



10

Planning Commission Public Hearing

TO: PLANNING COMMISSION

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: AUGUST 7, 2024

SUBJECT: Z24-01 SEC OF VAL VISTA & ELLIOT: REQUEST TO AMEND ORDINANCES 633, 698, 722, 975, 1179, AND 1200 TO AMEND THE DEVELOPMENT PLAN, CONDITIONS OF DEVELOPMENT, AND A REQUEST TO REZONE APPROXIMATELY 4.5 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF VAL VISTA DRIVE AND ELLIOT ROAD FROM APPROXIMATELY 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) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STRATEGIC INITIATIVE: Exceptional Built Environment

The proposed rezoning will allow for additional commercial development opportunities on the subject site.

RECOMMENDED MOTION

For the reasons set forth in this staff report, move to recommend approval to the Town Council for Z24-01 SEC of Val Vista & Elliot, as requested, subject to conditions.

APPLICANT

Company: Withey Morris Baugh

OWNER

Company: AVG Partners LLC

vacated 37,000 sf fitness center that was approved under cases Z99-22, UP99-09, and SP571. Currently, the applicant is proposing:

- 1) to rezone a portion of the property from Town of Gilbert Shopping Center (SC) to the General Commercial (GC) zoning district to develop a retail facility and self-storage redevelopment;
- 2) amend the approved conditions of approval for the Val Vista and Elliot Center PAD and;
- 3) amend the approved development plan to establish centralized retail uses, and additional storage structures.

The PAD amendment and rezone would allow the applicant to redevelop the vacant fitness center into a self-storage facility, which is permitted under the General Commercial (GC) zoning district. Additionally, the amendment will allow centralized retail shops and associated storage structures.

Surrounding Land Use & Zoning Designations:

	Existing Zoning	Existing Land Use Classification	Existing Use
North	Community Commercial (CC) and Single Family - 7 (SF-7)	General Commercial and Residential > 3.5 - 5 DU/Acre	Elliot Ranch Plaza and Val Vista Meadows Residential Subdivision
South	Shopping Center (SC) and Single Family - 6 (SF-6)	General Commercial and Residential > 3.5 - 5 DU/Acre	Gilbert Center Commercial and Sonoran Vista Residential Subdivision
East	Single Family - 6 (SF-6)	Residential > 3.5 - 5 DU/Acre	Sonoran Vista Residential Subdivision
West	Shopping Center (SC)	General Commercial	Val Vista Marketplace
Site	Shopping Center (SC)	General Commercial	Vacant Fitness Center

PAD Amendment Request:

The applicant has proposed to rezone approximately 4.5 acres of Shopping Center (SC) to 4.5 acres of General Commercial (GC). The subject site (Val Vista and Elliot Center) is approximately 12 acres in total and is currently comprised of only the

Shopping Center (SC) zoning district, the applicant is requesting to rezone these 4.5 acres to accommodate the excess square footage the self-storage facility will provide, as the shopping center zoning district allows only a maximum of 75,000 sf per singular use.

The applicant also intends to modify the existing development plan approved under zoning case Z99-22 by incorporating a roughly 11,000 SF retail component that is to be centralized on site along with redeveloping the vacant fitness center to properly align with the design of a storage facility use. The updated development plan will include four (4) new accessory buildings associated with the storage facility. Staff notes that the rezoning application will modify the required building and landscape setbacks by requiring greater setbacks than those that currently exist on site. As such the applicant is seeking to allow setback deviations for the existing structures; any new development will require conformance with setbacks per the General Commercial (GC) zoning district as shown in the table below. Per the current Land Development Code both the Shopping Center (SC) and General Commercial (GC) zoning districts are required to provide a minimum 75' building setback when adjacent to residential, making this current structure legal non-conforming; this request would not move the site further out of conformance.

Lastly, the applicant is requesting to amend or delete previously established conditions of development for the Val Vista and Elliot Center PAD as well as the addition of conditions. Ordinance Nos. 1179 and 1200 speak to the pedestrian/bicycle pathway leading to a centralized location on site. The applicant believes these conditions overlap; thus, they are requesting to delete a portion of the language for condition LL, within Ordinance No. 1179 and the deletion of Condition J within Ordinance No. 733 to better align with current procedures of the Town's Land Development Code (LDC). The last proposed condition is presented to assist with the redevelopment of the site as the existing 37,000 sf structure does not meet minimum rear setback requirements for the existing and proposed zoning districts. More specifically the applicant is requesting the following:

- ~~Deletion to Condition J (Ord 633): All development within the project shall receive review and approval by the Planning and Zoning Commission, Design Review Board, and Town Council through the site plan or preliminary plat approval process prior to the issuance of a building permit.~~
- ~~Modification of Condition LL (Ord 1179): A pedestrian plaza, outdoor courtyard or other outdoor pedestrian amenity should be part of the commercial development. An outdoor seating area shall be provided with any restaurant use. The pedestrian/bicycle pathway required within the eastern landscape easement of the commercial area shall connect with a~~

~~centrally-located pedestrian plaza within the Shopping Center. In addition, said pedestrian/bicycle pathway shall connect with the adjacent arterial street sidewalks.~~

- Addition of condition TT: PROPOSED BUILDINGS/STRUCTURES SHALL BE DEVELOPED IN CONFORMANCE WITH GILBERT'S ZONING REQUIREMENTS FOR THE ZONING DISTRICT AND ALL DEVELOPMENT SHALL COMPLY WITH THE TOWN OF GILBERT LAND DEVELOPMENT CODE. THE EXISTING BUILDING 3 LOCATED ALONG THE EASTERN MOST PROPERTY LINE MAY REMAIN IN PLACE MAINTAINING A 60'4" REAR SETBACK.

All other standards or stipulations related to landscaping will remain in place, including the required 25' eastern landscape setback established in Ordinance 1200.

Project Data Table (Ord. standards Highlighted and proposed changes are bold)

Site Development Regulations	Standards approved per Ord. 698, 722, 975, 1179, 1200 /LDC Standard	Proposed
Maximum Height (ft.)/Stories	45'	45'
Minimum Building Setbacks (ft.)		
Front	25'	174'6"
Side (street)	20'	250'
Side (residential)	75'	75'
Rear (residential)	60'	60'4" for Existing and & 75' for any new building/structure
Side, Rear (nonresidential)	20'	20'6"
Separation between Buildings (ft.)		
Single-Story	15'	15'
Two-Story	20'	20'
Minimum Perimeter Landscape Setback (ft.)		
Front	25'	25'

Side (street)	20'	20'
Side (residential)	40'	40'
Rear (residential)	25'	25'
Side, Rear (nonresidential)	20'	20'
Landscaping (%of net area)	15%	15%

PUBLIC NOTIFICATION

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.

