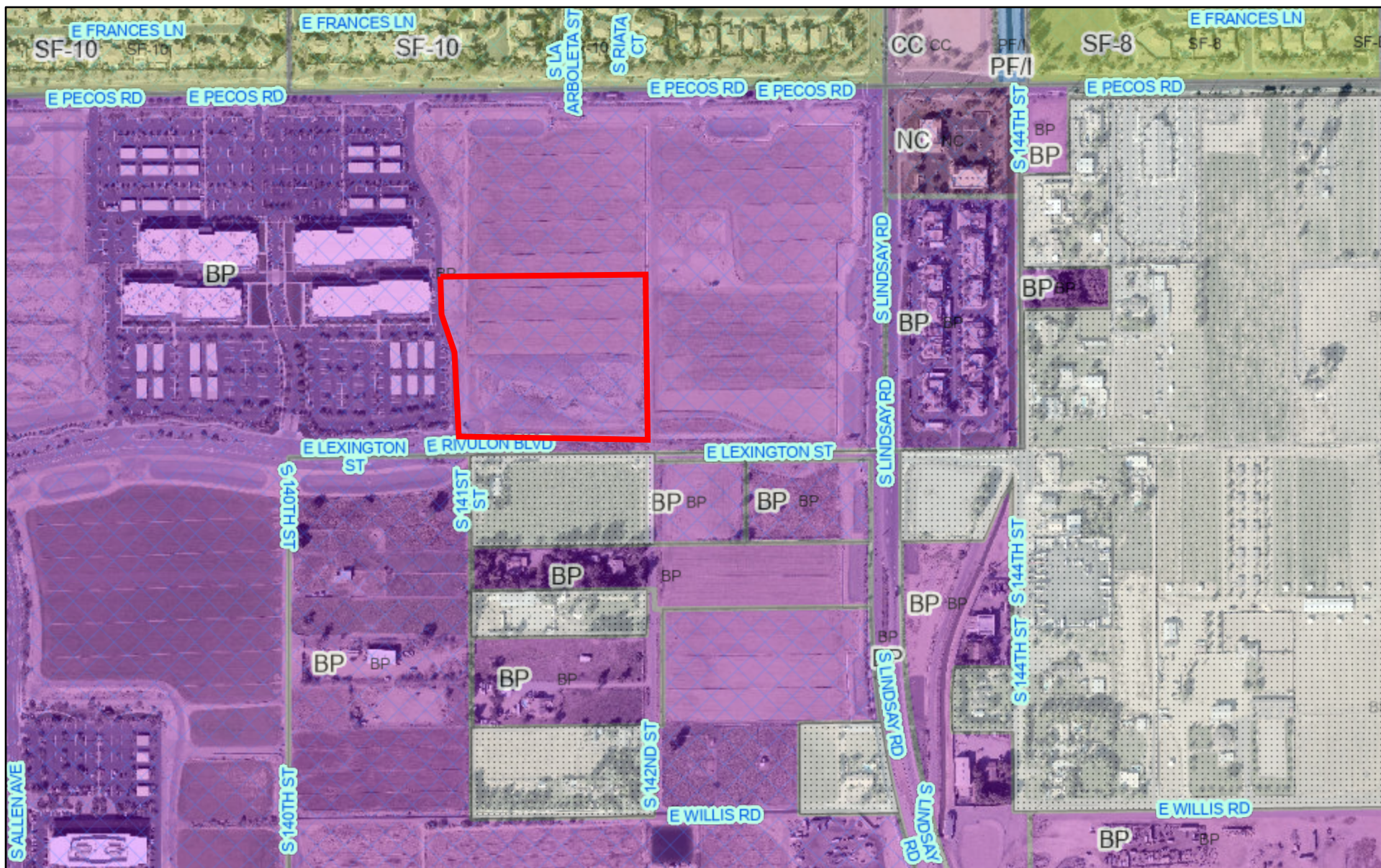
SITE LOCATION:



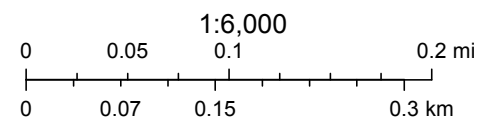
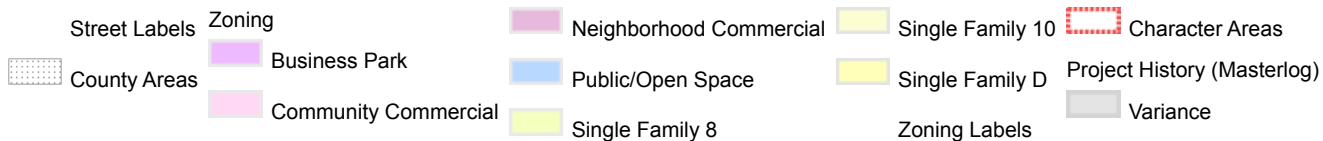
APPLICANT: Whitey Morris
CONTACT: Hannah Bleam
ADDRESS: 2525 E Biltmore Clr Unit A-212
Phoenix, AZ 85016

