



# 14,15

## 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. GP21-03 KEYSTONE: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 15 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SANDERS DR. AND WARNER RD. FROM RESIDENTIAL 5-8 DU/ACRE TO RESIDENTIAL 8-14 DU/ACRE.

B. Z21-05 KEYSTONE: REQUEST TO REZONE APPROXIMATELY 15 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SANDERS DR. AND WARNER RD. FROM MARICOPA COUNTY AIRPORT DISTRICT-3 (AD-III) ZONING DISTRICT TO TOWN OF GILBERT MULTI FAMILY-LOW (MF/L) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT (PAD).

**STRATEGIC INITIATIVE:** Prosperous Community

To allow for a new multi-family development on an undeveloped parcel.

**RECOMMENDED MOTION**

- A. Move to recommend to Town Council approval of GP21-03 Keystone, 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 Z21-05, Keystone, as requested, subject to the conditions listed in the staff report.

**APPLICANT**

Company: Burch & Cracchiolo  
Name: Brennan Ray  
Address: 1850 N. Central Ave, Ste 1700  
Phoenix, AZ 85004  
Phone: 602-234-8794  
Email: bray@bcattorneys.com

**OWNER**

Company: Keystone at Gilbert, LLC  
Name: Chris Hundelt  
Address: N/A  
Phone: 602-999-7471  
Email: chundelt@keystonehomesaz.com

**BACKGROUND/DISCUSSION**

**History**

Date	Description
<i>April 7, 2021</i>	GP21-03 & Z21-05 was reviewed by the Planning Commission at Study Session
<i>September 7, 2022</i>	GP21-03 & Z21-05 was reviewed by the Planning Commission at Study Session
<i>November 1, 2022</i>	Town Council will hold a Public Hearing on A22-03, an annexation of the subject site.

**Overview**

The subject site is located just east of Recker Rd. on the southeast corner of Sanders Dr. and Warner Rd. and includes a request for a Minor General Plan amendment from Residential 5-8 DU/Acre to Residential 8-14 DU/Acre and a rezone from Maricopa County Airport District III (generally equivalent to the Light Industrial zoning district) to Town of Gilbert Multi-Family/Low with a Planned Area Development. The site is currently undeveloped and within an unincorporated portion of Maricopa County and a concurrent annexation application is under review (A22-03).

The applicant is proposing a mixture of single-story “bungalow style” and two-story attached residential units on the site. A total of 157 residential units are proposed on the 15 acres site (10.5 DU/acre).

**Surrounding Land Use & Zoning Designations:**

	Existing Land Use Classification	Existing Zoning	Existing Use
North	Industrial	Light Industrial (LI) PAD	Warner Road, then Warner Commons Development
South	Residential>5-8 DU/Acre Residential>1-2 DU/Acre	Single Family-6 (SF-6) Maricopa County RU-43 and Airport District-III	Existing Residential Homes
East	General Office Industrial	General Office (GO) Light Industrial (LI)	Undeveloped
West	Residential>5-8 DU/Acre	Single Family-Detached (SF-D) PAD	Copper Ranch Residential Community
Site	Residential>5-8 DU/Acre	Maricopa County Airport District-III	Undeveloped

**General Plan**

The General Plan land use classification on the 15 acres site is Residential > 5-8 dwelling units/acre. As described in the General Plan “*The Residential>5-8 DU/Acre classification designates areas for higher density for detached and attached residential units. (Typical corresponding zoning districts with this land use classification: SF-6, SF-D, and SF-A).*”

The applicant is proposing a land use change to Residential > 8-14 dwelling units/acre, which “*designates areas for higher density, often multifamily, residential uses. (Typical corresponding zoning districts with this land use classification: SF-D, SF-A, MF/L).*”

The site is located within the Gateway Character area of the General Plan, and future development will need to comply with the character area standards.

Among other policies outlined in the attached narrative, the applicant asserts this request is supported by some of the following policies set forth in the 2020 General Plan:

- Policy 2 – Encourage high quality housing in suitable areas that can accommodate a variety of lifestyles, households, ages, market preferences, and incomes.  
*“The proposed development and housing options within it are designed to appeal to a variety of different people, ranging from young professionals/millennials to empty nesters, baby boomers, pre-seniors, and seniors.”*
- Policy 6 – Support the provision of appropriate transitions between sites having distinct changes in types or intensities of land uses.  
*“Consistent with good planning principles, the proposed development will provide an appropriate transition between less intense uses (the existing residential developments south and west of the Site) to more intense uses (future business park/industrial complexes north and east of the Site).”*
- Policy 11 – Encourage the reduction of the Urban Heat Island effect.  
*“The proposed development contains more common and private open space (6.52 acres) than is required in the MF/L zoning district (5.92 acres). The excess open space further contributes to reducing the Urban Heat Island effect.”*

## Rezoning & PAD

The applicant has requested a rezone from Maricopa County Airport District III to Town of Gilbert Multi-Family / Low (MF/L) with a Planned Area Development (PAD). A concurrent annexation application is being reviewed as part of this request, and action will need to be taken by Town Council on the annexation prior to Council taking action on the rezone request.

The current zoning on site of Maricopa County Airport District III allows for a variety of commercial and industrial such as: retail establishments, eating and drinking establishments, lumberyards, warehousing and manufacturing. The existing Maricopa Counting zoning is not consistent with the Town of Gilbert General Plan designation of residential.

As proposed, the rezoning would more closely align with the residential designation on the Town of Gilbert General Plan. The proposal includes 157 units at a density of 10.5 dwelling units per acre.

