



**TOWN OF GILBERT
PLANNING COMMISSION
Gilbert Municipal Center
Council Chambers
50 E. Civic Center Drive, Gilbert, AZ
June 5, 2024**

COMMISSION PRESENT:

Noah Mundt, Chair
Lesley Davis
William Fay
Lisa Gage
Jän Simon
Tom Everett
Louis DeGravina

STAFF PRESENT:

Eva Cutro, Planning Manager
Alena Jorquez, Assistant Town Attorney
Kole Lyons, Assistant Town Attorney
Scott Anderson, Council Liaison
Keith Newman, Senior Planner
Kristen Devine, Senior Planner
Sal DiSanto, Planner I
Erica Prater, Planner I
Tom Condit, Development Engineering Manager
Nicole Russell, Senior Planner
Ashlee MacDonald, Principal Planner
Veronica Gonzalez, Principal Planner

PLANNER	CASE	PAGE	VOTE
Sal DiSanto	DR24-62	2	
Kristen Devine	DR24-37	3	
Sal DiSanto	Z24-01	4	
Ashlee MacDonald	UP23-44	5	
Ashlee MacDonald	UP23-45	6	
Erica Prater	UP24-06	6	
Nicole Russell	DR23-96	6	7-0
Keith Newman	UP24-33	7	7-0
Keith Newman	DR24-38	9	7-0
Sal DiSanto	DR24-44	9	7-0
Eva Cutro	Z24-02	11	

CALL TO ORDER OF THE STUDY SESSION

Chair Mundt called the study session of the Planning Commission to order at 5:06 p.m.

STUDY SESSION

1. Overview of the Revised Code of Conduct for Elected Officials and Members of Boards, Commissions, Committees, and Task Forces.

Alena Jorquez provided an overview of the code of conduct policy that was adopted in August 2012 to maintain public confidence and integrity in public officials and to instill public trust through their actions, words, and deeds. The code of conduct policy was revised in June 2023 and incorporated the ethics handbook, which was repealed. The policy now has a two-pronged approach based on state law and the standalone document of the code of conduct. The policy allows complaints to be filed only by public officials or staff within 30 days of an alleged violation. If there are more than two complaints within 180 days, the Town Council will review and consider the complaints and may hire an outside investigator. The Town Council may also impose sanctions for ethical violations. The policy lists a range of possible penalties and sanctions for ethical violations, such as mandatory ethical training, letter of warning, formal censure, letter of reprimand, \$500 fine, loss of voting privileges, removal from position or assignment, and removal from office for Board and Commission members.

Alena Jorquez concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

There were no comments from the commissioners.

2. Overview of revised Rules of Order and Procedure for all public bodies of the Town.

Cole Lyons explained that the Town Council amended the code in April 2024 to include rules of etiquette that apply to everyone involved in a public meeting, such as prohibiting signs, banners, loud or boisterous speech or behavior, actual threats, and campaigning or advocating for or against candidates or ballot issues. The chair and vice chair are charged with preserving order and decorum in public meetings, and they can call for a recess or cause the removal of a person for interruption or disruption. Disruption is defined as an interruption or interference with the ability of a speaker or the public body to be heard or the orderly conduct of the business of the meeting.

The Town Council also updated the rules of procedure for public meetings, which are more straightforward than the previous Robert's Rules of Order. The rules of procedure specify the types of motions that can be made, such as main motions, motions to amend, item-specific motions, procedural motions, and closing motions. The rules also provide a hierarchy of sources that govern the public meetings, such as state law, town code, and these rules of procedure.

Cole Lyons concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

There were no comments from the commissioners.

3. DR24-62 SUPERLITE BLOCK-SITE EXPANSION-PLANT UPGRADE: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 8.8 acres, generally located at the southeast corner of McQueen Road and Baseline Road, and zoned General Industrial (GI). Sal DiSanto (480) 503-6759.

