

TOWN OF FOUNTAIN HILLS
MINUTES OF THE REGULAR MEETING
OF THE FOUNTAIN HILLS PLANNING & ZONING COMMISSION
MAY 11, 2026

A Regular Meeting of the Fountain Hills Planning & Zoning Commission was convened at 16705 E. Avenue of the Fountains in open and public session at 6:00 p.m.

Members Present: Chair Dan Kovacevic; Vice Chair Peter Gray;
Commissioner Mathew Corrigan; Commissioner Charlie McDermott;
Commissioner Nick Proctor; Commissioner Scott Schlossberg and
Commissioner Phil Sveum

Staff Present: Development Services Director John Wesley and Executive
Assistant Paula Woodward.



Post-Production File

Town of Fountain Hills
Planning and Zoning Commission Meeting Minutes
May 11, 2026

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KOVACEVIC: I'd like to call to order the May 11th, 2026 regular meeting of planning and zoning commission. If we could all rise for the Pledge of Allegiance and a moment of silence.

ALL: I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands. One nation under God, indivisible, with liberty and justice for all.

KOVACEVIC: Thank you.

Okay. Paula, please take the roll.

WOODWARD: Chair Kovacevic.

KOVACEVIC: Present.

WOODWARD: Vice chair Gray.

GRAY: Present.

WOODWARD: Commissioner Proctor.

PROCTOR: Present.

WOODWARD: Commissioner Sveum.

SVEUM: Present.

WOODWARD: Commissioner Schlossberg.

SCHLOSSBERG: Here.

WOODWARD: Commissioner Corrigan.

CORRIGAN: Here.

WOODWARD: Commissioner McDermott.

MCDERMOTT: Here.

KOVACEVIC: Okay. Please read the statement of participation up on the board. Give everybody a second to do that. And move on to number 5, Summary of Current Events by director.

WESLEY: Good evening, Chair, Commissioners. I'm still getting a little bit used to this particular format for the agendas myself. And so I haven't thought deeply about it, but I don't really have anything to update you on that I can think of. So I guess we can move on to the next item.

KOVACEVIC: I think, one thing, if you just explain to the commission, because we

continued an item from the last meeting to the -- tonight.

WESLEY: Okay. Yeah.

KOVACEVIC: You'd let the commissioners know --

WESLEY: Sure.

KOVACEVIC: -- that we're not --

WESLEY: Yes.

KOVACEVIC: -- why we're not hearing that tonight.

WESLEY: Okay. Yes. Thank you for bringing that up.

Yes, we did have the special use permit over on Park View by Mr. Gurczak. That was continued. To consider some redesigns of the project based on the adoption of the new downtown overlay that changed the allowed density. He is planning to reduce the density in the building, so it falls under the new ordinance, and therefore he doesn't need the special use permit anymore. That's why it's not back on your agenda at this point.

KOVACEVIC: Okay. Item number 6, Consent Agenda. There is no consent agenda. Number 7, Regular Agenda. Consideration of possible action. Approving the regular meeting minutes of the Planning and Zoning Commission, April 13th, 2026. Can I have a motion?

PROCTOR: So moved.

MCDERMOTT: Second.

KOVACEVIC: And a second?

MCDERMOTT: I'll second it.

KOVACEVIC: All in favor? Aye.

ALL: Aye.

KOVACEVIC: Opposed?

CORRIGAN: Oh, question.

KOVACEVIC: Sure.

CORRIGAN: I just had a question about -- on page 23, quite frankly, Paula, I don't remember saying -- I mean, I'm not looking for that. Where did that -- I'm not quite sure

how that popped in there. I may have said it. I'm just -- I'm looking for context.

WOODWARD: I'm not sure. I can listen to the audio and confirm for you.

CORRIGAN: Okay. I just -- yeah, maybe you could clarify.

WOODWARD: Okay.

CORRIGAN: Other than that, I -- no problem.