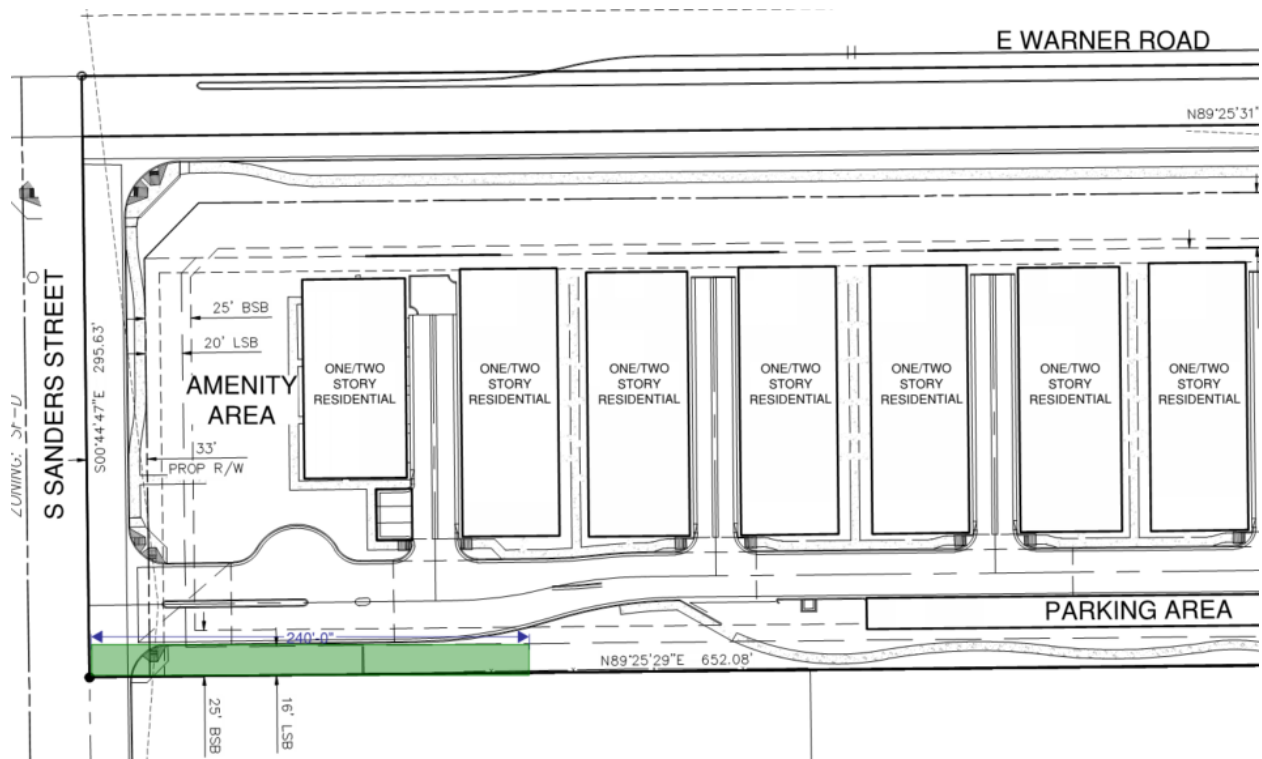


### Project Data Table

Site Development Regulations	Required per LDC	Proposed by the Applicant
Maximum Height (ft.) (adjacent to the southern and western property lines abutting the existing residential properties)	36'	36'/One-story
Maximum Height (ft.)/Stories (adjacent to Warner Road)	36'	36'/Two-stories
Minimum Building Setbacks (ft.)		
Front	25'	25'
Side (street)	25'	25'
Side (non-residential)	20'	20'
Rear (single family)	25'	25'
Minimum Required Landscape Setbacks (ft.)		
Front	20'	20'
Side (street)	20'	20'
Side (non-residential)	15'	15'
Rear (Residential)	20'	20'
		15' (for approximately 240' from the westernmost property line, adjacent to the Sanders Dr. ingress/egress access point)
Separation between Buildings (ft.)		
Single Story	20'	10'
Two Story	20'	20'

In order to achieve the proposed density the applicant has proposed two deviations from the Land Development Code as shown in the table above.

The first requested deviation includes a request to reduce the landscape setback by 5' (20' → 15') adjacent to the drive aisle ingress/egress point starting at Sanders Drive and continuing for a distance of 240'. This reduction will allow the project to align the entrance with the existing street to the west, thus meeting the Town's drive aisle alignment standards as designated in green on the image below.



The second requested deviation is to reduce the minimum required separation between buildings from 20' to 10'. Staff notes that the reduced building separation is located internal to the site and is not anticipated to impact adjoining properties. The applicant has indicated that the building separation reduction applies only to the single story units, a condition to this effect has been added.

### 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 November 19, 2020. Approximately 6 residents attended the meeting. The residents asked questions regarding the following:

- Building height adjacent to the southern property line;
  - The applicant agreed to limit the height to single story for a portion of the property on the south.
- Increase in southern wall height to 10';
  - The developer responded that a 10' wall would not be the best idea.

- Requests for additional landscape (trees) along southern boundary instead of an increase in wall height;
  - Applicant promised to work with staff to see if adding more trees above the required amount would be feasible.
- Concerns about 2-story homes in the NW corner of the site overlooking homes to the south;
  - Applicant assured the neighbors they would work to ensure that their concern was addressed.
- The need for the western ingress/egress point to line up with the existing road on the western side of Sanders Dr.;
- Undergrounding power lines along Warner Rd. frontage.
  - Applicant will be relocating and burying some of the power lines.

To date, no comments from the public have been received.

#### 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 5.201 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

1. Recommend to the Town Council approval of GP21-03 Keystone, a Minor General Plan Amendment; and
2. 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 Z21-05 rezoning approximately 15 acres of real property generally located at the southeast corner of Sanders Dr. and Warner Road from Maricopa County Airport District – 3 (AD-III) to Town of Gilbert Multi Family – Low (MF/L) zoning district with a Planned Area Development (PAD) overlay, subject to the following conditions:
  - a. Dedication to Gilbert for E. Warner Road rights-of-way that are adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
  - b. Dedication of E. Warner Road shall extend 70 feet from the center line.
  - c. Dedication to Gilbert for S. Sanders Drive Road right-of-way that is adjacent to the Property shall be completed prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer. Dedication of Sanders Drive shall extend 33 feet from the center line. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
  - d. Construction of off-site improvements to E. Warner Road and S. Sanders Drive adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any unit or building constructed on the Property or at the time requested by Gilbert, whichever is earlier. If Gilbert constructs the improvements required by this ordinance as part of its capital improvements program prior to development of the Property, Developer shall reimburse Gilbert for its reasonable costs of construction prior to issuance of a certificate of occupancy or final approval of any unit or building constructed on the Property.

