



**TOWN OF GILBERT
PLANNING COMMISSION
Gilbert Municipal Center Council Chambers
50 E. Civic Center Drive, Gilbert, AZ
March 1, 2023**

COMMISSION PRESENT:

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

STAFF PRESENT:

Ashlee MacDonald, Principal Planner
Eva Cutro, Planning Manager
Keith Newman, Senior Planner
Noah Schumerth, Planner II
Kristen Devine, Planner II
Veronica Gonzalez, Principal Planner

COUNCIL LIAISON PRESENT:

Scott Anderson

COMMISSION ABSENT:

David Blaser

PLANNER	CASE	PAGE	VOTE
Noah Schumerth	DR22-168	4	7-0
Noah Schumerth	DR22-171	4	7-0
Noah Schumerth	DR22-153	5	7-0
Keith Newman	GP22-14	6	7-0
Keith Newman	Z22-14	6	7-0
Keith Newman	UP22-54	10	7-0
Kristen Devine	DR22-176	11	6-1
Noah Schumerth	DR22-127	11	7-0
Ashlee MacDonald	DR22-63	13	7-0

CALL TO ORDER OF THE STUDY SESSION

Chair Simon called the March 1, 2023, Study Session to order at 5:00 p.m.

STUDY SESSION

- GP23-11 GILBERT SPECTRUM BUILDING 3: Request for Minor General Plan Amendment to change the land use classification of approximately 9.05 acres generally located near**

the southwest corner of McQueen and Elliot Roads from General Commercial (GC) to Industrial (I).

Z23-02 GILBERT SPECTRUM BUILDING 3: Request to rezone approximately 9.05 acres, generally located near the southwest corner of McQueen and Elliot Roads, from Community Commercial (CC) to Light Industrial (LI) with a Planned Area Development (PAD) overlay.

DR23-06 GILBERT SPECTRUM BUILDING 3: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 11.13 acres, generally located near the southwest corner of McQueen and Elliot Roads, with proposed zoning of Light Industrial (LI) with a Planned Area Development (PAD) overlay. Noah Schumerth (480) 503-6729.

Planner Noah Schumerth stated that feedback is sought on general suitability for the General Plan Amendment (GPA) and rezoning requests, and there are additional site plan questions with the separate Design Review case. The areas affected by the GPA and rezoning are approximately 9 acres, but do not follow the current property boundaries on the subject site, instead following the boundaries of a former site plan for the site. The Design Review case does follow the boundaries of existing vacant parcels on the site, which cover 11.3 acres. The current zoning on the site is Community Commercial (CC). The GPA application is to transfer the General Commercial (GC) portion of Gilbert Spectrum to Industrial (I), and the rezoning application will transfer the Community Commercial (CC) portion of Gilbert Spectrum to Light Industrial (LI). The rezoning and General Plan Amendment cases will bring the zoning and land use classification in harmony with the existing portions of the Master Site Plan for Gilbert Spectrum. If the GPA and rezoning cases are approved, the Design Review will continue forward. It is a two-story building with approximately 120,000 square feet of building space. There will be landscaping that matches the current Gilbert Spectrum development. The elevations will match adjacent buildings to the west. There is a modern desert design which defines the color and material selections for the building. Staff has requested another look at corner treatments for the building at the intersection of Elliot and McQueen Roads, in accordance with Employment Design Guidelines.

COMMISSION QUESTIONS/COMMENTS

Commissioner Fay stated that this is the right place for this project to go. However, there is a lot of 10-foot-diameter piping for retention systems being used for underground drainage storage. Planner Noah Schumerth responded that he can address this with engineering, and the goal is to accommodate the completion of the remaining sites within the Gilbert Spectrum Master Site Plan, which will include a significant amount of paved areas and impervious surface on the pad sites to the south that must be filled in yet.

Commissioner Bianchi stated that the land use request is reasonable, and the site development regulations are all met or exceeded. The proposed design will allow for unified campus expansion. Building corner enhancements at Elliot and McQueen Roads would be welcome.

Chair Simon stated that something could be done with the north-facing and east-facing elevations to improve street frontage. Other than that, the land use is fine, and he appreciates this project and how it completes the Spectrum development

- 2. DR22-115 VAL VISTA AND MARKET DRIVE-THROUGHS: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.47 acres, located at the southeast corner of Val Vista Road and Market Street, and zoned Regional Commercial (RC) with a Planned Area Development (PAD) overlay. Kristen Devine (480) 503-6742.**

Planner Kristen Devine stated that feedback is sought on two proposed drive-throughs. The project site is on the south-east corner of Val Vista Road and Market Drive. It is zoned Regional Commercial (RC) and is approximately 1.47 acres. The site is part of a Master Site Plan for a hotel which is in design review in the east and an existing hotel to the east of that. Feedback is sought on the site plan, as this is in the preliminary stages. The original site plan has an access drive to the south, which does not align with the existing access road along the private roadway. The applicant submitted a technical variance to keep the drives unaligned, which was not initially supported. Upon recommendation by staff, the applicant revised the site plan to align the drives. This would involve angled parking, a drive-through exit, and vehicle queuing, and this is not an ideal layout. The site has a lot going on, and two drive-throughs may be too much given the limited access on-site.

