



**TOWN OF GILBERT  
PLANNING COMMISSION  
Gilbert Police Department - Amphitheater  
75 E. Civic Center Drive, Gilbert, AZ  
January 4, 2023**

**COMMISSION PRESENT:**

Jän Simon, Chairman  
Noah Mundt, Vice-Chairman  
Brian Andersen  
David Blaser  
William Fay  
Lesley Davis  
Anthony Bianchi  
Lisa Gage (Alternate)

**STAFF PRESENT:**

Samantha Novotny, Planner I  
Ashlee MacDonald, Principal Planner  
Eva Cutro, Planning Manager  
Keith Newman, Sr. Planner  
Sal DiSanto, Planner I

**COMMISSION ABSENT:**

Charles Johnson (Alternate)

**COUNCIL LIAISON AND MAYOR PRESENT:**

Scott September  
Bridgette Peterson

PLANNER	CASE	PAGE	VOTE
Sal DiSanto	DR22-98	7	6-0
Keith Newman	DR22-89	7	7-0
Samantha Novotny	DR22-91	7	7-0

**CALL TO ORDER OF THE STUDY SESSION**

Chair Simon called the January 4, 2023, Study Session to order at 5:00 p.m.

**STUDY SESSION**

**1. Recognition for Council Liaison Scott September**

Chair Simon recognized outgoing Councilmember Scott September for his service to Town Council and the Planning Commission over the last three years.

**2. DR22-153 PERFORM AIR INTERNATIONAL: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.19 acres, generally located southwest of the intersection of Hamilton Court and Rawhide Avenue, and zoned Light Industrial (LI) with a Planned Area Development (PAD) overlay. Noah Schumerth (480) 503-6729.**

Planner Keith Newman stated that the project is in the Elliot Commerce Park. Input is requested on the site layout and design, building elevations, and whether there is sufficient compatibility with the surrounding development. The proposed building is an addition on the south side, and is a single-story, 15,732 square foot industrial flex building with office area. There is a private, screened yard space to the rear of the structure and a new driveway proposed in the south. There will be landscaping along South Hamilton Court, and a setback is not required on the western boundary. The elevations, colors, and materials are similar to the existing building.

### **COMMISSION QUESTIONS/COMMENTS**

Commissioner Davis asked if the materials and depth of the existing canopies match the canopy on the new building. Planner Keith Newman responded that he would provide that information at the next meeting. Commissioner Davis stated that the screened portion does not seem centered. She expressed concern that the vertical bands above the smaller windows look like paint lines on block and recommended a plane or textural change. She suggested plant material such as ground cover facing the street.

Commissioner Bianchi asked if the materials of the existing building have been kept as they were originally or if they were updated or painted. Planner Keith Newman responded that the distribution of the color patterns is different, but the colors are consistent.

Commissioner Andersen asked how the gate will function on the west side of the property, as, if it remains closed, it could impact whether a garbage truck can exit the site. Planner Keith Newman responded that he would provide that information at the next meeting.

Chair Simon asked if the intention is for the existing and new buildings to look like one consistent building. Planner Keith Newman responded affirmatively, though there will be two tenants. Chair Simon recommended that the existing building be re-painted to match the vertical on the new building.

- 3. DR22-168 HILTON GARDEN INN: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 3.19 acres, generally located at the northeast corner of Baseline and Higley Roads, and zoned Regional Commercial (RC) with a Planned Area Development (PAD) overlay. Noah Schumerth (480) 503-6729.**

Planner Ashlee MacDonald stated that a portion of the 3.19 acres is being developed, and a portion has been re-zoned as a multi-family development. This property is in a vertical development overlay district, and staff has envisioned multiple uses in the area. The applicant is permitted to have 55' in height and is seeking a maximum of 60'. The proposed building includes 146 guest rooms and 172 parking spaces. The hotel building is central to the site. There is a pet area to the north and a pool, spa, and green space in the southeast. The access points to the site are through the existing commercial development. Stucco, EIFS, copper, and fiber-cement are the proposed materials. Feedback is being sought on whether there is sufficient integration between the accent masses, if the roofline design requires changes, if there are areas where more detail is required, and if this is compatible with surrounding development.

## COMMISSION QUESTIONS/COMMENTS

Vice-Chair Mundt stated that he takes no issue with any of the design. The variations are sufficient and the roof line is undulated enough for it to be appropriate.