TELEPHONE: (602) 230-0600
E-MAIL: hannah@witheymorris.com

GP22-09, Z22-07 Stillwater Rivulon Attachment 2: Aerial Photo

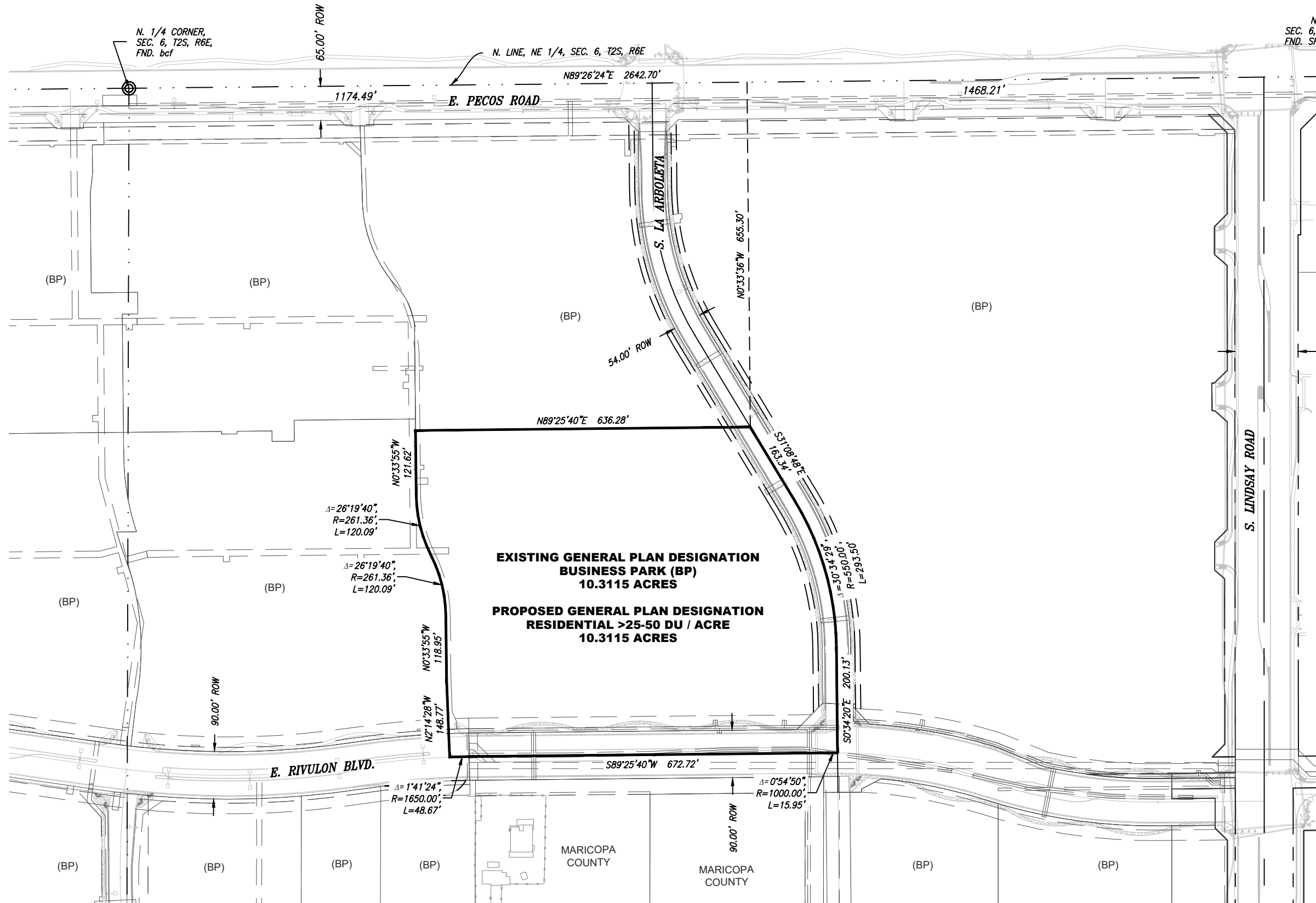


9/28/2022

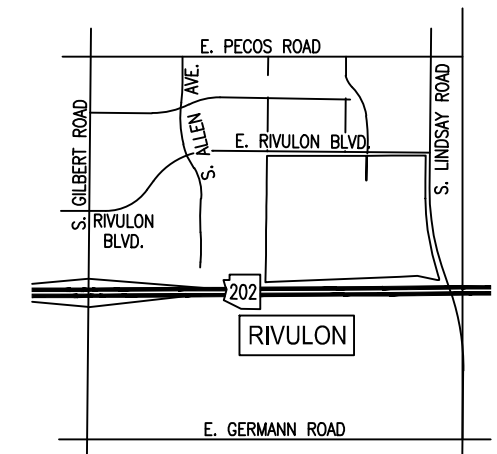


GP22-09, Z22-07 Stillwater Rivulon Attachment 3: Land Use Exhibit

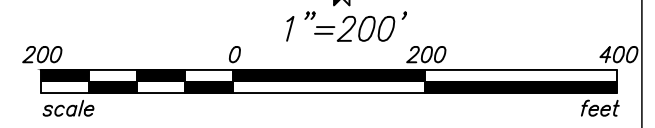
OWNER: STILLWATER CAPITAL
4145 TRAVIS STREET #300
DALLAS, TX 75204
ATTN: ALLEN LASALA



PROJECT DATA		
DESCRIPTION	ACREAGE (+/- GROSS)	ACREAGE (+/- NET)
EXISTING GENERAL PLAN LAND USE CLASSIFICATION		
BUSINESS PARK (BP)	10.3115 ACRES (370,260 SF)	9.14 ACRES (370,260 SF)
PROPOSED GENERAL PLAN LAND USE CLASSIFICATION		
RESIDENTIAL > 25-50 DU/ACRE	10.3115 ACRES (449,167 SF)	9.14 ACRES (398,166 SF)
EXISTING ZONING		
BUSINESS PARK (BP)	10.3115 ACRES (370,260 SF)	9.14 ACRES (370,260 SF)
PROPOSED ZONING		
MULTIFAMILY HIGH (MF-H)	10.3115 ACRES (449,167 SF)	9.14 ACRES (398,166 SF)
DENSITY		
ALLOWED - 25 < X < 50 DU / ACRE (GROSS)		
PROVIDED - 353 DU / 10.3115 ACRES = 34.23 DU / ACRE		

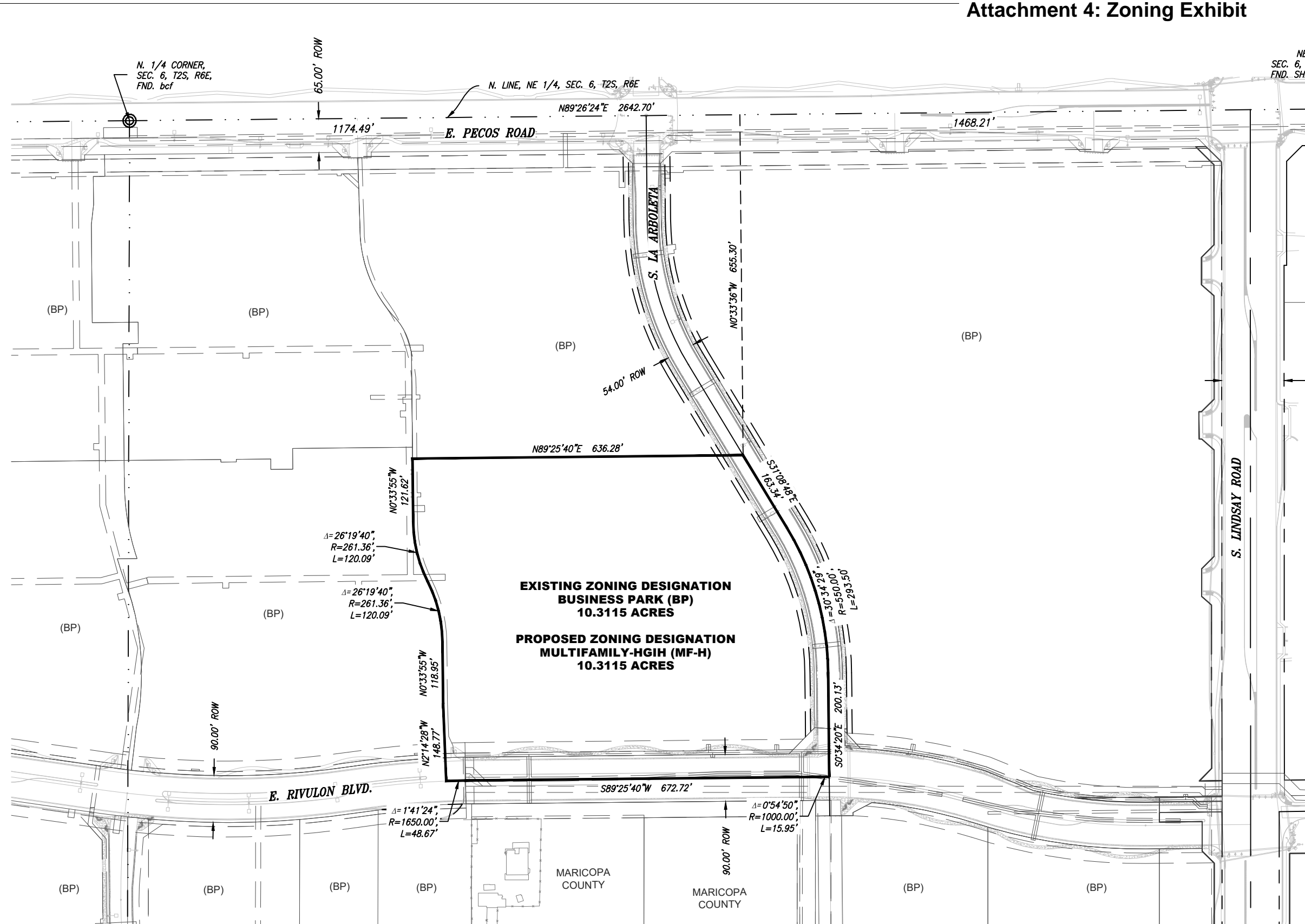


VICINITY MAP
T2S, R6E, SEC 6

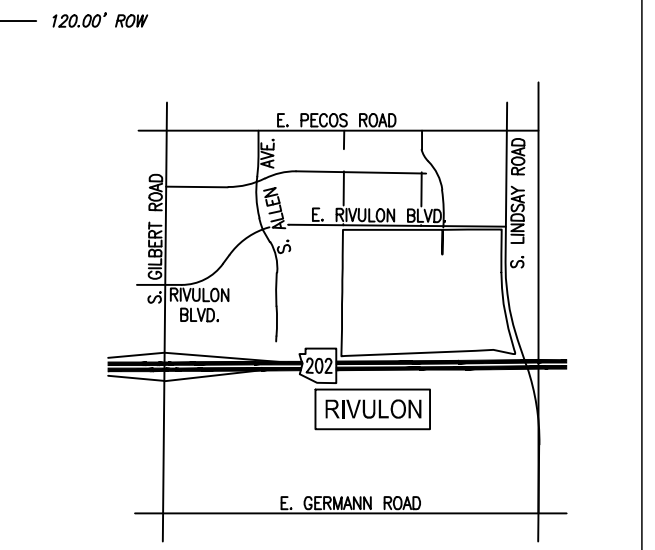


GP22-09, Z22-07 Stillwater Rivulon Attachment 4: Zoning Exhibit

OWNER: STILLWATER CAPITAL
4145 TRAVIS STREET #300
DALLAS, TX 75204
ATTN: ALLEN LASALA



PROJECT DATA		
DESCRIPTION	ACREAGE (+/- GROSS)	ACREAGE (+/- NET)
EXISTING GENERAL PLAN LAND USE CLASSIFICATION		
BUSINESS PARK (BP)	10.3115 ACRES (370,260 SF)	9.14 ACRES (370,260 SF)
PROPOSED GENERAL PLAN LAND USE CLASSIFICATION		
RESIDENTIAL > 25-50 DU/ACRE	10.3115 ACRES (449,167 SF)	9.14 ACRES (398,166 SF)
EXISTING ZONING		
BUSINESS PARK (BP)	10.3115 ACRES (370,260 SF)	9.14 ACRES (370,260 SF)
PROPOSED ZONING		
MULTIFAMILY HIGH (MF-H)	10.3115 ACRES (449,167 SF)	9.14 ACRES (398,166 SF)
DENSITY		
ALLOWED - 25 < X < 50 DU / ACRE (GROSS)		
PROVIDED - 353 DU / 10.3115 ACRES = 34.23 DU / ACRE		