COMMISSION QUESTIONS/COMMENTS

Commissioner Andersen stated that he is confused why the Commission is reviewing this project at this time. He asked if it would be brought forward for another study session. Planner Kristen Devine responded that there were a lot of comments which was why the conceptual site plan was provided, and there will likely be another study session. Commissioner Andersen asked about the connection drive which is out of alignment. Planner Kristen Devine responded that it is on the south and there is a private road there. Commissioner Andersen noted that it is difficult to see where it is not in alignment.

Commissioner Davis agreed with staff that the site plan is messy and will cause problems with the hotels. The angled parking is not working, and this is a busy corner.

Commissioner Bianchi asked if the parking would be shared with the restaurants and hotels. Planner Kristen Devine responded that it is a shared parking agreement with the hotel, but they are over on the parking because the intended user for Pad A has requested significant parking. Commissioner Bianchi stated that the trash enclosure orientation on the south side may impact the turning radius.

Commissioner Fay stated that, as there are no tenants yet, it is strange that the applicant would be specific enough to say they need a dual and a single drive lane. The orientation messes up their site but is not objectionable as pertains to public interest.

Chair Simon stated that there is a lot going on, and the site does not seem conducive to two drive-throughs.

- 3. DISCUSSION OF REGULAR MEETING AGENDA**

Item 7 DR22-153 Perform Air International was moved from the Consent Agenda to the Non-Consent Agenda.

ADJOURN STUDY SESSION

Chair Simon adjourned the Study Session at 5:28 p.m.

CALL TO ORDER OF REGULAR MEETING

Chair Simon called the March 1, 2023, Regular Meeting of the Planning Commission to order at 5:58 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.

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

COMMUNICATIONS

5. 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.

There were no communications from citizens.

6. REPORT FROM COUNCIL LIAISON ON CURRENT EVENTS

There was no report from the Council Liaison.

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.

- 8. 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.**

STAFF RECOMMENDATION

- a. An updated Multiple and Large Meter (MLM) User Form with a completed Section 3 of the form indicating projected indoor water use will be submitted to and approved by Water Resources Department prior to building permit review.
 - b. An updated site plan illustrating revised Knox key box locations at fire riser room doors pursuant Fire Regulation 12-506.1 shall be submitted to and approved by staff prior to building permit review.
 - c. An updated site plan replacing twenty 16' compact spaces along southern property boundary with 16'6" spaces with 2.5' overhang area clear from any obstructions shall be submitted to and approved by planning staff prior to building permit review.
 - d. No more than 10% of all provided parking spaces on any drawing or construction document shall be marked as compact spaces.
 - e. Compact parking spaces shall be clearly marked with approved pavement markings or signage clearly indicating the type of parking space prior to obtaining a certificate of occupancy for any approved structure.
9. **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.**

STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission/Design Review Board at the March 1, 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. No permanent exterior ladder installations may be used to provide mechanical well access on any approved building.
- d. A revised site plan and revised floor plans indicating the locations of Fire Department Connection (FDC) modules on each structure where required shall be provided to and approved by the Fire Plans Examiner.
- e. A revised site plan and revised floor plans indicating that all Knox Box key access locations are within 5' of fire riser room ingress shall be provided to and approved by Fire Plans Examiner prior to formal submittal for building permits.
- f. Provide additional keynotes indicating the location of FDC modules on all applicable construction and engineering documents submitted for building permit review.
- g. Revise keynotes on all applicable construction and engineering documents submitted for building permit review indicating that all Knox Box and key access locations are to be located within 5' of fire riser room ingress.
- h. A revised site plan indicating aerial apparatus staging area for Building 7 without interference from parking canopies or other accessory structures shall be provided to and approved by Fire Plans Examiner prior to submittal for building permits.

- i. A revised site plan and revised floor plans indicating the location of a dedicated fire riser room on all accessory maintenance buildings identified shall be provided to and approved by Fire Plans Examiner prior to submittal for building permits.
- j. Imaginary property lines shall be added for each building on all construction and engineering documents submitted for building permit review to ensure verification of fire rating requirements for multi-building complex.
- k. A calculation of protected and unprotected openings for all enclosed structures shall be provided for review on applicable construction documents submitted for building permit review.
- l. Windscreen shall be installed around the perimeter of finished slab for all sports court amenities as identified on plans prior to issuance of certificate of occupancy for any building.