The applicant held a neighborhood meeting on August 17, 2023. No members of the public attended the meeting.

No comments have been received to date.

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 6.2.2 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 Val Vista and Elliot Center 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 Z24-01 SEC of Val Vista & Elliot, a request to amend Ordinances 633, 698, 722, 975, 1179, and 1200 to amend the development plan, conditions of development and a request to rezone approximately 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) with a Planned Area Development (PAD) overlay. All dedications, development requirements and development conditions set forth in Ordinance Nos. 633, 698, 722, 975, 1179, and 1200 relating to the Val Vista and Elliot Center PAD are repealed and restated except as amended by revising development condition J and LL and the addition of condition TT. to read as follows: (additions shown in ALL CAPS, deletions shown in strikeout)

- A. Dedication to the Town of those portions of Elliot and Val Vista Roads which are adjacent to the project, which dedication shall extend 65 feet from centerline. Said dedication shall be complete prior to recordation of the final plat or as required by the Town of Gilbert.
- B. Developer of Phase II shall construct and/or install all required off-site improvements to portions of Elliot and Val Vista Roads which are adjacent to the project. Said off-site improvements shall mean all arterial street frontages adjacent to both the commercial and residential portions of the project.
- C. The Developer shall cause to be prepared a wastewater study that addresses design of planned sewer facilities for this project and future tributary facilities.
- D. Developer of Phase II shall deposit with the Town 25% of the cost of a traffic signal at the intersection of Elliot and Val Vista Roads; and 50% of the cost of a traffic signal at the intersection of Val Vista Road and the major project (E. Palo Verde Street) entry located approximately one-quarter mile south of Elliot Road, said amounts shall be deposited prior to final plat approval or any portion of Phase II.
- E. A Homeowners association shall be created to maintain the open space and landscaping adjacent to all collector and arterial streets in or adjacent to the project.
- F. Developer of Phase II shall execute a petition to create a Streetlight Improvement District for collector and local streets within each phase of the project being constructed, prior to issuance of a Certificate of Occupancy, or approval of final plat within the Phase, whichever occurs first.
- G. A minimum 10 foot (10') wide landscape easement shall be created along all collector street (E. Palo Verde Street) between the public right-of-way and the lot lines.
- H. Developer shall pay for its proportionate share of the cost of construction of water and sewer mains prior to recordation of the final plat.

- I. All subdivided lots shall provide adequate space to accommodate a minimum 8x10 foot (80 sq. ft., minimum dimension of 6 feet) covered patio within the required setbacks.
- J. ~~All development within the project shall receive review and approval by the Planning and Zoning Commission, Design Review Board, and Town Council through the site plan or preliminary plat approval process prior to the issuance of a building permit.~~
- K. The underlying zoning districts for the project shall be as set forth on the Master Plan submitted. Development of the project shall be in conformance with all zoning requirements of the Town for said districts except as modified by the Development Plan or further conditions in the zoning ordinance.
- L. The maximum number of dwelling units allowed within Elliot and Val Vista shall be 177 and the maximum density 3.2 dwelling units per acre.
- M. Development of the Project shall conform to the exhibits approved with this case Z96-6.
- N. The following uses shall be prohibited within the C-1 commercial district:
 - Bars and Cocktail lounges
 - Amusement Arcades
 - Bowling Alleys
 - Pool and Billiard halls
 - Restaurants that derive more than 30 percent of their gross income from the sale of alcoholic beverages.
- O. A twenty-five (25) foot wide landscape setback shall be provided on the east side of the site, as measured from the property line. Said setback shall be improved with a pedestrian/bicycle path connecting the Elliot Road sidewalk to the interior of the site, such as to an anchor building.
- P. The nineteen (19) patio home units displaced by the inclusion of the U.S Postal Service carrier annex, shall not be transferred elsewhere within the project.
- R. The underlying zoning district of the project shall be C-2 (General Commercial), C-1 (Neighborhood Commercial), R-35 (Rural Residential) and R1-15, R1-5 (Single-Family residence) as shown on the development plan and be in conformance with the Town's zoning requirements for said districts

except as modified by this ordinance. All lots shall provide the minimum lot sizes and setbacks listed in the zoning code unless as amended by this ordinance as follows: (Added by Ord.#975)

	Front	Rear	Sides	Street Side
R1-5	*20'	15'	**5'/10'	10'
R1-15	25'	30'	**15'/15'	15'
R1-35	40'	40'	**20'/20'	

- * 20 feet is the minimum front yard setback for R1-5 lots as measured from the property line.
- ** The clear zone Requirements of Ordinance 803 shall apply to side yard setbacks in this development.

S. The applicant shall provide a five foot tract along both the eastern and western side of the projects main north-south roadway (Sagebush Street).

T. The perimeter fencing along Val Vista Drive within the landscaped open space tract C shall be view fencing. The material used in the construction of said view fence shall be wrought iron or equal.

U. Throughout the development the placement and height of the homes shall be varied so as not to provide identical height and/or alignment of continuous runs of homes.

V. A minimum twenty foot (20') wide landscape easement shall be created along major arterial streets (Elliot Road and Val Vista Drive) between the right-of-way and the lot lines.

W. One foot non-vehicular easements and fence easements shall be created where required by the subdivision code of the plan reviewer based upon the design of the development.

X. A ten foot (10') easement shall be created on both sides of the main entrance(s) to the development between the public right-of-way and the lot lines.

Y. The Plans Reviewer shall use the design standards set forth in policy 94-03, Subdivision and Density Bonus criteria, and any subsequent revisions to that policy as design standards for review of the project. The Design Standards of Policy 94-03 shall be in addition to other applicable design standards.

Z. Single story houses constructed on lots adjacent to arterial streets shall have a minimum 25 foot rear yard setback, and two story houses shall have a 35 foot rear setback when constructed adjacent to arterial, exclusive of any landscape easements. Any lots or houses paralleling an arterial street shall have a side yard setback of 10 feet.

AA. All other conditions of Ordinance 633, as amended by Ordinance(s) 698 and 722 shall remain in full force and effect.

BB. The developer of the C-1 commercial district shall produce Covenants, Conditions and Restrictions for the maintenance of all on and off-site landscaping, for the management, shared use of driveways, and for the shared use of access drives off Val Vista Drive and Elliot Roads.