**EXHIBIT "A"
RIVULON – MULTI-FAMILY ZONING LEGAL DESCRIPTION**

A PORTION OF LOT 13 OF "LOTS 11, 12 & 13", A FINAL PLAT, RECORDED IN BOOK 1381, PAGE 34, MARICOPA COUNTY RECORDS, (M.C.R.), LOCATED IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 6, BEING MARKED BY A BRASS CAP FLUSH, FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 6, BEING MARKED SHEARED BRASS CAP, BEARS NORTH 89 DEGREES 26 MINUTES 24 SECONDS EAST, 2642.70 FEET;

THENCE NORTH 89 DEGREES 26 MINUTES 24 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, 1174.49 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00 DEGREES 33 DEGREES 36 SECONDS EAST, 655.30 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 31 DEGREES 08 MINUTES 48 SECONDS EAST, 163.34 FEET TO THE BEGINNING OF TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 550.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 30 DEGREES 34 MINUTES 29 SECONDS, AN ARC LENGTH OF 293.50 FEET;

THENCE SOUTH 00 DEGREES 34 MINUTES 20 SECONDS EAST, 200.13 FEET TO THE CENTERLINE OF RIVULON BOULEVARD AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHERLY, FROM WHICH THE CENTER BEARS SOUTH 00 DEGREES 20 MINUTES 31 SECONDS WEST, 1000.00 FEET;

THENCE ALONG SAID CENTERLINE, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 00 DEGREES 54 MINUTES 50 SECONDS, AN ARC LENGTH OF 15.95 FEET;

THENCE CONTINUING ALONG SAID CENTERLINE, SOUTH 89 DEGREES 25 MINUTES 40 SECONDS WEST, 672.72 FEET TO THE BEGINNING OF TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1650.00 FEET;

THENCE CONTINUING ALONG SAID CENTERLINE, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 01 DEGREES 41 MINUTES 24 SECONDS, AN ARC LENGTH OF 48.67 FEET TO THE WEST LINE OF SAID LOT 13;

THENCE DEPARTING SAID CENTERLINE, NORTH 02 DEGREES 14 MINUTES 28 SECONDS WEST, ALONG SAID WEST LINE, 148.77 FEET;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00 DEGREES 33 MINUTES 55 SECONDS WEST, 118.95 FEET TO THE BEGINNING OF TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 261.36 FEET;

THENCE CONTINUING ALONG SAID WEST LINE, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 26 DEGREES 19 MINUTES 40 SECONDS, AN ARC LENGTH OF 120.09 FEET TO THE BEGINNING OF A REVERSE CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 261.36 FEET;

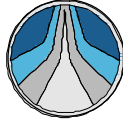
THENCE CONTINUING ALONG SAID WEST LINE, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 26 DEGREES 19 MINUTES 40 SECONDS, AN ARC LENGTH OF 120.09 FEET;

THENCE CONTINUING ALONG SAID WEST LINE, NORTH 00 DEGREES 33 MINUTES 55 SECONDS WEST, 121.62 FEET;

THENCE DEPARTING SAID WEST LINE, NORTH 89 DEGREES 25 MINUTES 40 SECONDS EAST, 636.28 FEET TO SAID **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 449,167 SQUARE FEET, OR 10.3115 ACRES, MORE OR LESS.

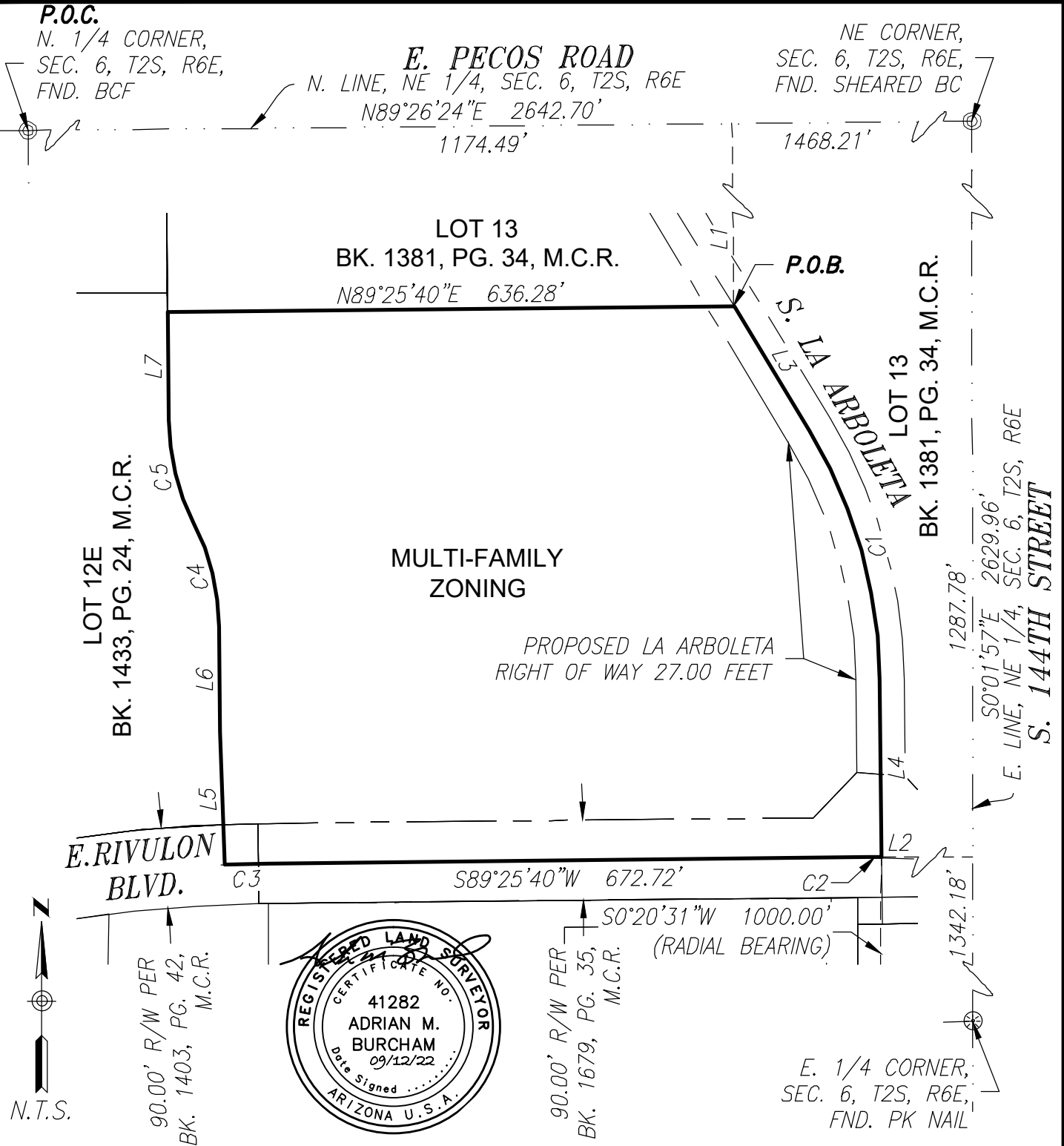




HUBBARD
ENGINEERING

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Mesa, AZ 85210
Ph: 480.892.3313

www.hubbardengineering.com



RIVULON
MULTI-FAMILY ZONING PARCEL
EXHIBIT "A"
Town of Gilbert, Maricopa County, Arizona

Project No. 16114	Date 09/12/22	Sht: 1 of 2
Project Manager ADRIAN BURCHAM	Project Eng.	



LINE TABLE		
LINE #	BEARING	LENGTH
L1	S0°33'36"E	655.30'
L2	N89°58'03"E	1296.73'
L3	S31°08'48"E	163.34'
L4	S0°34'20"E	200.13'
L5	N2°14'28"W	148.77'
L6	N0°33'55"W	118.95'
L7	N0°33'55"W	121.62'