10. DR22-94 COBBLESTONE #48: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.7 acres, generally located north of the northwest corner of Higley Road and Williams Field Road, and zoned Shopping Center (SC), subject to conditions. Samantha Novotny (480) 503-6602. Continue to April 5, 2023.

MOTION: Vice-Chair Mundt moved to recommend approval of Consent Agenda Item 8 DR22-168 Hilton Garden Inn and Item 9 DR22-171 Gabriella Pointe Multi-Family, and to continue Item 10 DR22-94 to April 5, 2023, seconded by Commissioner Johnson. **Motion passed 7-0.**

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.

7. 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.

STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission at the March 1, 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 fire hydrants shall be located a minimum of 6’ from any existing or proposed water line. The construction drawing submittal shall include revised grading and drainage/utility plans that reflect the relocation of any fire hydrants located closer than 6’ to any existing or proposed water lines.

- d. Revised elevation drawings and color and material board shall be provided with final Dunn Edwards color selections, which must replace “TBD - To Match Existing Building” language on elevation and color and material board documents. Changes shall be reflected in final construction and engineering documents submitted for building permit review.
- e. Minor Administrative Design Review application shall be submitted for any changes in colors to refresh the existing adjoining building owned by the applicant or to provide match for final color selections on proposed building.

Planner Noah Schumerth stated that this industrial building expansion is located in a long-standing industrial area of the town near the southwest corner of Elliot Road and McQueen Road. The zoning is Light Industrial (LI), which is an extension of activities already happening on the site to the north of the proposed development, which is also zoned Light Industrial (LI). This proposal includes a 15,700-square-foot building adjacent to the existing building. The total landscaping is at 19% of site area and includes a retention area in the east landscape setback. Retention improvements include a small underground retention area under the parking in the front of the structure, complementing the other small area which drains into storm drains which eventually return to a communal drainage area south of the site. The building is primarily CMU block, with colors matching the existing building. There are minor changes which need to be made to demonstrate that the colors and materials are consistent and compatible with existing buildings.

COMMISSION QUESTIONS/COMMENTS

Commissioner Fay stated that regional or multi-site draining involves a couple checks. This project calculates 10,664 cubic feet of needed retention and states that retention for the site is provided by the existing regional retention basin for the Elliot Commerce Park Plaza. He asked how big that basin is and whether it has the capacity for this. Planner Noah Schumerth responded that this was reviewed by engineering, who verifies the capacity and current quality of shared retention basins, which have had some issues with maintenance and encampments in recent memory. Commissioner Fay stated that he would feel comfortable with a statement in the presentation to this effect. Thomas Condit, Development Engineer Manager, stated that he did not perform this review, but he would be happy to verify the review to ensure the drainage basin is capable of handling this site. This industrial park has a significant amount of offsite retention storage at the southern end of the development

MOTION: Vice-Chair Mundt moved to recommend approval of Item 7 DR22-153 Perform Air International subject to staff recommendations seconded by Commissioner Fay. **Motion passed 7-0.**

- 11. **GP22-14 DISTRICT AT COOLEY STATION: Request for Minor General Plan Amendment to change the land use classification of approximately 13.26 acres generally located at the northwest corner of Williams Field Road and Recker Road from General Commercial (GC) to Village Center (VC) Land Use Classification. Keith Newman (480) 503-6812.**
- 12. **Z22-14 DISTRICT AT COOLEY STATION: Request to rezone approximately 13.26 acres generally located at the northwest corner of Williams Field Road and Recker Road from General Commercial (GC) to Gateway Village Center (VC) with a Planned Area Development (PAD) overlay. Keith Newman (480) 503-6812.**