PROCTOR: If I may, I also saw one correction. In one of the documents in the minutes it listed Dan as the mayor instead of the chair.

WOODWARD: Oh, that was at the last page, correct?

PROCTOR: Yeah.

WOODWARD: Yeah, it's been corrected since then.

KOVACEVIC: Okay. B, public hearing with consideration of possible action relating to ordinance 26-11, Amending Zoning Ordinance, Chapter 6, Sign Regulations. Section 6.08 A. 6, drive through sign to increase the allowed size of these signs.

Director, Wesley.

WESLEY: Yes, Chair, Commissioners. Before I jump into that, I will comment that just future references. You maybe noticed little things in the minutes. Feel free to go ahead and give Paula an email or call ahead of time. And we don't have to necessarily take time here at the meeting so we can get those -- those corrected. They usually are pretty minor things.

So this agenda item is to consider an amendment to our sign ordinance. We'd like to, it seems like amend these fairly regularly. So here's another chance. This is an item that has come up over the last few months as we've been working with some developments here in town. But Chapter 6 of the zoning ordinance provides our regulations for signs. We can regulate time, place, manner, but not content in signs. The last major update was in 2021, but we've had a series of other minor modifications since then, but during all these, we've never really considered the standards we have for our drive thru menu boards. What's in the Code today is what's been there for a number of years.

And we have had the question come up somebody wanting to put in one of these boards and their standards a little bit bigger than what we allow. That's what has

prompted this. But here's what our ordinance provides for in terms of description of what a menu board is and the overall basic provisions 20 square feet, five feet tall, one per lane must be within five feet of the lane not readable from a public street. And if it's within 150 feet of a residential district, it needs to be screened.

And looking around I found specific examples in two ordinances in Scottsdale and Gilbert. And their allowance is much larger than what we have here. And then also found some reference to general industry standards on how large these boards typically are these days. And so you can see it's really just the smallest type of facilities that have menu boards that are at or smaller than what we have. But really, when you get to the full service kind of fast food and quick serve restaurants, that they are larger than our current 20 square feet.

And so with that review and what we've seen from other communities and the need that we're seeing here in town, staff is recommending that we increase from a 20-square-foot maximum to a 30-square-foot maximum increase allowed height from 5 foot to 7 feet. Any questions you have?

KOVACEVIC: Commissioner Sveum.

SVEUM: John, do you have any examples of what this would look like?

WESLEY: Just think of your typical menu board that you see at any fast food restaurant in particular. Same type of thing.

SVEUM: Like the drive through --

WESLEY: Right.

SVEUM: -- for your -- for a Starbucks or something like that?

WESLEY: Right. Um-hum.

SVEUM: All right. So we're talking about illuminated -- illuminated?

WESLEY: Correct.

SVEUM: Okay. In the ordinance itself, the -- the 5th, whereas I guess I didn't quite understand what it had to do with constructing housing for sale or rent.

WESLEY: That -- that is something that was -- the legislature passed a few years ago. That's a standard in most of our ordinances now, just to cover our base, to make sure

that we've checked that box as far as the State is concerned.

SVEUM: As far as what?

WESLEY: As far as the State's concerned.

SVEUM: What --

WESLEY: But there really isn't --

SVEUM: -- the meeting is --

WESLEY: -- there really isn't anything really directly applicable this time. But that's a standard language in, you'll see just about all of our ordinances we pass.

SVEUM: For the rest?

WESLEY: Yeah.

SVEUM: Okay. I understand where -- I'm fine. Thank you.

KOVACEVIC: Anybody else? Commissioner Corrigan?

CORRIGAN: Just curious, John. You know, for example just comparison. And -- and Phil brought it up, the display board at, for example, Dutch Bros, that obviously that's the maximum height, right, as far as the drive through type application. So we're just -- we're increasing the square footage.

WESLEY: And we're also allowing an increase in height.

CORRIGAN: Okay.