CC. A non-residential subdivision plat for the C-1 zoning district area shall be required to be approved by Town Council prior to the issuance of any permits.

DD. Except as modified herein, all conditions of Ordinances Nos. 633, 698, 722, and 975 shall remain in full force and effect.

EE. The buildings located within the commercial portion of the project shall receive review and approval by the Design Review Board of all building elevations, site and landscape plans, grading and drainage, and for a comprehensive sign package, prior to the issuance of any permit.

FF. Any gasoline station island canopy shall be limited in height to fourteen feet six inches (14'6"), as measured from finished grade to bottom of canopy fascia.

GG. All lighting for the development shall comply with the Town of Gilbert Unified Land Development Code for light and glare. Photometrics shall be required to be submitted with construction documents and shall be reviewed and approved by the Planning Department Staff for lighting intensity impact on the adjacent residential uses.

HH. Drive-through restaurants shall not be located on pads adjacent to residential development.

II. Any voice/order boxes for drive-through uses shall be directed away from residential development.

JJ. Any offsite improvements to Val Vista Dr. and Elliot Rd. will need to be completed at the time of any construction of the commercial center

KK. The landscape setbacks adjacent to Val Vista Dr. and Elliot Rd. will need to be completed at the time of any construction of the commercial center.

~~LL. A pedestrian plaza, outdoor courtyard or other outdoor pedestrian amenity should be part of the commercial development. AN OUTDOOR SEATING AREA SHALL BE PROVIDED WITH ANY RESTAURANT USE. The pedestrian/bicycle pathway required within the eastern landscape easement of the commercial area shall connect with a centrally-located pedestrian plaza within the Shopping Center. In addition, said pedestrian/bicycle pathway shall connect with the adjacent arterial street sidewalks.~~

MM. Retention shall meet the requirements of the Unified Land Development Code. A maximum of 50% of 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 Val Vista Drive and Elliot Road, including the area along the project frontage to the roadway centerline.

NN. Recorded shared-access driveway agreements for the C-1 commercial area shall be submitted to the Town prior to the issuance of any permit.

OO. 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.

PP. Development shall adhere to the Streetscape Development Guidelines for District No. 5 with regard to plant materials, selection, intensity and size.

QQ. Design of commercial building within the C-1 zoning district area shall be architecturally styled to achieve harmony and continuity of design. The elevations of said buildings shall be coordinated with regard to color, texture, materials, finishes, and architectural form. Said buildings shall reflect the quality and scale of design of the surrounding commercial development, as determined by the Design Review Board.

RR. All rear and side elevations of commercial buildings within the C-1 zoning district area shall contain adequate detail to provide character and scale. Views of these elevations shall add to, rather than detract from, the character of adjacent uses. All commercial building facades shall be designed to continue the “small town” character of Gilbert. Large structures, such as gasoline canopies, anchor buildings, and retail centers, shall be architecturally styled to achieve a small scale building.

SS. The eastern landscape setback and southeast retention basin shall be improved with a staggered, double row of evergreen-type trees against the adjacent residential development. Said trees shall be 50% 24-inch box size, and 50% 36-inch box size, with trees planted 30-feet on centerline for each row. Rows shall be staggered by a minimum of 10 feet to create optimum buffering. A single row of 36-inch box trees shall be provided every 30-feet on center, in the 10-foot wide landscape setback on the south perimeter of the site.

TT. PROPOSED BUILDINGS/STRUCTURES SHALL BE DEVELOPED IN CONFORMANCE WITH GILBERT’S ZONING REQUIRMENTS FOR THE ZONING DISTRICT AND ALL DEVELOPMENT SHALL COMPLY WITH THE TOWN OF GILBERT LAND DEVELOPMENT CODE. THE EXISTING BUILDING 3 AS DEPICTED ON THE DEVELOPMENT PLAN MAY REMAIN IN PLACE MAINTING A 60’4” REAR SETBACK.

Respectfully submitted,

Sal DiSanto

Sal DiSanto
Planner I

Attachments and Enclosures:

- 1) Notice of Public Hearing
- 2) Aerial Photo
- 3) Project Narrative
- 4) Zoning Exhibit
- 5) Development Plan
- 6) Legal Description
- 7) Housing Impact Statement

Notice of Public Hearing

Z24-01 SEC of Val Vista & Elliot

Attachment 1: Notice of Public Hearing

PLANNING COMMISSION DATE:

Thursday, August 7, 2024* TIME: 6:00 PM

LOCATION: Municipal Building I
Council Chambers
50 East Civic Center Drive

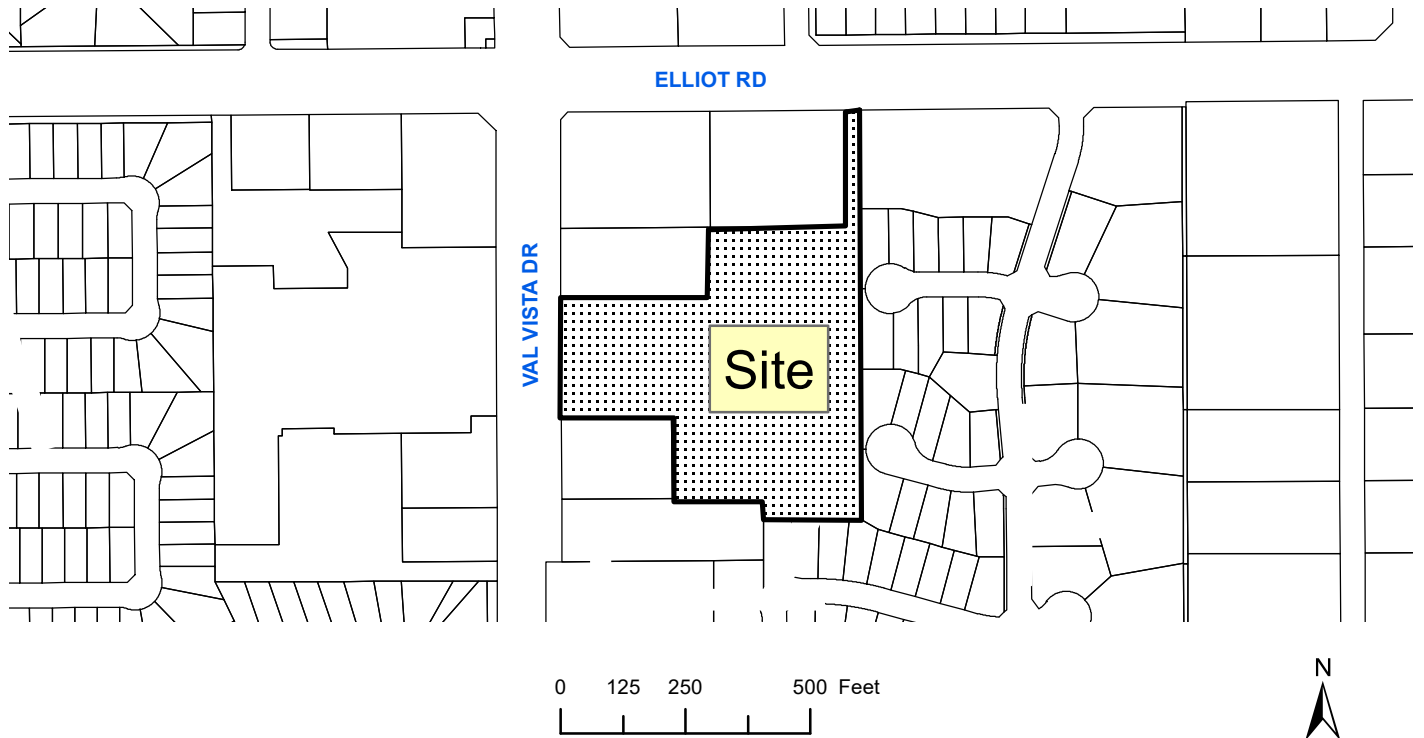
*Call Case Planner to verify date and time: (480) 503-6759