STAFF RECOMMENDATION

- a. Recommend to the Town Council approval of GP22-14: District at Cooley Station: Request for Minor General Plan Amendment to change the land use classification of approximately 15 acres generally located at the northwest corner of Williams Field Road and Recker Road from General Commercial (GC) to Village Center (VC) Land Use Classification;
- 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 Z22-14: District at Cooley Station: Request to rezone approximately 15 acres generally located at the northwest corner of Williams Field Road and Recker Road from General Commercial (GC) to Gateway Village Center (VC) with a Planned Area Development (PAD) overlay, subject to conditions:
 1. Dedication to Gilbert for Williams Field Road and Recker 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 or at the time of recordation of the final plat or sooner as required by the Town Engineer may result in reversion of the zoning to the prior zoning classification.
 2. Dedication of Williams Field Road shall extend 48 feet from the monument line and dedication of Recker Road shall extend 48 feet from the monument line.
 3. Dedication to Gilbert for Verde Drive and Haskell Street 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 Verde Drive and Haskell Street shall extend 30 feet from the center line.
 4. Construction of off-site improvements to Williams Field Road, Recker Road, Verde Drive, and Haskell Street 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.
 5. Developer shall design and construct, at the Developer's expense, dedicated right turn lane(s) and any associated improvements at any proposed access from Recker Road and Williams Field Road into the site. The dedicated right turn lane(s) and other improvements as may be warranted, including any required improvements to the pedestrian path and sidewalk, shall be completed and accepted by the Town of Gilbert 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. The minimum geometry of the dedicated right turn lane(s) shall be ~~80~~ 12 feet storage, 85 feet taper, and 12 feet wide for the storage distance wide. The minimum length for the storage and taper lengths shall be as described in the traffic study.
 - ~~6. Developer shall design and construct, at the Developer's expense, improvements at the intersection of Verde Drive and Williams Field Road, including construction of a westbound right turn lane and other improvements as may be warranted. These 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. The minimum geometry of the dedicated right turn lane shall be 80 feet storage, 85 feet taper, and 12 feet wide for the storage distance.~~

7. Developer shall design and construct, at the Developer's expense, off-site improvements to the intersection of Williams Field Road and Recker Road, including constructing the southbound right turn lane and any other improvements as may be warranted. These 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. The minimum geometry of the dedicated right turn lane shall be 125 feet storage, 85 feet taper, and 12 feet wide for the storage distance. The minimum length for the storage and taper lengths shall be as described in the traffic study.
8. Developer shall design and construct dual egress lanes at any full access driveway locations entering Williams Field Road from the site. 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.
9. Developer shall design and construct the first drive aisle or parking stall from Williams Field Road right-of-way to the distance described in the traffic study at all full-access locations adjacent to the Town's right-of-way.
10. 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.
11. To the extent that any landscaping, open space, recreational facility, private street, utility, landscaping within the rights of way or other facility is held in common ownership, Developer shall create a Property Owner's Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of said areas as required by the Town of Gilbert Land Development Code.
12. Developer shall record easements to be owned by the POA for pedestrian, bicycle, multi-use, or trail system purposes as determined by the final plat, at the time of final plat recordation or earlier if required by the Town Engineer. In recognition of the modifications to the underlying zoning regulations set forth herein, such easements shall be open to public access and use.
13. 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.
14. 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	Standards per LDC GVC	Proposed GVC PAD
Building Transparency	1. When facing a public street, a minimum 75% of ground-floor commercial or office building of frontage shall consist of windows (with non-reflective glass), window displays, doors, outdoor patios, or a combination thereof. View windows, window displays, or doors shall be provided between zero (0) and eight (8) feet above grade adjacent to the primary building frontage.	59% (Shops A along Williams Field Rd.) 67% (Shops B along Recker Rd.)
Driveway Restrictions	Vehicular access shall be from a non-arterial street or alley.	Arterial vehicular access is permitted at existing curb-cuts.

15. Developer shall set forth pedestrian, sidewalk, and landscape tracts abutting Williams Field Road, Recker Road, Haskell Street, and Verde Drive on the final plat.
16. The maximum number of dwelling units shall be limited to the maximum allowed under the Gilbert General Plan.
17. All ground-level multi-family units along Williams Field Road, Recker Road, Haskell Street, and Verde Drive must have stoops with patios and provide direct pedestrian access to the adjacent sidewalk.
18. Prior to the Town Council hearing, the applicant shall address all outstanding third-review comments and receive approval of a Traffic Study from the Town Traffic Engineering Department.
19. 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."
20. Any proposed permanent, or temporary, structure is subject to an FAA filing for review in conformance with CFR Title 14 Part 77 (Form 7460) to determine any effect to navigable airspace and air navigation facilities.

Planner Keith Newman presented a map of Cooley Station. There are several projects and multi-family developments that have been approved in the area. The GPA is on 15 acres, going from General Commercial (GC) to Village Center (VC). The PAD rezone is on 15 acres, going from General Commercial (GC) to Gateway Village Center (GVC). There are 612 apartment units in two four-story building clusters. The development will be constructed in three phases. Two 5.5 to 6 story parking garages are proposed. It is a wraparound concept. 47 dwelling units per acre are proposed, and 25,500 square feet of free-standing commercial space. There are 61 on-street parking spaces off Verde Drive and Haskell Street. There are deceleration lanes off Recker Road and Williams Field Road. Proposed deviations are building transparency of 59% off Williams Field Road and 67% off Recker Road against the minimum 75%, and arterial vehicular access permitted at existing curb cuts for the corner commercial buildings.