- e. Developer shall construct, at the Developer's expense, dedicated right turn lane(s) and any associated improvements at any proposed access on Warner Road right-of-way into the site. The minimum geometry of the dedicated right turn lane(s) shall be 80 feet storage, 85 feet taper, and 12 feet wide or per the storage per as described in the approved traffic study.
- f. Developer shall design and construct, at the Developer's expense, northbound dual egress lanes at the intersection of Warner Road and Sanders Drive Improvements shall be completed prior to issuance of a certificate of occupancy or final approval of any unit or building constructed on the Property or at the time requested by Gilbert, whichever is earlier.
- g. Prior to issuance of the first building permit or at the time of recordation of the final plat, 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. If Developer constructs the improvements, Gilbert shall release Developer from its obligations under the Development Reimbursement Agreement.
- h. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
- i. Developer shall create a Homeowner's Association (HOA) or Property Owners' 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. Maintenance responsibilities for common areas and open space areas shall be specified on the approved site plan or final plat.

- j. Prior to final plat approval, Developer shall pay for its proportional share of water and sewer mains benefitting the Property, as required by the Town Engineer
- k. 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:

Site Development Regulations	Proposed by the Applicant
Maximum Height (ft.) (adjacent to the southern and western property lines abutting the existing residential properties)	36’/One-story
Minimum Required Landscape Setbacks (ft.)	
Rear (Residential)	20’*  *15’ beginning at the westernmost portion of the site, just south of the Sanders Drive entry, and extending 240’ to the east only
Separation between Buildings (ft.)  Single Story	10’

- l. The maximum number of dwelling units shall be limited to the maximum allowed under the Gilbert General Plan.
- m. The following fair disclosure agreement and covenant, which would include the following disclosure, shall be recorded as a condition of development approval.  
 “This property, due to its proximity to Phoenix-Mesa Gateway Airport, will experience aircraft overflights, which are expected to generate noise levels that may be of concern to some individuals. The mix of aviation activities and types of aircraft expected to be located and operate at the airport now and in the future include: scheduled and unscheduled commercial charters, commercial air carriers and commercial air cargo operations, all of which are expected to use

large commercial aircraft; general aviation activity using corporate and executive jets, helicopters, and propeller aircraft; aviation flight training schools using training aircraft; and military activity using high performance military jets. The size of aircraft and frequency of use of such aircraft may change over time depending on market and technology changes.”

- n. Any final subdivision plats and public reports filed with the Arizona Department of Real Estate shall include the notice described in condition “m”
- o. Sales and leasing offices established for residential development projects shall provide notice to all prospective buyers and lessees stating that the project is located within an Aircraft Overflight Area. Such notice shall consist of a sign at least 4-foot by 4-foot installed at the entrance to the sales or leasing office at each project. The sign shall be installed prior to commencement of sales or leases and shall not be removed until the sales office is permanently closed or leasing office no longer leases units in the project. The sign should state the disclosure in condition “l.” with letters of at least one (1) inch in height.

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 September 7, 2022

# Notice of Public Hearing

PLANNING COMMISSION DATE:

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

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

Tuesday, December 13, 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](http://www.gilbertaz.gov/departments/development-services/planning/planning-commission) and [www.gilbertdocs.com/gilbertagendaonline](http://www.gilbertdocs.com/gilbertagendaonline).

GP21-03, Z21-05 Keystone  
Attachment 1: NOPH/Vicinity Map

## REQUESTED ACTION:

**GP21-03 KEYSTONE:** Request for Minor General Plan Amendment to change the land use classification of approx. 15 acres generally located at the southeast corner of Sanders Dr. and Warner Road from Residential 5-8 DU/Acre to Residential 8-14 DU/Acre. The effect of this amendment will be to change the plan of development to allow for increased density of residential development.

**Z21-05 KEYSTONE:** Request to rezone approximately 15 acres of real property generally located at the southeast corner of Sanders Dr. and Warner Road from Maricopa County Airport District-3 (AD-III) zoning district to Town of Gilbert Multi Family-Low (MF/L) zoning district with a Planned Area Development overlay zoning district (PAD) to reduce the landscape setback adjacent to the western access drive. The effect will be to permit multi-family housing.