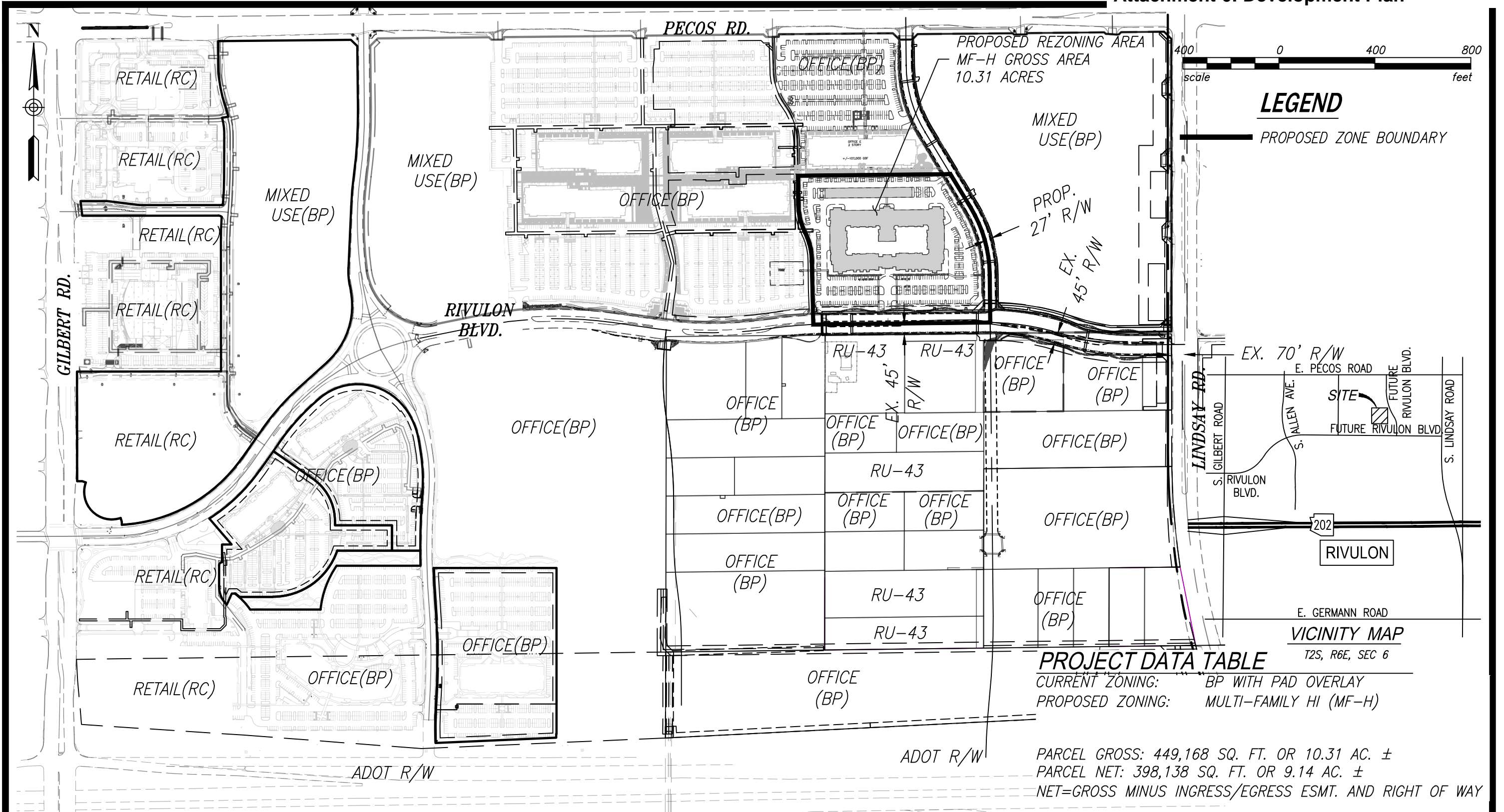


CURVE TABLE				
CURVE #	DELTA	RADIUS	LENGTH	CHORD
C1	30°34'29"	550.00'	293.50'	S15°51'34"E 290.03'
C2	0°54'50"	1000.00'	15.95'	S89°53'06"W 15.95'
C3	1°41'24"	1650.00'	48.67'	S88°34'59"W 48.67'
C4	26°19'40"	261.36'	120.09'	N13°43'45"W 119.04'
C5	26°19'40"	261.36'	120.09'	N13°43'45"W 119.04'

RIVULON
MULTI-FAMILY ZONING PARCEL
EXHIBIT "A"
Town of Gilbert, Maricopa County, Arizona

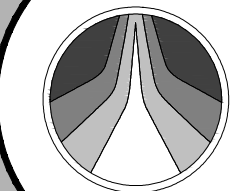
Project No. 16114	Date 09/12/22	Sht: 2 of 2
Project Manager ADRIAN BURCHAM	Project Eng.	

P:\2016\16114\16114P\16114P\Overall Development Plan\16114P-Development Plan Exhibit Large Scale.dwg Aug 12, 2022 - 7:04am GBrown



Proj. No. 16114P	Date 08/11/22
Sht: 1 of 1	
Proj. Mangr. G.BROWN	Proj. Eng. M.WOLF

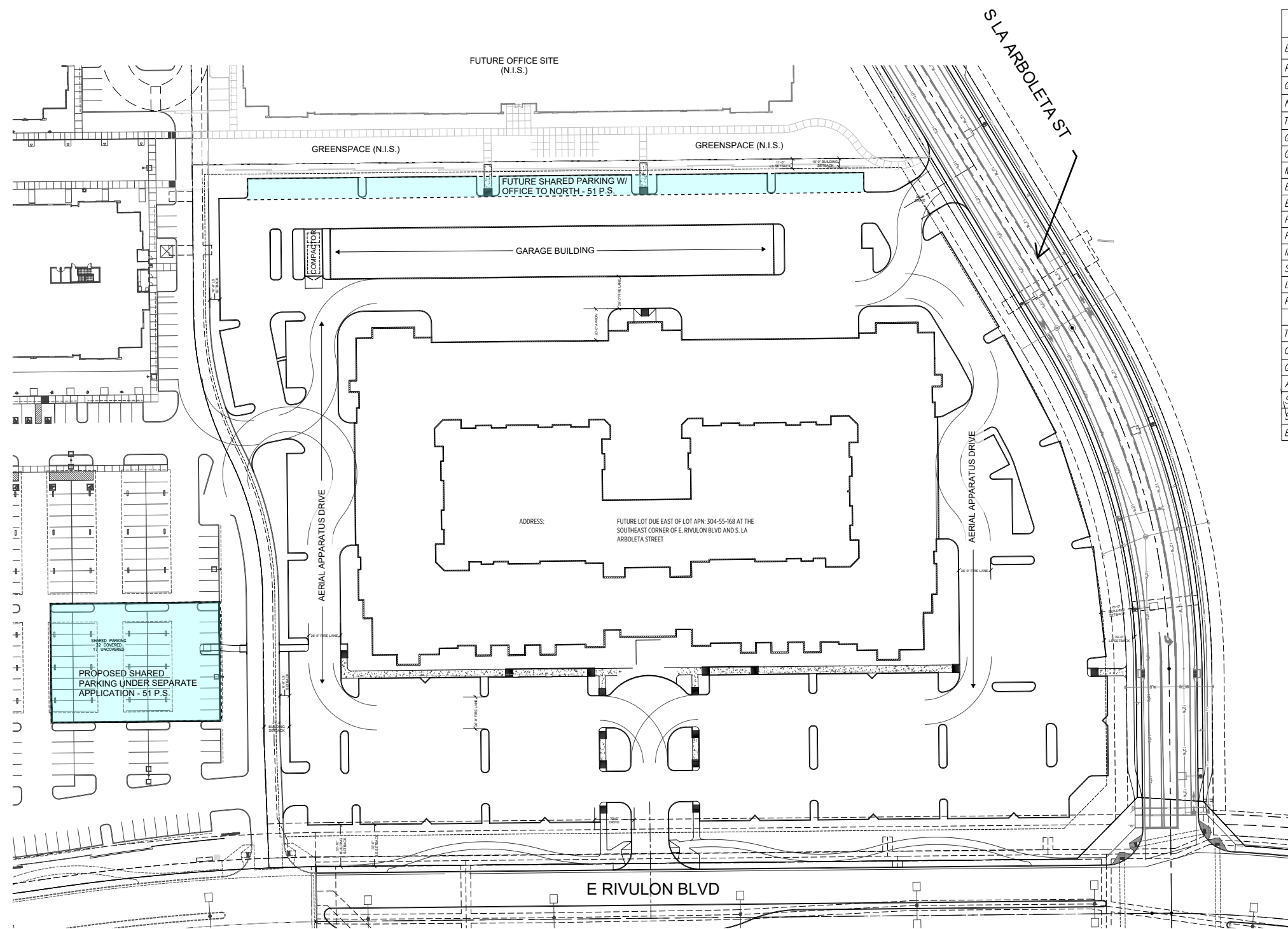
RIVULON
OVERALL DEVELOPMENT PLAN



HUBBARD
ENGINEERING
www.hubbardengineering.com

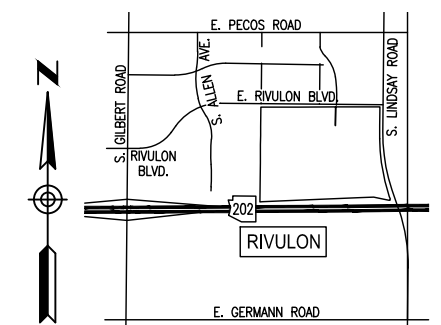
1201 S. Alma School Rd.
Suite 12000
Mesa, AZ 85210
Ph: 480.892.3313

OWNER: STILLWATER CAPITAL
 4145 TRAVIS STREET #300
 DALLAS, TX 75204
 ATTN: ALLEN LASALA



SITE DATA		
EXISTING ZONING:	BUSINESS PARK (BP)	
PROPOSED ZONING:	MULTIFAMILY HIGH (MF-H)	
GROSS SITE AREA:	449,167 S.F. (10.31 ACRES)	
NET SITE AREA:	398,166 S.F. (9.14 ACRES)	
TOTAL UNIT COUNT	353 UNITS	
GROSS BUILDING AREA:		
GARAGE BUILDING	15,257 S.F.	
MULTIFAMILY BUILDING	418,400 S.F.	
BUILDING HEIGHT:	65'-0" MAX ALLOWED	5-STORY, 65'-0" MAX PROPOSED
BUILDING SETBACKS:		
FRONT:	25'-0"	
REAR:	10'-0"	
INTERIOR SIDE:	10'-0"	
STREET SIDE:	25'-0"	
LANDSCAPE AREA:	76,230 S.F.	
PARKING DATA:		
	REQUIRED	PROVIDED
TOTAL PARKING	529 P.S.	529 P.S.
COVERED PARKING	1/UNIT (25% GARAGE)=265 P.S.	233 P.S.
GARAGE PARKING	25% OF COVERED=88 GARAGES	88 GARAGES
ADA PARKING	2% OF TOTAL=11 P.S.	OF WHICH, 10 P.S. 1 GARAGE
SHARED OPEN PARKING		17 P.S.
SHARED COVERED PARKING		32 P.S.
BIKE PARKING	6 STALLS	6 STALLS

REFUSE STATEMENT:
 PRIVATE REFUSE PICK UP AND DAILY REMOVAL FROM SITE BY OWNER.