Planner Keith Newman presented modifications to the conditions which were not included with the meeting packet but have been implemented above.

COMMISSION QUESTIONS/COMMENTS

Commissioner Bianchi asked about Condition b1 that states, “Failure to complete dedication prior to or at the time of recordation of the final plat or sooner as required by the Town Engineer may result in reversion of the zoning to the prior zoning classification.” Planner Keith Newman responded that this is standard language, but he does not believe there has ever been a case of reversion. Commissioner Bianchi asked about Condition 16 which states, “The maximum number of dwelling units shall be limited to the maximum allowed under the Gilbert General Plan,” and inquired if additional units can be added if they are within the density amount the GP allows. Planner Keith Newman responded that they technically could, as 50 are allowed and they are at 46, but they would have to come back to town staff with an amendment to the PAD. Commissioner Bianchi asked if a retail portion is required or if it could be replaced with ground-floor residential already approved. Planner Keith Newman responded that they would need to go through the entire process with a PAD amendment and rezone the site to eliminate the commercial on the corner. Commissioner Bianchi asked about Condition 18 which states, “Prior to the Town Council hearing, the applicant shall address all outstanding third-review comments,” and what those comments are. Planner Keith Newman responded that they are cleanup items on the development plan.

Commissioner Johnson asked about the net parking in the parking structures, including underground, versus the number of residential units proposed. Planner Keith Newman responded that this can be directed to the applicant.

Chair Simon asked about height by right in General Commercial (GC) versus Gateway Village Center (GVC). Planner Keith Newman responded that height by right in GC is 45 feet, and in GVC it is 90 feet for certain uses. This site is in a vertical overlay district.

The applicant, Sean Lake, gave an overview of the history of the area and surrounding developments. There are efforts to adhere to the original Village Center plan and there is a development plan. This is a four-story project, 60 feet high, with a 5.5-story garage, most of which is underground. It is an urban design which incorporates Cooley Station elements. He

presented a list of sustainable elements. Elevations will be brought forward with the design review case.

Chair Simon asked if there is a reason that an entry to the parking garage is not being considered off of Haskell Road. The applicant, Sean Lake, responded that this is just the design of the garage. Chair Simon asked if there would be a brownstone-type development. The applicant, Sean Lake, responded that this can be considered, and the goal is to achieve balance.

Vice Chair Mundt stated that this project fits into the character area.

Commissioner Bianchi stated that one of his original concerns was the lack of General Commercial (GC) zoning; however, with the zoning, it is compatible with the adjacent uses and provides space for the commercial in the complex. He is in favor of the project, especially as there is assurance that the retail portion will be protected.

Chair Simon stated that he would like to see the retail and commercial space protected as well.

Commissioner Johnson stated that he likes to see a project with such an attractive streetscape.

MOTION: Vice Chair Mundt moved to recommend approval of Item 11 GP22-14 District at Cooley Station subject to staff recommendations, seconded by Commissioner Davis. **Motion passed 7-0.**

MOTION: Vice Chair Mundt moved to recommend approval of Item 12 Z22-14 District at Cooley Station subject to staff recommendations, seconded by Commissioner Davis. **Motion passed 7-0.**

- 13. UP22-54 DISTRICT AT COOLEY STATION: Request to approve a Conditional Use Permit for approximately 13.26 acres located at the northwest corner of Williams Field Road and Recker Road to allow residential on the ground floor on the site pending rezoning to Gateway Village Center (GVC) zoning district with a Planned Area Development (PAD) overlay. Keith Newman (480) 503-6812.**

STAFF RECOMMENDATION

- a. The District at Cooley Station Conditional Use Permit (UP22-54) to allow ground-floor residential is subject to Town Council’s approval of the minor General Plan Amendment (GP22-14) and PAD Rezoning (Z22-14) cases.
- b. All ground-level multi-family units along Williams Field Road, Recker Road, Haskell Street, and Verde Drive must have stoops with patios and provide direct pedestrian access to the adjacent sidewalk.

Planner Keith Newman stated that the Conditional Use Permit is on 15 acres to allow for ground-floor residential in the GVC District. The applicant held a virtual neighborhood meeting on April 12, 2022. There have been no public comments since notice was put out and signs were posted. There are four findings which need to be met:

- The proposed use will not be detrimental to health, safety, or general welfare of persons living or working in the vicinity, to adjacent property, to the neighborhood, or to the public in general.
- The proposed use conforms to the purposes, intent, and policies of the General Plan and its policies and any applicable area, neighborhood, or other plan adopted by the Town Council.
- The proposed use conforms to the conditions, requirements, or standards required by the Zoning Code and any other applicable local, State, or Federal requirements.
- The proposed use, as conditioned, would not unreasonably interfere with the use and enjoyment of nearby properties.