Planner DiSanto presented the proposal for the Superlite block expansion, a manufacturing facility located at the southwest corner of McQueen Road and Baseline Road in Gilbert. The site was annexed into the town of Gilbert in 1975 with an active manufacturing facility. In 1999, an amendment was submitted to add a second manufacturing facility. The current proposal is to replace the outdated equipment that was part of the original annexation. The proposal included the removal of the old equipment and the construction of a new 23,300-square-foot production building and a 1,600-square-foot employee amenity area. The proposal also adds nine new parking spaces to meet the requirement of 25 spaces. The site has two gated access points along McQueen Road and no access along Baseline Road. The proposal uses a variety of colors and materials for the new structures, such as ground face CMU, metal wall siding, standing seam metal roof, and storefront windows. The production equipment is painted sky blue to mitigate visibility issues and comply with the previously adopted ordinance.

Planner DiSanto concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

There were no comments from the commissioners.

4. DR24-37 LUMBERYARD: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 9.58 acres, generally located east of Neely Street between Cullumber Avenue and the railroad, pending a rezoning to Multi-Family High (MF/H) with a Planned Area Development (PAD) overlay. Kristen Devine (480) 503-6742.

Planner Devine presented the design review for the lumberyard project, a 285-unit multifamily complex on a 9.58-acre site west of the Heritage district. The site is zoned multifamily high and has three buildings of different heights and sizes, surrounding a pool and amenity areas. The site also includes two dog parks, a naturescape seating area, a mini market, a coffee and beverage bar, and a business center. The site is accessed from Neely Street and has 444 parking spaces. The site has a buffer of trees along the perimeter and a variety of shrubs and ground cover. The buildings are designed with a modern aesthetic and materials that are complementary to the adjacent heritage district. The materials include stucco, brick, and fiber cement in varying shades of white and gray.

Planner Devine noted that the staff has some concerns about the design review, such as the inclusion of exposed downspouts, the flat nature of the roofline, the balconies that look like an afterthought, and the continuity of the materials. The staff is seeking feedback from the commission on the elevations and any other general comments.

Planner Devine concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

Commissioner Davis expressed disappointment that balconies lack cover, emphasizing the need for quality-of-life features. Planner Devine agreed that better roof lines and materials, especially the end caps, are needed.

Internalizing or hiding building downspouts was suggested.

Commissioner Anderson highlighted the need for light mitigation on south–and west-facing elevations and suggested adding overhangs over windows to reduce light and heat gain.

Commissioner Gage expressed disappointment with the decrease in material variation moving east. However, Commissioner Gage was pleased that changes would be made to address this.

Commissioner Simon agreed on the need for elevation variation and liked the downpipes as they broke up the look. He also raised a concern about parking distribution, especially near Building A. He then asked about the impact of adding islands under covered parking on parking space count. Planner Devine answered that adding islands would result in losing parking spaces. They meet the landscape island requirement on uncovered spaces but not under-covered spaces.

Commissioner DeGravina expressed concern about the adequacy of parking spaces and questioned if the parking ratio is sufficient for the number of units and bedrooms. Planner Devine replied that the project meets the current parking requirements per the land development code.

Commissioner Fay expressed frustration with the parking orientation and suggested a shift to having more parking upfront. He also acknowledged that the project meets code requirements and that there is limited scope for changes.

5. Z24-01 SECOF VAL VISTA & ELLIOT: Request to amend Ordinances 698, 722, 975, 1179, AND 1200 to amend the development plan and previously adopted stipulations and a request to rezone approx. 4.5 acres, generally located at the southeast corner of Val Vista Drive and Elliot Road from approx. 4.5 acres of Shopping Center (SC), all with a Planned Area Development overlay zoning district (PAD), to 4.5 acres of General Commercial (GC) zoning district with a Planned Area Development (PAD) overlay. Sal DiSanto (480) 503-6759.

Planner DiSanto described the proposal to rezone 4.5 acres of a 12-acre shopping center site to general commercial and to modify the existing development plan by adding a self-storage facility and a retail building. The applicant requested to rezone the eastern portion of the site to accommodate the excess square footage of the storage facility, as the shopping center zoning

district has a maximum allowance of 75,000 square feet. The proposal also included modifying or deleting some previously established conditions of development related to a pedestrian path and an outdoor seating area. The applicant held a neighborhood meeting in August of 2023, but no members of the public attended.

Planner DiSanto concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

Commissioner Fay expressed concern about maintaining pedestrian access and cross-connectivity and questioned why it seemed like pedestrian access was being eliminated. He then later understood that it was a matter of cleaning up language in the ordinances, not a substantive change.

