



14

Planning Commission Staff Report

TO: PLANNING COMMISSION / DESIGN REVIEW BOARD

FROM: SAL DISANTO, PLANNER I *SD*
(480) 503-6759, SAL.DISANTO@GILBERTAZ.GOV

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

MEETING DATE: MAY 3, 2022

SUBJECT: Z22-17 BASELINE COMMERCIAL, A PAD Amendment: Request to amend Ordinance Nos. 1161 and 1709 to amend the conditions of development within the Joe Porter Planned Area Development overlay zoning district (PAD) for approx. 11.82 acres generally located at the southwest and southeast corners of Baseline and Lindsay Roads, consisting of 11.82 acres of General Commercial (GC), all with a PAD.

STRATEGIC INITIATIVE: Exceptional Built Environment

To provide a pedestrian oriented development with a mix of commercial opportunities for neighboring residential.

RECOMMENDED MOTION

For the reasons set forth in this staff report, move to recommend approval to the Town Council for Z22-17 Baseline Commercial, as requested, subject to conditions.

APPLICANT

Company: Gammage & Burnham, PLC
Name: Dennis Newcombe
Ashley Marsh
Address: 40 N Central Ave
Unit: 20th Floor
Phoenix, AZ 85004
Phone: 602-256-4446
Email: dnewcombe@gblaw.com

OWNER

Company: EPX 002, LLC
Name: James Wolff
Address: N/A
Phone: 915-996-8178
Email: jwolff@epxteam.com

BACKGROUND/DISCUSSION

History

Date	Description
<i>April 8, 1974</i>	Town Council approved A74-02 (Ordinance No. 155) annexing 500 acres zoned R-43.
<i>April 6, 1999</i>	Town Council approved Z98-35 (Ordinance No. 1161) rezoning approximately 11.82 acres from (R1-43) Rural Residential to (C-1) Neighborhood Commercial for property located at the southwest corner and east of the southeast corner of Baseline and Lindsay Roads, establishing the development guidelines for the Joe Porter PAD.
<i>May 25, 2004</i>	Town Council approved Z03-45 (Ordinance No. 1566) was rezoning approximately 6.6 acres of land located east of the southeast corner of Baseline and Lindsay Roads from (C-1) Neighborhood Commercial to (NCC) Neighborhood Convenience Commercial.
<i>March 21, 2006</i>	Town Council approved Z05-10 (Ordinance No. 1709) amending conditions of approval in Ordinance No.1161

Overview

The subject site is an approximately 2.8-acre parcel that resides within the limits of the larger 11.82 Joe Porter Planned Area Development (PAD) located at the southwest and southeast corner of Lindsay and Baseline Roads. A conceptual development plan for the site was part of the rezoning case Z98-35 whereupon Ordinance No. 1161 was approved with 41 conditions of development.

The applicant is requesting to amend Ordinance Nos. 1161 and 1709 pertaining to the Joe Porter PAD by amending or deleting conditions of development and modifying the conceptual development plan on a 2.8 acre portion of the approximately 11.82

acres of real property generally located at the southwest and southeast corner of Lindsay and Baseline roads.

Surrounding Land Use & Zoning Designations:

	Existing Land Use Classification	Existing Zoning	Existing Use
North	N/A – City of Mesa	City of Mesa Right of Way (Baseline Road), City of Mesa RS Single Residence (RS-6) and City of Mesa Limited Commercial (LC)	Baseline Road, then commercial
South	Residential > 0 – 1 DU/Acre	Single Family – 35 (SF-35)	Porter Acres Subdivision
East	General Commercial (GC)	General Commercial (GC)	QuikTrip
West	General Commercial (GC)	General Commercial (GC)	Vacant
Site	General Commercial (GC)	General Commercial (GC)	Vacant

Project Data Table

Site Development Regulations	Standards approved per Ord. 1161 / LDC Standards
Maximum Building Height (ft.)/Stories	30'
Minimum Building Setbacks (ft.)	
Front (Arterial)	25'
Side (Nonresidential/Commercial)	20'
Rear (Residential)	60'
Separation Between Buildings (ft.)	
Single Story	15'
Multiple Story	Not Permitted
Minimum Required Perimeter Landscape Area (ft.)	
Front (Arterial)	25'
Side (Nonresidential/Commercial)	20'
Rear (Residential)	40'

Landscaping (% of net site area)	15%
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DISCUSSION

Staff is currently processing a Design Review case concurrently with this application and will bring it forward for approval after Town Council consideration of this proposed PAD Amendment.

PAD Amendment Request:

The request proposes to amend Ordinance Nos. 1161 and 1709 pertaining to the 11.82-acre, Joe Porter PAD by amending or deleting certain conditions of development and modifying the conceptual development plan. More specifically the applicant is requesting the following:

- Modification of condition W: ~~“A master plan for water, sewer, and drainage for the Project, shall be reviewed and approved by the Town Engineering Department prior to the issuance of any permits. RESTRICTIONS ON CONSTRUCTION WITHIN THE EASEMENT AREA AS DESCRIBED IN MCR 2005-0754128 AND 2005-0754129, LOCATED WITHIN THE SOUTHERN 15 FEET OF THE PARCEL AND ALSO NORTH OF THE SEWER LIFT STATION AT THE SOUTHWEST CORNER OF THE SITE, SHALL BE STRICTLY ADHERED TO.~~ *Modifying this condition allows the applicant to proceed without the creation of a water, sewer, and drainage master plan. A master plan for water, sewer, and drainage has been previously established and allows the applicant to move forward per current standards.*
- Removal of condition HH: “A minimum of two hundred twenty (220) feet shall be provided between driveways, measured center line to center line.” *Removal of this condition allows for the proposed driveway to be centralized on site, allowing for adequate spacing between existing access points. The proposed driveway location has been reviewed and approved by City of Mesa.*
- Removal of condition MM: “a convenience store (including gas dispensing facility if a use permit is obtained) or restaurant with a drive through, but not both, are permitted with the location to be limited to the southwest corner of Lindsay and baseline roads.” *Removal of this condition allows for a variety of commercial opportunities to compliment the neighboring residential uses, while maintaining the intent of the Joe Porter PAD.*

- Modification of condition NN: “There shall be an eighty (80) foot building setback adjacent to the west-facing lot immediately to the south of the parcel on the east side of Lindsay Road. There shall be a sixty (60) foot building setback from the other residential lots. ~~No parking shall be allowed in the (60) foot building setback~~”. NO PARKING SHALL BE ALLOWED IN THE SIXTY (60) FOOT BUILDING SETBACK FOR DEVELOPMENT ON THE EAST SIDE OF LINDSAY ROAD.

Modifying this condition allows for parking to be located within a required building setback, which is permitted per current Land Development Code. Parking within this setback shall only apply to the proposed site located west of the southwest corner of Baseline and Lindsay Roads.

Development Plan:

This request also includes a request to amend the conceptual development plan approved under case number Z98-35. The previously approved development plan shows one commercial building, roughly 50,000 SF, with an east/west orientation along the rear property line (Exhibit A). The updated/proposed development plan (Exhibit B) provides three pads for commercial use including a 1,275-SF drive-through restaurant, an 1,800-SF express oil change facility, and an 8,309-SF retail building. Access to the site is provided from two access points off of Baseline Road. One access point is already constructed in the northeast corner of the site and one access point is proposed to be centralized on site, roughly 207’ away from the existing access point, and constructed to the City of Mesa Right of Way standards. The access point located in the northwest corner of the site will be maintained as it is utilized for sewer lift station access only. Sufficient circulation is also provided on site from three major interior drive aisles, running north to south. Many aspects of the Joe Porter PAD are represented on the updated development plan such as outdoor pedestrian amenities, building design, and building separation.

Exhibit A:

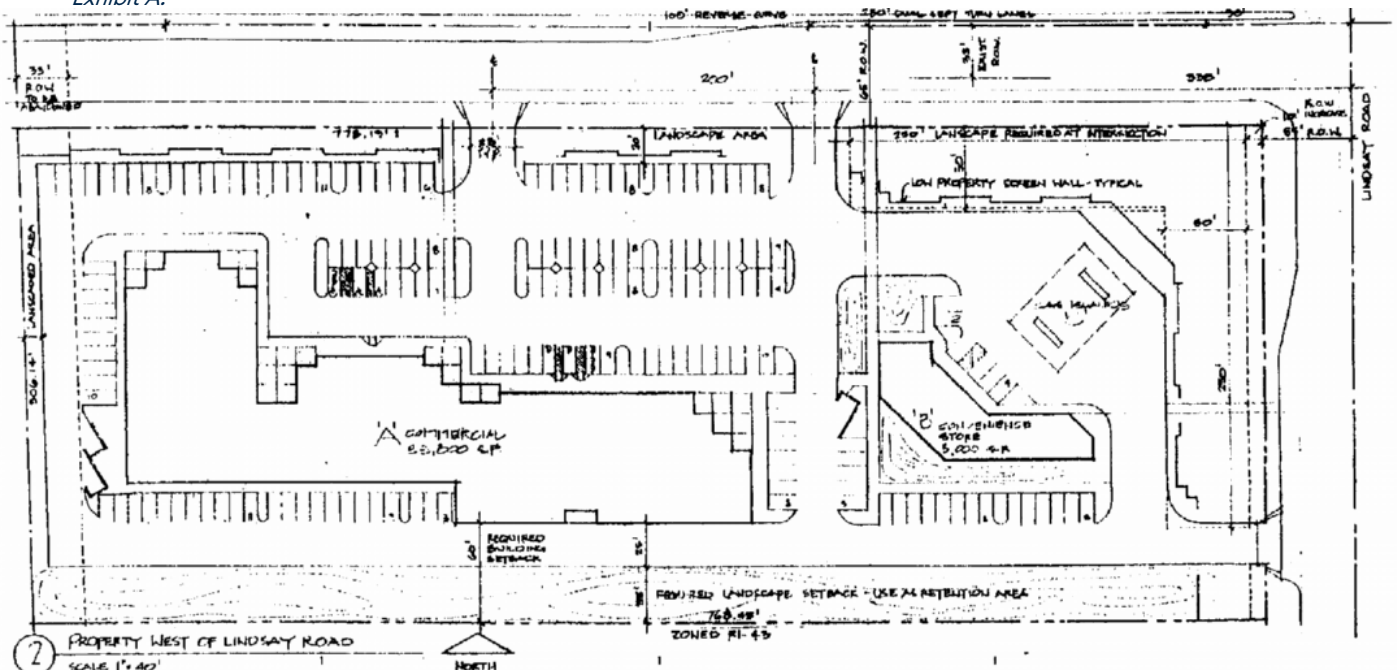
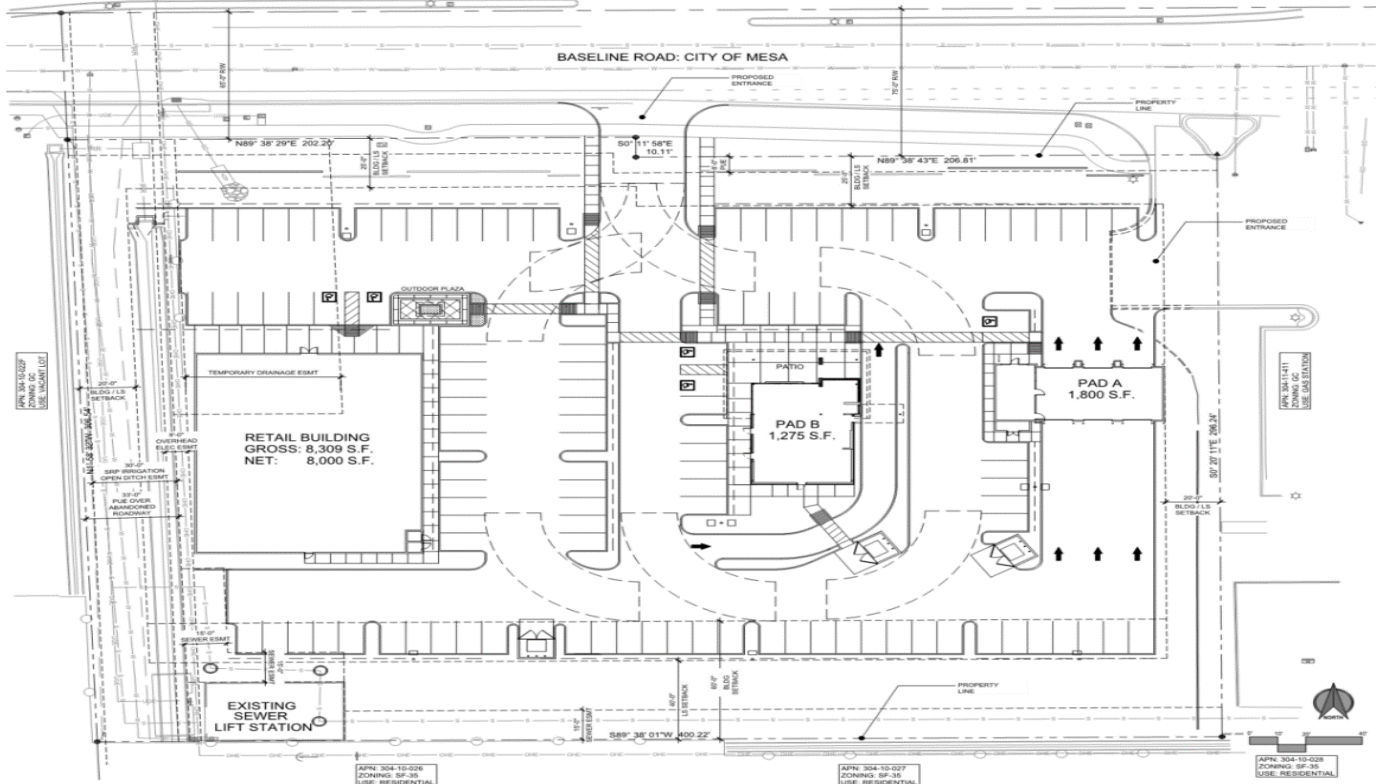


Exhibit B:



PUBLIC NOTIFICATION AND INPUT

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 (LDC) Article 5.205.

A virtual neighborhood meeting was held on August 2, 2022. Five surrounding property owners or citizens attended the meeting. Community members had questions and comments regarding architectural design, the existing SRP canal, and trash pick-up.

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.

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms with the intent of the Joe Porter PAD and can be appropriately coordinated with existing and planned

development of the surrounding areas, and all required public notice and meetings have been held, for the reasons set forth in this staff report, move to recommend approval to the Town Council for Z22-17 Baseline Commercial, a request to amend Ordinance Nos. 1161 and 1709 to amend the conditions of development within the Joe Porter Planned Area Development overlay zoning district (PAD) for approx. 11.82 acres generally located at the southwest and southeast corner of Baseline and Lindsay Roads, consisting of 11.82 acres of General Commercial (GC), all with a PAD. All dedications, development requirements and development conditions set forth in Ordinance No. 1161 and 1709 relating to the Joe Porter PAD shall remain in full force and effect except as amended by revising development condition[s] w, hh, mm, and nn. to read as follows: (additions shown in ALL CAPS, deletions shown in ~~strikeout~~)

~~w. A master plan for water, sewer, and drainage for the Project, shall be reviewed and approved by the Town Engineering Department prior to the issuance of any permits.~~ RESTRICTIONS ON CONSTRUCTION WITHIN THE EASEMENT AREA AS DESCRIBED IN MCR 2005-0754128 AND 2005-0754129, LOCATED WITHIN THE SOUTHERN 15 FEET OF THE PARCEL AND ALSO NORTH OF THE SEWER LIFT STATION AT THE SOUTHWEST CORNER OF THE SITE, SHALL BE STRICTLY ADHERED TO.

~~hh. A minimum of two hundred twenty (220) feet shall be provided between driveways, measured center line to center line~~

~~mm: A convenience store (including gas dispensing facility if a use permit is obtained) or restaurant with a drive through, but not both, are permitted with the location to be limited to the southwest corner of Lindsay and Baseline Roads~~

~~nn. There shall be an eighty (80) foot building setback adjacent to the west-facing lot immediately to the south of the parcel on the east side of Lindsay Road. There shall be a sixty (60) foot building setback from the other residential lots. No parking shall be allowed in the sixty (60) foot building setback. NO PARKING SHALL BE ALLOWED IN THE SIXTY (60) FOOT BUILDING SETBACK FOR DEVELOPMENT ON THE EAST SIDE OF LINDSAY ROAD.~~

Respectfully submitted,

Sal DiSanto

Sal DiSanto,
Planner I

Attachments and Enclosures:

- 1) Notice of Public Hearing/Vicinity Map
- 2) Aerial Photo
- 3) Zoning Exhibit
- 4) Legal Description
- 5) Development Plan
- 6) Applicants Narrative
- 7) Ordinance 1161 and 1709 (16 pages)

Notice of Public Hearing Z22-17 Baseline Commercial Attachment 1: Notice of Public Hearing/Vicinity Map

PLANNING COMMISSION DATE:
LOCATION: Council Chambers
50 East Civic Center Drive

Wednesday, May 3, 2023* TIME: 6:00 PM

TOWN COUNCIL DATE:
LOCATION: Council Chambers
50 East Civic Center Drive

Tuesday, June 6, 2023* TIME: 6:30 PM

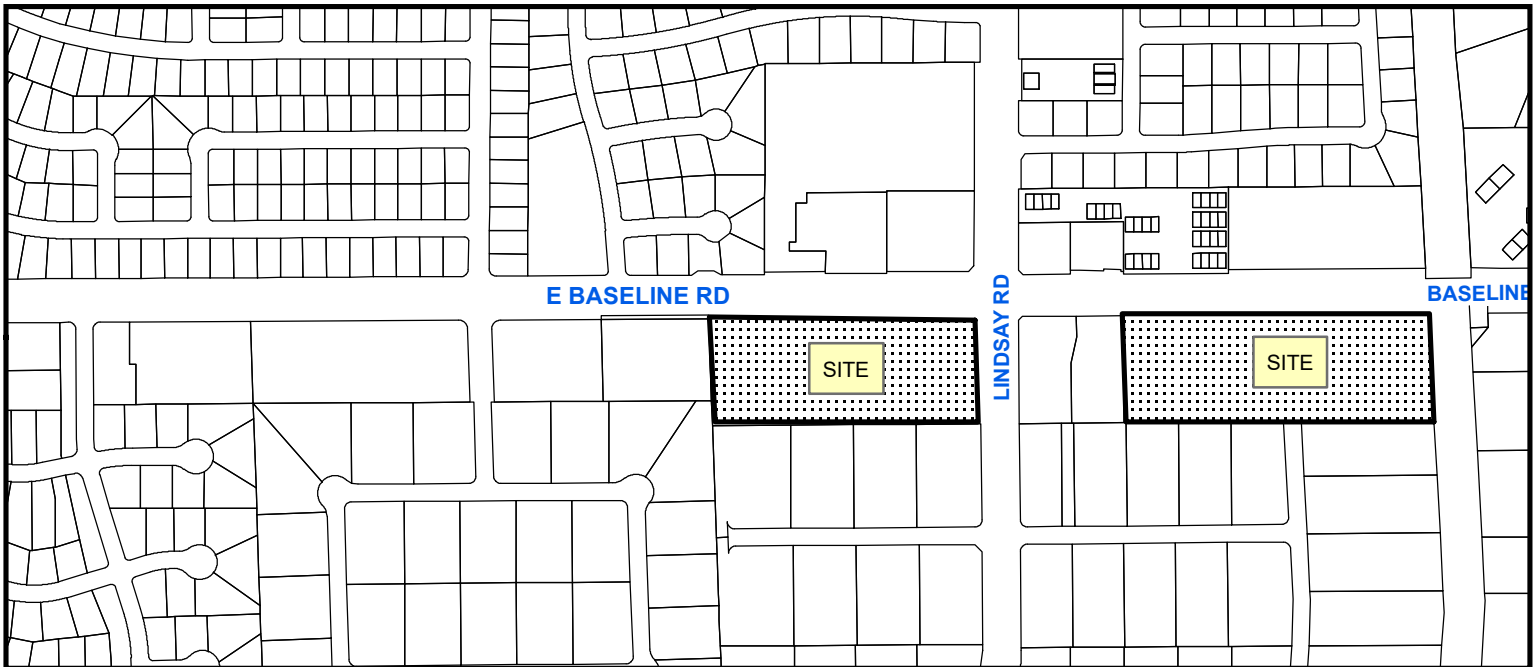
*Call Planning Division to verify date and time: (480) 503-6759

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

REQUESTED ACTION:

Z22-17 BASELINE COMMERCIAL: A PAD Amendment: Request to amend Ordinance No.1161 to amend the conditions of development within the Joe Porter Planned Area Development overlay zoning district (PAD) for approx. 11.82 acres generally located at the southwest and southeast corners of Baseline and Lindsay Roads , consisting of 11.82 acres of General Commercial (GC), all with a PAD. The request is to amend or delete certain conditions of development within ordinance number 1161. The effect of the amended development conditions will allow driveways to be closer in proximity, allow both convenience store and drive through restaurant uses within the limits of Joe Porter PAD, and to allow parking within the 60 foot building setback.