COMMISSION QUESTIONS/COMMENTS

MOTION: Vice Chair Mundt moved to recommend approval of Item 13 UP22-54 District at Cooley Station subject to staff recommendations, seconded by Commissioner Davis. **Motion passed 7-0.**

14. **DR22-176 MUTTS CANINE CANTINA:** Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 1.5 acres of the overall 97.95-acre Santan Village site, generally located at the southeast corner of Santan Village Parkway and Coronado Road and zoned Regional Commercial (RC) with a Planned Area Development (PAD) overlay. Kristen Devine (480) 503-6742.

STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission/Design Review Board at the March 1, 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. Modifications to signage within the approved comprehensive sign plan will require an Administrative Design Review approval prior to sign permitting and construction.

As this item was pulled for questions, no presentation was needed.

COMMISSION QUESTIONS/COMMENTS

Commissioner Bianchi asked about the fence line from the dog park along Santan Village Parkway, which is 6 feet, slatted mesh, with string lights along the street, and whether there will be any other screening along the roadway. Planner Kristen Devine responded that there is no other screening, just typical dog park fencing, but there will be perimeter landscaping. Commissioner Bianchi noted that this is a pet use in a high-traffic area with no complimentary uses or shared parking. There are two dog parks in the close vicinity. The patio is located opposite of where the dog parks are. He expressed concern with the extensive vehicle traffic along Santan, and the distraction with the string of lights.

MOTION: Vice Chair Mundt moved to recommend approval of Item 14 DR22-176 Mutts Canine Cantina subject to staff recommendations, seconded by Commissioner Johnson. **Motion passed 6-1. Commissioner Bianchi against.**

15. **DR22-127 MODERA GILBERT:** Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 15.39 acres, generally

located on the southwest corner of Higley and Ray Roads, and zoned Multi-Family/Medium (MF/M), General Commercial (GC), and Shopping Center (SC) with a Planned Area Development (PAD) overlay. Noah Schumerth (480) 503-6729.

STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission/Design Review Board at the March 1, 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 required improvements for signaling and traffic management at Ray Road and Higley Road intersection shall be in conformance with Ordinance No. 2806, as approved by Town Council on December 13, 2022.
- d. A revised NPCCP form shall be provided indicating final water usage numbers and reclaimed water irrigation source prior to the issuance of building permits.
- e. A revised Multiple and Large Meter (MLM) User Form shall be provided indicating final water usage numbers and reclaimed water irrigation source prior to the issuance of building permits.
- f. The construction document submittal shall include off-site improvements on Ray Road as required by ordinance and the Town Traffic Engineer; improvements shall include 80' storage and 85' taper length for the deceleration lane to Driveway A as shown in the Traffic Impact Analysis.
- g. The construction document submittal shall include off-site improvements on Higley Road as required by ordinance and the Town Traffic Engineer; improvements shall include 150' of left turn storage at Driveway E per the Traffic Impact Analysis.
- h. All applicable construction and engineering documents shall provide documentation of reclaimed water source via Lyon's Gate Homeowner's Association.

Planner Noah Schumerth stated that this case was brought forward at Study Session on February 1, 2023. Based on feedback from the Commission, changes were made to site design and other building features. This is a four-building site, with two loft-above commercial buildings off Ray Road and two multi-family buildings which are three- and four-stories sited in the middle of the development. The development includes a total of 276 residential units and 19,000 square feet of commercial space. The dog park has been expanded to 1,000 square feet in response to comments from staff and Planning Commission. In response to Commission comments about shading and heat building in courtyards, the courtyards within the multi-family buildings include over 50% shading to mitigate heating impacts. In response to Commission concerns about integration of public areas between Building 1 and 2, there is a shared street concept with no curbing/decorative planters and distinct pavement type between Buildings 1 and 2 to integrate buildings. The applicant will continue forward with reclaimed water provided from the private system maintained by the HOA, in a reversal of plans as provided for Commission at the Study Session. In terms of grading and drainage, there will be large underground storage tanks around the south, western and northern sides of the development under parking areas, which are sufficient to manage the runoff off the site.