WESLEY: Yes.

CORRIGAN: Thank you.

WESLEY: From five to seven.

CORRIGAN: Um-hum. Great.

KOVACEVIC: Commissioner McDermott.

MCDERMOTT: Thank you, Chairman.

John, is there any -- is there any provisions for the brightness of the sign, or is that -- is that dealt with somewhere else in the Code?

WESLEY: Chair, Commissioner, that would be dealt with through the outdoor lighting ordinance.

MCDERMOTT: So that's covered --

WESLEY: -- in terms of the brightness. At nighttime, we have a limit on the nits that those can have. Yes.

MCDERMOTT: So that -- so those nits would stay the same.

WESLEY: Yes.

MCDERMOTT: Okay. Thank you.

KOVACEVIC: Anybody else? Okay. I did a little further research. Apache junction allows 30 feet, Litchfield Park anywhere between 20 and 32 feet. So this seems to be, you know, fairly prevalent. So I would be in favor of it. So I guess we're looking for a motion.

CORRIGAN: Motion to approve the new ordinance.

UNIDENTIFIED SPEAKER: Second.

SVEUM: Let me take a roll call.

WOODWARD: Commissioner Proctor.

PROCTOR: Aye.

WOODWARD: Commissioner Sveum.

SVEUM: Aye.

WOODWARD: Commissioner Schlossberg.

SCHLOSSBERG: Aye.

WOODWARD: Commissioner Corrigan.

CORRIGAN: Aye.

WOODWARD: Commissioner McDermott.

MCDERMOTT: Aye.

WOODWARD: Chair Kovacevic.

KOVACEVIC: Aye.

WOODWARD: Vice chair Gray.

GRAY: Aye.

WOODWARD: Seven zero.

KOVACEVIC: Okay. Moving on to the next item. Public hearing with consideration and possible action relating to ordinance 26-10. Amending Zoning Ordinance, Chapter 10

single family Zoning districts to add 10.025 uses permitted by Special Use Permit and Chapter 11, Multifamily Zoning Districts to amend 11.03 uses permitted by Special Use Permit to add provisions for office uses in residential zoning districts.

Director Wesley.

WESLEY: Chairman. So over the last few months, town staff has had some negotiation discussions with Fountain Hills School District about reuse of some of their properties. They were looking to bring in a use -- one of their underutilized buildings. And staff had concerns that the use was not one that was allowed by the zoning ordinance and as a non-school use then wasn't allowed. And given the -- the nature of the school district, this time with some declining enrollments, that created some concern with how buildings might be maintained and the impact on neighborhoods in the long term. If there's not some viable use of these buildings.

In this particular case that things evolved, we understood that the use is going in, did meet the requirement to be a school and was allowed by the zoning ordinance. So that's all moving forward. But it raised the issue for us that we thought it would be valuable to bring before the commission and hopefully ultimately to the council. Is there some way that we can get ahead of this and be prepared for changes to particularly schools, but other nonresidential buildings and uses that we've had historically in residential districts?

Again, the other primary use is going to be churches as -- as things evolve over time. And we may have these buildings that have been built and been used that are in residential neighborhoods, but they're no longer being used for that original purpose. How can they be reused in a way that's appropriate for the neighborhood? And so they don't just decline and deteriorate and be an eyesore to the neighborhood. So that's what this is about this evening to start a discussion on that, the staff has come up with one option for your consideration this evening. There are probably other ways can be handled. So we look forward to having a discussion with the commission about this this evening, where -- where this might go.

So what is being proposed is that we make an amendment to two chapters of the zoning

ordinance, both of which would then allow the option of a property owner or an applicant, with the consent of the property owner, to apply for a special use permit to allow office uses in the residential zoning districts that require the full citizen participation so the neighbors are being involved. Require the full public hearings for PNZ and counsel. So again, the public has the opportunity to be involved in that discussion. To do this requires a whole new section in Chapter 10, single family zoning, because we don't allow for any special use permits currently in the single family districts. And then an amendment to the section of the multifamily district that does currently allow for special use permits.