SITE LOCATION:



0 185 370 740 Feet



APPLICANT: Gammage & Burnham, PLC
CONTACT: Dennis Newcombe
ADDRESS: 40 N Central AVE Unit: 20th Floor
Phoenix, AZ 85004

TELEPHONE: (602) 256-4446
E-MAIL: dnewcombe@gblaw.com

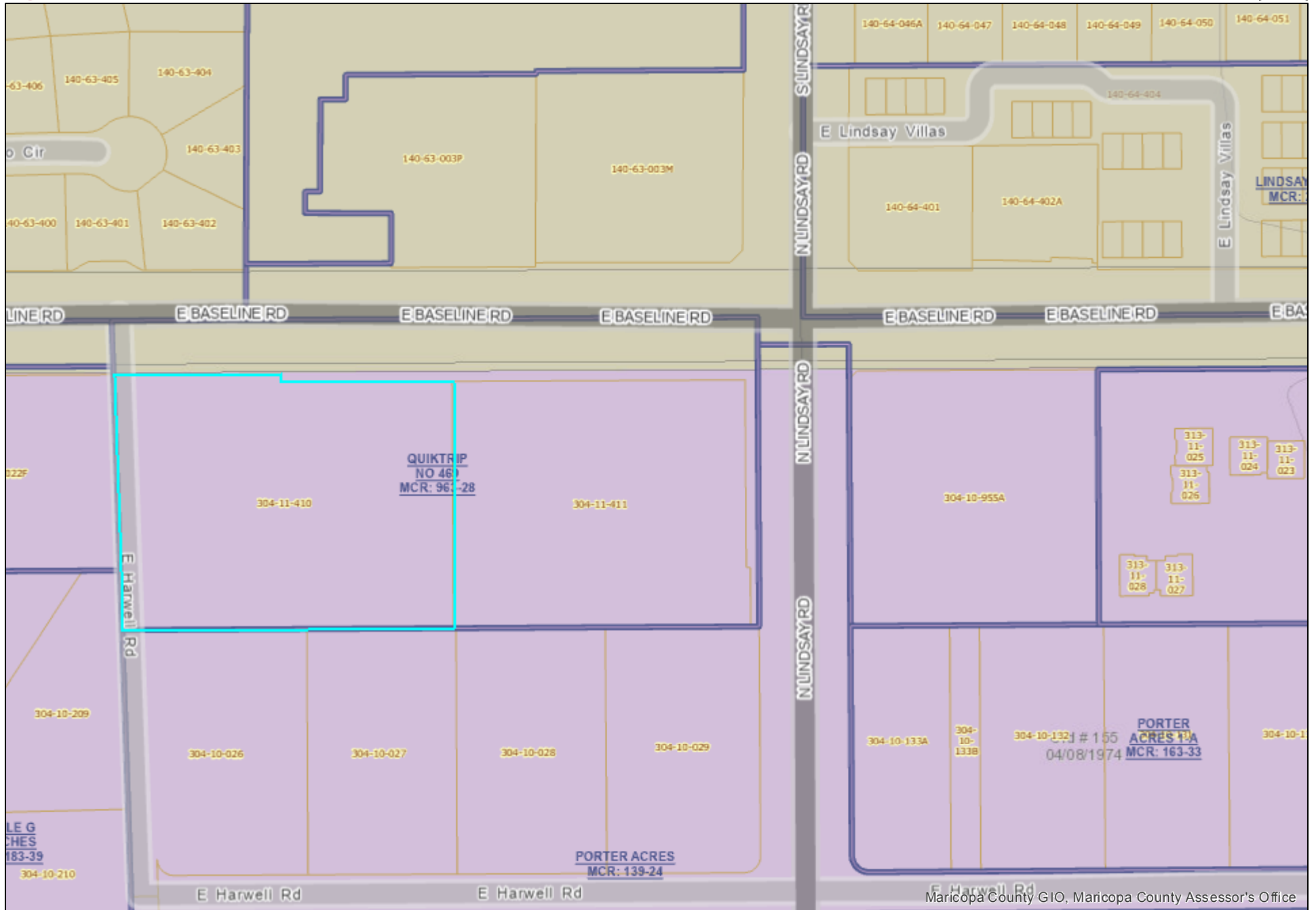
Map



Maricopa County GIO, Maricopa County Assessor's Office



Map



PROJECT TEAM:

OWNER:
EPX CONSTRUCTION PARTNERS
2223 MONTANA AVENUE
EL PASO, TEXAS 79903
CONTACT: RAUL AGUIRRE, JR
PH: 915.500.1032
EMAIL: RAGUIRRE@EPXTEAM.COM

ARCHITECT:
PHNX DESIGN, LLC
1855 EAST SOUTHERN AVE, SUITE 204
MESA, ARIZONA 85204
CONTACT: MIKE HILLS
PH: (602) 762.7354
EMAIL: MIKEH@PHNX-DESIGN.COM



SITE DATA

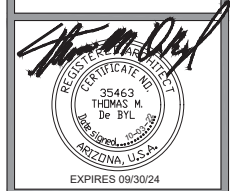
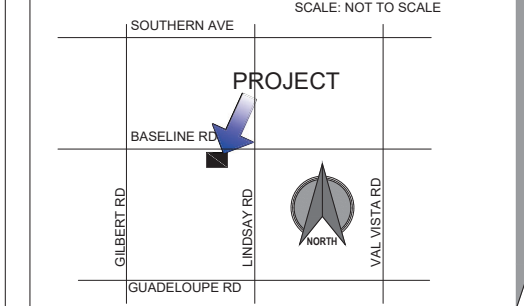
LEGAL DESCRIPTION:
LOT 1 OF QUIKTRIP #469, ACCORDING TO THE PLAT RECORDED IN BOOK 963 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA

APN: 304-11-410
NET SITE AREA: 121,854 S.F. (2.80 AC)

EXISTING ZONING:
GENERAL COMMERCIAL (GC) / PAD (JOE PORTER PAD)

PROPOSED ZONING:
GENERAL COMMERCIAL (GC) / PAD (JOE PORTER PAD AS MODIFIED)

VICINITY MAP



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**ZONING EXHIBIT
LINDSAY ROAD AND BASELINE ROAD
GILBERT, ARIZONA**

DATE	REVISION

ZONING EXHIBIT

A101

PHNX DESIGN # 22-333

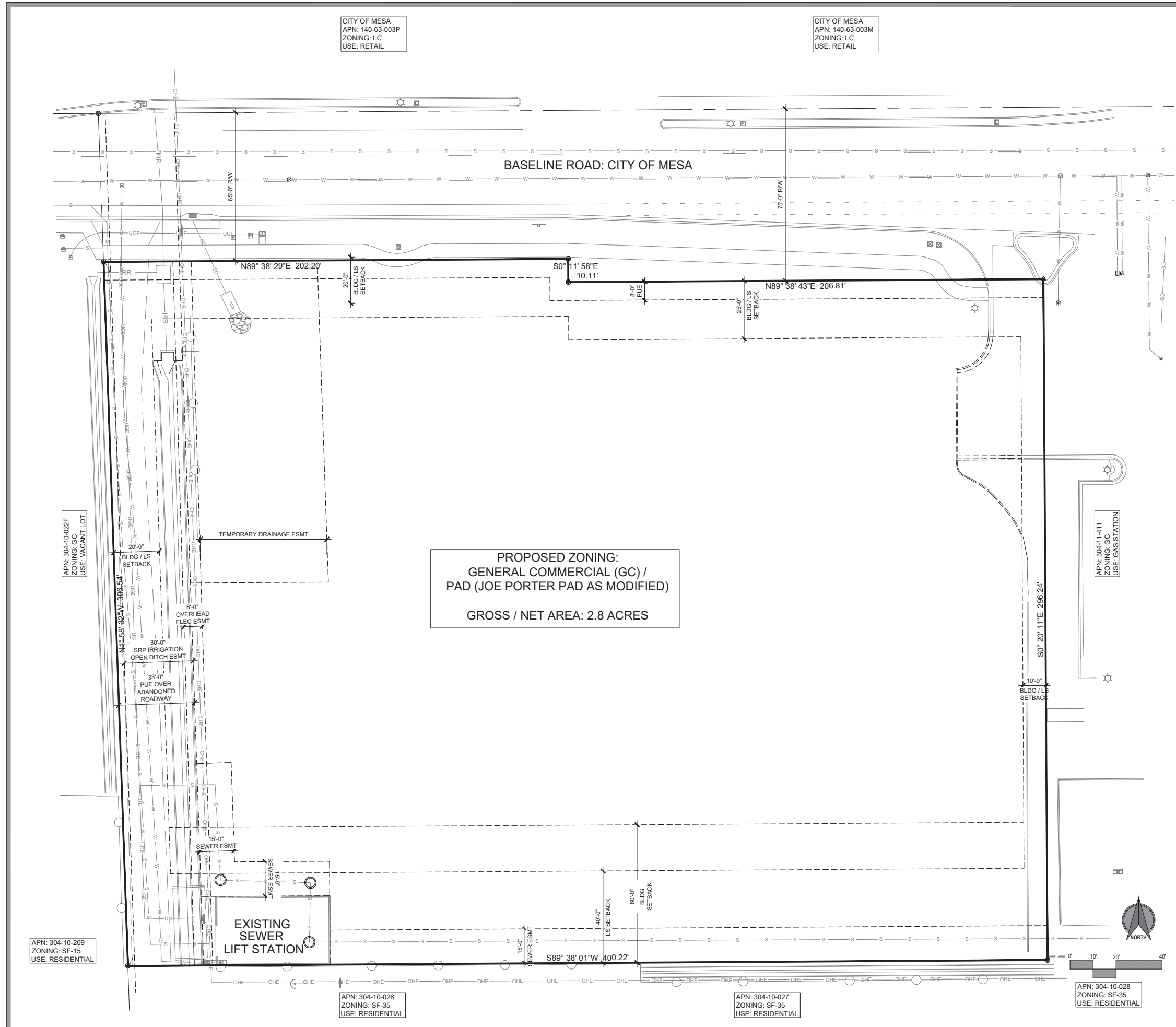


EXHIBIT "A"

PROPERTY DESCRIPTION FOR
LOT 1 OF "QUIKTIP NO. 469", AS SHOWN IN
BOOK 963 OF MAPS, PAGE 28, M.C.R.