Chair Mundt clarified that the intention was not to eliminate pedestrian access but to clean up old language in previous ordinances. Planner DiSanto confirmed that pedestrian access would be maintained and that the changes were for cleanup purposes. He explained that the ancillary buildings on either side are anticipated to be accessory storage units.

6. DISCUSSION OF REGULAR MEETING AGENDA

Chair Mundt reviewed the meeting agenda, and items 12 and 13 were requested to be removed from the consent agenda.

ADJOURN STUDY SESSION

Chair Mundt adjourned the Study Session at 6:07 p.m.

CALL TO ORDER OF REGULAR MEETING

Chair Mundt called the June 5, 2024, Regular Meeting of the Planning Commission to order at 6:07 p.m.

PLEDGE OF ALLEGIANCE

Vice-Chair Bianchi led the Pledge of Allegiance.

ROLL CALL

A roll call was conducted, and it was confirmed that a quorum was present.

7. APPROVAL OF AGENDA

The Commission agreed to move items 12 and 13 to the non-consent agenda and move items 14 and 17 to the consent agenda.

Chair Mundt called for a motion to approve the agenda.

MOTION: Commissioner Simon moved to approve the consent agenda consisting of items 10 and 11, moving items 12 and 13 to the non-consent, and moving items 14 and 17 to the consent agenda, seconded by Commissioner DeGravina. **Motion passed 7-0.**

COMMUNICATIONS

8. COMMUNICATIONS FROM CITIZENS

At this time, members of the public may comment on matters within the jurisdiction of the Town. The Commission/Board may not discuss items that are not explicitly identified on the agenda. Therefore, pursuant to state law, action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration.

There were no comments from citizens.

9. REPORT FROM COUNCIL LIAISON ON CURRENT EVENTS

Commissioner Anderson urged the public to check the website for information on the November 5, 2023, ballot, which has some issues related to Gilbert. The ballot issues are about overriding expenditures and exempting the CIP from those expenditures and how they affect the Town's budget and services.

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.

10. UP23-44 HERITAGE NORTH-GROUND FLOOR RESIDENTIAL: Request to extend a Conditional Use Permit approval (UP20-06) on approx. 9.9 net acres located at the southwest corner of Gilbert Road and Juniper Avenue to allow ground-floor residential in the Heritage Village Center (HVC) zoning district. Ashlee MacDonald (480) 503-6748. CONTINUE TO JULY 10, 2024.

STAFF RECOMMENDATION

Move to continue UP23-44 to July 10, 2024.

11. UP23-45 HERITAGE NORTH-HOTEL: Request to extend a Conditional Use Permit approval (UP20-08) on approx. 9.9 net acres located at the southwest corner of Gilbert Road

and Juniper Avenue to allow a hotel in the Heritage Village Center (HVC) zoning district. Ashlee MacDonald (480) 503-6748. CONTINUE TO JULY 10, 2024.

STAFF RECOMMENDATION

Move to continue UP23-45 to July 10, 2024.

14. UP24-06 T-MOBILE MONOPOLE-WINCO FOODS: Request to approve a Conditional Use Permit for approximately .013 acres located south of the southeast corner of Arizona Avenue and Baseline Road at WinCo Foods to permit a Wireless Communication Facility (75-foot-high) in the General Commercial (GC) zoning district with a Planned Area Development (PAD) overlay. Erica Prater (480) 503-6768.

STAFF RECOMMENDATION

Make the Findings of Fact and approve UP24-06 T-Mobile Monopole - WinCo Foods: A Conditional Use Permit for approximately .013 acres located south of the southeast corner of Arizona Avenue and Baseline Road, to permit a Wireless Communication Facility (75 - foot-high) in the General Commercial (GC) zoning district with a Planned Area Development (PAD) overlay:

1. The Project shall be in substantial conformance with the site plan and elevations/details shown on the exhibits provided under Attachment No. 4.
2. Equipment cabinets shall not exceed 8' in height and equipment buildings shall not exceed 15' in height.
3. The screen wall enclosure shall be architecturally integrated using colors and materials to match the existing WinCo Foods building.
4. Any landscaping impacted or damaged during installation and relocation of the light pole must be relocated on site or replaced using a plant from the previously approved plant list from design review case number PDR-2012-00024 (WinCo Foods).