Regarding chief concerns about traffic and circulation, the following adjustments have been made: an increased right-turn lane length on Ray Road (both taper and storage), an aligned driveway with Megan Street (along western side of development fronting Banning Street), minimization of Banning Street traffic with an egress-only gate from the parking area on the west side of the development, increased left-turn distances (taper and storage) at the southeastern driveway into the new development along Higley Road, and queueing management and dual-lane striping added at the all driveways being constructed with the new development. A parking study was requested by staff based on staff concerns and Commission comments,, and the parking has been deemed to be sufficient, with 660 spaces, over the 643 required. The underground parking area has 80 spaces. If all units had self-parking, 112 units would be required. For the rear two multi-family buildings, there would be 385 spaces to fully self-park, and 294 are provided. Within the public access lot area, there are 248 spaces, far greater than the 146 recommended for the non-residential uses on the site. There were slight changes to the colors and materials, including a painted fiber cement material and some additional color variation. Planner Noah Schumerth presented an additional condition with disclosure and covenant language related to the site's proximity to Phoenix-Mesa Gateway Airport.

COMMISSION QUESTIONS/COMMENTS

Commissioner Bianchi asked if the HOA has given approval for the project's reclaimed water usage. Planner Noah Schumerth responded that this is a complex topic for Town interests, as there is an ordinance and development agreement between the HOA and property owner to which the town is not a legal party. The applicant was initially pushing to have the site connected to Town potable systems, and recently rescinded that effort to return to the HOA private reclaimed water system as an irrigation source. Commissioner Bianchi asked about the four trash enclosures and where the other waste will be. Planner Noah Schumerth responded that commercial tenants play a significant role in those enclosures, and there is the potential for off-site waste management. The applicant, Brennan Ray, added that there are appropriate enclosures as per industry standards. There are five enclosures outside the gates, and two enclosures within the gates.

Commissioner Fay asked if there is ingress/egress off Banning Street, even if the secure parking lot cannot be accessed. Planner Noah Schumerth responded that there is ingress/egress off the driveway but the gate to access multi-family residential secured parking areas is only for egress and emergency exit. By Town ordinance, there must be greater separation from Banning Street and a deeper driveway length to have a full ingress/egress gate there.

Chair Simon expressed concern that the underground parking could be paid spots, reducing the overall number of available spaces. The applicant, Brennan Ray, responded that no development wants to be under-parked. Every multi-family unit will have an assigned parking space available in secured areas

Samara Figueroa, a resident of Lyon's Gate community, expressed concern with the traffic survey provided by the applicant. Higley Road and Ray Road need to be improved before the applicant can consider building and impacts from new buildings will impact drivers potentially up until 2030 due to this small mixed-use project. She also expressed concern

with the parking on the Modera site, as most residents will have more than one vehicle per unit and overflow will impact neighboring streets. She suggested relocation of the project, shifting the use for the site to a shopping center or apartments only, reducing the number of apartment and stores, and fencing the project off to further limit neighborhood access. The applicant, Brennan Ray, responded that there is one assigned secured space per unit; however, there are 1.85 spaces per unit throughout the site, which is in line with code. He is happy to talk to the resident about the site's fencing offline. There is an access point at Banning Street that aligns with Megan Street, but there is no direct access from the two residential buildings and its parking area to Banning Street or Dublin Street. A view fence and landscape setbacks provide buffering from these neighboring streets with no access points. Planner Noah Schumerth added that the Higley and Ray intersection improvements will not involve ripping up the entire intersection, but rather just the installation of dual lefts where they were previously installed. The improvements would not be put off until 2030. Commissioner Johnson stated that the parking issue brought up by Samara Figueroa justifies further review, and whether there is a bleed into off-street parking on similar projects that have been completed.

Commissioner Fay stated that there is a lot packed into the project, but the off-site improvements are minimal and basically striping and may need further consideration to counter traffic impacts

Commissioner Davis stated that this a great project design-wise. Staff and the applicant have made him comfortable with the parking, and it should be considered that this is a mixed-use development and there will likely be a lot of walking and trips with multiple destinations, easing potential parking issues

Chair Simon stated that, from a design perspective, this a great asset to the corner. He suggested that there be continuity and flow between this project and the two general commercial sites.

MOTION: Commissioner Andersen moved to recommend approval of Item 15 DR22-127 Modera Gilbert subject to staff recommendations, seconded by Commissioner Johnson.
Motion passed 7-0.

16. **DR22-63 MORRISON RANCH MULTI-FAMILY: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 15.08 net acres, generally located east of the northeast corner of Higley and Warner Roads and zoned Multi-Family Low (MF/L) with a Planned Area Development (PAD) overlay. Ashlee MacDonald (480) 503-6748.**

STAFF RECOMMENDATION

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission at the March 1, 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. The multi-family entry sign shall be revised to not exceed a height of 8'.

Planner Ashlee MacDonald stated that this project is east of the northeast corner of Higley Road and Warner Road. On Warner Road there is currently vacant commercial, and

development is anticipated there. This property is 15.08 net acres. This item was reviewed at a Study Session in August 2022, and the applicant has been working to address concerns. There are two access points, with the primary, right-in right-out, access off Warner Road, and the secondary is a full-motion access off Bloomfield Parkway. There are 231 dwelling units proposed, which is consistent with the allowed density in the zoning category. The landscaping is consistent with what is required by code. There are considerable amenities throughout. In terms of elevations, the design is consistent with Morrison Ranch. There is a variety of materials and colors.