LOT 1 OF "THE FINAL PLAT OF QUIKTRIP #469", RECORDED IN BOOK 963
MAPS, PAGE 28, MARICOPA COUNTY RECORDER'S OFFICE (M.C.R.), SITUATE
IN THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 6
EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY,
ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1 OF SAID PLAT,
MARKED BY A 1/2 INCH REBAR WITH PLASTIC CAP STAMPED "LS 32788", ALSO
BEING THE **POINT OF BEGINNING (P.O.B.)**;

THENCE ALONG THE NORTH PROPERTY LINE OF SAID LOT, NORTH 89°38'29"
EAST, A DISTANCE OF 202.27 FEET, TO A 1/2 INCH REBAR WITH NO CAP OR
TAG;

THENCE SOUTH 00°11'58" EAST, A DISTANCE OF 10.11 FEET, TO A 1/2 INCH
REBAR WITH NO CAP OR TAG;

THENCE NORTH 89°38'43" EAST, A DISTANCE OF 206.81 FEET, TO THE
NORTHEAST CORNER OF SAID LOT, MARKED BY A MAG NAIL WITH WASHER,
STAMPED "37137";

THENCE ALONG THE EAST PROPERTY LINE, SOUTH 00°20'11" EAST, A
DISTANCE OF 296.24 FEET, TO THE SOUTHEAST CORNER, MARKED BY A 1/2
INCH REBAR WITH NO CAP OR TAG;

THENCE ALONG THE SOUTH PROPERTY LINE, SOUTH 89°38'01" WEST, A
DISTANCE OF 400.22 FEET, TO THE SOUTHWEST CORNER, MARKED BY A 1/2
INCH REBAR WITH PLASTIC CAP, STAMPED "LS 32788";

THENCE ALONG THE WEST PROPERTY LINE, NORTH 01°59'16" WEST, A
DISTANCE OF 306.54 FEET, TO THE **POINT OF BEGINNING**.

CONTAINING 121,884 SQUARE FEET OR 2.798 ACRES, MORE OR LESS.

SUBJECT TO EXISTING RIGHTS-OF-WAY AND EASEMENTS.



Title: PROPERTY DESCRIPTION

Project #: 09003141

Date: 11/14/2022

Scale: N / A

Page: 1 OF 2



FOUND CITY OF MESA
BRASS CAP FLUSH
SOUTH 1/4 CORNER
SECTION 31,
TOWNSHIP 1 NORTH,
RANGE 6 EAST

EXHIBIT "A"

EXHIBIT FOR
LOT 1 OF "QUIKTIP NO. 469", AS SHOWN IN
BOOK 963 OF MAPS, PAGE 28, M.C.R.

(BASIS OF BEARING)

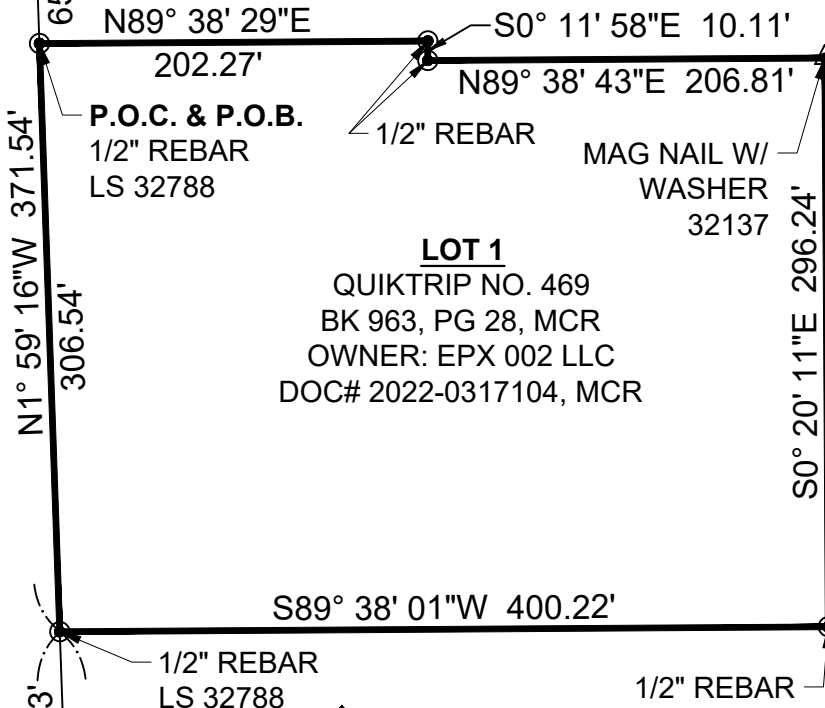
N89° 39' 10"E 2701.43'

1866.99'

834.44'

FOUND CITY OF MESA BRASS CAP FLUSH
0.41' SOUTH OF CLOSING CORNER
NORTHEAST CORNER SECTION 6,
NORTHWEST CORNER SECTION 5,
TOWNSHIP 1 SOUTH, RANGE 6 EAST

GDACS CONTROL POINT 10407
WEST 1/4 CORNER SECTION 5,
EAST 1/4 CORNER SECTION 6,
TOWNSHIP 1 SOUTH, RANGE 6 EAST



P.O.C. & P.O.B.
1/2" REBAR
LS 32788

LOT 1
QUIKTRIP NO. 469
BK 963, PG 28, MCR
OWNER: EPX 002 LLC
DOC# 2022-0317104, MCR

MAG NAIL W/
WASHER
32137

FOUND BRASS CAP FLUSH
SOUTHEAST CORNER SECTION 31,
SOUTHWEST CORNER SECTION 32,
TOWNSHIP 1 NORTH, RANGE 6 EAST



1" = 100'

FOUND MARICOPA COUNTY DOT
BRASS CAP IN HANDHOLE
10.3' NORTH AND 0.2' WEST OF
GDACS POINT



Title: EXHIBIT
Project #: 09003141
Date: 11/14/2022
Scale: 1" = 100'
Page: 2 OF 2

LAND SURVEY • MAPPING SOLUTIONS
WWW.RLFCCONSULTING.COM • 480-445-9189

PROJECT DESCRIPTION:

DEVELOPMENT OF A NEW COMMERCIAL DEVELOPMENT

CITY OF MESA
APN: 140-63-003P
ZONING: LC
USE: RETAIL

CITY OF MESA
APN: 140-63-003M
ZONING: LC
USE: RETAIL

PROJECT TEAM:

OWNER:
EPX 002, LLC
2223 MONTANA AVENUE
EL PASO, TEXAS 79903
CONTACT: RAUL AGUIRRE, JR
PH: 915.500.1032
EMAIL: RAGUIRRE@EPXTEAM.COM

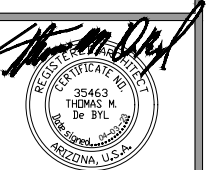
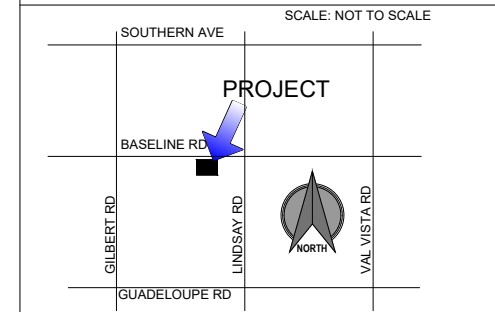
ARCHITECT:
PHNX DESIGN, LLC
1855 EAST SOUTHERN AVE, SUITE 204
MESA, ARIZONA 85204
CONTACT: MIKE HILLS
PH: (602) 762.7354
EMAIL: MIKEH@PHNX-DESIGN.COM

DEVELOPMENT STANDARDS
DEVIATION TABLE:

	Required per LDC General Commercial Zoning District and Ordinance 1161 Proposed	Proposed
Minimum Building Setback:		
Side (Non-Residential)	20 Feet	20 Feet *
Minimum Required Landscape Area:		
Side (Non-Residential)	20 Feet	20 Feet

* East side only

VICINITY MAP



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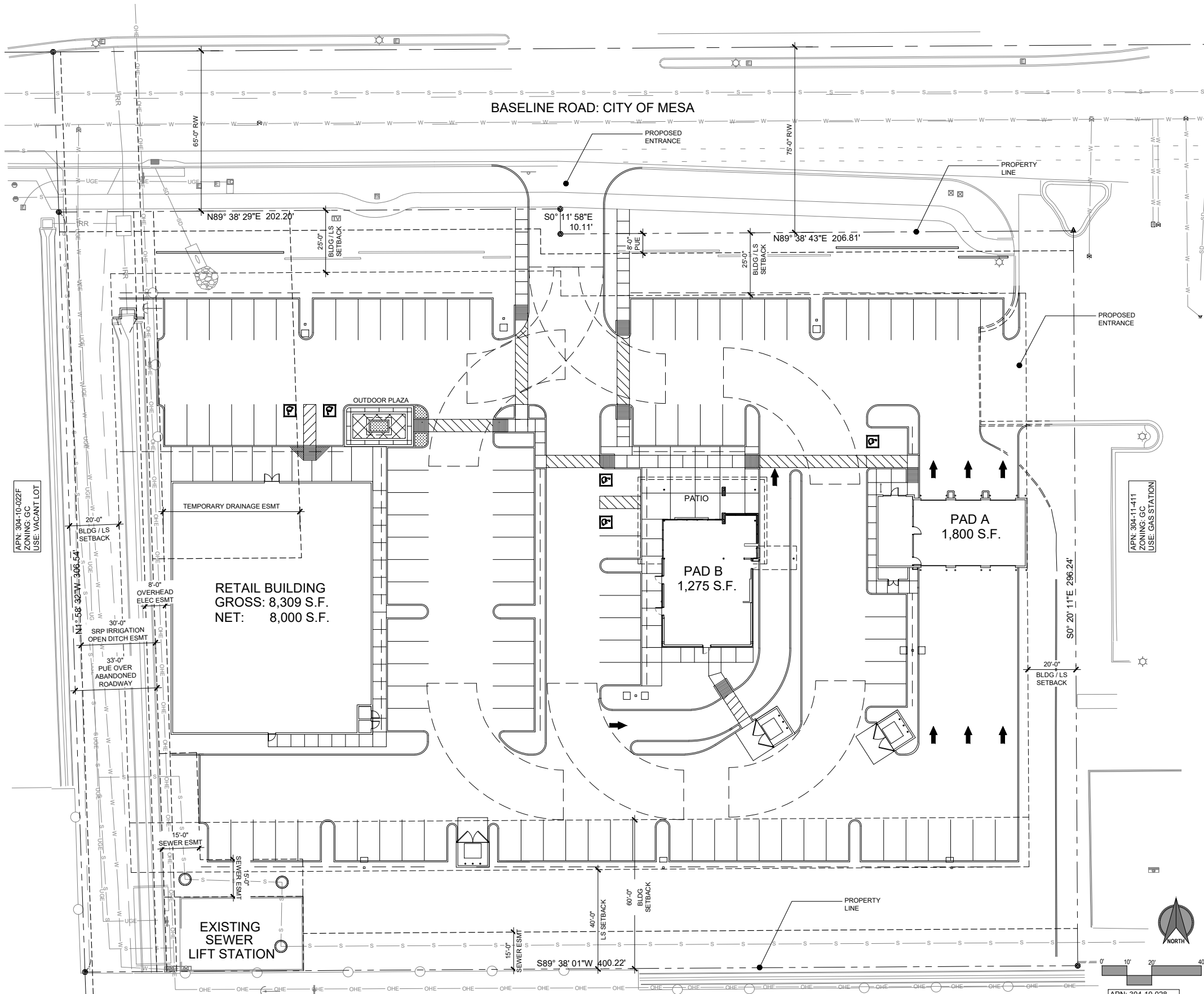
DEVELOPMENT PLAN
LINDSAY ROAD AND BASELINE ROAD
GILBERT, ARIZONA

