



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

**COMMISSION PRESENT:**

Noah Mundt, Chairman  
Anthony Bianchi, Vice-Chairman  
Brian Andersen  
Lesley Davis  
Lisa Gage  
Jän Simon  
Louis DeGravina (Alternate)

**STAFF PRESENT:**

Eva Cutro, Planning Manager  
Ashlee MacDonald, Principal Planner  
Veronica Gonzalez, Principal Planner  
Nicole Russell, Senior Planner  
Keith Newman, Senior Planner  
Kristen Devine, Planner II  
Sal DiSanto, Planner I  
Alena Jorquez, Assistant Town Attorney

**COMMISSION ABSENT:**

William Fay  
Thomas Everett (Alternate)

**COUNCIL LIAISON:**

Scott Anderson

PLANNER	CASE	PAGE	VOTE
Eva Cutro	Z23-10	2	7-0
Nicole Russell	DR23-22	3	7-0
Sal DiSanto	DR23-67	4	7-0
Keith Newman	Z23-05	4	7-0
Kristen Devine	DR22-155	4	7-0

**CALL TO ORDER OF THE STUDY SESSION**

Chair Mundt called the November 1, 2023, Study Session to order at 5:01 p.m.

**STUDY SESSION**

- DR23-88 FAST MARKET:** Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 2.94 acres, generally located at the southeast corner of Val Vista Drive and Queen Creek Road and zoned Shopping Center (SC) with a Planned Area Development (PAD) overlay. Ashlee MacDonald (480) 503-6748.

Ashlee MacDonald, Principal Planner, presented DDR23-88 a Fast Market gas station and convenience store. She noted that the site is part of the Spectrum Care Development located at the corner of Val Vista and Queen Creek. The site is part of a master site plan and was previously approved with a gas station, however that approval has expired.

MacDonald shared that the site is currently meeting parking requirements and has an excess parking requirements. Staff has requested that some parking space off the primary access drive be removed to reduce conflict. Staff is seeking feedback on the side and rear building elevations. Staff has requested that the applicant consider variations in the wall plane, either horizontally or vertically, or introduction of additional materials to improve the visual interest of these elevations. She also pointed out that the other buildings within the center include stone veneer. She is requesting input from the Commission on whether or not stone veneer, consistent with the rest of the center, should be added.

Planner MacDonald noted that because of the size of the parcel, this project is eligible for administrative approval, she requested commission feedback on their comfort level with an administrative approval.

Commissioner Gage shared that she felt the stone accents would be helpful. In particular the gas canopy looked plain.

Commissioner Davis indicated that she agreed with the requested parking changes. She also shared that the side and rear elevations needed to be modified but questioned whether or not the stone veneer would match the building aesthetic. She stated that it could be incorporated into the gas canopy but might not make sense on the building. Commissioner Davis shared that she would be comfortable with staff addressing these changes administratively.

Commissioner Bianchi asked if the parking stalls south of the building were removed, would landscape replace that?

Planner MacDonald responded that would make a lot of sense, but staff would work with the applicant to determine what that area would look like.

Vice Chair Bianchi stated he likes the glass along the front but agrees the side and rear look sparse. Vice Chair Bianchi stated he was fine with this project moving forward administratively if review comments are addressed.

Commissioner Andersen pointed out that there is a note on the canopy that there is stone on the columns. He asked whether or not that would be sufficient to meet staff's request.

Planner MacDonald indicated that no stone is required, but incorporation of the stone in that location could help to achieve consistency across the development.

Commissioner Andersen stated that he does not have any concerns with the building elevations.

Commissioner Simon stated that the landscaping at the rear of the building helps to soften the building façade.

Commission DeGravina stated that the stone may not match the building and as a result may not provide a benefit.

No motion was made on this item at this time.

2. **Z23-10 LDC TEXT AMENDMENT: Citizen Review and initiation of amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations, Section 2.0 Terms, related to the definitions of Accessory Structure, Detached Structure, Guest Quarters, Incidental Dwelling Unit, Permanent Structure, Structure, Secondary Dwelling, and Single Family; Section 3.1.2 Use Regulations, Use Table; Section 3.2.4 Single Family Residential Development Standards, Accessory Structure and Incidental Dwelling Unit Tables; Section 3.4.3 General Commercial landscape area; Section 3.4.4 Regional Commercial Landscaping %; Section 3.7.4 General Industrial front setback; Section 5.1.15 Marijuana Facilities; Section 5.2.3 Incidental Dwelling Unit; and, Section 6.7.2 Initiation of Amendments. The effect of the amendment will be to clarify the Code, address specific applicant concerns, review the Use Permit requirements, and address scrivener’s errors. Eva Cutro (480) 503-6782.**

Eva Cutro, Planning Manager, presented that in July of 2021, the Town completed a “refresh” of the Land Development Code (LDC). The refresh modernized the LDC and introduced minor changes throughout the Code. After using the refreshed Code for two years, staff has discovered a few discrepancies, scrivener’s errors, and minor cleanup items that merit a revisit at this time.