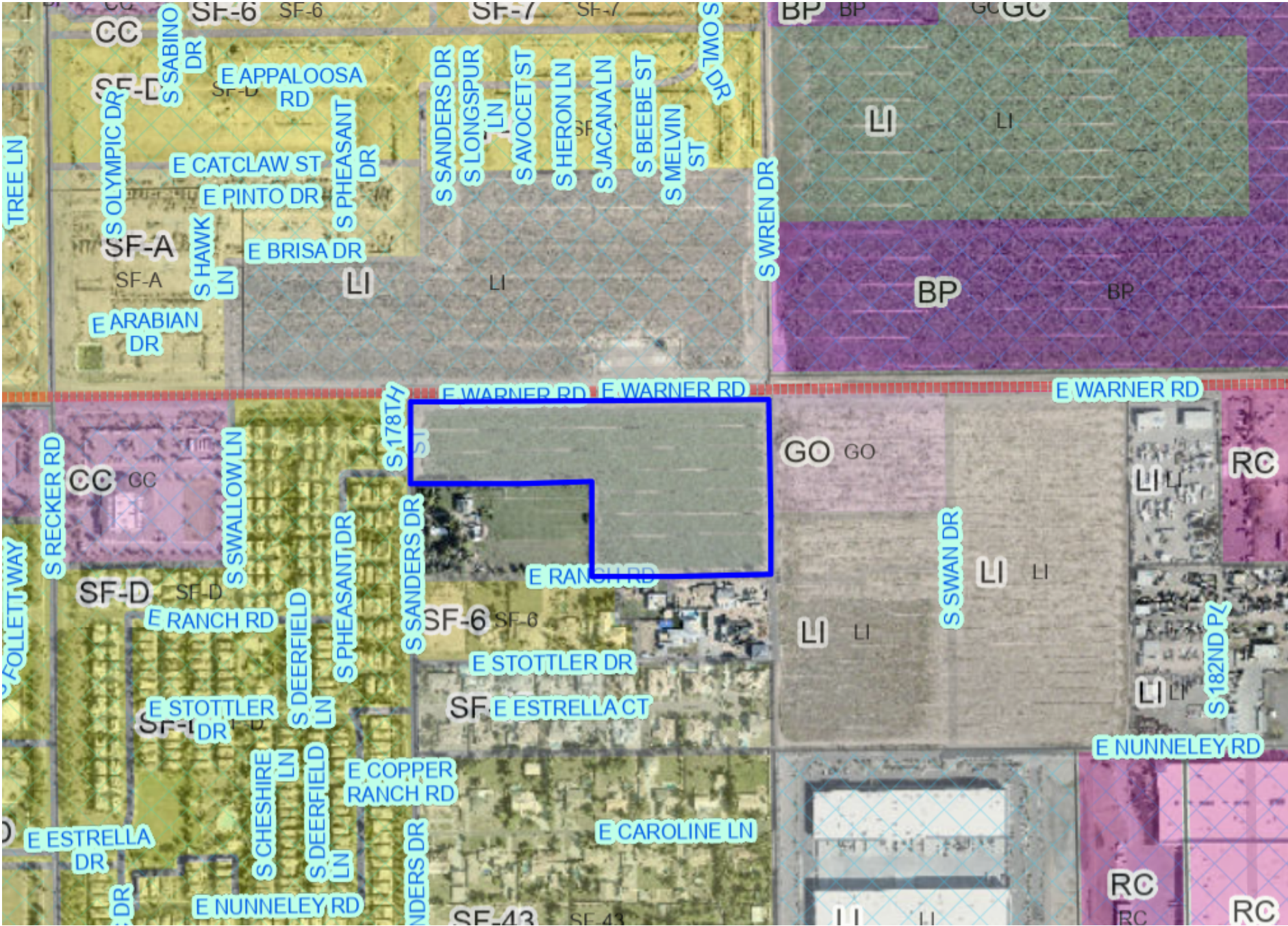
## SITE LOCATION:



APPLICANT: Burch & Cracchiolo, PA  
CONTACT: Brennan Ray  
ADDRESS: 1850 N Central AVE Unit: 1700  
Phoenix, AZ 85004

TELEPHONE: (602) 234-8794  
E-MAIL: BRay@bcattorneys.com











**LEGAL DESCRIPTION**

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 1 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE NORTH QUARTER CORNER OF SAID SECTION 24, BEING MARKED BY A BRASS CAP IN HAND HOLE, FROM WHICH POINT THE NORTHWEST CORNER OF SAID SECTION 24, BEING MARKED BY A BRASS CAP IN HAND HOLE, BEARS SOUTH 89°25'31" WEST (BASIS OF BEARINGS), A DISTANCE OF 2607.64 FEET;

THENCE SOUTH 00°48'16" EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 672.23 FEET;

THENCE SOUTH 89°25'27" WEST, A DISTANCE OF 652.25 FEET;

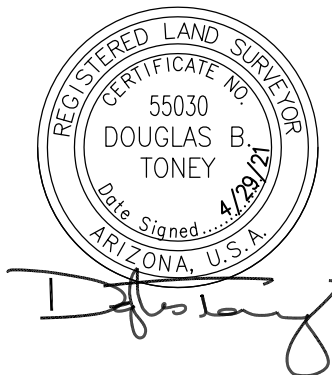
THENCE NORTH 00°46'32" WEST, A DISTANCE OF 343.62 FEET;

THENCE SOUTH 89°25'29" WEST, A DISTANCE OF 652.08 FEET;

THENCE NORTH 00°44'47" WEST, A DISTANCE OF 328.63 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH 89°25'31" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1303.82 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 652,611 SQ.FT. OR 14.9819 ACRES, MORE OR LESS.



NORTHWEST CORNER  
SECTION 24, T1S, R6E  
FOUND BRASS CAP IN HAND HOLE

POINT OF BEGINNING  
NORTH QUARTER CORNER  
SECTION 24, T1S, R6E  
BRASS CAP IN HAND HOLE

E. WARNER ROAD

(BASIS OF BEARINGS)  
S89°25'31"W 2607.64'

1303.82'

1303.82'

S. 178TH ST / SANDERS DRIVE

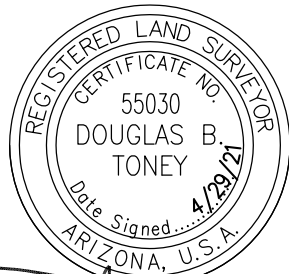
N00°44'47"W 328.63'

S89°25'29"W 652.08'

N00°46'32"W 343.62'

S89°25'27"W 652.25'

S. 180TH STREET S00°48'16"E 672.23'



*Douglas B. Toney*



N.T.S.

SHEET 1 OF 1

DATE:  
4/29/21

EXHIBIT

BY: DT	CHK:	QC:	
BCG PROJECT NO: 050912-01 TASK: 001			
CLIENT REF NO:			

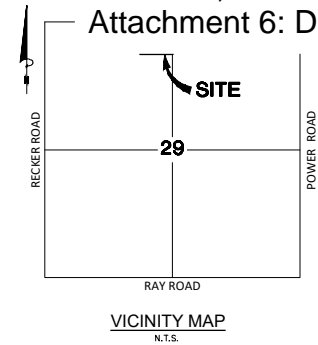
**Bowman**  
CONSULTING

1295 W Washington St, #108  
Tempe, AZ 85281  
Phone: (480) 629-8830  
Fax: (480) 629-8841  
www.bowmanconsulting.com

# DEVELOPMENT PLAN FOR WARNER AND SANDERS

THE NORTHWEST QUARTER OF SECTION 24, T1S, R6E OF THE GILA  
AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

APN: 304-18-010C  
ZONING: LI



**DEVELOPER**  
KEYSTONE HOMES  
7550 E MCDONALD DR, SUITE G  
SCOTTSDALE, AZ 85250  
TEL: (602)999-7471  
CONTACT: CHRIS HUNDELT