And the way we've drafted at this point, the provisions govern it would actually be the same in both. So I've just covered one here. And let's see they're in Chapter 11. There is -- because there is some existing language there. There's some rework of that a little bit. Otherwise they're the same.

So what staff is proposing at this point to start the consideration discussion is that we would allow through the special use permit process property owner could apply for any of the uses that are currently allowed in the office zoning districts on these -- these properties, minimum of two-acre lot size. So you can't just be a standard single-family lot a few thousand square feet. It needs to be a larger -- larger lot. It must have already been an existing nonresidential use, an historic nonresidential use on the property. So again, it can't be somebody that has their home. And now they want to try to do something different with it. It had to have the nonresidential use historically. It's limited to reuse of existing buildings. If you -- doesn't allow for any expansion of the footprint or other structures on the property, no outdoor storage unless specifically permitted as part of the special use permit.

Signage. Very limited signage as approved by the Special Use permit. Outdoor activity limited to typical playground kind of activities. Traffic and parking again must be on site using the existing parking lots and so forth. Hours of operation limited to weekdays 7 to 6. And then approval would be limited to the applicant, not -- nontransferable.

So those are the provisions that we have thought of to put in here. Again, as a starting

place for discussion this evening. Again, trying to provide an avenue in the future as we may have more instances of existing nonresidential buildings and residential districts not being used -- fully utilized and finding a way that they can be maintained compatible with the neighborhood.

So with that chair, I'd like to see what comments questions the commission may have.

KOVACEVIC: Anybody want to start? Commissioner Gray, since you didn't say anything about the last one, do you have anything with this one?

GRAY: Yeah, I thought the last one was too tall, but it wasn't the fight I was going to pick. Yeah, I -- so I struggle with this. I'm sure John knew that I was going to do that. Seems -- seems to me, you know, the intent -- the underlying intent of -- of school properties inside of districts was, you know, to be a community service. And I really struggle with the idea that, you know, we -- we're -- we're being tasked with or are trying to find a means to hone the -- the round peg for the -- for the square hole here. And I just don't know that it's appropriate for us to do that. I feel like -- I feel like this might be a scenario where, sure, we can craft language to -- to make it viable and you know, allow a school district or a not for profit or whoever to turn something into a revenue generator. But that's not what the intent of that -- that property -- that parcel was to be, you know, in its contract with the community.

So I guess I'm in the camp -- I want to hear -- I want to hear tonight out. But I'm in the camp of thinking this isn't our place. That -- that we should really stay out of it. And if -- you know, it's not my call, but my way of thinking is if -- you know, if a -- if a school district can't -- can't keep a school asset viable. You know, maybe the -- maybe the approach we ought to take you know, as a -- as a zoning body is to recommend something much more drastic, like, if it's going to sit vacant, if it's going to, you know, end up in a -- in a dilapidated condition, maybe we ought to force its -- its demolition or something like that. Versus open Pandora's box potentially to -- to allow different entities you know, to seat themselves inside of -- inside of residential districts.

So I want to hear tonight out, Chair, but I'm starting out from a position of I -- I'm not sure this is what we should be doing.

KOVACEVIC: Okay. Thank you.

Any other commissioners? Commissioner Proctor.

PROCTOR: I agree, I've got a little -- little angst about this. As I understand, specifically in the school, there is a private entity that wants to occupy that facility but does education. So it's a similar function but a private entity. Is that -- is that correct?

WESLEY: Chair, Commissioner, yes. In this case, as things worked out, that's what -- what is happening? And so it is allowed by the zoning ordinance. The specific use.

PROCTOR: So -- so that is permitted then --

WESLEY: Yes.

PROCTOR: -- under existing ordinance.

WESLEY: Yes, um-hum.