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:

Z24-01 SEC of Val Vista & Elliot - Rezone: Request To Amend Ordinances 633, 698, 722, 975, 1179, And 1200 To Amend The Development Plan, Conditions Of Development, 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) With A Planned Area Development (Pad)

SITE LOCATION:



APPLICANT: Withey Morris Baugh
CONTACT: George Pasquel
ADDRESS: 2525 E Arizona Biltmore CIR Unit: A-212
Phoenix, AZ 85016

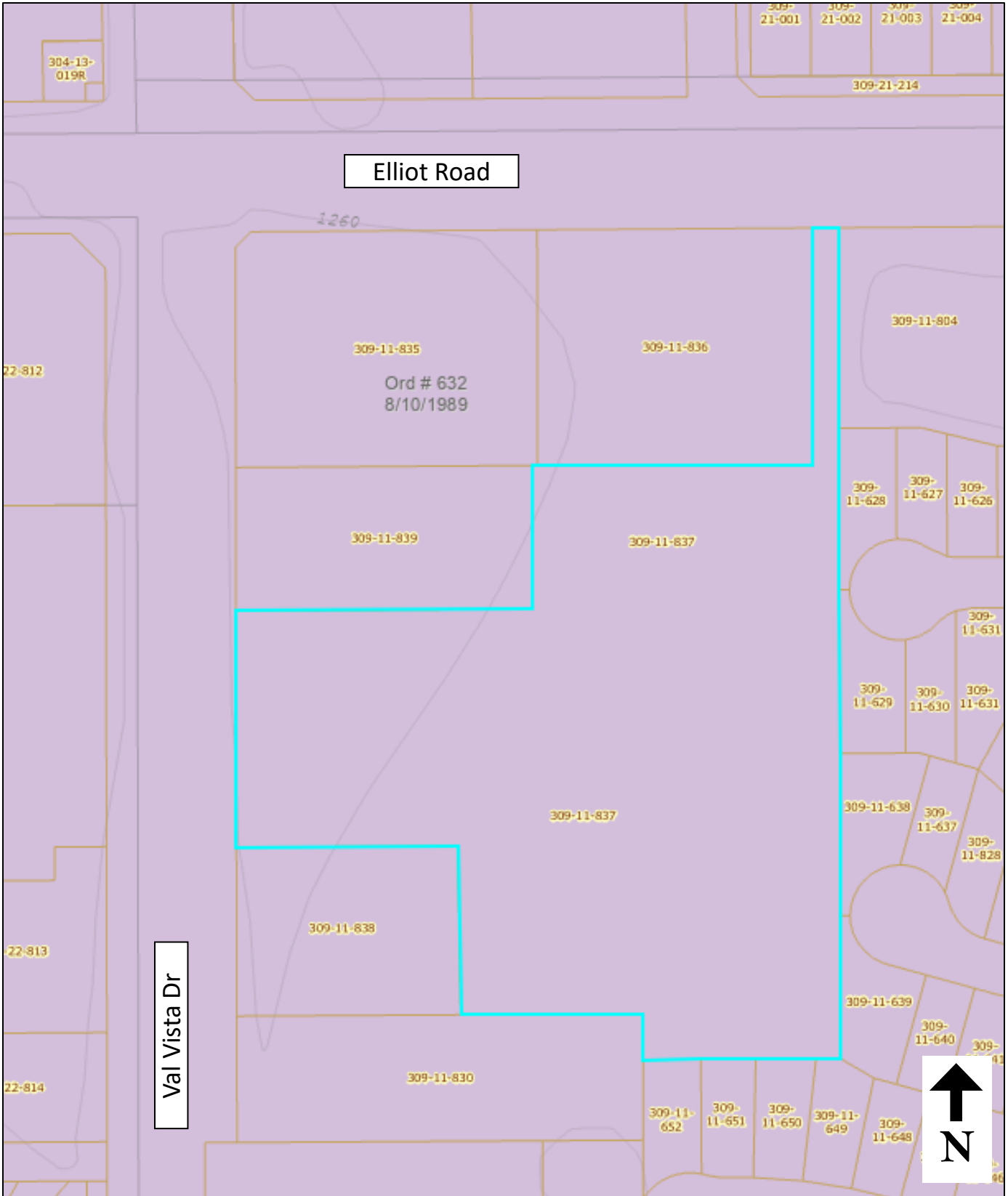
TELEPHONE: (602) 230-0600
E-MAIL: george@wmbattorneys.com

Aerial Map

Z24-01 SEC of Val Vista & Elliot
Attachment 2: Aerial Photo



Parcel Map



Rezone Narrative Approximately 4.5-acres at the SEC of Elliot & Val Vista

A. Request

This application requests a modification to the existing Planned Area Development (PAD) to change the underlying zoning from Shopping Center (SC) to General Commercial (GC) and to update some of the associated stipulations for a new retail and self-storage redevelopment.