**ENGINEER**  
BOWMAN CONSULTING  
2420 S POWER RD, SUITE 105  
MESA, AZ 85209  
TEL: (480)267-9978  
CONTACT: NATHAN LARSON

**PROJECT DATA**

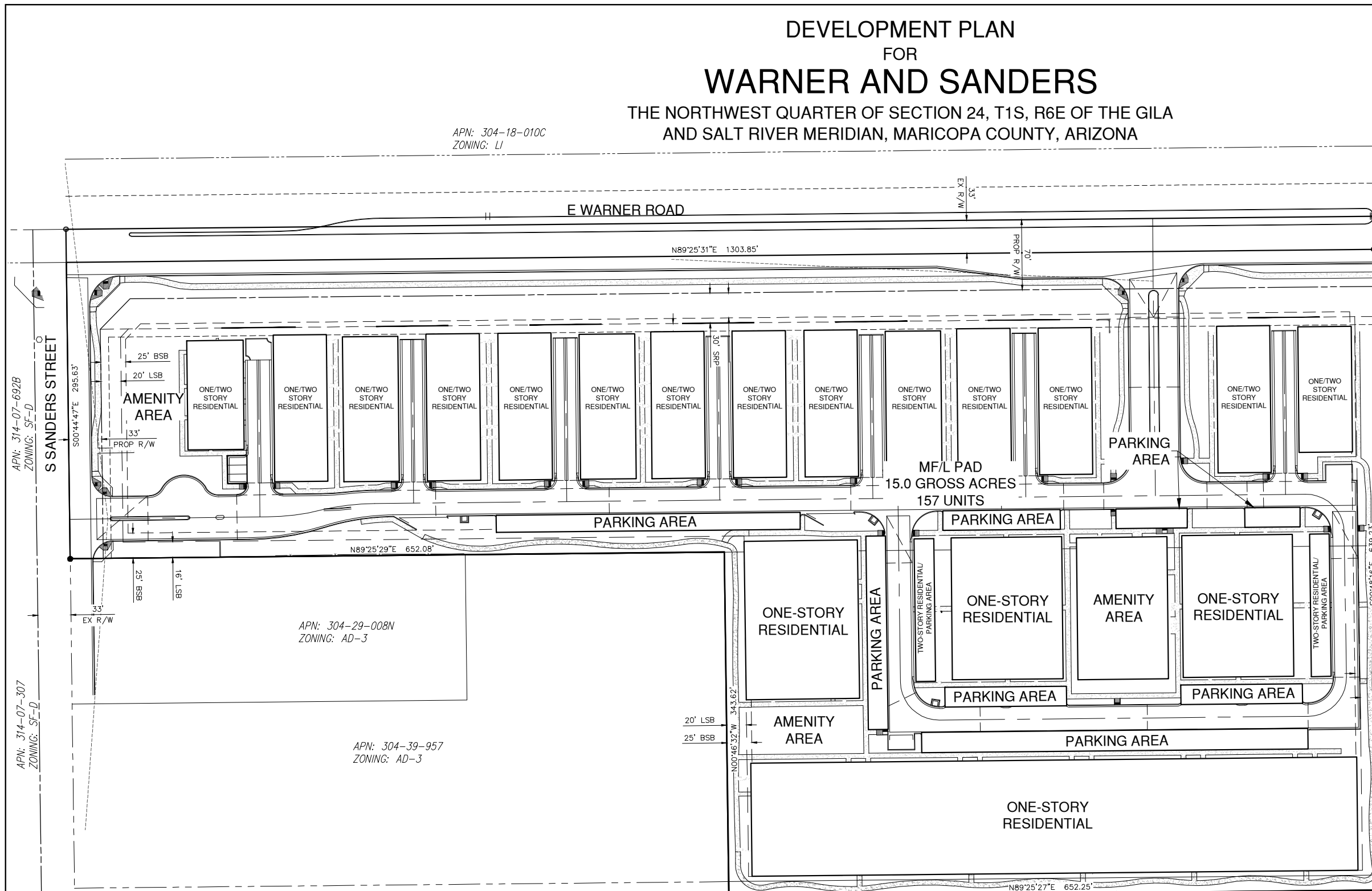
APN:	304-29-008B
EXISTING LAND USE:	RESIDENTIAL > 5-8 DU/ACRE
PROPOSED LAND USE:	RESIDENTIAL > 8-14 DU/ACRE
EXISTING ZONING:	AD-3
PROPOSED ZONING:	MF/L PAD
GROSS AREA:	15.0 AC
NET AREA:	12.7 AC

**NO OF UNITS:**

SINGLE FAMILY DETACHED	66 UNITS
2-STORY ROW TOWNHOMES	91 UNITS
	157 UNITS

**GROSS DENSITY:** 10.5 DU/ACRE

STANDARD	MF/L	WARNER AND SANDERS
<b>MINIMUM PERIMETER LANDSCAPE AREA (DEPTH IN FEET)</b>		
REAR (RESIDENTIAL)	20'	16'
SEPARATION BETWEEN BUILDINGS	20'	10'



APN: 304-29-008N  
ZONING: AD-3

APN: 304-39-957  
ZONING: AD-3

APN: 304-18-015C  
ZONING: SF-6

APN: 304-18-016  
ZONING: SF-6

APN: 304-29-008W  
ZONING: SF-6

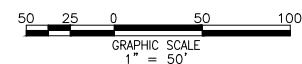
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ZONING: SF-6

APN: 304-18-017  
ZONING: SF-6

APN: 304-29-008G  
ZONING: RU-43

APN: 304-18-018F  
ZONING: RU-43

APN: 304-39-963  
ZONING: GO



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www.bowmanconsulting.com  
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DEVELOPMENT PLAN  
WARNER AND SANDERS