At this point, Staff has not finalized specific language associated with this potential amendment, but Ms. Cutro identified sections for revision including: Incidental Dwellings and Accessory Structures, Marijuana Facilities, Initiation of Amendments; and several scrivener’s errors.

Vice-Chair Bianchi inquired as to whether the Marijuana Facilities request was brought forward by a representative of the ownership of the establishment, to which Planner Cutro confirmed it had been.

**MOTION:** Commissioner Simon moved to approve Item Z23-10 LDC Text Amendment, seconded by Vice-Chair Bianchi.

**Motion passed 7-0.**

3. **Z23-06 LDC TEXT AMENDMENT – PARKING CODE UPDATE: Text amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations, Section 2.0 Terms and Section 5.0 Supplemental Regulations, related to the update of parking ordinances and**

**the creation of new parking requirements, parking design standards, and additional review procedures.**  
**Ashlee MacDonald (480) 503-6748.**

Ashlee MacDonald, Principal Planner gave a presentation on a proposed text amendment for Parking. The parking text amendment is being broken into phases in order to spend more time studying the parking ratios. As part of the initial parking text amendment staff is looking to add additional opportunities to reduce parking.

Planner MacDonald stated the parking study completed by Walker Consultants proposed parking relief options and staff is seeking input from Commission on the proposed text changes. The changes include administrative parking reductions for reductions between 1 and 10% through Administrative Relief and reductions between 10 and 25% through an Administrative Use Permit. Reductions above 25% and up to 50% may be approved through a Conditional Use Permit. The code also outlines parameters for minor and major parking studies.

Future phases of parking amendments will include exploration of parking ratios, standards for electric vehicle charging spaces and parking design standards.

Commissioner Andersen questioned the 25% to 50% reduction in parking, to which Planner MacDonald referred to the report from the Walker Study. She shared that she could not recall such a large reduction request in the past, and that most reduction requests range between 10% to 19%.

Commissioner Andersen stated that such a large reduction might make sense for industrial sites, but it wouldn't likely be considered for multi-family, as an example.

Vice Chair Bianchi stated that he agreed with Commissioner Andersen. He shared that one of his concerns with the reductions through use permits how do we take away a use permit for parking if it becomes a problem in the future.

Commissioner Davis stated that she appreciates the flexibility that is being built in and the criteria built in for the minor and major parking studies. She wants to make sure that it is clear that there is a higher standard for approval of reductions between 25 and 50%.

Commissioner DeGravina asked what we could do down the line if the parking reductions don't work out?

Chairman Mundt asked if it would make sense to say that reductions above 25% would require a Use Permit. He stated that by adding a range we're giving the illusion that they could achieve a 50% reduction.

No motion was made regarding this item.

#### 4. DISCUSSION OF REGULAR MEETING AGENDA

The Regular Meeting Agenda was discussed, and no changes were made.

#### ADJOURN STUDY SESSION

Chair Mundt adjourned the Study Session at 5:50 p.m.

#### CALL TO ORDER OF REGULAR MEETING

Chair Mundt called the November 1, 2023, Regular Meeting of the Planning Commission to order at 6:00 p.m.

#### PLEDGE OF ALLEGIANCE

Chair Mundt led the Pledge of Allegiance.

#### ROLL CALL

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

#### 5. APPROVAL OF AGENDA

Chair Mundt called for a motion to approve the agenda.

**MOTION:** Vice Chair Bianchi moved to approve the agenda as presented with the following changes: move item 10. Z23-05 Trax at Cooley Station and item 11. DR22-155 Industrial Flex Building to the consent calendar, seconded by Commissioner Davis. **Motion passed 7-0.**

#### COMMUNICATIONS

#### 6. 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.

Mrs. Doralise Machado-Liddell commented on secondary dwelling/guest quarters. Mrs. Machado-Liddelle called for a transparent citizen review process for this item. Chair Mundt asked staff to get in contact with Mrs. Machado-Liddelle to update her on the legal process for this matter to ensure transparency.

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

Councilmember Andersen began the Council Liaison with an update on the Annual Fall Retreat confirming the dates for November 6, 2023, to November 7, 2023. Gilbert Days will proceed on the dates of November 17, 2023, to November 18, 2023, as previously scheduled.

## **PUBLIC HEARING (CONSENT)**

All items listed below are considered the public hearing consent calendar. The Commission 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 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. DR23-22 TOWN STORAGE AT RECKER: Site plan, landscaping, grading and drainage, elevations, floorplans, lighting, and colors and materials for approximately 2.5 acres, generally located at the southwest corner of E. Pecos Road and S. Recker Road, and zoned Shopping Center (SC).  
Nicole Russell (480) 503-6716.**

### STAFF RECOMMENDATION:

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission at the November 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.