17. Z24-03 LDC TEXT AMENDMENT: Request to amend the Town of Gilbert Land Development Code, Chapter 3 Subdivisions, Section 1.1 Subdivision Regulations; Section 1.1.4 Final Plat Overview relating to final plat approval and appeals; Section 1.1.5 Amendments to Previously-Approved Plats relating to final plats; Section 1.2 Minor Land Division and Minor Subdivision; Section 1.2.4 Minor Subdivision Overview; Section 1.2.5 Appeals. Tom Condit (480) 503-6815.

STAFF RECOMMENDATION

For the reasons set forth in the staff report, staff requests that Planning Commission move to recommend to the Town Council approval of Z24-03 an LDC Text Amendment to the Town of Gilbert Land Development Code, Chapter 3 Subdivisions, Section 1.1 Subdivision Regulations;

Town of Gilbert Planning Commission

June 5, 2024

Section 1.1.4 Final Plat Overview relating to final plat approval and appeals; Section 1.1.5 Amendments to Previously Approved Plats relating to final plats; Section 1.2 Minor Land Division and Minor Subdivision; Section 1.2.4 Minor Subdivision Overview; and Section 1.2.5 Appeals.

MOTION: Commissioner Simon moved to continue Items 10 UP23-44 HERITAGE NORTH-GROUND FLOOR RESIDENTIAL and 11 UP23-45 HERITAGE NORTH-HOTEL to July 10, 2024 and recommend approval of Items 14 UP24-06 T-MOBILE MONOPOLE-WINCO FOODS and 17 Z24-03 LDC TEXT AMENDMENT. Seconded by Commissioner DeGravina. The motion passed 7-0.

PUBLIC HEARING (NON-CONSENT)

Non-Consent Public Hearing items will be heard at an individual public hearing and will be acted upon by the Commission/Board by a separate motion. During the Public Hearings, anyone wishing to comment in support of or in opposition to a Public Hearing item may do so. If you wish to comment on a Public Hearing Item, you must fill out a public comment form indicating the Item Number on which 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/Board.

15. DR23-96 CELEBRATION MEDICAL CENTER: Site plan, landscaping, grading and drainage, elevations, floorplans, lighting, and colors and materials for approximately 5.6 acres, generally located at Mercy Road and Pecos Road, and zoned General Office (GO) with a Planned Area Development (PAD) overlay. Nicole Russell (480) 503-6716.

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR23-96, Celebration Medical: site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors, and materials for approximately 5.6 acres, generally located at the Mercy Road and Pecos Road and zoned General Office (GO) with a Planned Area Development (PAD) overlay, subject to conditions:

- a. Construction of the project shall conform to the exhibits approved by the Planning Commission at the June 5, 2024, 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. Administrative Design Review approval is required prior to permitting monument signage. All other sign types must follow the provisions in the current sign code to obtain a sign permit.

Planner Russell presented the site plan and design for a proposed three-story medical office complex on 5.3 acres south of the intersection of Mercy Road and Pecos Road. The site is zoned as a general office with a planned area overlay and has a companion application for a parking reduction of 25%. The application complies with the ordinance that limits the height of the building within 100 feet of the residential property to the southeast. The building has a total area of 67,947 square feet and a height of 58 feet to the top of the mechanical screening. The exterior consists of different colored CMU blocks, metal panels, faux wood metal panels, and glass

windows. The interior floor plans are open and will be customized for specific tenants. The site has various trees and shrubs along the perimeter, and the parking area has a portion of covered parking on the southern side. The site is accessed from Mercy Road and 156th Street, with an emergency gated access on 157th Place.

Planner Russell concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

John Cassells expressed concerns about traffic, noise, privacy, safety, and the economic impact of the project. He questioned how the project would protect residents and address these issues. The applicant clarified that 157th Street is for emergency access only and is gated. The primary access is off of Mercy Road. The applicant also addressed concerns by stating a willingness to discuss further with residents. He explained the design intent and emergency access details.