MARICOPA COUNTY  
GILBERT, AZ

PROJECT NUMBER		
PLAN STATUS		
DATE	DESCRIPTION	
DST DESIGN	DST DRAWN	NTL CHKD
SCALE	H: V:	
JOB No. 050912-01-001		
DATE : 7/1/2022		
DP1		
SHEET 1 OF 1		



**Site Summary:**

<b>Total Homes</b>	
Single Family Detached	: 66 (42.0%)
2-Story Row Townhomes	: 91 (58.0%)
<b>Total</b>	<b>: 157</b>

Gross Site Area	: ± 14.9 Acres
Gross Density	: ± 10.5 Homes per Acre

Net Site Area	: ± 12.7 Acres
Net Density	: ± 12.4 Homes per Acre

**Proposed Parking\*:**

1.0 Space / 1 BR x 56	= 56
2.0 Spaces / 2 BR x 66	= 132
2.0 Spaces / 3 BR x 35	= 70
0.25 Guest Spaces x 157	= 39.25
<b>Total Required</b>	<b>= 297.25 (1.89:1)</b>

\*Per town of Gilbert, AZ multi-family parking standards

**Parking Provided:**

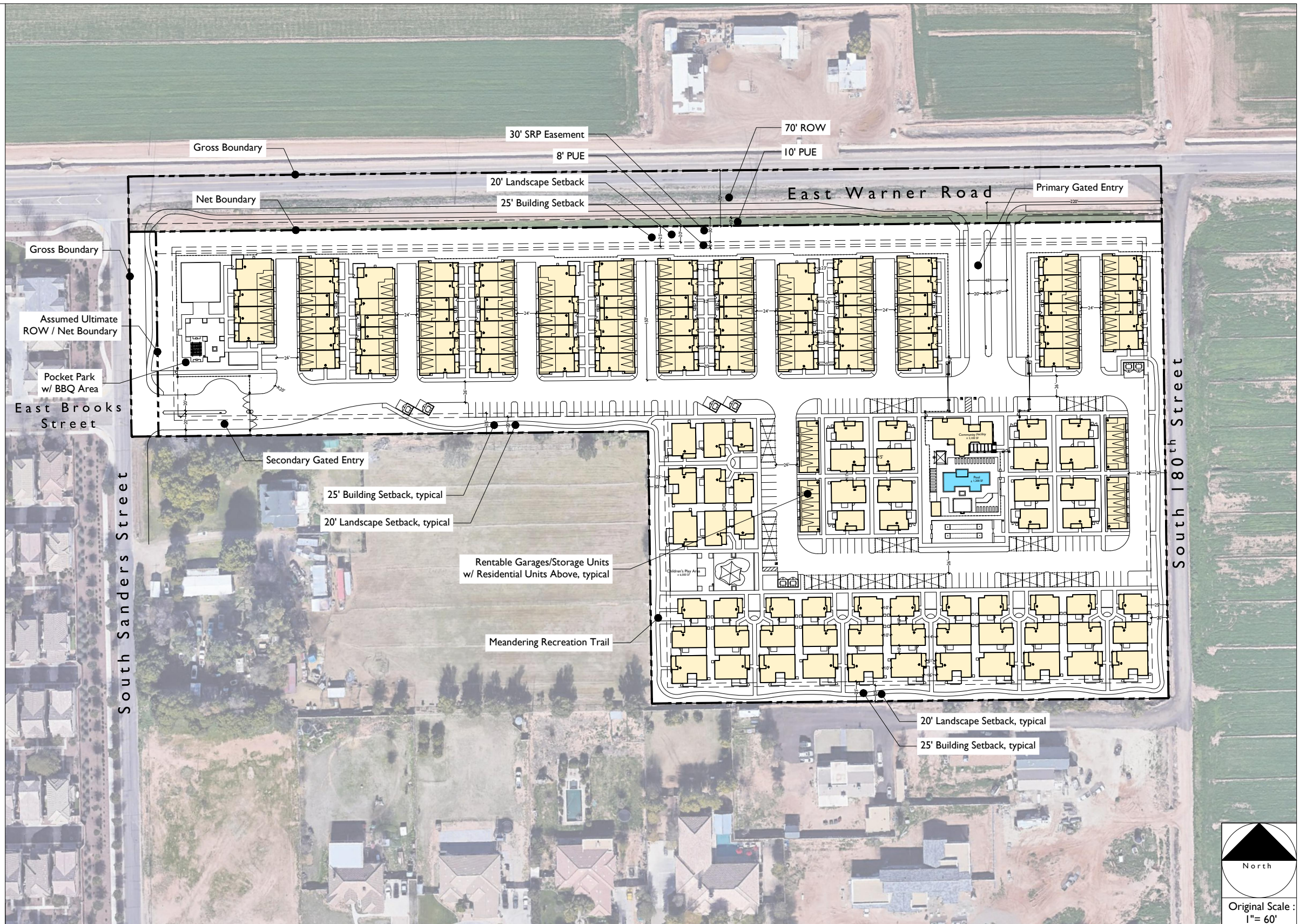
Garage Spaces	= 176
Carport Spaces	= 66
Uncovered Spaces	= 66
<b>Total Provided</b>	<b>= 308</b>

**Overall Parking Ratio = 1.96:1**

**Unit Mix:**

1 BR	: 56 (35.7%)
2 BR	: 66 (42.0%)
3 BR	: 35 (22.3%)
<b>Total</b>	<b>: 157</b>

**Total Rentable Square Footage = ± 171,509 sq. ft.**







## MEMORANDUM

To: Town of Gilbert  
From: Brennan Ray  
Date: March 9, 2021  
RE: **Minor General Plan Amendment and Rezoning Narrative  
SEC of Warner Road and Sanders Street**

### I. INTRODUCTION

Building on the reputation for creating high-quality neighborhoods and communities, Keystone Homes (“Keystone”) is the proposed developer of 14.9± gross (12.7± net) acres located at the southeast corner of Warner Road and Sanders Street (the “Site”). An aerial of the Site is attached as *Exhibit 1*. Consistent with the high bar that Keystone has established throughout the Phoenix-Metro area, Keystone is seeking to develop the Site as a unique, innovative, high-quality residential community featuring rental homes. Keystone anticipates developing the Site with 157 homes at a density of 10.5 du/ac. The land planning and design concepts for the Site portray a high-quality development and extraordinary sense of community, compatibility, and sustainability. Keystone’s request is to:

- Annex the Site into the Town of Gilbert (the “Town”);
- Amend the General Plan land use from Residential (5-8 dus/ac) to Residential (8-14 dus/ac) (*See Exhibit 2, General Plan Exhibit*); and
- Rezone the Site from AD-3 in Maricopa County to Multi-Family/Low (MF/L) (*See Exhibit 3, Zoning Exhibit; Exhibit 4, Informational Site Plan; and Exhibit 5, Development Plan*).