1" = 100'

VICINITY MAP
 T2S, R6E, SEC 6

OMNIPLAN

1845 Woodall Rodgers Freeway
 Suite 1600
 Dallas, Texas 75201
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 www.omniplan.com

STILLWATER RIVULON MULTIFAMILY DEVELOPMENT, GILBERT AZ

DEVELOPMENT PLAN EXHIBIT - PRELIMINARY SITE PLAN

REF. SHEET	PROJECT	DRAWING
	21034.000	SP-01
REF. VIEW	DATE	
	09/14/2022	

**GP22-09, Z22-07 Stillwater Rivulon
Attachment 7: Applicant's Narrative**

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. Site Background

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 353 units. The unit mix includes studios (31 units), 1-bedroom (234 units), 2-bedroom (74 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.

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 529 parking spaces. The proposed site plan provides 529 spaces (of which 233 are covered and 88 are garages). The balance of 51 spaces is provided on the shared parking lot next door an to the north (of which 32 are covered).

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'
-------------------------	-----	-----

PAD Deviation Justification

Building Height: 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.

Landscape setback (west side): 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.

Parking: This PAD intends to utilize the same parking deviations approved under the current PAD, but for 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.

Road. Planner Noah Schumerth responded that there is low density residential to the south, who are vehemently opposed to a southern entrance. Additionally, Knox Road is only an easement and does not have the same right-of-way in other areas of town. Commissioner Fay stated that two access points are needed, regardless of neighbor opposition. He is not in favor of the emergency access on the north. Planner Noah Schumerth stated that there are dirt roads on the southern side, which affect emergency access. Commissioner Fay asked if parking space numbers are contingent on having two vehicles in the driveway and one in the garage. Planner Noah Schumerth responded affirmatively. Commissioner Fay stated that this may limit extra parking. Commissioner Fay stated that the townhome elevations look good, but the description of cottages seems generous.

Commissioner Andersen stated that the site does not currently meet fire code, and he would feel more comfortable if the fire department signed off on the emergency second access point.

Chair Simon stated that when the site layout review is performed, he would like to know about the setbacks up against the railroad. Chair Simon stated that the applicant is interested to do a Phase 2 in the north piece of the site, and this may impact the second emergency access point. If there is a way to figure out the setback issue on the south side, it would flow better as a second access point.

- 4. 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.**

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. Ashlee MacDonald (480) 503-6748.

Planner Ashlee MacDonald stated that the proposed rezoning is a PAD interior to the site to Multifamily High. The site is currently zone Business Park, which is consistent with the surrounding property. Some portions of the site remain with the county. The general plan does anticipate the entire area to be employment, but in this case, the applicant is proposing a residential change on the subject site, to integrate with the office development. Input is sought on the general plan amendment, rezoning request, and deviation request proposed. They are seeking an increase from 55' to 65'/5 stories for the PAD amendment. A decrease of the setback requirement in one area from 10' to 8' is required to allow for landscaping. The applicant intends to adopt a development plan along with the PAD request, to which all future developments must adhere. The applicant is anticipating submitting an administrative use permit to allow for shared parking on the office site. The residential will meet its requirements for residents, but there is some overflow proposed for guest parking.

COMMISSION QUESTIONS/COMMENTS

Commissioner Bianchi asked if there is a DMP for Rivulon and the project area. Planner Ashlee MacDonald responded that there is a PAD that covers the entire site, but it shows this portion

of the site as future office. It is not as specific as the proposed development plan. Commissioner Bianchi asked if this is the only known residential request for Rivulon Boulevard and Planner Ashlee MacDonald responded affirmatively. Commissioner Bianchi asked why this specific parcel was proposed rather than something closer to Rivulon's current retail amenities. Planner Ashlee MacDonald responded that retail amenities are expected to be proposed along the frontage. Commissioner Bianchi requested further explanation on why this area was chosen from the applicant.

Commissioner Andersen asked if fire code would be met for 26' with the higher buildings if the applicant were to continue with the 25' drive aisle. Planner Ashlee MacDonald responded that the applicant would still need to adhere to fire code.

Commissioner Fay stated that the existing parking standards should not just be accepted to be consistent. They should be evaluated based on necessity. The shared parking arrangement seems to be a good direction.

Chair Simon asked if Rivulon Boulevard goes through to Lindsay Road or if it will be developed. Planner Ashlee MacDonald responded that the road is under construction. Chair Simon stated that he does not see an issue with the project as long as it adheres to code.

5. DISCUSSION OF REGULAR MEETING AGENDA

Item 12 DR22-14 JBJ Electric Company, Item 13 ST22-02 Waterston Central – Phase 1 – Parcel 7, Item 14 S22-03 Waterston Central – Phase 1 – Parcels 4 and 6, and Item 15 ST22-05 Waterston Central – Phase 1 – Parcel 5, were moved from the Non-Consent Agenda to the Consent Agenda.

ADJOURN STUDY SESSION

Chair Simon adjourned the Study Session at 6:00 p.m.

CALL TO ORDER OF REGULAR MEETING

Chair Jän Simon called the August 3, 2022, Regular Meeting of the Planning Commission to order at 6:14 p.m.

PLEDGE OF ALLEGIANCE

Chair Simon led the Pledge of Allegiance.

ROLL CALL

Planning Manager Eva Cutro called roll and determined that a quorum was present.

6. 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 Andersen, it was moved to approve the agenda, as amended. **Motion passed 7-0.**

COMMUNICATIONS

7. COMMUNICATIONS FROM CITIZENS

Ashlee MacDonald

From: Eva Cutro
Sent: Tuesday, September 06, 2022 5:32 PM
To: Ashlee MacDonald; Kyle Mieras
Subject: FW: Rivulon

FYI

-----Original Message-----

From: Tina Wright
Sent: Tuesday, September 6, 2022 5:29 PM
To: Eva Cutro <Eva.Cutro@GilbertAZ.gov>
Subject: Rivulon

To whom it may concern,

We own a home in Allen Ranch across from Rivulon. It has been brought to our attention that there is a rezoning meeting to try and put more apartments in that area. We moved out of Lyon's gate years ago and bought in the area because that was zoned commercial. Please say "no" to more apartments. Gilbert is losing its appeal as a smaller feeling town. Traffic is a nightmare and we want to ensure it is still a wonderful place to live.

Thank you,
Dr. Carl and Tina Wright

Sent from my iPhone

From: Sabrina Langford
Sent: Sunday, August 28, 2022 3:38 PM
To: Ashlee MacDonald
Subject: NO 5 story apt building on LINDSAY

Hello!

I am writing in opposition of the 5-story building on Lindsay at the Rivulon complex.

In 2001 when we purchased here there was NEVER going to be freeway access to Lindsay, POOF, it isn't even open yet and we can't EVEN get out of our neighborhood (Jakes Ranch). We CHOOSE this area because my husband was in grad school taking a zoning class and we pulled up a map for the whole area and CHOOSE the Lindsay corridor because of no freeway access. Lindsay is impossible to get up and down and out onto right now during rush hour and school times. DO NOT ADD an apartment building to this mess.

In addition, I now work for a property management company and continue to deal with complexes with ZERO planning for the residential areas around them, cars, package deliveries, crime, DRUG USE is everywhere. We DO NOT want that here. Move it where it is appropriate like downtown Gilbert where new residents want the lifestyle of a high rise.

I have also spent a year living just outside of Manhattan and maintaining our home in Gilbert in regards to crime was a HUGE concern, while we were commuting a neighbor had a truck stolen off his driveway in broad daylight! All of the communities around here are HOA's which means we carry the burden of maintaining our neighborhoods and amenities. That burden to then SECURE these areas with an influx of residents with NO amenities is going to be nearly impossible. The burden will be on your police force, and based on all the officers I know in Gilbert, they do ont have the man-power. As they continue to build massive apartment structures on the Pecos corridor it is getting to be a safety hazard to drive on Pecos, there are constantly accidents from people who are new and don't know this area.