DATE	REVISION
1	
2	
3	
4	
5	

DEVELOPMENT PLAN

A100

PHNX DESIGN #: 22-333



APN: 304-10-022F
ZONING: GC
USE: VACANT LOT

APN: 304-11-411
ZONING: GC
USE: GAS STATION

APN: 304-10-028
ZONING: SF-35
USE: RESIDENTIAL

APN: 304-10-026
ZONING: SF-35
USE: RESIDENTIAL

APN: 304-10-027
ZONING: SF-35
USE: RESIDENTIAL

Baseline Commercial
SWC of Lindsay and Baseline Roads
Gilbert, Arizona
PAD Rezoning
Project Narrative

Submitted on Behalf of:

**EPX 002, LLC, an Arizona limited liability
company**

2223 Montana Avenue, Suite B
El Paso, TX 79903

Submitted by:

Ashley Marsh
Vanessa MacDonald
Gammage & Burnham, PLC
40 North Central, 20th Floor
Phoenix, AZ 85004

Submitted to:

The Town of Gilbert

February 16, 2023

Introduction

Gammage & Burnham, PLC (the “Applicant”), on behalf of EPX 002, LLC an Arizona limited liability company (“EPX” or the “Developer”), is pleased to submit this project narrative and related exhibits in support of a PAD Rezoning request for a proposed commercial development located west of the southwest corner of Lindsay and Baseline Roads in the Town of Gilbert (the “Property”). The Property is also known as Maricopa County Assessor number 304-11-410 and is shown below, outlined in red.



Surrounding Land Use and Zoning Designations

The overall site is bound on the north by Baseline Road, on the south by the Porter Acres subdivision, on the east by a QuikTrip convenience store and gas station, and on the west by a vacant commercial parcel. The table below shows the Existing Uses, General Plan Designations and Zoning Classifications for the parcels immediately surrounding the small commercial site.

	General Plan	Zoning	Existing Use
North	Neighborhood Village (City of Mesa)	RS-6 and LC (City of Mesa)	Residential/Commercial
South	Residential >0-1 du/ac	SF-35	Residential
East	General Commercial	General Commercial	QuikTrip C-Store
West	General Commercial	General Commercial/SF-15	Vacant Commercial/residential
Project Site	General Commercial	General Commercial / PAD	Vacant Commercial

Prior Approvals

- April 8, 1974: Annexation of the Property into the Town of Gilbert.
- January 25, 1988: Abandonment of Old Lindsay Road, preserving westernmost 33-feet of the Property for a Public Utility Easement.
- April 6, 1999: Approval of Resolution No. 2038, a General Plan Amendment to change the Land Use Designation of the Property from Low-Density Residential (0-3 DU/AC), to Community Commercial.
- April 6, 1999: Approval of Ordinance No. 1161, The Joe Porter PAD, rezoning the Property from R1-43, to Planned Area Development with the underlying zoning classification of Neighborhood Commercial (C-1), a zoning district established in the prevailing Land Development Code. The development plans provided at that time were conceptual, with site plan approvals anticipated at a later date.
- March 21, 2006: Approval of Ordinance No. 1709, amending the Joe Porter PAD to limit the hours of fuel delivery from 5am to 10pm, and providing for a new Conceptual Development Plan in support of a QuikTrip Fuel Station and Convenience Store.
- December 19, 2007: Approval of DR02-90: Approval of Final Plat for QuikTrip #469, creating two parcels on the Property.

There have been no other discretionary entitlements granted to the property within the last 16 years.

Our Request

Our request to the Town of Gilbert is:

1. An amendment to Town of Gilbert Ordinance No. 1161 amending or deleting certain Conditions of Approval to allow a small commercial center to develop on the Property.

The uses proposed within this development are permitted in the General Commercial (GC) zoning district and are consistent with the General Commercial (GC) General Plan land use designation.

About EPX Construction Partners

EPX has a main office in El Paso, Texas and has extensive experience in retail and office development. EPX works exclusively in the Southwest and has completed more than 50 projects in the past six (6) years. EPX specializes in ground-up development and construction in the retail and service industries.

Project Overview

As shown on the Conceptual Site Plan provided with this Rezoning Application, the intent is to develop this Property with three (3) distinct, single-story uses: a Lube X-Press oil change facility (Pad A), an Andy's Frozen Custard (Pad B), and a retail building (Pad C). Future subdivision of the property will create individual parcels for each user.

Access to the site is provided by means of a new entry on Baseline Road, and via an existing, shared entry on the eastern end of the site. It is important to note that the location of the new entry has been approved by the City of Mesa, the municipality with authority over Baseline Road. Shared access and parking will be provided for each of the uses on the property.

Requested Modifications to the Joe Porter PAD

As shown on the Development Plan provided in the application materials, we are not requesting any deviations from the General Commercial (GC) development standards. We are merely requesting modifications to certain Conditions of Approval that were imposed on the Property when the Joe Porter PAD was approved in 1999. The requested revisions are shown below:

- ~~hh. A minimum two hundred twenty (220) feet shall be provided between driveways, measured center line to center line.~~
- ~~mm. — A convenience store (including gas dispensing facility if a use permit is obtained) or restaurant with a drive through, but not both, are permitted with the location to be limited to the southwest corner of Lindsay and Baseline Roads.~~
- nn. There shall be an eighty (80) foot building setback adjacent to the west-facing lot immediately south of the parcel on the east side of Lindsay Road. There shall be a sixty (60) foot building setback from the other residential lots. ~~No parking shall be allowed in the sixty (60) foot building setback.~~

The reasons for the modifications to the conditions of approval are as follows:

- The City of Mesa has authority over Baseline Road. The proposed access point was developed in cooperation with the City of Mesa, and the City has approved the proposed driveway location.
- Removing the prohibition on a gas station and restaurant will allow for Andy's Frozen Custard to locate on this property. Andy's has proven to be a family-friendly restaurant operator that will enhance the character of the neighborhood by providing a family-friendly dessert option without the use of speaker boxes or producing odors.
- The 80-foot building setback will remain in place, and the proposed buildings have been placed well behind the setback line. The proposed removal of the prohibition on parking within the 60-foot setback will allow for adequate parking on the site. It is worth noting that the parking will still be 40-feet from the southern property line, and behind a landscape buffer that calls for a double-row of trees split evenly between 24' box and 36" box Evergreens, as well as a, 8-foot tall masonry wall.

With the modifications requested, the site will be developed in a cohesive manner that will update and complete the pattern of development along Baseline Road.

Conclusion

When approved, the requests discussed in this narrative will allow for the development of a small, family-friendly commercial development in The Town of Gilbert. The Applicant and EPX look forward to receiving input on this application and working with Town staff to implement our vision on this property.

Development Team

Applicant

Ashley Marsh

Vanessa MacDonald
Gammage & Burnham, PLC
40 North Central, 20th Floor
Phoenix, AZ 85004
amarsh@gblaw.com

Owner/Developer

EPX Construction Partners
James Wolff
2223 Montana Avenue
El Paso, TX 79903
raguirre@epxteam.com
jwolff@epxteam.com

Site Designer

Mike Hills
PHNX Design
1855 East Southern Ave., Suite 204
Mesa, AZ 85204
mikeh@phnx-design.com

Civil Engineer

Justin Evinger, P.E.
Beck Consulting Engineers
2942 N 24th Street, Suite 114
Phoenix, AZ 85016
Justin.ewinger@beckcon.com

Z98-35
Joe Porter PAD

ORDINANCE NO. 1161

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, MARICOPA COUNTY, ARIZONA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE OF THE TOWN OF GILBERT AND AMENDING THE ZONING MAP OF THE TOWN OF GILBERT BY CHANGING THE ZONING CLASSIFICATION OF AN APPROXIMATE 11.82 ACRE PARCEL, LOCATED AT THE SOUTHWEST CORNER AND EAST OF THE SOUTHEAST CORNER OF BASELINE AND LINDSAY ROADS, IN REZONING CASE Z98-35 FROM R1-43 (RURAL RESIDENTIAL) TO PLANNED AREA DEVELOPMENT WITH THE UNDERLYING ZONING CLASSIFICATION OF C-1 (NEIGHBORHOOD COMMERCIAL); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES.

WHEREAS, the Common Council hereby adopts the findings required by Section 1.81, Paragraph D.1, D.2 and D.3 of the Unified Land Development Code;

WHEREAS, that certain document entitled, Exhibit 1: Conceptual Development Site Plan, dated March 30, 1999, is hereby declared to be public record and three copies are ordered to remain on file with the Town Clerk.

BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

1. The Unified Land Development Code of the Town of Gilbert is hereby amended by amending the zoning map of the Town of Gilbert by changing the underlying zoning classification of an approximate 11.82 acre parcel described in Exhibit 1 from R1-43 (Rural Residential) to Planned Area Development (PAD) with the underlying zoning district of C-1 (Neighborhood Commercial), in accordance with the development plan, as defined in Paragraph 2 herein.



2. The following definitions shall apply:
 - a. "Project" shall mean the "Joe Porter" PAD containing approximately 11.82 acres, located at the southwest corner and east of the southeast corner of Baseline and Lindsay roads.
 - b. "Development Plan" shall mean those certain documents submitted pursuant to Section 1.81 of the Unified Land Development Code and the following documents:

Exhibit 1: Conceptual Development Site Plan, dated March 30, 1999
3. The PAD zone described in Paragraph 1 of this Section shall be developed in accordance with the Development Plan filed with the Town pursuant to Section 1.81 of the Unified Land Development Code of the Town of Gilbert, and shall be conditioned upon conformance with the Development Plan and shall be subject to the following conditions:
 - a. The building locations depicted on the conceptual development plan are conceptual only and final locations shall be set forth in the final site plans approved by the Council.
 - b. Dedication to the City of Mesa of that portion of Baseline Road that is adjacent to the Project, which dedication shall extend 65 feet from centerline. Said dedication shall be completed at the time of the final plat recordation or as required by the City of Mesa Engineering Department.
 - c. Dedication to the Town of that portion of Lindsay Road that is adjacent to the Project, which dedication shall extend 65 feet from centerline. Said dedication shall be completed at the time of the final plat recordation or as required by the Town Engineering Department.
 - d. Construction of all the required off-site improvements to Lindsay Road adjacent to the Project shall be completed at the same time as construction of any portion of the project. Improvements to Baseline Road on the west side of Lindsay Road shall occur with construction on the west side of Lindsay Road and improvements to Baseline Road for the east side of the Project shall occur at the same time as construction of any portion of the Project located east of Lindsay Road.
 - e. The developer shall produce separate Covenants, Conditions, and Restrictions for each side of Lindsay Road for the maintenance of all on and off-site landscaping for the management and shared use of driveways and for the shared use of access drives off of Baseline and Lindsay Roads.

- f. Two non-residential plats shall be required: the subdivision plat for the side of Lindsay Road where a building permit is requested shall be recorded prior to the issuance of such building permits.
- g. The following land uses shall be prohibited:
 - game court, unlighted
 - kennel, limited
 - liquor store
 - television, radio and film studio
 - transit terminal
- h. The height of buildings shall be limited to single-story, with a maximum height of 30 feet.
- i. Drive-through lanes for any uses shall be subject to the requirements of a future amendment to the ULDC permitting drive through users only with a use permit.
- j. Hours of operation and delivery shall be limited to 6 a.m. to 10 p.m.
- k. The masonry wall that will be erected on the south border of the project shall be eight (8) feet in height, as measured from the highest adjacent grade.
- l. An equestrian easement of a minimum eight (8) feet in width shall be provided along the east border of the site. Said easement shall be maintained by the Porter Acres subdivision residents.
- m. The proposed office buildings on the east portion of the project shall be integrated with Consolidated Canal and equestrian trail using contoured berming, landscaping, creatively designed outdoor seating and/or other pedestrian amenity.
- n. Any wall constructed adjacent to the Consolidated Canal shall be a full view wall, constructed of decorative wrought iron.
- o. Outdoor pedestrian amenities, such as plazas, fountains, etc., shall be provided on both portions of the project .
- p. The irrigation ditches located on the easternmost and westernmost borders of the Project shall be tiled at the same time as development of the adjacent portion of the Project, and shall comply with the requirements of the Town Engineering Department.

- q. At the time of preliminary or final site plan approval of the portion of the project located east of Lindsay Road, a conceptual site plan for the southeast corner of Lindsay and Baseline Roads shall be provided for the review and approval of the Planning and Zoning Commission and Town Council.
- r. All refuse enclosures shall be screened from public view per Town standards. Location of the trash enclosures shall not be visible from public streets and shall not be located adjacent to residential uses. Location shall be subject to the review and approval of the Town of Gilbert Sanitation and Planning Departments.
- s. Developer shall fund and construct a sewer extension to service the Site.
- t. Developer shall execute water and sewer buy-in agreements, whereby Developer shall pay for its proportionate share of water and sewer mains prior to Final Plat approval of any phase of the Project.
- u. The Project shall receive review and approval by the Planning and Zoning Commission and the Town Council through the Use Permit (for applicable uses) and Final Site Plan processes prior to the issuance of any permit.
- v. The Project shall receive review and approval by the Design Review Board for building elevations, site and landscape plans, grading and drainage, and signage prior to the issuance of any permit.
- w. A master plan for water, sewer, and drainage for the Project, shall be reviewed and approved by the Town Engineering Department prior to the issuance of any permits.
- x. Retention shall meet the requirements of the Unified Land Development Code. A maximum of 50% of the right-of-way (R.O.W.) and landscape setback may be used for retention. On-site retention shall be designed to handle stormwater runoff from Baseline and Lindsay Roads, including the area along the project frontage to the roadway centerline.
- y. All landscaped areas along the public right-of-way and all landscape tracts on the east side of Lindsay Road shall be completed at the time of any phase of development on said portion of the Project. All landscaped areas along the public right-of-way and all landscape tracts on the west side of Lindsay Road shall be completed at the time of any phase of development of this project on said portion of the Project.

- z. All parking shall be screened from public streets by walls or earth berms or combination thereof, constructed three (3) feet above the grade of the parking lot or adjacent street, whichever is higher in elevation. Said berms shall be naturally contoured and configured to produce a continuous berm of no less than 36 inches above the highest adjacent grade. Variety to the alignment and style of the walls shall be required.
- aa. All outdoor storage areas for materials, trash, equipment, HVAC systems, and service electrical systems (SES), shall be screened from view by enclosing said areas/equipment, extending building walls, or by building a six (6) foot masonry wall and using landscaping.
- bb. Roof-mounted mechanical equipment shall be fully screened by a parapet wall. The elevation of the parapet wall shall meet or exceed the elevation of mechanical equipment. To the extent permitted by law, satellite dishes shall be required to be fully screened from public view.
- cc. An outdoor seating area shall be provided with any proposed restaurant use.
- dd. Recorded shared-access driveway agreements shall be submitted to the Town prior to the issuance of any permit for any phase of development on the east side of Lindsay Road. Recorded shared-access driveway agreements shall be submitted to the Town prior to the issuance of any permit for any phase of development on the west side of Lindsay Road.
- ee. If features of archeological, paleontological or historic interest are encountered or unearthed during construction of the Project, the Developer shall stop work in the immediate vicinity of such feature, protect it from damage or disturbance, and report promptly to the Town. The Developer shall not resume construction in the immediate vicinity of the feature until it is advised by the appropriate jurisdictional authorities that study or removal of the feature or features has been completed.
- ff. Development shall adhere to the Streetscape Development Guidelines for District No. 4 with regard to plant materials selection, intensity and size.
- gg. The width of access drives to the project shall be a minimum thirty (30) feet in width.
- hh. A minimum two hundred twenty (220) feet shall be provided between driveways, measured center line to center line.
- ii. City of Mesa written approval of the location of curb cuts off of Baseline

Road shall be required prior to preliminary site plan review and approval through the Planning and Zoning Commission and Town Council.

- jj. Diamond planters shall be installed in parking areas where parking spaces face each other without an intervening landscape planter, at a rate of one diamond planter for every four (4) parking spaces. Said planters should be planted with a minimum 24-inch box size tree and vegetative groundcover.
- kk. A double row of evergreen trees, fifty (50) percent 36-inch box size, and fifty (50) percent 24-inch box size, shall be planted and maintained every twenty-five (25) feet on center within the landscape setback on the south side of the Project.
- ll. The southern perimeter wall shall be constructed using integrated color masonry.
- mm. A convenience store (including gas dispensing facility if a use permit is obtained) or restaurant with a drive through, but not both, are permitted with the location to be limited to the southwest corner of Lindsay and Baseline Roads.
- nn. There shall be an eighty (80) foot building setback adjacent to the west-facing lot immediately south of the parcel on the east side of Lindsay Road. There shall be a sixty (60) foot building setback from the other residential lots. No parking shall be allowed in the sixty (60) foot building setback.
- oo. The Development Plan (Conceptual Plan) shall be revised to conform to the conditions set forth in this ordinance.

Section II. Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance of any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Penalties.

Any person found guilty of violating any provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed Two Thousand Five Hundred Dollars (\$2500.00) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

PASSED AND ADOPTED by the Mayor and Council of the Town of Gilbert, Arizona, Maricopa County, Arizona, this 6th day of April, 1999.

AYES: Mayor Dunham, Vice Mayor Morrison, Councilmembers Albright, Cathey, Crozier, Evans, Long

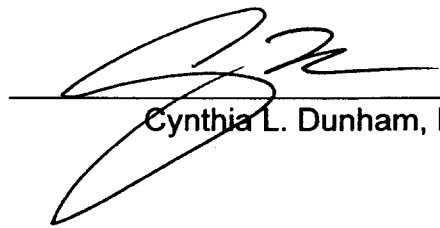
NAYES: None

ABSENT: None

EXCUSED: None

ABSTAINED: None


APPROVED this 6th day of April , 1999.


Cynthia L. Dunham, Mayor

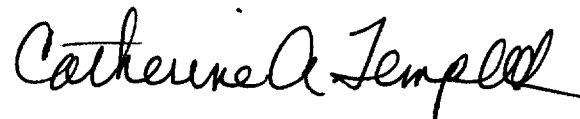
ATTEST:


Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:


Martinez & Curtis, P.C.
Town Attorneys
By _____

"I, CATHERINE A. TEMPLETON, CERTIFY THAT A TRUE AND CORRECT COPY OF ORDINANCE NO. 1161, ADOPTED BY THE MAYOR AND COUNCIL ON 6th April 1999, WAS POSTED IN THREE PLACES ON April 23, 1999."