The proposed development will be an attractive presence in the area and provide alternate housing choices for people. The proposed community is/will be united through an organized layout, architecture, landscape theming, perimeter treatments, and amenities. This development represents a lifestyle choice, presenting future residents a unique living experience and an alternative housing choice to the traditional options of single-family residences or traditional apartment complexes. These homes will cater to those seeking to live in a vibrant, resort-style amenitized environment. This community combines the best elements of residential single-family living with multi-family-like lease terms and management. The combination of these elements creates a desirable residential option with upscale features and spacious indoor/outdoor living areas maintained by a professional management company, without the mortgage payment or HOA fees of a typical single-family development.

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(602) 850-9794 (Fax)  
[bray@bcattorneys.com](mailto:bray@bcattorneys.com)





RE: SEC Warner & Sanders  
 GPA/Rezone Narrative  
 March 9, 2021

**II. SITE AND SURROUNDING AREA**

The Site is designated on the Town’s General Plan as Residential (5-8 du/ac). The Site is zoned AD-3 in Maricopa County. The surrounding land use General Plan and zoning designations are:

	<b>General Plan Designation</b>	<b>Zoning Category</b>	<b>Existing Use</b>
North	Business Park; Light Industrial	BP and LI	Agriculture
South	Residential (5-8 du/ac)	Unincorporated Maricopa County	Single-family residential
East	General Office	GO	Agriculture
West	Residential (5-8 du/ac)	SF-D	Single-family residential

**III. COMPATIBILITY WITH ELEMENTS OF GENERAL PLAN**

Keystone’s requests are supported by the following Policies of the General Plan:

- **Policy 2 – Encourage high quality housing in suitable areas that can accommodate a variety of lifestyles, households, ages, market preferences, and incomes.** The proposed development and housing options within it are designed to appeal to a variety of different people, ranging from young professionals/millennials to empty nesters, baby boomers, pre-seniors, and seniors.
- **Policy 6 – Support the provision of appropriate transitions between sites having distinct changes in types or intensities of land uses.** Consistent with good planning principles, the proposed development will provide an appropriate transition between less intense uses (the existing residential developments south and west of the Site) to more intense uses (future business parks/industrial complexes north and east of the Site).
- **Policy 7 – Preserve and maintain Gilbert’s attractive appearance and quality of development that provides a sense of place.** Keystone has built a reputation throughout the Valley of building high-quality developments. This proposed development will be consistent with the high bar that Keystone has established. The layout, landscaping, architecture, and design of this community will create a sense of place and continue building on the Town’s reputation.
- **Policy 11 – Encourage the reduction of the Urban Heat Island effect.** The proposed development contains more common and private open space (6.52± acres) than is required



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in the MF/L zoning district (5.92± acres). The excess open space further contributes to reducing the Urban Heat Island effect.

- **Policy 12 – Encourage substantial drought tolerant landscaping in public and private projects to maintain a heavily landscaped feel to the community while reducing the consumption of water.** As will be shown the future landscape plans, the proposed landscaping is designed to create an attractive experience for those people living in the development and travelling along Warner Road. Plants from the Arizona Department of Water Resources “Low Water Use Plant List” will be used.

**IV. PROPOSED REZONING**

***A. Proposed Base Zoning Districts and Uses***

Keystone is requesting the Site be zoned MF/L with PAD Overlay for a residential community. Proposed modifications to the MF/L Development Standards are discussed below.

***B. Development Standards***

Keystone’s request to rezone the Site to MF/L with PAD Overlay has been planned with the following residential lot development standards for the homes (changes are noted in **bold**):

<b>Standards</b>	<b>LDC MF/L</b>	<b>Keystone Proposed MF/L Standards</b>
Min. Parcel Area (sq. ft.)	20,000	20,000
Max. Height (ft.)	36	36
Min. Perimeter Building Setbacks (ft.)		
– Front	25	25
– Side (Street)	25	25
– Side (Adjacent to Non-Residential Zoning District)	20	20
– Rear (Adjacent to Single Family Residential Zoning District)	25	25
Min. Perimeter Landscape Area (ft.)		
– Front	20	20
– Side (Street)	20	20
– Side (Adjacent to Non-Residential Zoning District)	15	15
– Rear (Adjacent to Single Family Residential Zoning District)	20	<b>15’ @ west Entry/Exit only</b> 20 elsewhere along the southern boundary
Separation between Buildings (ft.)		
– Single or two story	20	<b>10</b>
Private Open Space (sq. ft.)	60	60
Common Open Space (minimum)	45% of net site	45% of net site





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The proposed development and modifications are appropriate for this Site. Considerable thought has been given to the layout and design of the development to create a sustainable, high-quality community that is consistent with the Town's General Plan. To achieve this, Keystone is proposing modifications to the landscape set back at the west entry/exit and a reduction of building separations on single level homes to 10 feet. These changes allow Keystone to provide housing product that meets the needs of future homebuyers.

The Town's MF/L development standards were established for traditional apartments, well before this type of development and housing product were established. The proposed change to the rear yard setback adjacent to the Sanders entrance/exit is to align the drives on the east side with the existing drive on the west side. Aligning the drives allows Keystone to create a safer traffic environment, eliminating conflicting turning maneuvers. Additionally, the proposed change in the building separation requirement for the 1-story buildings are appropriate. The courtyards for the 1-story residences have been purposefully designed to create a sense of arrival for each grouping of homes. These courtyards will be landscaped and will provide opportunities for informal gatherings to occur.