The answer is NO, NOT EVEN EVER! It was zoned for light commercial and businesses and there are plenty of businesses that need office space, DO NOT RE-ZONE IT or allow it! NO MORE APARTMENTS IN GILBERT in wrong places!

Thank you,
Sabrina Langford

Ashlee MacDonald

From: Bret Ryan
Sent: Wednesday, August 10, 2022 10:37 AM
To: Ashlee MacDonald
Subject: PZN-2022-00007 and PGP-2022-00009 - Rivulon Multi-Family Apartment project

Good morning Ashlee - My name is Bret Ryan and I just learned of this project noted above. I believe the notifications for the project went out to people within 300 feet of the parcel location. We live outside of that 300 foot limit. I am wanting to know where this project currently stands? Are they moving forward, has the Town officially approved the project preliminarily or in site plan phase?

I as curious as it feel like the height would make it very easy for the apartments to look down into the backyards of the adjacent Vintage Ranch houses. Especially, when there is nothing North of this lot being developed. Also - with this being a rezone of the existing zoning it feels like because they are having a hard time leasing office spaces (go figure) that they are wanting to revise it to make money on a stale market.

With ALL the multi-family already existing and new coming online it is time to start pushing back on these types of developments specifically adjacent to million dollar residences, which is what most of the housing north of Pecos consists of.

Please update me on the project and any up and coming meetings that are current proposed that citizens can be a part of to provide some positive but intensional feedback on.

Thank you,
Bret Ryan

Ashlee MacDonald

From: ann angstead
Sent: Wednesday, August 24, 2022 4:54 PM
To: Ashlee MacDonald
Subject: Rivulon apartments

Dear Ashlee

We are homeowners in Vintage Ranch (VR). We have lived in VR 11 years. We have recently been made aware that Rivulon wants to build 5 story high-end apartments. We were stunned by this news and do not recall seeing signs requesting a change in zoning. We are at the south end of VR and pass Rivulon whenever we leave the neighborhood. We believe as much as we go past Rivulon, we would have seen signs indicating hearings to request a zoning change. Were signs ever posted and if yes, were they visible from Pecos or Lindsay???

We would like to be sure our voice is heard! We do not want to see a 5-story apartment complex for the following reasons: the impact on traffic in the area, the impact on the neighborhood schools, the possible impact on nearby home values as well as the height of the apartments is troubling.

We would not be concerned if an assisted living or memory care multi-family building (height limited to 2 stories) were to go in that location.

We would like to be notified of any upcoming changes or meetings regarding Rivulon.

Thank you.

Tom and Ann Angstead

459 E. Julian Dr

Gilbert, AZ. 85295

Ashlee MacDonald

From: Aaron Manning
Sent: Thursday, September 15, 2022 5:07 AM
To: Ashlee MacDonald
Subject: Rivulon Apartments

Hi Ashlee,

I also would like to voice my opinion regarding the Rivulon apartments. I am not in support of this and we live in Allen Rance nearby.

Thanks for taking this into consideration.

Aaron Manning

Ashlee MacDonald

From: Thomas Blanck
Sent: Wednesday, August 10, 2022 9:42 AM
To: Ashlee MacDonald
Subject: Rivulon Development

Ashlee,

Good morning I hope your week is off to a great start. I am writing in concern about the proposed zoning change that will allow an apartment building to be built in the Rivulet Development.

From my understanding there is no zoning for residential in this development. The addition of another hi occupancy apartment complex in Gilbert will only continue to increase traffic and congestion. I'm sure you have noticed that most infill that is left in Gilbert is being filled in with apartments. How many apartments do we need? There is plenty!!!!!! And plus, I sure you have heard about the rise in crime due to these additions to our community.

I trust someone will make the right decision.

Concerned Gilbert Citizen,

Tom

Ashlee MacDonald

From: Rigby
Sent: Wednesday, September 07, 2022 7:28 PM
To: Ashlee MacDonald
Subject: Rivulon Rezoning

Hi I live in Allen Ranch and I attended the Sept 7th planning commission. I'm concerned about the impact of rezoning the proposed 10 acre parcel within the Rivulon project to higher density zoning. I understand current zoning allows multi family housing and feel increasing that density is not congruent with the area and incongruent with the communities desires. I look forward to an opportunity for the voice of the community to be involved and I and many others would like to attend the next meeting and any meetings regarding the impact of the proposed changes on our community. Unfortunately myself and many of us will be out of town over fall break for the October 5th meeting. What is the best way for myself and other community members who live near these proposed changes, to contribute to this discussion while out of town?

Sincerely,

Dave Rigby

299 e Phelps st Gilbert Az 85295

Ashlee MacDonald

From: amanning244 Manning
Sent: Friday, September 09, 2022 9:37 AM
To: Ashlee MacDonald
Subject: Rivulon

Hi Ashlee,

I am writing to ask that the planning commission not approve the exception for the Rivulon apartments at Lindsay/Pecos & Gilbert/Pecos. Thank you.

Andrea Manning

Sent from my iPhone

Ashlee MacDonald

From: Diane Mroczek
Sent: Monday, August 15, 2022 2:11 PM
To: Ashlee MacDonald
Subject: The project numbers are PZN-2022-00007 and PGP-2022-00009.

Ashlee,

I am writing with the hope that I may be able to influence the board regarding the request to rezone the property at Lindsay and Pecos for more apartments. I have lived in Gilbert for almost 20 years and I welcome growth and change. I love our town and have raised our children here. That being said, I believe it is time to stop with the apartments. We need to take a step back and look at the bigger picture. They have been squeezed into the Market Street area to the point of unbearable and unsafe traffic. I cannot even imagine what the mall will be like at the holidays now that the actual parking lot is multi family housing! It does not seem necessary to REZONE for more apartments. They are literally everywhere. Finish the buildings that are being built and take a breath. Take a look at our town, it's people and it's landscape. We finally have a road over here that can handle traffic. As soon as the 202 exit opens on Lindsay there will be more traffic. Add those apartments and that will be it, yet another dangerous over crowded intersection. This will be within a mile of my home. All of our high school drivers from Campo Verde drive through there. It just doesn't make sense to create unnecessary congestion and chaos.

If there is anything I can do, please let me know. Rivulon has very nice buildings and property, let's stick to the plan.

Sincerely,
Diane Mroczek

Sent from my iPhone

Ashlee MacDonald

From: Melissa Perkins
Sent: Monday, August 15, 2022 1:37 PM
To: Ashlee MacDonald; Eva Cutro; Scott September
Cc: Kari Moyer
Subject: Vote no on Rivulon apartments

Ashlee, Scott, and the planning commission:

Thank you for your time and service in volunteering for the planning commission. It is a thankless job working behind the scenes. That said, in a recent Gilbert Sun news article, the neighborhoods on the north side of Pecos were made aware of the Rivulon development asking for a zoning change to build apartments. The article says that Nationwide lawyers cited a problem with attracting businesses to Rivulon as a reason to build apartments. However, most commercial properties are struggling because companies have not made their workers go back to the office. Specifically Deloitte, located in 2 of the buildings at Rivulon, had plans to occupy 2 more. But after 2020, their workforce model changed so they did not lease the 2 new buildings. Now Nationwide is looking for a way to change their business plan, to recoup losses and get back on track. That includes apartments (which are obviously a better investment at this point than commercial real estate).

Our area does not want more apartments. We specifically tried to vote for town council members who opposed more apartments. The majority of people moved out to this area when it was surrounded by farmland, when Rivulon wasn't even thought of. The number of apartments going up around Gilbert is getting out of hand. There must be a balance to providing growth opportunities and helping Gilbert thrive and overwhelming our traffic and schools with apartments. Our goal is to be like Scottsdale, not Mesa.

So unless these are extremely high end apartments (which at 5 stories they are not), Nationwide is just trying to make back money they are losing. And as the planning commission, it is your job to make this area better and keep home values high, not bring in apartment complexes to appease a failed business venture.

Please, do not permit the apartments to be built in Rivulon. There will be a group of people at the September 7th meeting to speak. At this time, please provide the traffic study previously done as well as the outline for participating in the meeting of September 7th.

Thank you.

Melissa Perkins
Allen Ranch HOA

Ashlee MacDonald

From: Trent G
Sent: Wednesday, September 14, 2022 4:29 PM
To: Scott September; Ashlee MacDonald; Eva Cutro
Subject: Z22-07 & GP22-09 RIVULON Rezoning and Amendment Requests Opposition

September 14, 2022

Dear Town of Gilbert Planners and Planning Commission,

Re:

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.

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 MultiFamily/High Zoning District with a Planned Area Development (PAD) overlay district. Ashlee MacDonald (480) 503-6748.