B. Property Location & Information

The project site is located within the larger, roughly 12-acre commercial center at the southeast corner of Elliot Road and Val Vista Drive. The full commercial center is comprised of five (5) parcels under different ownerships and with a variety of existing uses. The subject Property, Assessor Parcel No. 304-51-023, is roughly 4.5-acres in size and generally positioned in the southeast corner of the site, with some frontage on Val Vista Drive. See aerial maps attached at **TAB 1**. The full center is bound by Val Vista Drive to the west (a designated Major Arterial) and Elliot Road to the north (a designated Minor Arterial). The three (3) other corners of the intersection are developed with commercial uses including Val Vista Marketplace, a Safeway-anchored major commercial center immediately across Val Vista Drive.

C. Background & Existing Approvals

The subject Property is currently developed with an empty, roughly 37,000 square foot building and a large expanse of asphalt surface parking. The building was previously custom-built and occupied by an LA Fitness center which was granted approvals in 1999 under Cases Z99-22 / UP99-9 / SP571 - a PAD Amendment, Use Permit for a fitness center, and a final site plan. The fitness center vacated the site in 2019 and the property has remained empty since. Finding a single-tenant user that is willing to occupy such a custom building is problematic. The lack of a tenant on the site is a detriment to the remainder of the commercial center, with other buildings seeing vacancy and a growing vagrancy issue.

The 1999 approvals call for, among other things, a minimum 25ft landscape setback requirement along the east property line, enhanced planting requirements, and general conformance to a preliminary site plan. The property appears to be in compliance with the prior stipulations. The planned redevelopment, as described below, will maintain the setback and landscaping requirements while updating the site plan of record to reflect the new development and uses.

D. Development Proposal Overview

In order to breathe new life into the center, the development plan calls for a new, roughly 11,000 sqft retail shops buildings to be developed along the Val Vista frontage and the conversion of the existing building and empty parking lot into a Class-A, climate-controlled storage facility. See preliminary site plan attached at **TAB 2**. The development will comply with all the required development standards of the GC zoning district. The proposal provides a “best-of-both-worlds” solution for the difficult site by provided new retail amenities for the neighborhood while also maintaining existing conditions (i.e., the existing building will remain, as will the existing building setbacks, landscaping, views, etc.).

Access to the site will not change, with drive aisles connecting to both the Val Vista Drive and the Elliot Road frontages. The storage facility office and primary entrance are provided on the west side of the building. Access to the remainder of the site is for existing clients and provided via key coded, gated entrances. This provides an additional buffer for the neighborhood to the east where previously the full parking lot abutted the neighborhood and was accessible to any of the general public. Designated loading areas are positioned at the north and south sides of the building. The existing landscape setbacks feature mature trees and plantings and will be maintained. The existing trash enclosure will be demolished and rebuilt in the same vicinity near the northeast corner of the site.

E. Updates to Current Approvals

Minimum Building Setback, Rear (residential)

- Current standard: 60'
- Update standard: 60' for existing structures; 75' for any new structure

Justification:

Current Shopping Center (SC) and General Commercial (GC) zoning district development standards require a minimum 75' building setback when adjacent to residential - as occurs here at the east property line. However, the existing building was approved and built with a roughly 60-foot setback. This amendment simply clarifies that a 60-foot setback may be maintained for the existing structure but that all new structures will meet the base zoning district standard of 75'.

Deletion of Condition “J” (Ord 633)

~~*J. All development within the Project shall receive review and approval by the Planning and Zoning Commission, Design Review Board, and Town Council through the site plan or preliminary plat approval process prior to issuance of a building permit.*~~

Justification:

The above referenced condition "J" is outdated and no longer necessary or in line with Town policies. The rezoning and Design Review process is the proper mechanism for redevelopment. Removal of this condition is a "housekeeping" matter to help clarify and update the existing entitlements.

Modification of Condition "LL" (Ord 1179)

~~A pedestrian plaza, outdoor courtyard or other outdoor pedestrian amenity should be part of the commercial development. An outdoor seating area shall be provided with any restaurant use. The pedestrian / bicycle pathway required within the eastern landscape easement of the commercial area shall connect with a centrally located pedestrian plaza within the Shopping Center. In addition, said pedestrian / bicycle pathway shall connect with the adjacent arterial street sidewalks.~~

Justification:

The above referenced condition "LL" contradicts a more recently imposed condition from the approval of Case Z99-22 (Ord 1200). Condition "o" from Ordinance 1200 states:

A twenty-five (25) foot wide landscape setback shall be provided on the east side of the site, as measured from the property line. Said setback shall be improved with a pedestrian / bicycle path connecting the Elliot Road sidewalk to the interior of the site, such as to the anchor building.

The proposed modification clears up the contradiction while conforming with the most recent approvals and ensuring the overriding goal (pedestrian connectivity) is maintained and better aligned with the actual development of the Property.

F. Compliance with General Plan

The Town of Gilbert General Plan Land Use Map currently identifies the subject property as *General Commercial*. See General Plan map attached at **TAB 3**. The proposed project aligns with many goals and policy objectives of the General Plan. The following are some excerpted provisions from the General Plan:

GOAL CM-1: Encourage A Balanced Land Use Framework

Policy 1: "Ensure the Town maintains a land use framework that supports a highly livable community through the efficient use of land and resources."

Policy 3: "Support placement of compatible commercial uses and community services that integrate access to daily needs into residential neighborhoods."

Policy 6: *“Support the provision of appropriate transitions between site having distinct changes in types or intensities of land uses.”*

Response: The proposal represents an efficient use of land use resources, turning what are currently empty asphalt parking lots into new uses that benefit the neighborhood and the Town’s tax base. The proposal also provides compatible commercial uses and a perfect example of an appropriate transition of uses. A self-storage use provides a very low-impact commercial use that is a perfect buffer to the more active retail uses occurring closer to the arterial road frontages.

GOAL CM-2: Focus on Quality Development

Policy 11: *“Encourage the reduction of the Urban Heat Island Effect.”*

Response: As noted, the project will remove a large amount of currently unused asphalt parking areas and replace them with new uses. The project will also repair and/or maintain healthy and mature landscaping throughout the site.