**V. PROPOSED REFUSE AND RECYCLING COLLECTION SYSTEM**

The proposed refuse and recycling collection system will be the Town's standard practice of collection for individual lots.

**VI. ULDC v. LDC CODE REQUIREMENTS**

The Preliminary Plat will be designed to the meet LDC code requirements and above proposed modified development standards.

**VII. CONCLUSION**

Keystone's request is consistent with and supported by the General Plan and its Policies. Development of the Site as a high-quality, unique residential development makes good sense on this Site. The proposed development is compatible with the surrounding area and existing residential developments. Keystone's requests will provide greater diversity and high-quality homes within the immediate area. We request your approval.

applicant is also looking to rearrange the landscape on the site because they are using multiple zoning districts. In the General Commercial they are increasing the minimum landscape area from the required 15% to 40% and reducing the Multi-Family Medium landscaping from 40% to 28%. The goal is to have the same amount of landscaping just spread differently across the site. They are about 5,000 square feet short so we're still working with them. The applicant would also like to increase the maximum height from 45 feet to 55 feet for the ground floor commercial units, the purpose of which is not to add additional residential units but to increase the ceiling height. A design review has been submitted that will follow and want to get the Commission's feedback on the proposed zoning district. Neighborhood meetings were held on October 25, 2021, February 17, 2022, and June 19, 2022, and neighbors proposed to keep the whole site commercial.

#### COMMISSION QUESTIONS/COMMENTS

Commissioner Andersen asked if the site plan would be locked into with the PAD. Planner Josh Rogers responded affirmatively and added that there will be an associated development plan. Commissioner Andersen asked if they are meeting the LDC garage requirement for the MF/M. Planner Josh Rogers responded that they are meeting the requirement. The four-story "Building B" has 75 spaces of underground parking, exclusively for residential units above the commercial areas.

Commissioner Bianchi asked about the units going from 300 to 274, and whether this is still within the 25 units per dwelling acre. Planner Josh Rogers responded that they are slightly exceeding it at 26 units on the land zoned MF/M due to the inability to have a singular zoning district across the entire project and staff is working with the applicant on this. Commissioner Bianchi asked if there will be shared parking with the mixed use commercial and whether there are parking concerns. Planner Josh Rogers responded that there are ongoing discussions on the parking. There is the possibility of shared parking, but a substantial parking study would have to be undertaken.

Commissioner Johns asked if there has been staff support for this project. Planner Josh Rogers responded that it is early; however, the project is mostly in line with the vision for the Gateway Character Area.

Commissioner Blaser stated that it is clear there has been a lot of work by the applicant and staff to create a project that meets the town's vision.

Commissioner Fay stated that the only piece he takes issue with is the landscaping coming up short, as it seems there is space to honor the requirement.

Chair Simon stated that this was a great presentation, and his only concern is parking for both commercial and residential.

- 4. GP21-03 KEYSTONE: Request for Minor General Plan Amendment to change the land use classification of approximately 15 acres generally located at the southeast corner of Sanders Drive and Warner Road from Residential 5-8 DU/Acre to Residential 8-14 DU/Acre. The effect of this amendment will be to change the plan of development to allow for increased density of residential development.**

**Z21-05 KEYSTONE:** Request to rezone approximately 15 acres of real property generally located at the southeast corner of Sanders Drive and Warner Road from Maricopa County Airport District-3 (AD-III) zoning district to Town of Gilbert Multi Family-Low (MF/L) zoning district with a Planned Area Development overlay zoning district (PAD) to reduce the landscape setback adjacent to the western access drive.

**DR21-65 KEYSTONE:** Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 15 acres, generally located at the southeast corner of Sanders Drive and Warner Road, and zoned Maricopa County Airport District III (ADIII). Josh Rogers (480) 503-6589.

Planner Josh Rogers stated that this project was brought forward in April 2021, regarding the proposed general plan amendment from residential 5 - 8 to residential 8-14 and rezone from Maricopa County Airport District III, which is equivalent to Town of Gilbert Light Industrial, to Multi-Family Low (MF/L) with a Planned Area Development. The applicant is requesting an increase in density from 5-8 to 8-14. Across the street is the Warner Commons industrial project, which is under construction. To the east, there are two Hopewell Industrial projects. To the south is a wildcat subdivision, with acre properties. We are requesting input on the requested Planned Area Development, the deviations and the overall design and the elevations. The applicant is proposing condominium units in the north, and single-story detached bungalows are suggested on the south. The idea is to provide a transition from large-lot residential, to intense industrial units, and staff feels this is in line with the uses of the area. There is a deviation to reduce the landscaping in one area as needed because staff requested for the entry drive to line up with the existing drive on the other site. Another deviation is a reduction from 20 feet to 10 feet in terms of building separation internal to the site. This should not be an issue because these are smaller, one-story units. The bungalows have a lot of variation with visual distinction but are all in the ranch style. We'd like input on the minor GP and rezone, the deviations and the overall site design and elevations.

#### **COMMISSION QUESTIONS/COMMENTS**

Commissioner Bianchi asked if these are proposed rental units or purchased units. Planner Josh Rogers responded that they are proposed to be rental units.

Vice-Chair Mundt stated that the Multi-Family looks nice, but the Single-Family could be improved.

Chair Simon requested confirmation that there are no drive aisles for the bungalows at the south side and that this is a walking path. Planner Josh Rogers confirmed. Chair Simon asked if there are any concerns with the parking being 100 yards away, as some people will be carrying their groceries in hot weather. Planner Josh Rogers agreed that this is a valid concern. Chair Simon asked about the access point for police and fire on the lack of drive aisles. Otherwise, it is a well-planned project.

Vice-Chair Mundt asked if the bungalow units will be rental units as well. Planner Josh Rogers confirmed.

#### **5. DISCUSSION OF REGULAR MEETING AGENDA**

The agenda was approved as circulated.