Commissioner Davis asked about resident access and lighting's impact on nearby properties. The applicant clarified the main entrance, lighting requirements, and emergency access. Planner Russell also provided information on lighting requirements and photometric plan regulations. She explained the mitigation measures for lighting near residential areas.

Commissioner Simon inquired about the parking reduction's compliance with the new ordinance. The applicant confirmed that the parking reduction request matches the new ordinance.

Commissioner DeGravina questioned the approval status of the parking reduction and then learned that it is in process and not yet definite.

MOTION: Commissioner Simon moved to approve DR23-96 CELEBRATION MEDICAL CENTER: Site plan, landscaping, grading and drainage, elevations, floorplans, lighting, and colors and materials for approximately 5.6 acres, generally located at Mercy Road and Pecos Road, and zoned General Office (GO) with a Planned Area Development (PAD) overlay, seconded by Commissioner DeGravina. The motion **passed 7-0**.

12. UP24-33 SIGNATURE AT SANTAN VILLAGE HOUSE OF SPORT: Request to approve a Conditional Use Permit for approximately 30.37 acres of real property located west of the southwest corner of SanTan Village Parkway and Coronado St. to allow a commercial amusement outdoor use per the Gilbert Crossroads Center Planned Area Development zoned RC (formerly C-2) PAD. Keith Newman (480) 503-6812.

STAFF RECOMMENDATION

Make the Findings of Fact and approve UP24-33 SIGNATURE AT SANTAN VILLAGE HOUSE OF SPORT: Request to approve a Conditional Use Permit for approximately 30.37 acres of real property located west of the southwest corner of Santan Village Pkwy. and Coronado St. to allow a commercial amusement-outdoor use per the Gibert Crossroads Center Planned Area Development zoned RC (formerly C-2) PAD, subject to conditions:

Town of Gilbert Planning Commission

June 5, 2024

1. The Project shall be in substantial conformance with documents associated with this case. The approval of UP24-33 is contingent upon the approval of DR24-38.
2. Proposed lighting for the outdoor field shall not exceed the height of the proposed fencing which is approximately 24 ft tall and must be Musco Green Lighting or similar with cutoffs to prevent light spillover to the residential properties to the north of the development.
3. All outdoor field activities are restricted to the hours of operation for the store and outdoor field lighting must be turned off by 9:00 PM local time.

13. DR24-38 SIGNATURE AT SANTAN VILLAGE: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, colors and materials, design guidelines and approval of a Master Site Plan for approximately 30.37 acres, generally located north of the northwest corner of Williams Field Rd. and SanTan Village Parkway., and zoned Regional Commercial (RC) zoning district with a Planned Area Development (PAD) overlay. Keith Newman (480) 503-6812.

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR24-38 Signature At Santan Village: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, colors and materials, design guidelines and approval of a Master Site Plan for approximately 30.37 acres, generally located north of the northwest corner of Williams Field Rd. and San Tan Village Pkwy., and zoned Regional Commercial (RC) zoning district with a Planned Area Development (PAD) overlay, subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission/Design Review Board at the June 5, 2024, public hearing.
2. 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.
3. A Separation Fence Modification application is required to be submitted and approved by the Planning Commission along the northern property boundary for approval of the applicants request to eliminate the required 6 ft tall screen wall. If the application is not approved the required screen wall will need to be constructed by the property owner.
4. All remaining Planning, Engineering and Traffic Engineering comments issued to the applicant on May 29, 2024 must be addressed prior to the submittal of construction permits.
5. A Technical Variance to approve the spacing for the entrance on Coronado St. must be approved by the Town prior to the submittal of construction permits.

Planner Newman shared that the project is a design review and a conditional use permit request for a commercial development called Signature at SanTan Village, which includes a Dick's Sporting Goods House of Sport and a Whole Foods grocery store. The project site is located at the corner of SanTan Village Parkway and Coronado Street, across from the existing SanTan Village shopping center. The site is 30.37 acres and has 11 buildings of various sizes and uses, with multiple access points and parking lots. The House of Sport field is an outdoor recreation area adjacent to the Dick's Sporting Goods building, where customers can test products and participate in scheduled events. The field is not a regulation size and will not host league competitions or tournaments. The field has a 36-foot-tall fence, four light poles with shielded lighting, and a turf surface.