GOAL CM-4: Promote Our Neighborhoods

Policy 18: *“Facilitate the activation, redevelopment, or revitalization of Gilbert’s aging or under-utilized commercial and industrial properties and structures.”*

Policy 19: *“Support infill development that is designed to acknowledge the surrounding context.”*

Response: The Property is clearly underutilized, as it has been vacant for years and the majority of the site is surface parking. The proposal represents a much higher and efficient utilization with a mixture of compatible uses. The proposal represents an appropriate infill development opportunity that acknowledges the surrounding context – primarily the adjacent single-family community – by providing a low intensity use designed with adequate height, setbacks, and improvements to ensure compatibility with the context. The project will repurpose the existing building, providing the community with a known, visual entity. Many other commercial uses (permitted by right) with their associated noise, traffic, deliveries, and back of house activity would not be appropriate given the close proximity to residential. This proposal recognizes the existing conditions, utilizes the existing building and will help to sustain and promote the quality of the adjacent residential neighborhoods by providing an appropriate, non-invasive use nearby.

G. Conclusion

As noted above, the proposal provides an opportunity for a “best-of-both-worlds” redevelopment project that maintains good aspects of the current site, while improving

upon the other aspects. The project provides new retail uses in an appropriate, street-fronting location while also providing a low intensity commercial buffer use in the form of a self-storage facility.

We look forward to making this exciting project a reality and breathing new life into this long vacant and struggling center.

Thank you.

Attachment 4: Zoning Exhibit STORAGE & RETAIL

GILBERT, ARIZONA
97 SOUTH VAL VISTA DRIVE
PROJECT NUMBER: 23011
DATE: 07.15.24

EHXHIBIT 8: ZONING EXHIBIT

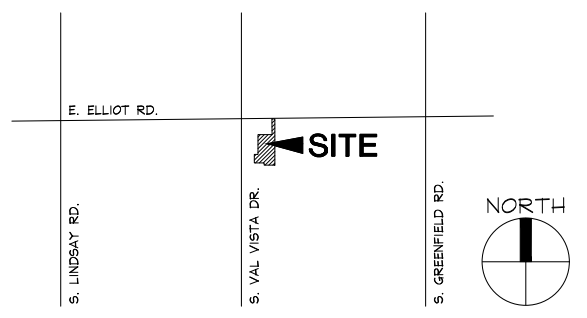
SCALE: 1" = 60'-0"



PROJECT DATA

APN: 309-11-837 (PART OF)
GENERAL PLAN CLASSIFICATION: SC - SHOPPING CENTER
ZONING DISTRICT:
CURRENT: SC - SHOPPING CENTER
PROPOSED: GC - GENERAL COMMERCIAL
SITE AREA:
GROSS: 197,814 SQ. FT. = 4.54 ACRES
NET: 196,271 SQ. FT. = 4.51 ACRES
UTILITY NOTE:
EXISTING FIRE LINE SERVICE, WATER SERVICE, SEWER SERVICE AND ELECTRICAL SERVICE TO BE REUSED WITH NEW DEVELOPMENT.

VICINITY MAP



88 south san marcos place
chandler - arizona - 85225
p. 480.377.2222
www.robertbrownarchitects.com

This document, including the ideas and designs it contains, is an instrument of professional services rendered by the Architect/Engineer. This document may not be used or copied in whole, or in part, for any purpose other than this specific project without the expressed written consent of Robert Brown Architects.

NC
(NEIGHBORHOOD
COMMERCIAL)

CC
(COMMUNITY
COMMERCIAL)

SF-7
(RESIDENTIAL)

N. HARMONY AVE.

E. ELLIOT RD.

S. VAL VISTA DR.

EXISTING R.O.W. TO REMAIN

SC (SHOPPING
CENTER)

SC (SHOPPING
CENTER)

SC (SHOPPING
CENTER)

SC (SHOPPING
CENTER)

SC (SHOPPING
CENTER)

PF/I (PUBLIC
FACILITY/INFRASTRUCTURE)

EXISTING ZONING: SC
(SHOPPING CENTER)
PROPOSED ZONING: GC
(GENERAL COMMERCIAL)

E. SIERRA MADRE AVE.

SF-6
(RESIDENTIAL)

E. SILVER CREEK RD.

S. KEY BISCAYNE DR.

E. CHEYENNE ST.

SC (SHOPPING
CENTER)

SF-6
(RESIDENTIAL)

W:\VBA_PROJECTS\23 Projects\23011 Val Vista & Elliot Storage\Drawings\MS1.11 Zoning_Site.dwg
Jul 15, 2024 - 4:03pm

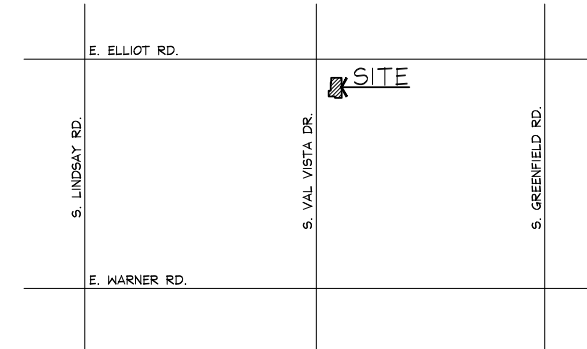
224-01 SEC of Val Vista & Elliot
Attachment 5: Development Plan
STORAGE & RETAIL

GILBERT, ARIZONA
 97 SOUTH VAL VISTA DRIVE
 PROJECT NUMBER: 23011
 DATE: 07/15/24

PRELIMINARY SITE PLAN
 SCALE: 1" = 30'-0"



VICINITY MAP SCALE: N.T.S.



PROJECT DATA

FUTURE RETAIL (BY OTHERS):
 ZONING DISTRICT: SC - SHOPPING CENTER
 SITE AREA:
 GROSS: 63,982 SQ. FT. = 1.48 ACRES

STORAGE:
 EXISTING ZONING DISTRICT: SC - SHOPPING CENTER
 PROPOSED ZONING DISTRICT: GC - GENERAL COMMERCIAL
 SITE AREA:
 GROSS: 196,271 SQ. FT. = 4.51 ACRES