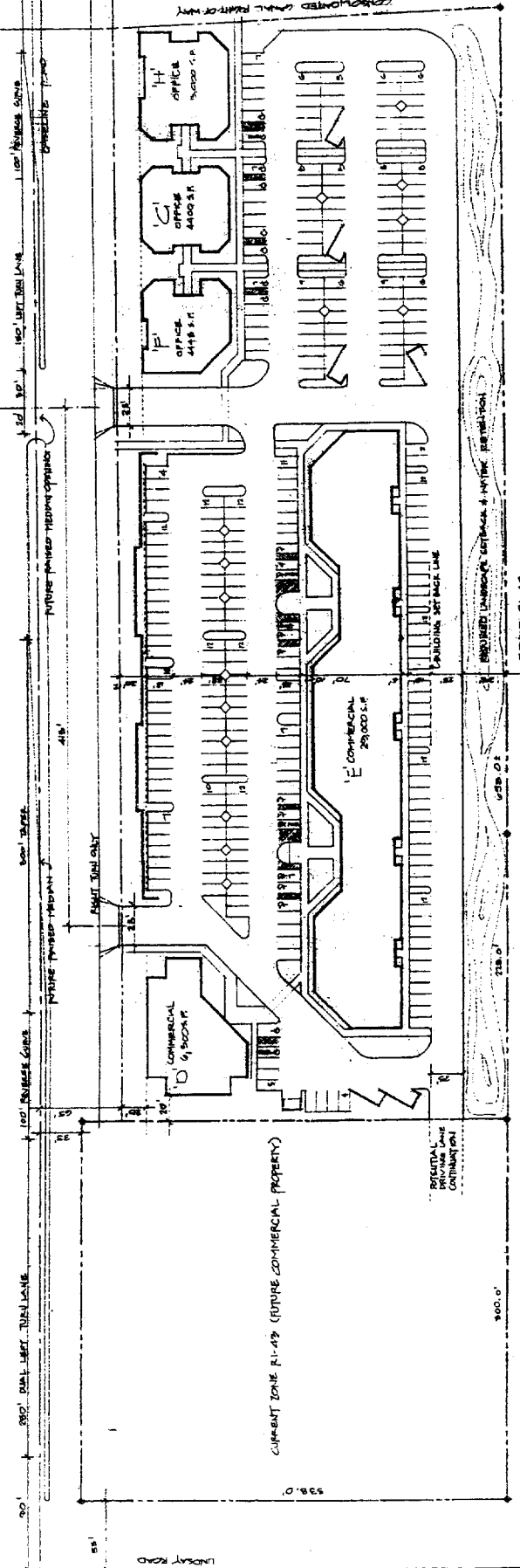


CONCEPTUAL DEVELOPMENT SITE PLAN

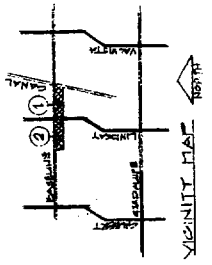
JOE PORTER REALTY, INC. 525 W. SOUTH 3RD AVE. PORTER PLAZA - SUITE 1 MESA, ARIZONA 85210

brock, craig and hacker architects, ltd. 141 EAST UNIVERSITY DRIVE, GARDEN W. BLOCK III, 3RD FLOOR, SUITE 3000, PHOENIX, ARIZONA 85012 • 602-959-3081

DATE	12/11/98
BY	JK
NO.	2
REV.	

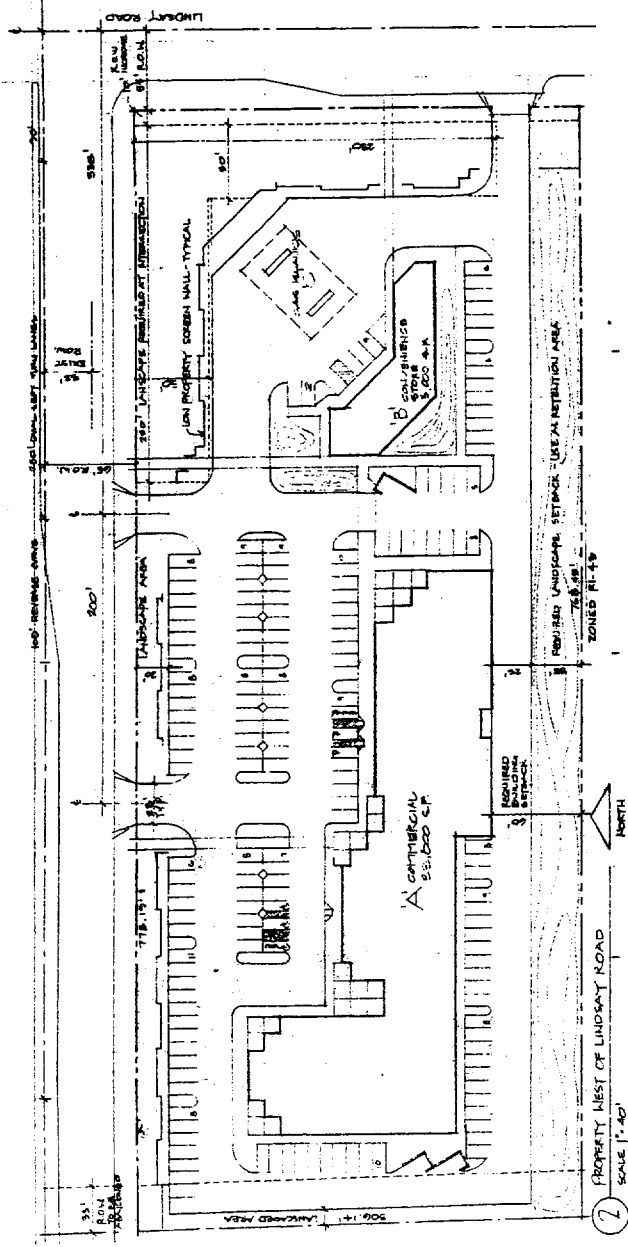


1 PROPERTY EAST OF LINDSAY ROAD SCALE 1" = 40'



PROJECT DATA

LOCATION	South West of Lindsay Road East and West of Tenth Street Intersection
PLANNED ZONE	R1-43
PROPOSED TO USE	C-1
1) DEVELOPER'S PROJECT NAME	South West of Lindsay Road
2) OWNER'S PROJECT NAME	South West of Lindsay Road
3) PROJECT NUMBER	1161
4) PROJECT DATE	12/11/98
5) PROJECT SCALE	1" = 40'
6) PROJECT SHEET NO.	1 OF 1
7) PROJECT SHEET TOTAL	1 OF 1
8) PROJECT SHEET SIZE	11" X 17"
9) PROJECT SHEET WEIGHT	110 G
10) PROJECT SHEET COLOR	White
11) PROJECT SHEET FINISH	Matte
12) PROJECT SHEET PRODUCTION	Plotter Produced
13) PROJECT SHEET DATE	12/11/98
14) PROJECT SHEET TIME	10:00 AM
15) PROJECT SHEET USER	JK
16) PROJECT SHEET CHECKER	JK
17) PROJECT SHEET APPROVER	JK
18) PROJECT SHEET REVISIONS	None
19) PROJECT SHEET COMMENTS	None
20) PROJECT SHEET NOTES	None
21) PROJECT SHEET DIMENSIONS	11" X 17"
22) PROJECT SHEET AREA	187 SQ. FT.
23) PROJECT SHEET PERIMETER	115.00'
24) PROJECT SHEET VOLUME	None
25) PROJECT SHEET WEIGHT	110 G
26) PROJECT SHEET COLOR	White
27) PROJECT SHEET FINISH	Matte
28) PROJECT SHEET PRODUCTION	Plotter Produced
29) PROJECT SHEET DATE	12/11/98
30) PROJECT SHEET TIME	10:00 AM
31) PROJECT SHEET USER	JK
32) PROJECT SHEET CHECKER	JK
33) PROJECT SHEET APPROVER	JK
34) PROJECT SHEET REVISIONS	None
35) PROJECT SHEET COMMENTS	None
36) PROJECT SHEET NOTES	None
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47) PROJECT SHEET USER	JK
48) PROJECT SHEET CHECKER	JK
49) PROJECT SHEET APPROVER	JK
50) PROJECT SHEET REVISIONS	None
51) PROJECT SHEET COMMENTS	None
52) PROJECT SHEET NOTES	None
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64) PROJECT SHEET CHECKER	JK
65) PROJECT SHEET APPROVER	JK
66) PROJECT SHEET REVISIONS	None
67) PROJECT SHEET COMMENTS	None
68) PROJECT SHEET NOTES	None
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80) PROJECT SHEET CHECKER	JK
81) PROJECT SHEET APPROVER	JK
82) PROJECT SHEET REVISIONS	None
83) PROJECT SHEET COMMENTS	None
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92) PROJECT SHEET PRODUCTION	Plotter Produced
93) PROJECT SHEET DATE	12/11/98
94) PROJECT SHEET TIME	10:00 AM
95) PROJECT SHEET USER	JK
96) PROJECT SHEET CHECKER	JK
97) PROJECT SHEET APPROVER	JK
98) PROJECT SHEET REVISIONS	None
99) PROJECT SHEET COMMENTS	None
100) PROJECT SHEET NOTES	None



2 PROPERTY WEST OF LINDSAY ROAD SCALE 1" = 40'

TOWN COUNCIL 3/30/99

EXHIBIT 1

Z98-35

**FINDINGS OF FACT
COMMERCIAL**

Z98-35: COMMERCIAL PROPERTY

- 1) The development proposed is in substantial harmony with the General Plan of the Town of Gilbert, and can be coordinated with existing and planned development of surrounding areas.
- 2) The streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.
- 3) The proposed commercial development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas;
- 4) Public input sought prior to public hearings.

ORDINANCE NO. 1709

AN ORDINANCE OF THE COMMON COUNCIL OF THE TOWN OF GILBERT, ARIZONA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF GILBERT BY AMENDING ORDINANCE NO. 1161 PERTAINING TO THE JOE PORTER PLANNED AREA DEVELOPMENT (PAD) IN ZONING CASE Z05-10 BY AMENDING DEVELOPMENT CONDITIONS AS FOLLOWS: DELETING CONDITION 3(j), MODIFYING THE CONCEPTUAL DEVELOPMENT PLAN, AND RESTATING AND INCORPORATING THE PROVISIONS OF ORDINANCE NO. 1161 HEREIN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR PENALTIES.