The project has a 40-foot landscape buffer along the north and west boundaries, bordering the Fincher Farms residential development. The buffer has three rows of trees and no wall to avoid creating a corridor of mischief. The project also requires a conditional use permit for the House of Sports field to meet specific criteria to ensure compatibility with the surrounding uses. The staff has received comments from two nearby property owners who expressed concerns about the height of the buildings, the light and noise pollution, and the impact on their property values. The staff has reviewed the project and determined that it complies with the design guidelines and the conditional use permit requirements. The staff recommends approval of both requests, with a modified condition for the height of the light poles.

Planner Newman concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

Commissioner Everett asked if public safety needs to get involved when the number of participants exceeds 150 and what would trigger this. He also inquired about the types of trees along the north, whether they are evergreens or pines. Planner Newman clarified that the town code does not require the involvement of public safety but is an agreement by the applicant. He states that the trees along the northern property boundary are evergreen and semi-evergreen, including heritage live oaks, southern live oaks, and olive trees, as required by the land development code.

The applicant and developer provided a brief overview of the history and purpose of the crossroads pad. The crossroads pad, now called SanTan Village, is a 600-acre urban village planned for the geographic center of Gilbert since 1999. The developers consulted with the surrounding communities and obtained rezoning approval for the project. The developers propose bringing in new retailers that conform to the crossroads pad, which will enhance the vitality of SanTan Village as a regional retail center. They have waited for the right users and believe that they will be sustainable for the long term.

Commissioner Faye asked about the tenants moving into the new buildings and expressed satisfaction with the project's progress. The applicant confirmed the commitment of anchor

buildings and other users, including Fidelity Investments, and described the House of Sport concept for Dick's Sporting Goods.

Commissioner Simon inquired about the relocation of the Dick's Sporting Goods current location due to the new House of Sport. The applicant confirmed that it will replace the current location and elaborated on the size and offerings of the new building.

Kathleen du Bois expressed concerns about the lack of a barrier, the type of trees being planted, debris management, lighting, noise, and the impact on residential life due to the proximity of the House of Sports arena. The applicant addressed the operational hours of the field, access control, frequency of events, and the community-oriented nature of the House of Sport. The applicant also added information about the uniqueness of the House of Sport concept and its selective location strategy.

Commissioner Gage asked about the willingness to discuss tree types with neighbors and confirmed with the applicant about working with staff on this issue.

Commissioner Everett questioned the suitability of the House of Sport concept in hot climates and received confirmation that similar climates have been considered. The applicant provided additional information about the House of Sports locations and their performance in different climates.

Chair Mundt discussed the decision-making process in relation to the land development code. He mentioned a 40-foot landscape buffer and a field 200 feet away. He also expressed satisfaction with efforts to mitigate concerns and a personal dislike for Palo Verde trees.

Commissioner Fay shared concerns about the field resembling a prison yard and noted that the facility looks better in Google images than in renderings. He appreciated the store's accessibility and expressed sympathy for homeowners. He also addressed the issue of light pollution and compared it to a personal experience with Hamilton High School's field lights.

Commissioner Simon agreed with previous comments and acknowledged homeowners' concerns. He found some relief in the facility's closing time and the existence of code enforcement for noise complaints. He also approved the site plan and expressed willingness to support the motion.

MOTION: Commissioner Simon moved to approve UP24-33 SIGNATURE AT SANTAN VILLAGE HOUSE OF SPORT: Request to approve a Conditional Use Permit for approximately 30.37 acres of real property located west of the southwest corner of SanTan Village Parkway and Coronado St. to allow commercial amusement-outdoor use per the Gilbert Crossroads Center Planned Area Development zoned RC (formerly C-2) PAD, seconded by Commissioner Davis. The motion **passed 7-0.**

MOTION: Commissioner Simon moved to approve the DR24-38 SIGNATURE AT SANTAN VILLAGE findings of facts with the condition of approval that staff works with the developer and the

homeowners to come up with an amicable solution for the trees, seconded by Commissioner Davis. The motion passed 7-0.