Commissioner Bianchi asked if this will be four over one construction with a concrete podium or a five-story timber frame. Ashlee MacDonald responded that she would look into this. Commissioner Bianchi stated that there is decent access. He would prefer color variations, especially in the south. If this were to be the tallest structure on-site, he would prefer to see height changes in the elevations, especially on the longer linear front.

Commissioner Davis stated that she likes the color palette, but the roof line could be engaged more, as far as the depth of the upside-down L-element at the entrance.

Commissioner Andersen stated that the south elevation could be dressed up more and the end elevation, which would be seen from Higley Road, seems bland.

Chair Simon stated that the project fits in with the surroundings and he is happy with the colors and materials.

- 4. DR22-169 SPRINGHILL SUITES HOTEL - NORTHSIDE AT SANTAN VILLAGE: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.35 acres, generally located north of the northeast corner of Williams Field Road and Santan Village Parkway, and zoned Regional Commercial (RC) with a Planned Area Development (PAD) overlay. Noah Schumerth (480) 503-6729.**

Planner Keith Newman stated that feedback is sought on the site plan, color and material selection, and elevation and design of the building. The site is just off Santan Village Parkway and is part of the North Side at Santan Master Plan. This is Phase 2 of a three-phase development. Phase 1 is a village center shopping concept, Phase 2 is the hotel, and Phase 3 is a future office development with two-, four-, or five-story office buildings. The project is proposed as a 134-guestroom hotel, at 96,405 square feet, with 148 new parking spaces. The pool and bar area are adjacent to the side nearest the retail center. Proposed materials are stucco, EIFS system, CMU block, fiber-cement paneling, and metal paneling. Input is being sought on whether the materials have sufficient variety of texture and color, as staff has concerns that the CM-2 proposed is a more standard CMU versus the ground face. Input is also being sought on whether there are concerns with the blank facades or areas with limited architectural treatment, and whether the porte cochere design is sufficient in terms of architectural treatment and integration as per the Master Plan. The applicant has responded to concerns from staff, by adding a parking lot inlet to the adjacent field parking area, expressing concerns about the cost difference between CM-2 and CM-1, and stating that the cornice additions requested by staff are outside the design vision.

## COMMISSION QUESTIONS/COMMENTS

Commissioner Blaser stated that it appears as though the windows are blue, which gives color, but he assumes they will be clear. Keith Newman confirmed they would be clear. Commissioner Blaser stated that there should be more variation in color, and he supports adhering to design guidelines for the area.

Commissioner Davis stated that she likes the mural, but the building needs more color. The entrance with the porte cochere gets lost. She agrees with the CM-1 as opposed to CM-2, which is heavy and dark. She appreciates the connection for pedestrian activity.

Commissioner Bianchi asked how far off Santan Parkway the hotel is located, given the potential road noise for the west-facing units. Keith Newman responded that the far western portion of the building is approximately 27 feet away, and the minimum is 25 feet. Commissioner Bianchi asked if some parking spots would be shared. Keith Newman responded that there will be a shared parking situation. There are 48 spaces on the hotel site, and there are 101 shared parking spaces that are technically part of Phase 3. A shared parking use permit will have to be issued. Commissioner Bianchi stated that he would want a more pronounced entry to the parking on the east side, and the front entry gets lost in the elevations. He would prefer height delineation along the roofline and feels that four stories of CMU is okay if it is kept limited.

Commissioner Andersen stated that the applicant is calling out a 60' line for the elevations; however, none of the buildings appear to be this height. Keith Newman responded that height is usually measured at the roof line, and the height will probably be 55'. The applicant will be asked to clarify about the 60'.

Chair Simon stated that there should be more undulation for the roof line at the north and south elevations. The buildings could use more color. He stated that shared parking could be an issue, especially considering what is adjacent, if there is night life for example.