BUILDING USE: STORAGE

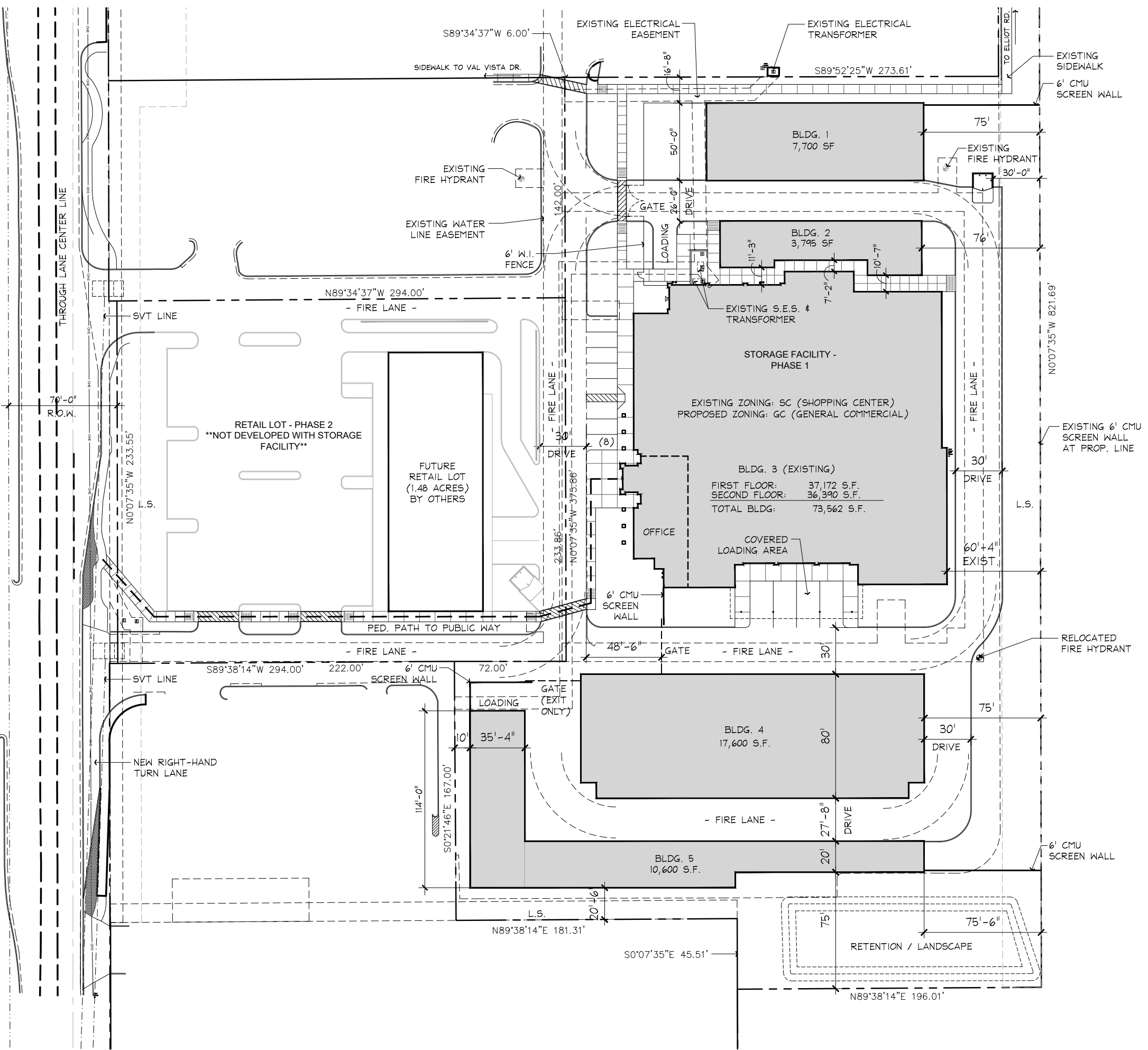
BUILDING AREA:	
BLDG. 1 GROSS:	7,700 SQ. FT.
BLDG. 2 GROSS:	3,795 SQ. FT.
BLDG. 3 GROSS:	73,562 SQ. FT.
FIRST FLOOR:	37,172 SQ. FT.
SECOND FLOOR:	36,390 SQ. FT.
TOTAL:	73,562 SQ. FT.
BLDG. 4 GROSS:	17,600 SQ. FT.
BLDG. 5 GROSS:	10,600 SQ. FT.
GRAND TOTAL:	113,257 SQ. FT.

LOT COVERAGE: 76,8677 SQ. FT. / 196,271 SQ. FT. = 39.2%

PARKING REQUIREMENTS:
 REQUIRED: 8 SPACES (PER TOG-LDC, SECTION 5.3.6.B)
 PROVIDED: 8 SPACES (INCLUDING ONE ACCESSIBLE SPACE) & 6 LOADING SPACES @ 15'x30'

****NOTE****
 DEVELOPMENT STANDARD TO BE AMENDED ALLOWING 60' SETBACK AT EXISTING BUILDINGS. ALL NEW BUILDINGS SHALL COMPLY WITH REQUIRED 75' SETBACKS.

S. VAL VISTA DR.



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chandler - arizona - 85225
p. 480.377.2222
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EXHIBIT "A"
LOT 3A BOUNDARY DESCRIPTION

A PORTION OF LOT 3, AS SHOWN IN "FINAL PLAT FOR VAL VISTA AND ELLIOT CENTER", A FINAL PLAT RECORDED IN BOOK 528, PAGE 40, MARICOPA COUNTY RECORDS (M.C.R.), LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16, BEING MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 16, BEING MARKED BY A BRASS CAP IN HANDHOLE BEARS, NORTH 89 DEGREES 34 MINUTES 33 SECONDS EAST, 2637.24 FEET;

THENCE NORTH 89 DEGREES 34 MINUTES 33 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, 665.01 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00 DEGREES 07 MINUTES 35 SECONDS EAST, 65.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 3 AND THE **POINT OF BEGINNING**;

THENCE SOUTH 00 DEGREES 07 MINUTES 35 SECONDS EAST, ALONG THE EAST LINE OF SAID LOT 3, 821.69 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3;

THENCE DEPARTING SAID EAST LINE, SOUTH 89 DEGREES 38 MINUTES 14 SECONDS WEST, ALONG A SOUTHERLY LINE OF SAID LOT 3, 196.01 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE, NORTH 00 DEGREES 07 MINUTES 35 SECONDS WEST, 45.51 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE, SOUTH 89 DEGREES 38 MINUTES 14 SECONDS WEST, 181.31 FEET TO THE SOUTHEAST CORNER OF LOT 4, AS SHOWN IN SAID FINAL PLAT;

THENCE DEPARTING SAID SOUTHERLY LINE, NORTH 00 DEGREES 21 MINUTES 46 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 4, 167.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 4;

THENCE DEPARTING SAID EAST LINE, NORTH 89 DEGREES 38 MINUTES 14 SECONDS EAST, 72.00 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 35 SECONDS WEST, 375.86 FEET TO THE SOUTH LINE OF LOT 1, AS SHOWN IN SAID FINAL PLAT;

THENCE NORTH 89 DEGREES 34 MINUTES 37 SECONDS EAST, ALONG SAID SOUTH LINE, 6.00 FEET TO THE SOUTHWEST CORNER OF LOT 2, AS SHOWN IN SAID FINAL PLAT;

THENCE DEPARTING SAID SOUTH LINE, NORTH 89 DEGREES 52 MINUTES 25 SECONDS EAST, ALONG THE SOUTH LINE OF SAID LOT 2, 273.61 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE NORTH 00 DEGREES 07 MINUTES 35 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 2, 234.41 FEET TO THE NORTHEAST CORNER OF SAID LOT 2;

THENCE DEPARTING SAID EAST LINE, NORTH 89 DEGREES 34 MINUTES 37 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 3, 26.40 FEET TO SAID **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 193,010 SQUARE FEET OR 4.4309 ACRES, MORE OR LESS.