WHEREAS, by adoption of this Ordinance, the Town Council desires to amend conditions of development relating to the development of certain parcels within the Joe Porter Planned Area Development (PAD) pursuant to the Town of Gilbert Zoning Code requirements for a Planned Area Development to allow for the development of commercial uses; and

WHEREAS, the Town Council has determined that adoption of this Ordinance will not be detrimental to public health, safety, and general welfare of persons living or working in the surrounding area or to the general welfare of the Town as a whole; and

WHEREAS, the Town Council has determined that this amendment to the Zoning Code conforms with the Town of Gilbert General Plan, any applicable specific area plan, neighborhood, or other plan and any overlay zoning district; and

WHEREAS, all required public notice was provided and all required public meetings and hearings were held in accordance with applicable state and local laws; and

WHEREAS, the Joe Porter PAD was created by Ordinance No.1161, pursuant to the provisions of the Town of Gilbert Unified Land Development Code, which was repealed February 1, 2005; and

WHEREAS, that certain document entitled Exhibit 2: Conceptual Development Plan, dated March 21, 2006 is attached hereto and incorporated by this reference.

NOW THEREFORE, BE IT ORDAINED by the Common Council of the Town of Gilbert, Arizona, as follows:

Section I. In General.

1. Ordinance No. 1161 relating to the Joe Porter PAD is amended by adding new Exhibit 2, and making that Exhibit part of the Development Plan for Joe Porter PAD, said document having previously been declared to be a public record, to read as follows:

EXHIBIT 2: Conceptual Development Plan, dated March 21, 2006.

2. Ordinance No. 1161 relating to the Joe Porter PAD is further amended by amending condition 3(j) to read as follows:

3(j) ~~Hours of operation and delivery~~ FUEL DELIVERIES shall be limited to 6 5am to 10pm.

3. All of the conditions and requirements of Ordinance No. 1161 relating to the Joe Porter PAD shall remain in full force and effect.

Section II. Providing for Repeal of Conflicting Ordinances.

All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference, are hereby repealed.

Section III. Providing for Penalties.

Any person found guilty of violating any provision of this Ordinance shall be guilty of a Class 1 misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500) or by imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment. Each day that a violation continues shall be a separate offense punishable as herein described.

PASSED AND ADOPTED by the Common Council of the Town of Gilbert, Arizona, this 21st day of March 2006, by the following vote:

AYES: Berman, Krueger, Morrison, Presmyk, Skousen, Urie

NAYES: None

ABSENT: Crozier

EXCUSED: None

ABSTAINED: None

APPROVED this 21ST day of March 2006.




Steven M. Belman, Mayor

ATTEST:



Catherine A. Templeton, Town Clerk

APPROVED AS TO FORM:



Curtis, Goodwin, Sullivan, Udall, & Schwab, P.L.C.
Town Attorneys
By Kelly Y. Schwab

I, CATHERINE A. TEMPLETON, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 1709 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF GILBERT ON THE 21ST DAY OF MARCH 2006, WAS POSTED IN THREE PLACES ON THE 24TH DAY OF MARCH 2006.



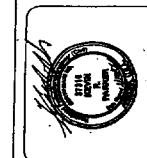
Catherine A. Templeton, Town Clerk



PROJECT NOTES
 PROJECT MANAGER
 5755 QUICKTRIP CORP.
 20025 W. CENTRAL EXPRESSWAY
 PHOENIX, AZ 85021
 PH: (480) 991-1111
 FAX: (480) 991-1112

No.	Revision	Date
1	CITY COMMENTS	4/17/06
2	CITY COMMENTS	4/18/06
3	CITY COMMENTS	5/17/06

L.E.A.D.S'
 Lead Engineering And Design Services, Inc.
 2500 N. CENTRAL EXPRESSWAY, SUITE 200
 PHOENIX, ARIZONA 85016
 PH: (602) 954-4444
 FAX: (602) 954-4445



PRELIMINARY SITE PLAN
 SHEET 1

GENERAL NOTES

1. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF GILBERT ZONING ORDINANCES AND THE ARIZONA ZONING ACT (ACT 186), AS APPLICABLE. THE ZONING ORDINANCES SHALL BE APPLIED TO ALL DEVELOPMENT AND CONSTRUCTION OF THE PROJECT.
 2. THE PROJECT SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CITY OF GILBERT ZONING ORDINANCES AND THE ARIZONA ZONING ACT (ACT 186), AS APPLICABLE. THE ZONING ORDINANCES SHALL BE APPLIED TO ALL DEVELOPMENT AND CONSTRUCTION OF THE PROJECT.
 3. THE PROJECT SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CITY OF GILBERT ZONING ORDINANCES AND THE ARIZONA ZONING ACT (ACT 186), AS APPLICABLE. THE ZONING ORDINANCES SHALL BE APPLIED TO ALL DEVELOPMENT AND CONSTRUCTION OF THE PROJECT.
 4. THE PROJECT SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CITY OF GILBERT ZONING ORDINANCES AND THE ARIZONA ZONING ACT (ACT 186), AS APPLICABLE. THE ZONING ORDINANCES SHALL BE APPLIED TO ALL DEVELOPMENT AND CONSTRUCTION OF THE PROJECT.
 5. THE PROJECT SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH THE CITY OF GILBERT ZONING ORDINANCES AND THE ARIZONA ZONING ACT (ACT 186), AS APPLICABLE. THE ZONING ORDINANCES SHALL BE APPLIED TO ALL DEVELOPMENT AND CONSTRUCTION OF THE PROJECT.



PROJECT DATA TABLE	PLAN	SECTION
PROJECT NAME	QUICKTRIP STORE NO. 469	
PROJECT ADDRESS	20025 W. CENTRAL EXPRESSWAY	
OWNER	QUICKTRIP CORP.	
DESIGNER	L.E.A.D.S'	
DATE	4/17/06	
SCALE	AS SHOWN	
SHEET NO.	1	

EXISTING LEGEND

- ROAD OF WAY
- PROPERTY LINE
- EXISTING CURB
- EXISTING SIDEWALK
- EXISTING DRIVE
- EXISTING TRAILER
- EXISTING PAVEMENT
- EXISTING SIDEWALK
- EXISTING DRIVE
- EXISTING TRAILER
- EXISTING PAVEMENT
- EXISTING SIDEWALK
- EXISTING DRIVE
- EXISTING TRAILER
- EXISTING PAVEMENT

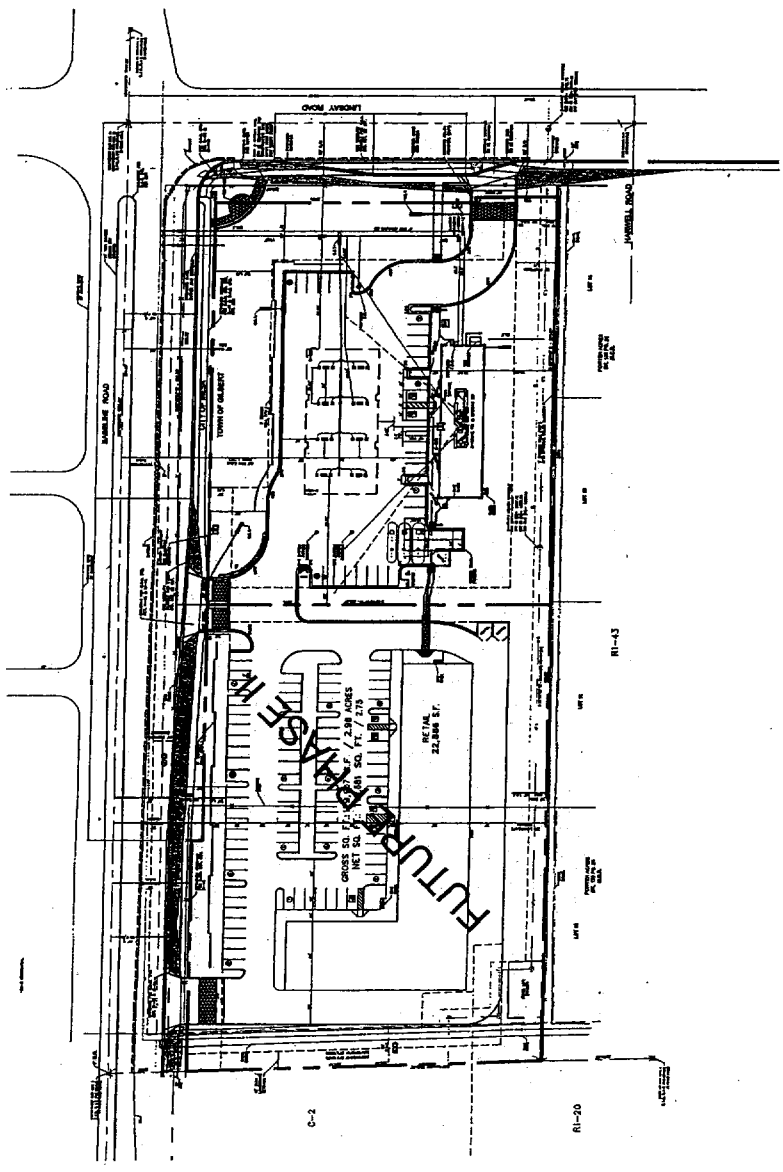
PROPOSED LEGEND

- PROPOSED SIDEWALK
- PROPOSED DRIVE
- PROPOSED TRAILER
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- PROPOSED DRIVE
- PROPOSED TRAILER
- PROPOSED PAVEMENT

NEIGHBORHOOD MAP

BASLINE RD
 GILBERT RD
 LINDSAY RD
 CENTRAL EXPRESSWAY

215. 45E. GILBERT, ARIZONA
 MOUNTAIN VIEW



FINDINGS OF FACT

Z05-10 QuikTrip #469

- 1) The amendment conforms to the General Plan and any applicable specific plan adopted by the Town Council; and
- 2) The amendment will not be detrimental to public health, safety, and general welfare of persons living or working in the surrounding area or to the general welfare of the Town as a whole; and
- 3) All required public notice has been conducted in accordance with applicable state and local laws; and
- 4) All required public meetings and hearings have been held in accordance with applicable state and local laws.

When recorded mail to:

Town of Gilbert

Town Clerk

50 East Civic Center Drive

Gilbert AZ 85296

**OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL
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CAPTION HEADING

Ordinance Number 1709

Zoning Z05-10

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Ordinance No. 1709

Exhibit 2 which was adopted with and is incorporated into Ordinance No. 1709 is available for viewing in the Office of the Town Clerk, Town of Gilbert, 50 East Civic Center Drive Gilbert AZ 85296.

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Exhibit 2 Conceptual Development Plan dated March 21, 2006