5. **DR22-171 GABRIELLA POINTE MULTI-FAMILY: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 39 acres, generally located at the southeast corner of Warner and Martingale Roads, and zoned Multi-Family Medium (MF/M) with a Planned Area Development (PAD) overlay and Multi-Family Low (MF/L) with a Planned Area Development (PAD) overlay. Noah Schumerth (480) 503-6729.**

Planning Manager Eva Cutro stated that feedback is being requested on the landscaping layout, elevations, and building design. The PAD allows additional height on some buildings, up to 56', which requires additional open space on the project. The site plan is for 17 Multi-Family (MF) buildings with 760 units, making it one of the largest MF developments by unit count in the town. The units are one-, two-, and three-bedroom units, and there are large amenity areas inside and out. Parking, both covered and uncovered, is located throughout the site. Planner Noah Schumerth has previously expressed concern that the trees are evenly placed throughout the property, as they could be concentrated in certain areas to provide shade. On the eastern side of Warner Road, there is a partial-view fence which prevents the glare from headlights. However, on the western side of Warner Road, there are solid block walls, and Noah Schumerth feels there should be consistency with all being partial-view fences. The buildings are in Mediterranean style, which is consistent with the area; however, staff has concerns with the lack of architectural design on the rear and side elevations of the garages, which will be visible from pathways and amenity areas. The applicant has agreed to look at the landscaping and garages.

## COMMISSION QUESTIONS/COMMENTS

Vice-Chair Mundt stated that he really likes the design, and it could be valuable to implement stripes or pillars on the back walls. He agrees with staff on the landscaping.

Commissioner Davis agreed that the applicant should add view-fencing, so that the area feels open. She expressed concern with there being a solid wall on the south property line in case a street is there in the future. There is a lot of Mediterranean style given how many buildings there are, but she supports this as the neighborhood does. She agrees the back of the garages could use detailing, and on the landscaping.

Commissioner Bianchi stated that this is a very large complex, but the elevations and façade look acceptable. He supports the opinion of staff on the landscaping and architectural details on the back of the garages.

Commissioner Andersen asked what the site is zoned. Eva Cutro responded that it is Multi-Family Medium (MF/M) and Multi-Family Low (MF/L) with a PAD overlay. Commissioner Andersen asked if the whole site has both intensities. The Applicant, Reese Andersen of Pew & Lake, PLC, 1744 S. Val Vista, Mesa, AZ, responded that the east half is zoned MF/L and the west half is MF/M. Commissioner Andersen asked if the zoning requirements are being met for both, and Eva Cutro confirmed. Commissioner Andersen stated that it is a nicely designed project.

Chair Simon stated that the project has a great design, and rock work on the walls could help break them up. He asked if there is any barbecue or ramada-type area where community members could gather outdoors. The designer, Jose Pombo, 3202 N. 28 Place, Phoenix, AZ, responded that there are two large amenity courtyards as part of the project, one on the MF/L and one on the MF/M side. In each courtyard there are two pools, and there are three large outdoor ramadas with outdoor grills and shaded seating.

Commissioner Fay asked whether the transportation master plan shows a through arterial on the west and south sides of the property. The Applicant, Reese Andersen of Pew & Lake, PLC, 1744 S. Val Vista, Mesa, AZ, responded that there is a circulation out of Martindale Road which turns west and goes to Higley Road. That road is currently under construction with the master developer. The current master plan does not show any connectivity. The south side is a farm road that will be absolved, and the south is zoned Business Park (BP). Eva Cutro stated that she will ensure Noah Schumerth addresses this in the formal report.

6. **Z22-18 LDC TEXT AMENDMENT: Citizen Review and initiation of amendment to the Town of Gilbert Land Development Code, Chapter I Zoning Regulations, Section 2.0 Terms, related to the definitions of Building Attached, Building Setback (front, rear and side) and Building Setback Area (front, rear and side). The effect of the amendment will be to clarify when a building is considered attached and clarify the definition of Building Setbacks and Building Setback Area, especially for irregular-shaped lots. Eva Cutro (480) 503-6782.**

Planning Manager Eva Cutro stated that this is a citizen review meeting to discuss the proposed LDC text amendment pertaining to revised definitions for Building Attached, Building Setback, and Building Setback Area. Staff, on a continuous basis, looks at the LDC to ensure the content is useful to users, and there have been several requests for front yard determinations. Recently, there was a challenge on whether an addition is attached or a

separate structure from the main, and this could be more descriptive in the LDC. Under the definition of attached, it is stated that it could be “connected by a semi-solid roof structure,” which is vague and could lead to unconventional architecture. Suggestions for study related to attachment are as follows:

1. A continuous roofline instead of a solid or semi-solid attachment.
2. A maximum separation between the buildings if they do not share a wall.
3. Direct doorways under the continuous roofline from one building to the other if they do not share a wall.
4. Matching architecture to assure the building appears to be a single structure.