COMMISSION QUESTIONS/COMMENTS

Commissioner Bianchi asked if the right-in and right-out is for safety. Planner Ashlee MacDonald responded that there are alignment issues and a raised median.

Commissioner Johnson stated that the roof color palettes seem dark. Planner Ashlee MacDonald responded that she did not look through approved elevations in the vicinity, but there are a variety of different roof colors, and this is consistent with the community.

Commissioner Fay asked about the raised median on Warner Road, as he does not see it on Google Maps. Assistant Town Traffic Engineer Clinton Emery responded that the offsets are being done now, which will include a raised median, and be constructed with the development to the south. Commissioner Fay stated that a lot of traffic will now be coming off Bloomfield Parkway.

The applicant, Brennan Ray, stated that there has been consideration of the expectations of the town and Morrison Ranch in creating the design for this project.

Chair Simon asked if there is any way to move the entrance on Warner Road to the east. The applicant, Brennan Ray, responded that there is an HOA tract that runs on the east side and to shift it over and comply with requirements it would encroach on the tract.

Jason Williams, a resident of Bloomfield Parkway, expressed concern that there are many children on the street and the added traffic could pose a safety concern. He suggested having additional signage that there is no parking on the road, and speed bumps/deterrents on Bloomfield Parkway. There are no stop signs from Recker Road to Higley Road. Planner Ashlee MacDonald responded that speed bumps are not permitted on collector roadways, but boxes could be put out that inform drivers of their speed and the police department could increase their presence in the area. She will investigate the possibility of “no parking” signs.

Jennifer Landers, a resident of Morrison Ranch, stated that she appreciates the effort of the applicant to maintain the original design intent, size, and scope of the project. She expressed concern with the ingress/egress into the complex, with the median off Warner Road, and the additional traffic on Bloomfield Parkway. The Gilbert Police Department will be speaking to the community about traffic and crime issues, as this is already a cause of concern. She requested that there be further consideration of minimizing speeding issues.

Commissioner Andersen stated that he is sensitive to the traffic on Bloomfield Parkway. However, when people leave the community, they will take a left, not travelling through the

family development to the east. Their closest route is Higley Road. “No parking” signs are not always effective. The project is nicely designed, and he supports it.

Commissioner Bianchi stated that this is on the lower end of the multi-family density. It is a decent transitional use between the single family and shopping center. They have provided ample open space. It is a good design on the elevations, and he supports it.

Commissioner Fay stated that he supports this project. He wishes there was a way to work around the inability to make a left turn in off Warner Road.

Commissioner Davis stated that he appreciates the pedestrian circulation of this project.

Vice Chair Mundt stated that, when it comes to traffic, the Commission can make strong suggestions but does not have the ability to change this. This is a good project which has come a long way. It is hoped that the speeding issues will be mitigated by traffic, as there will be less of a wide-open area.

Chair Simon stated that the project has a great layout, and the building design is incredible. He agrees with Commissioner Fay that it would be great to find a workaround for the left turn in off Warner Road.

MOTION: Vice Chair Mundt moved to recommend approval of Item 16 DR22-63 Morrison Ranch Multi-Family subject to staff recommendations, seconded by Commissioner Fay. **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.

17. PLANNING COMMISSION MINUTES

Commissioner Bianchi noted that the applicant’s name is misspelled on Item 14 and Item 15 of the December 7, 2022, minutes.

MOTION: Commissioner Bianchi moved to approve the minutes of the Study Session and Regular Meeting of December 7, 2022, as amended, seconded by Commissioner Johnson. **Motion passed 7-0.**

MOTION: Commissioner Bianchi moved to approve the minutes of the Study Session and Regular Meeting of January 4, 2023, as presented, seconded by Vice Chair Mundt. **Motion passed 7-0.**

MOTION: Commissioner Bianchi moved to approve the minutes of the Study Session and Regular Meeting of February 1, 2023, as presented, seconded by Vice Chair Mundt. **Motion passed 7-0.**

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

There was no report from the Chairman or members of the Commission.

19. REPORT FROM PLANNING SERVICES MANAGER ON CURRENT EVENTS

Planning Manager Eva Cutro noted that Erica Prater has been promoted to Planner I. The new Senior Planner will start the first week of April 2023.

ADJOURNMENT

Chair Simon adjourned the meeting at 8:40 p.m.

Jän Simon, Chairman

ATTEST:

Tracey Asher

DRAFT