16. DR24-44 GILBERT ADVOCACY CENTER: Site plan, landscaping, grading and drainage, elevations, floorplans, lighting, and colors and materials for approximately 8.7 acres, generally located at the southwest corner of American Heroes Way and Civic Center Drive, and zoned Public Facility/Institutional (PF/I) with a Planned Area Development (PAD) overlay. Sal DiSanto (480) 503-6759.

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR24-44 Gilbert Advocacy Center: Site plan, landscaping, grading and drainage, elevations, floor plans, lighting, and colors and materials for approximately 8.7 acres, generally located at the southwest corner of American Heroes Way and Civic Center Drive, and zoned Public Facility/Institutional (PF/I) with a Planned Area Development (PAD).

1. Construction of the project shall conform to the exhibits approved by the Planning Commission at the June 5, 2024, public hearing.
2. 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.
3. Wall signage will require the review and approval of a sign permit prior to installation. If a monument sign is requested in the future, an Administrative Design Review will be required.
4. A minimum of 24 trees shall be planted along the southern property line during phase one of construction.
5. All wall-mounted lighting shall not exceed a mounting height of 14'.
6. With the submittal of CDs, the applicant shall update parking spaces outside the gated parking area to the south to reflect the dimensions of 9'x19' or 9'x16'6" with a 2'6" overhang.
7. With the submittal of CDs, the applicant shall revise the site plan to include ADA ramps meeting the standards of MAG detail 237-1 and shall be placed on the adjacent sidewalks for the American Heroes Way access point
8. The applicant shall modify the turnaround located southwest of the northern parking area to comply with public works and engineering standards (turnaround detail Fig 4-22) as needed.
9. The chain-link fence located along the eastern property line is utilized as a contemporary construction fence only. It will be replaced by the perforated panel—a decorative screen wall (site detail #11).
10. Parking wheel stops shall be removed from any parking space that is not designated for ADA use.
11. Water lines shall be shown within an easement with the CD submittal.

Planner DiSanto provided the project overview. The project is to build an advocacy center for victims of crime in two phases, with the first phase being a 28,000-square-foot facility for advocacy and aftercare services and the second phase being a 30,000-square-foot facility for

the management team. The site is located at the southwest corner of Civic Center Drive and American Heroes Way, within the Gilbert Public Safety complex master site plan. The site is adjacent to various residential and commercial uses and has two access points on Civic Center Drive and American Heroes Way. The site plan proposes a varied plant palette of drought-tolerant trees and shrubs, with 24 trees along the southern property line to provide a visual buffer for the adjacent residential area. The site also provides 123 parking spaces, which exceed the required 113 spaces. The southern parking spaces are designed for the future phase two.

The building is approximately 23 feet high and has varying roof lines and massing elements. The exterior walls are constructed of split-face CMU with a neutral color palette and accent colors such as bronze, sand, and white. The building also features a metal canopy system, large storefront windows, and a wood laminate accent. The main entrance faces the north, while the east side faces American Heroes Way.

Planner DiSanto concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

Phil Talley raised concerns about the increased traffic on Settler Point Road due to a new parking lot proposed for the south side, which he feels is unnecessary given the ample existing parking in the area. He mentioned the road gets busy due to the elementary school and is worried about increased traffic from a new parking lot. He also suggested repurposing the south parking structure to enhance the community rather than adding more asphalt and cars. The applicant addressed the parking and connection concerns, clarifying the south lot is for secured PD staff parking and is gated.

Neil Sorenson voiced concerns about the potential negative impact of the advocacy center on property values and the sense of community. He compared the situation to a similar center in Mesa that he found unsettling and questioned the long-term effect on homes and the unique character of Gilbert. The applicant assured the resident that the advocacy center is a service for victims of crime and part of public safety. She emphasized that the advocacy center is not a detriment to the community and is a best-in-class facility for Arizona.

Commissioner Fay expressed less concern about city projects handling drainage, as the city would manage any issues. He discussed the necessity of victim advocacy in the judicial system and the city's role in it despite not fully understanding the social work aspect.

Commissioner Davis had no issues with the project and appreciated the clarification on the gated entrance to Settlers Point. He commented on the parking situation and the optimal location of the project near the police station and courthouse.

Commissioner DeGravina acknowledged the building is being constructed from the ground up, which is seen as necessary, and hoped the project would alleviate any concerns neighbors might have about criminal victims being close by.