Definitions of the front lot lines in the LDC have different types. Corner Lots are the shortest lot line abutting a street; Double-Frontage (Through) Lots are the lot line abutting the local or collector street; and Other Lots shall be established at the time of the Final Subdivision Plat, or at the time of building permit if no Final Subdivision Plat is required. Suggestions for study related to determining a front yard are as follows:

1. The direction the front door faces.
2. What is shown on a subdivision plat.
3. What is in harmony with other, adjacent front yards.
4. The street with the lower classification and/or higher pedestrian traffic.
5. Potentially a neighborhood notification should someone wish to change their front yard.

Currently, a rear yard is defined as a singular lot line opposite the front lot line; however, there are instances where a rear yard is not a singular lot line.

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

An informal vote was conducted, and Commissioners approved, 7-0, that staff initiate the process for the LDC amendments.

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

There were no amendments to the agenda.

#### **ADJOURN STUDY SESSION**

Chair Simon adjourned the Study Session at 6:12 p.m.

#### **CALL TO ORDER OF REGULAR MEETING**

Chair Simon called the January 4, 2023, Regular Meeting of the Planning Commission to order at 6:20 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.

## 8. 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 Blaser, it was moved to approve the agenda, as presented. **Motion passed 7-0.**

## COMMUNICATIONS

### 9. COMMUNICATIONS FROM CITIZENS

At this time, members of the public may comment on matters within the Town's jurisdiction but not on the agenda. Therefore, the Commission's response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.

Casey Kendal stated that a recovery home moved into his neighborhood, and there are now two Level 3 sex offenders living there and four pieces of gang-related graffiti in the area. Bushes and shrubs in the nearby park have been destroyed so that alcohol and drugs cannot be hidden in them. Two houses with the same owner have had over 60 police interactions, and these are only two of the 103 recovery homes in Gilbert. These businesses are unregulated by the state, and the Town is only enforcing the 1,200-foot code between the houses. Casey Kendal has encouraged the Town to pursue the enforcement of ARS Code 13-2917 on public nuisance and abatement, and the Airbnb model about licensing. He recommended that the Department of Economic Development pursue the 1.5% taxable rate on rentals, and 2.8% on short-term rentals, retroactive to the date the business was established.

### 10. REPORT FROM COUNCIL LIAISON ON CURRENT EVENTS

Council Liaison Scott September stated that in 2022, Lockheed Martin added new jobs to Gilbert; Northrop Grumman added 120,000 square feet to their facility; Dignity Health's East Valley Rehabilitation Facility added 50 new beds; and the North Water Treatment Plant upgrade project will ensure an increase in capacity to 60 million gallons per day. Water supply shortages are expected in the future, and there is a housing shortage in Gilbert. Gilbert must continue to manage the mix between housing, jobs, and tax base.

Mayor Bridgette Peterson welcomed the Planning Commission back to Townhall and thanked the Commissioners for their patience. She thanked Council Liaison Scott September for his service. An open house for the building will be held on January 10, 2023, prior to the inauguration.

### PUBLIC HEARING (CONSENT)

All items listed below are considered the public hearing consent calendar. The Commission/Board may, by a single motion, approve any number of items where, after opening the public hearing, no person requests the item be removed from the consent calendar. If such a request is made, the Commission/Board shall then withdraw the item from the public hearing consent calendar for public discussion and separate action. Other items on the agenda may be added to the consent calendar and approved under a single motion.

11. 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 Multi-Family Low (MF/L) with a Planned Area Development (PAD) overlay. Ashlee MacDonald (480) 503-6748. Continue to February 1, 2023.
12. DR22-98 HOPEWELL INDUSTRIAL PARK P3: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 12.8 acres, generally located west of the southwest corner of Power and Warner Roads, and zoned Light Industrial (LI). Sal DiSanto (480) 503-6759.

STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission at the January 4, 2023, public hearing.
  - b. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
  - c. Signage is not included in this approval. A Comprehensive Sign Plan is required prior to permitting.
  - d. Four-foot screen wall shall be placed along the southern boundary, screening all parking spaces adjacent to the Private Drive.
  - e. Swan Drive will have a minimum of a 24' roadway width from edge of pavement to face of curb.
13. DR22-89 LINDSAY 202 INDUSTRIAL BUSINESS PARK: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, colors and materials, and design guidelines for approximately 94.07 acres, generally located at the northeast corner of Lindsay Road and Germann Road, and zoned Light Industrial (LI) and General Commercial (GC). Keith Newman (480) 503-6812.

STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission/Design Review Board at the January 4, 2023, public hearing.
- b. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
- c. All Staff comments issued to the applicant on December 28, 2022, at third review must be addressed prior to the submittal of construction permits.

**MOTION:** Vice-Chair Mundt moved to continue Consent Agenda Item 11 DR21-65 Keystone to February 1, 2023, and recommend approval of Item 13 DR22-89 Lindsay 202 Industrial Business Park, seconded by Commissioner Bianchi. **Motion passed 7-0.**

**MOTION:** Vice-Chair Mundt moved to recommend approval of Consent Agenda Item 12 DR22-98 Hopewell Industrial Park P3, seconded by Commissioner Davis. **Motion passed 6-0. Commissioner Blaser abstained.**



## **PUBLIC HEARING (NON-CONSENT)**

Non-Consent Public Hearing items will be heard at an individual public hearing and acted upon by the Commission by a separate motion. Anyone wishing to comment in support of or in opposition to a Public Hearing item may do so during the Public Hearings. If you wish to comment on a Public Hearing Item, you must fill out a public comment form, indicating the Item Number you wish to be heard. Once the hearing is closed, there will be no further public comment unless requested by a member of the Commission.

- 14. DR22-91 SALAD AND GO & SHOPS A: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.99 acres, generally located north of the northwest corner of Power Road and Germann Road, and zoned General Commercial (GC) with a Planned Area Development (PAD) overlay. Samantha Novotny (480) 503-6602.**

### STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission at the January 4, 2023, public hearing.
- b. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
- c. Any damages to existing landscaping, beyond what is proposed in Attachment 5 Landscape Plan, shall be repaired back to pre-construction conditions.

Planner Samantha Novotny stated that the applicant is proposing two buildings of infill in one phase. The site is within the Power Ranch PAD Development Plan. There is existing frontage landscaping along power road, which will be modified to accommodate parking spaces on the east side of the parcel. The required landscaping coverage is 15% and the applicant is proposing 17%. There will be a combination of landscaping and 3' wall for drive thru lane screening. The colors and materials were pulled from EOS Fitness for the Salad and Go building. No users are proposed for Shops A at this time, but the buildings also share colors. There are metal canopies and split-face CMU. The applicant met all public notification requirements, and staff has not received any public comments at this time.

### **COMMISSION QUESTIONS/COMMENTS**

Commissioner Davis stated that she would like to see the stone raised up on the columns at the canopies and entryways and rear elevation to add more texture to the building.

Commissioner Bianchi asked if the Town or the traffic engineer had any issue with the parking going into the drive thru and coming out where cars back out of spots, or if the parking radius is sufficient. Planner Novotny responded that staff had no issue with the width of lane and flow of traffic as proposed.

On behalf of the Applicant, Mary Grace McNear of Beus Gilbert McGroder, stated that the team is in agreement with the staff report. She requested clarification that Commissioner Davis was only talking about the stone on the columns and Commissioner Davis confirmed. It was clarified that this impacts all elevations.

**MOTION:** Commissioner Davis moved to recommend approval of Item 14 DR22-91 Salad and Go & Shops A subject to staff recommendations, and added a new condition that the stone material on the columns and west elevation projection be raised up to the top of the windows around the building, to be approved by staff, seconded by Commissioner Bianchi. **Motion passed 7-0.**

**ADMINISTRATIVE ITEMS**

Administrative Items are for the Commission/Board discussion and action. It is to the discretion of the majority of the Commission/Board regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a public comment form indicating the Item Number. The Commission/Board may or may not accept public comment.

**15. REPORT FROM CHAIRMAN AND MEMBERS OF THE COMMISSION ON CURRENT EVENTS**

Vice-Chair Mundt wished everyone a happy new year and stated that it is good to be back in the building.

**16. REPORT FROM PLANNING SERVICES MANAGER ON CURRENT EVENTS**

Planning Manager Eva Cutro thanked the Planning Commission for their flexibility with the location over the past year, and staff who were involved in the creation of the new space. She also thanked Council Liaison Scott September for his service.

**ADJOURNMENT**

Chair Simon adjourned the meeting at 6:47 p.m.

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Jän Simon, Chairman

ATTEST:

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Tracey Asher