Please deny the rezoning requests and modifications from the existing zoning of General Office to Residential > 25-50 du/acre and Business Park to Multi-Family/High Zoning District. Please consider and respect the voice and desire of the neighboring Gilbert residents and citizens that are in opposition to these rezoning requests, including GP22-09 and Z22-07 STILLWATER RIVULON. The immediate area consists of larger single-family homes (\geq SF-10), even micro-farms (SF-43). The residents live in this area for this reason and do not want high-density housing. There are already plenty of high-density housing options in the area including Spectrum and east of Val Vista Rd. around Pecos Rd., where this type of high-density housing and large building structures are not near single-family housing.

Additionally the applicant requested exceptions or deviations to Town of Gilbert existing codes again are incongruent with the area and should be denied, including the maximum height of the building (should be limited to no more than three stories), a decrease of setback, insufficient self-contained as well as guest parking. Likewise, the developed area should be required to provide its own large park and recreational common areas and facilities. The neighboring communities in the vicinity have very spacious, privately maintained parks and common areas that again reinforce the larger single-family home residents and property classes. It would be irresponsible and disrespectful for Rivulon business or otherwise area tenants to be drawn to these accessible neighboring areas because of failed, self-sufficient facility requirements imposed by development planning or by the Town of Gilbert.

Again, please deny the rezoning requests and modifications from the existing zoning of General Office to Residential > 25-50 du/acre and Business Park to Multi-Family/High Zoning District.

Sincerely,

Trent Grossarth
Email:
Town of Gilbert Resident

From: Ashlee MacDonald
Sent: Wednesday, August 17, 2022 12:11 PM
To: Annie Rigby
Subject: RE: Rivulon Apartments...

Hi Annie,

Thank you for reaching out. There will be opportunity at the public hearings for you and any other interested residents to speak about the proposal. However, at this time public hearings have not been scheduled. General Plan Amendments and Rezone applications are required to go before the Planning Commission at a Public Hearing, following a Planning Commission recommendation, these applications are then heard by the Town Council in a Public Hearing where a decision will be made.

You can follow development projects on our website here:

<https://tog.maps.arcgis.com/apps/Shortlist/index.html?appid=d0f73c52560e40d6a753ea3913364f57>

Please feel free to check in with me for updates, or with any questions you may have.

Sincerely,

Ashlee MacDonald, AICP
Principal Planner
Development Services

Shaping a new tomorrow, today.

-----Original Message-----

From: Annie Rigby
Sent: Monday, August 15, 2022 11:18 AM
To: ashlee.mcdonald@gilbertaz.gov
Cc: Ashlee MacDonald <Ashlee.MacDonald@GilbertAZ.gov>
Subject: Rivulon Apartments...

Hi Ashlee,

I live in Allen Ranch and I'm concerned about the impact of rezoning the proposed ten-acre parcel to high density housing. Is there an opportunity for the voice of the community to be involved in the decision making? I and others would like to attend the next meeting and any meetings regarding the impact of the proposed changes on our community.

Sincerely,

Annie Rigby

299 E Phelps St. Gilbert, AZ 85295

From: robswe
Sent: Tuesday, August 16, 2022 10:31 AM
To: Ashlee MacDonald
Subject: RE: [EXTERNAL]

My apologies. Just the Rivulon. Just keep thr zoning as is.

----- Original message -----

From: Ashlee MacDonald <Ashlee.MacDonald@GilbertAZ.gov>
Date: 8/16/22 8:03 AM (GMT-07:00)
To: robert sweador
Subject: RE: [EXTER

Hi Robert,

I want to make sure I'm accurately representing the project you are opposed to. GP22-09 is for the Rivulon Multi-family and Z22-08 is for a storage facility at the northwest corner of Higley and Williams Field. Are you opposed to both projects?

Thank you!

Ashlee MacDonald, AICP
Principal Planner
Development Services



[Shaping a new tomorrow, today.](#)

From: Town of Gilbert <gilbert.digital@gilbertaz.gov>
Sent: Monday, August 15, 2022 8:31 PM
To: Ashlee MacDonald <Ashlee.MacDonald@GilbertAZ.gov>
Subject: [EXTERNAL]

Message submitted from the <Town of Gilbert, Arizona> website.

Site Visitor Name: robert sweador

Site Visitor Email: .

PZN-2022-0008 and PGP-2022-00009 - No

Ashlee MacDonald

From: emily cowgur
Sent: Wednesday, September 28, 2022 8:49 AM
To: Ashlee MacDonald
Subject: [EXTERNAL]GP22-09 & Z22-07

September 27, 2022

To Whom it May Concern:

RE: GP22-09 & Z22-07

Please reject the rezoning and general plan amendments being requested for this parcel of land.

I am concerned about:

- Too many apartments being built in the surrounding area
- Requested exemptions for height, setbacks, landscaping and parking
- Public safety, schools & infrastructure keeping pace with apartments
- Increased traffic
- Use of Vintage Ranch parks by apartment residents

Sincerely,

Greg and Emily Cowgur

Ashlee MacDonald

From: Cathy Covone
Sent: Tuesday, September 27, 2022 7:56 PM
To: Ashlee MacDonald
Subject: [EXTERNAL]GP22-09 & Z22-07

September 27, 2022

To Whom it May Concern:

Please reject the rezoning and general plan amendments being requested for this parcel of land.

I am concerned about:

- Too many apartments being built in the surrounding area
- Requested exemptions for height, setbacks, landscaping and parking
- Public safety, schools & infrastructure keeping pace with apartments
- Increased traffic
- Use of Vintage Ranch parks by apartment residents

Sincerely,

Catherine Covone

Ashlee MacDonald

From: Jodi Lorenz
Sent: Tuesday, September 27, 2022 7:36 PM
To: Ashlee MacDonald
Subject: [EXTERNAL]GP22-09 & Z22-07

To Whom it May Concern:
RE: GP22-09 & Z22-07

Please reject the rezoning and general plan amendments being requested for this parcel of land.

I am concerned about:

- Too many apartments being built in the surrounding area
- Requested exemptions for height, setbacks, landscaping and parking
- Public safety, schools & infrastructure keeping pace with apartments
- Increased traffic and accidents
- Use of Vintage Ranch parks by apartment residents

Sincerely,
Jodi Lorenz

Ashlee MacDonald

From: Dave and Krista Pratchard
Sent: Tuesday, September 27, 2022 7:08 PM
To: Ashlee MacDonald
Subject: [EXTERNAL]GP22-09 & Z22-07

September 27, 2022

To Whom it May Concern:

RE: GP22-09 & Z22-07

Please reject the rezoning and general plan amendments being requested for this parcel of land. As a home owner in the Vintage Ranch subdivision I am concerned about the number of apartments being built in our area. More apartments will cause additional congestion and traffic to an already crowded intersection. As a parent of three students Gilbert Public Schools, I am also very concerned how the proposed apartments will affect the neighboring schools.

Sincerely,

Krista Pratchard

Ashlee MacDonald

From: Borns, Mark
Sent: Wednesday, September 28, 2022 12:42 PM
To: Secorra Flowers; Ashlee MacDonald; Eva Cutro; Dana Stevens
Cc: Joyce Ann Luse; ; tony desantis; ; Patty Scherer; eli gan
Subject: RE: [External] Town Resident against GP22-09, Z22-07 Stillwater Apartments at Rivulon

I endorse the statements made below by Secorra Flowers !! I am a resident of this community and am completely unaware of this activity ! No notification was provided of this project ! No opportunity to voice our concerns ! No environmental impact study that I am aware of regarding increase in local population - noise - neighborhood serenity - potential for crime ! The Gilbert police have been non-existent with regard to the street racing that occurs in the existing parking lots and street south of the Deloitte buildings ! This is an absolute over-step by the City of Gilbert conjoined with Nationwide Development ! I am upset with the collusion between Nationwide Development and the City of Gilbert (I am considering approaching our local news channels to share my position on this).

MWB

Mark W. Borns
Senior Strategic Sourcing Specialist

Disclaimer; Font in this e-mail may appear larger than desirable - This is intended only for easier reading.

-----Original Message-----

From: Secorra Flowers <
Sent: Wednesday, September 28, 2022 10:30 AM
To: ashlee.macdonald@gilbertaz.gov; eva.cutro@gilbertaz.gov; dana.stevens@gilbertaz.gov
Cc: Joyce Ann Luse
Subject: [External] Town Resident against GP22-09, Z22-07 Stillwater Apartments at Rivulon

[You don't often get email from Learn why this is important at
<https://aka.ms/LearnAboutSenderIdentification>]

WARNING: This message has originated from an External Source. This may be a phishing email that can result in unauthorized access to Honeywell systems. Please use proper judgment and caution when opening attachments, clicking links or responding.