All signage will require the review and approval of a sign permit prior to installation.

- 9. DR23-67 HOMEWOOD SUITES: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 2.7 acres, generally located east of the southeast corner of Val Vista Drive and zoned Business Park (BP) with a Planned Area Development (PAD) overlay.  
Sal DiSanto (480) 503-6759.**

### STAFF RECOMMENDATION:

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission at the November 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. Signage is not included in this approval. Proposed signage shall comply with the existing

Mercy Center Comprehensive Sign Program (CSP), or an Administrative Design Review approval is required to amend the existing comprehensive sign program, prior to submitting for sign permits

- 10. Z23-05 TRAX AT COOLEY STATION: Request to amend Ordinance No. 1900 and No. 2179 to amend the development plan and add new deviations to increase permitted building heights and reduce building and landscape setbacks on Parcel 4 within the Cooley Station-Residential, Office and Shopping Center Planned Area Development (PAD) for approximately 25.12 acres of Multi-Family/Medium (MF/M) zoning district generally located west of the southwest corner of Williams Field Rd. and Verde Dr. Keith Newman (480) 503-6812.**

**STAFF RECOMMENDATION:**

1. Dedication to Gilbert for Williams Field Road right-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.
2. Construction of off-site improvements to Williams Field Road, Wade Drive and Somerton Boulevard adjacent to the Property shall be completed prior to issuance of a final certificate of occupancy of any building or final approval of any building constructed on the Property or in accordance with an approved phasing plan.
3. Developer shall construct, at the Developer's expense, dedicated right turn lane(s) and any associated improvements at constructed access points on Williams Field Road into the site. The minimum geometry of the dedicated right turn lane(s) shall be 80 feet storage, 85 feet taper, and 12 feet wide or as described in the approved traffic study.
4. 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.
5. Should the property be subdivided with multiple owners 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.
6. 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 Regulations	Development Standards	per Ordinance No's 1900 & 2179	Proposed Trax at Cooley Station Standards
Minimum Net Land Area Per Unit	1,700 Sq. Ft. (du/acre)	(*=25)	1,552 Sq. Ft.
Maximum Height (ft.)/Stories	56' / 4 stories (allowed per base max. VDOD Area 3)		69' / 5 stories
Minimum Building Setbacks (ft.)			
Side (Multi-Family or Non-Residential)	20'		10' (Eastern boundary)
Minimum Perimeter Landscape Area (ft.)			
Side (Multi-Family or Non-Residential)	15'		10' (Eastern boundary)

7. The maximum number of dwelling units shall be limited to the maximum allowed under the Gilbert General Plan.
8. A minimum of 44% common open space shall be provided within the development.
9. 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."
10. 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.
11. **DR22-155 INDUSTRIAL FLEX BUILDING: Site plan, landscaping, grading and drainage, elevations, floorplans, lighting, and colors and materials for approximately .68 acres, generally located west of Cooper Road and south of Baseline Road and zoned Light**



**Industrial (LI) 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 at the November 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.

**MOTION:** Vice-Chair Bianchi moved to approve Items DR23-22 Town Storage at Recker, DR23-67 Homewood Suites, Z23-05 Trax at Cooley Station and DR22-155 Industrial Flex Building seconded by Commissioner Simon.

**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.

Items originally on the Public Hearing (Non-Consent) calendar were moved to the Consent Calendar during the Approval of the Agenda.

**ADMINISTRATIVE ITEMS**

Administrative Items are for the Commission discussion and action. It is at the discretion of the majority of the Commission 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 may or may not accept public comment.

There were no Administrative Items.

- 12. PLANNING COMMISSION MINUTES: Consider approval of the minutes of the Study Session & Regular Meetings of September 13, 2023 and October 4, 2023.**

**MOTION:** Commissioner Simon moved to approve the Planning Commission Minutes from the meetings held on September 13, 2023, and October 4, 2023, seconded by Commissioner Gage.

**Motion passed 7-0.**

**COMMUNICATIONS**

- 13. **EXECUTIVE SESSION:** The Public Body may convene into an executive session at one or more times during the meeting as needed to confer with the Town Attorney for legal advice regarding any of the items listed on the agenda as authorized by A.R.S.§38-431.03.A.3.

No Executive Session was required at this meeting.

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

There was no Report from the Chairman and members of the Commission on current events required at this meeting.

- 15. **REPORT FROM PLANNING SERVICES MANAGER ON CURRENT EVENTS**

Alena Jorquez, Assistant Town Attorney, introduced the new Assistant Town Attorney, Kole Lyons, to the Commission and the rest of the staff.

**ADJOURNMENT**

Chair Mundt adjourned the meeting at 7:15 p.m.

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Noah Mundt, Chairman

ATTEST:

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Tracey Asher