HUBBARD ENGINEERING

www.hubbardengineering.com

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Mesa, AZ 85210
Ph: 480.892.3313

P.O.C.

NW CORNER,
SEC. 16, T1S, R6E,
FND. BCHH

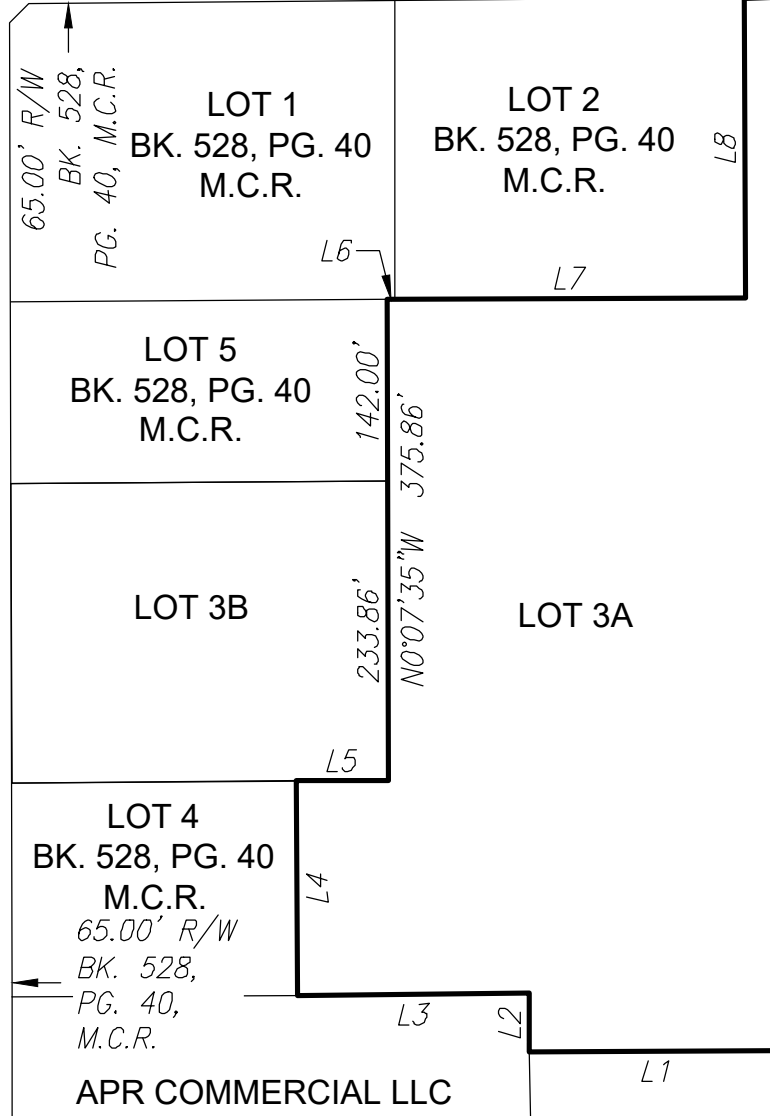
ELLIOT ROAD

N. LINE, NW 1/4, SEC. 16, T1S, R6E
N89°34'33"E 2637.24'

N. 1/4 CORNER,
SEC. 16, T1S, R6E
FND. BCHH

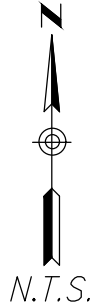
VAL VISTA DRIVE

W. LINE, NW 1/4, SEC. 16, T1S, R6E
S0°07'35"E 2633.05'



1972.23'
S0°07'35"E
65.00'
P.O.B.

SONORAN VISTA
BK. 430, PG. 43, M.C.R.
S0°07'35"E 821.69'



APR COMMERCIAL LLC
APN: 309-11-830

W. 1/4 CORNER,
SEC. 16, T16, R6E,
FND. BCHH



VAL VISTA STORAGE & RETAIL
STORAGE LOT 3A

EXHIBIT "A"

Town of Gilbert, Maricopa County, Arizona

Project No.
23163

Date
05/01/24

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 1 of 2



LINE TABLE		
LINE #	BEARING	LENGTH
L1	S89°38'14"W	196.01'
L2	N0°07'35"W	45.51'
L3	S89°38'14"W	181.31'
L4	N0°21'46"W	167.00'
L5	N89°38'14"E	72.00'
L6	N89°34'37"E	6.00'
L7	N89°52'25"E	273.61'
L8	N0°07'35"W	234.41'
L9	N89°34'37"E	26.40'



VAL VISTA STORAGE & RETAIL
STORAGE LOT 3A
EXHIBIT "A"

Town of Gilbert, Maricopa County, Arizona

Project No.
23163

Date
05/01/24

Project Manager
ADRIAN BURCHAM

Project Eng.

Sht: 2 of 2

HOUSING IMPACT STATEMENT

A.R.S. § 9-462.01

Ordinance no. _____

Case no. PZN-2024-00001

Applicant: Withey Morris Baugh, PLC

1. General estimate of the ordinance's probable impact on the average cost to construct housing for sale or rent.

The ordinance will have no impact on the average cost to construct housing. The property has long been zoned for commercial uses and will continue to be so. The General Plan designation also remains the same (*General Commercial*). The Property is also within a PAD, which is a unique zoning category custom created for each development. The PAD is not applicable to any other property in the Town of Gilbert.

2. Describe any data or reference material on which the ordinance is based.

The reference material on which the ordinance is based is the written PAD and rezoning narrative and accompanying plans for this development.

3. Describe any less costly or less restrictive alternative methods of achieving the ordinance's purpose.

The Town of Gilbert's PAD and rezoning process was the appropriate process to rehabilitate and occupy this long-vacant building while also building new, complementary structures for the proposed development.