Hello,

First, I would like to inquire why Town of Gilbert Residents were not notified by mail of this project via US Mail. I believe that is the practice for projects that impact citizens that live close by.
3468 S 142nd St., Gilbert, AZ 85297 and 3464 S. 142nd St., Gilbert, AZ 852997

From the Study Session, I now see there was a virtual meeting held on March 28, 2022. How could I attend if I was not notified? Current signage is placed in such a way it cannot be viewed as it is not placed near any open roadway due to construction within Rivulon. I know that the Town of Gilbert requires signage to be placed on the property's boundaries. However, the only sign on a roadway is the "former" Lexington, which has been closed for many months. Residents have been provided a construction road to exit the neighborhood through a field owned by Nationwide Realty. Without walking through a construction sight, one cannot read the sign.

I am against this change to the Town's General Plan.

The current General Plan has in place appropriate locations and numbers for apartments.

Amending the General Plan will increase traffic and the need for increased infrastructure. Something that has been a challenge for the Town of Gilbert.

The Town of Gilbert has always had strict landscaping buffers and parking restrictions that have set the Town above surrounding municipalities. Reducing these requirements does lessen the cost for the property owner but devalues the properties of the surrounding areas. Something that I see Nationwide Realty has already signed off on. This is nothing the residents of 142nd ST. and Willis RD. have done, nor was their opinion asked for. Have the residents of Allen Ranch, Vintage Ranch, Jake's Ranch, and The Gilbert Commons been formally notified or provided their release?

Please accept this as a formal objection to the project. I also request that I receive written notification of any project for development or roadways within 1 mile of my property by either US mail or email. If email is used, please send correspondence to secorra@me.com

Town of Gilbert Residents,
C Stephen and Secorra Flowers
Will and Joyce Luse

Ashlee MacDonald

From: Karlie Merrill
Sent: Tuesday, September 27, 2022 8:15 PM
To: Ashlee MacDonald
Subject: RE: GP22-09 & Z22-07

September 27, 2022

To Whom it May Concern:

Please reject the rezoning and general plan amendments being requested for the parcel of land located at the Rivulon development near Pecos/lindsay roads.

I am highly concerned about:

- Too many apartments being built in the surrounding area · Requested exemptions for height, setbacks, landscaping and parking will be unsightly and inconsistent with the esthetics of the surrounding neighborhoods and businesses.
- Public safety, schools & infrastructure keeping pace with ongoing needs and turnover of apartment residents · Increased traffic and noise

Sincerely,
Karlie Merrill

Sent from my iPhone

Ashlee MacDonald

From: Regina <
Sent: Tuesday, September 27, 2022 3:17 PM
To: Ashlee MacDonald
Subject: RE: GP22-09 & Z22-07

September 27, 2022

To Whom it May Concern:

RE: GP22-09 & Z22-07

I wanted to voice my objections and concern regarding the rezoning for high density housing, as well as building exceptions, for apartments at Rivulon. I did my due diligence before selecting a property to buy. I checked the zoning of every vacant parcel around. Apartments were not in the mix. Rivulon for that matter wasn't either.

I personally would NOT like to see apartments at all. There have been too many apartments built too fast in a relatively short amount of time. However, I feel that request is falling on deaf ears, so I respectfully request the following:

- Please do NOT give a height exemption. There are no other apartments along the Pecos corridor that allow for this height of apartments. The only apartments in the area with this height are The Tyler and they are horrid. I do not want to see the apartments from my home. They are ugly and will devalue the surrounding homes.
- Please do Not give a set back exemption. I, too, live on a curve and have to adhere to the Town's setbacks.
- Please do NOT allow for reduced landscaping. Landscaping not only beautifies and camouflages an area, but plants help reduce pollution.
- Please do Not reduce the number of prescribed parking spaces that are required at the apartment complex. The plan is to utilize other parking. Who wants to pay premium rent and have to hunt for a parking spot for themselves or a guest?

The neighbors have been told these will be high end apartments with high end rents, but these exceptions scream CHEAP to me.

In addition, I am troubled by the vast number of apartments in the planning, building, and new construction phase. I am concerned with the following:

- Has the town kept up with the funding AND HIRING of enough police and fire safety personnel? Other surrounding cities have 100's of job req.'s opened and no one to fill them. This is dangerous.
- Are there enough classrooms and teachers to accommodate the growing number of students? I am hearing that schools are trying to bring in portables to house additional students. Also, as a former teacher I know that many kids that come from apartments have moved around a lot and are at a disadvantage compared to students who have more stable housing. Larger class sizes + transient students = lower overall achievement.
- What is this developer bringing to the table so to speak for the community? Developers are into money, not quality of life. So, what are they bringing to the people of the town to improve the quality of life here in Gilbert?
- I am concerned that with less landscaping, setbacks, and livable outdoor space, our neighborhood's parks will be quite appealing to apartment dwellers who will come and play in our parks, walk their dogs, etc. while putting nothing back into the maintenance of our common areas.

These apartments are a bad idea on so many levels. I have just scratched the surface of my concerns. I don't want apartments at all. I'd like to see how all rest of the apartment communities settle before building more apartments, but if they are to be built, then please do not make exceptions that favor the developer and shaft the citizens that live here.

Sincerely,

Regina Grossarth
577 E Benrich Dr
Gilbert AZ 85295

Ashlee MacDonald

From: TANJA ROMNEY
Sent: Wednesday, September 28, 2022 9:51 AM
To: Ashlee MacDonald
Subject: RE: GP22-09 & Z22-07

September 28, 2022

To Whom it May Concern:

RE: GP22-09 & Z22-07

Please reject the rezoning and exceptions being requested for this parcel of land.

I am concerned about:

- Too many apartments being built in the surrounding area
- Requested exemptions for height, setbacks, landscaping and parking
- Public safety, schools & infrastructure keeping pace with apartments
- Increased traffic congestion esp since traffic will already increase now that the Loop 202 access is open
- Use of Vintage Ranch parks by apartment residents

Thank You,

Tanja Romney

Ashlee MacDonald

From: Terese Plumridge
Sent: Tuesday, September 27, 2022 4:45 PM
To: Ashlee MacDonald
Subject: Rezoning Stillwater apartments

September 27, 2022
To Whom it May Concern:
RE: GP22-09 & Z22-07

Please reject the rezoning and general plan amendments being requested for this parcel of land.
I am concerned about:

- Too many apartments being built in the surrounding area
- Requested exemptions for height, setbacks, landscaping and parking
- Public safety, schools & infrastructure keeping pace with apartments
- Increased traffic
- Use of Vintage Ranch parks by apartment residents

Sincerely,
Christopher and Terese Plumridge

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Ashlee MacDonald

From: Secorra Flowers
Sent: Wednesday, September 28, 2022 10:30 AM
To: Ashlee MacDonald; Eva Cutro; Dana Stevens
Cc: Joyce Ann Luse
Subject: Town Resident against GP22-09, Z22-07 Stillwater Apartments at Rivulon

Hello,

First, I would like to inquire why Town of Gilbert Residents were not notified by mail of this project via US Mail. I believe that is the practice for projects that impact citizens that live close by.

3468 S 142nd St., Gilbert, AZ 85297 and 3464 S. 142nd St., Gilbert, AZ 85297

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Town of Gilbert Residents,
C Stephen and Secorra Flowers
Will and Joyce Luse

**GP22-09, Z22-07 Stillwater Rivulon
Attachment 10: Correspondence from Gilbert Public Schools**

From: Jason Martin <jason.martin@gilbertschools.net>
Sent: Monday, October 17, 2022 3:57 PM
To: Ashlee MacDonald
Subject: Re: Gilbert Rezone Request

Thank you Ashlee for reaching out. This proposed apartment complex would feed into Quartz Hill Elem, and South Valley Junior High both of which have plenty of capacity. While Campo Verde High is more or less at capacity we do not see a problem with this development as apartment complexes historically do not bring in a ton of K-12 students.

Thanks, Jason

On Mon, Oct 17, 2022 at 3:21 PM Ashlee MacDonald <Ashlee.MacDonald@gilbertaz.gov> wrote:

Hi Jason,

You've provided me some excellent information in the past, so I'm reaching out in hopes that you can assist me again, or point me in the right direction.

I'm working with an applicant on a request to rezone a 10.3 acre site from Business Park (employment and office type uses) to Multi-Family-High (25-50 dwelling units/acre). The proposal is located southwest of the southwest corner of Lindsay and Pecos Roads and would involve the development of a multi-family complex with 353 units. We've heard some concerns from surrounding communities about the school district's capacity and ability to serve the additional students that would live here. I wanted to make sure that the District had the opportunity to provide any comments or feedback related to these concerns.

I'm attaching a map of the site, but if you have any questions, please let me know. And please feel free to pass this along.

Ashlee MacDonald, AICP

Principal Planner
Development Services

ashlee.macdonald@gilbertaz.gov

Work: (480) 503-6748 **Cell:** (480) 215-6960

90 E Civic Center Drive

Open Mon-Thurs, 7 a.m. - 6 p.m.; Closed Fridays

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Jason Martin
Assistant Superintendent of Elementary Education
Gilbert Public Schools
480-497-3344
jason.martin@gilbertschools.net



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