MOTION: Commissioner Davis moved to approve DR24-44 GILBERT ADVOCACY CENTER: Site plan, landscaping, grading and drainage, elevations, floorplans, lighting, and colors and materials for approximately 8.7 acres, generally located at the southwest corner of American Heroes Way and Civic Center Drive, and zoned Public Facility/Institutional (PF/I) with a Planned Area Development (PAD) overlay, seconded by Commissioner Gage. The motion **passed 7-0**.

18. Z24-02 LDC TEXT AMENDMENT: Request to amend the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations Section 2.0 Terms; Section 5.0 Supplemental Regulations; Subsection 5.3 Circulation, Parking, and Loading relating to inoperable and abandoned vehicles. Eva Cutro (480) 503-6782.

STAFF RECOMMENDATION

For the reasons set forth in the staff report, staff requests that the Planning Commission move to recommend to the Town Council approval of Z24-02, an LDC Text Amendment to the Town of Gilbert Land Development Code, Chapter 1 Zoning Regulations Section 2.0 Terms; Section 5.0 Supplemental Regulations; Subsection 5.3 Circulation, Parking, and Loading relating to inoperable and abandoned vehicles.

Planner Cutro presented the land development code amendment that aligns the code with the community preservation ordinance regarding inoperable vehicles. The amendment would remove the language about screening inoperable vehicles by an opaque wall and add a reference to Chapter 42, Article 8 of the Gilbert municipal code, where the community preservation ordinance is located. The amendment would also correct a typo in the existing language. The amendment was initiated and reviewed by the Planning Commission at the previous meeting and was discussed by the Town Council at the May 21, 2024, meeting. The amendment will be heard by the Town Council at the June 18, 2024, meeting, along with the community preservation ordinance.

Planner Cutro concluded the presentation, and the floor was opened for questions and comments.

COMMISSION QUESTIONS/COMMENTS

Chris Lindall opposed the text amendment and raised concerns about the legality of having a car in his backyard to work on. He questioned the enforcement of the standards and the role of neighborhood complaints and believed the document is needed but requires more work. He also expressed disappointment with the lack of response and further meetings from the staff.

Commissioner Simon sought clarification on the claim that the Town could enter someone's backyard without a warrant.

Chair Mundt clarified that the commission is not voting on the community preservation ordinance. He explained the procedural steps if the Council does not pass it.

The Town Attorney confirmed that the amendment does not touch Fourth Amendment rights. She discussed policy questions of screened or unscreened inoperable vehicles.

Planner Cutro addressed the procedural order of the Council agenda and provided clarification on the land development code changes.

MOTION: Commissioner Everett moved to continue the Z24-02 LDC TEXT AMENDMENT to July 10, 2024, seconded by Commissioner Simon. The motion **passed 7-0**.

ADMINISTRATIVE ITEMS

Administrative Items are for the Commission/Board discussion and action. It is at 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 on which they wish to address. The Commission/Board may or may not accept public comment.

19. REVISION TO THE PLANNING COMMISSION BYLAWS

MOTION: Commissioner Simon moved to approve the revision to the Planning Commission Bylaws, seconded by Commissioner DeGravina. **Motion passed 7-0**.

20. PLANNING COMMISSION MINUTES

MOTION: Commissioner Everett moved to approve the minutes of the May 1, 2024, study session and regular meeting, with one change, seconded by Commissioner Simon. **Motion passed 7-0**.

COMMUNICATIONS

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.

An Executive Session was not required at this meeting.

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

There was nothing to report.

14. REPORT FROM THE PLANNING SERVICES MANAGER ON CURRENT EVENTS

Eva Cutro, Planning Manager, announced Tracy Asher's retirement after working for the Town of Gilbert for over twenty years and the hiring of three new employees, including a new administrative assistant and two planners. She expressed the hope that the planning services department would be fully staffed for the first time since the manager started working there and promised to introduce the new employees to the Commission.

ADJOURNMENT

Chair Mundt called for a motion to adjourn the meeting.

MOTION: Commissioner Everett moved to adjourn the meeting, seconded by Commissioner Fay.
Motion passed 7-0.

The meeting was adjourned at 9:05 p.m.

Noah Mundt, Chair

DRAFT