PROCTOR: Well it seems to me if we open -- open Pandora's box, we're going to have different commercial entities applying for special use permits wherever they can. And I would imagine that would get a lot of pushback from the residential area around. I know if I lived in the area, I'd be one objecting to it. So I agree, I don't think this is something that we -- we ought to go down the road on, so.

KOVACEVIC: Thank you.

GRAY: Yep --

KOVACEVIC: Commissioner Gray --

GRAY: -- but can I just talk to you real quick?

KOVACEVIC: Yeah. Jump in.

GRAY: Yeah. Yeah. So I appreciate Commissioner Proctor's sentiment there. I think that if -- you know, if you allow something like this to -- to play out, you know, we have to use the school as our example here. But if you allow that to play out, you know, the school is -- is in a position of probably wanting to cover their -- their operational exposure on the property. And ultimately, the school is probably going to offer some -- some -- some form of rent concession to these commercial entities that can come in and you know, make their application, et cetera, et cetera.

And so I think that the other thing you have to consider as we deliberate this is if -- if

we're going to open up new avenues to commercial utilization, and you can draw a straight line to say, hey, you know, it's probably going to be available at whatever, 30 bucks a foot instead of 36 bucks a foot. Then we're going to further put a burden on our -- on our -- you know, our existing commercial core, which, you know, we all know is significantly challenges as it is.

And then secondarily, I think you have to consider there is a chance that you could end up with unintended uses in a scenario like this. And granted, yes, it still have to come through the process in the special use permit. But you could end up with, you know, something that we don't necessarily want to see inside of residential neighborhoods, or at least we're opening a gate to that. So I want to be reserved from that perspective as well. Thanks -- thanks, Chair.

KOVACEVIC: Thank you. Commissioner Schlossberg.

SCHLOSSBERG: So John, I'm going back to Four Peaks Elementary, and we at one point we had Bob's Free Bikes in there. We had a watchmaker in there. We had a caterer in there. What was the scenario back then? Did they have to come and get a special use permit -- permit for those uses back then, or was it --

WESLEY: So Chair, Commissioner, some of that predates my specific history. So I'm going a little bit on what I've learned and been told since then. So it started off, as with EVIT being in there. EVIT's East Valley --

SCHLOSSBERG: Right. Right.

WESLEY: -- Institute of Technology. And so they are an education facility that offers along with it then the specific job skill training. And so that's what it was supposed to be. Turned out that EVIT that it really didn't make it work there.

SCHLOSSBERG: Right.

WESLEY: And so they brought the businesses in and then they left. So the businesses were there. And they really weren't there, consistent with the town zoning.

SCHLOSSBERG: So EVIT brought those businesses under the auspices of EVIT and -- okay, not on their own. Okay. I do, and I will -- Commissioner Gray that was an interesting thought on the price per square foot and taking further commercial from

town and taking it over too. That's definitely an unintended consequence I didn't think about. So a couple interesting points of thought.

KOVACEVIC: Commissioner Corrigan.

CORRIGAN: Yeah. Thank you, Chair.

John, I'm just wondering this is McDowell Mountain School, and I'm probably confusing it with McDowell Mountain Elementary, which is over on Glenbrook, and -- and Fountain Hills Avenue -- sorry, Boulevard. And I guess what I'm asking is, where is this located in town?

WESLEY: So the one that we had the challenge with, it's been resolved now, was where the Falcons -- Little Falcons Preschool has been most recently, but it was elementary school. But this would -- if something along this line, if approved, it would apply to any of the schools, as well as some other uses, such as churches of Boys and Girls Club and so forth. Nonresidential uses in residential districts. So we're trying to look to the future and provide a mechanism to help those buildings be reused in a reasonable way.

CORRIGAN: Okay. And my main concern here, just as a discussion point, kind of more or less follows the trend of, you know, Vice Chair Gray and you know, I guess Scott and Nick, the concern is I want to -- our neighborhoods protected, residential neighborhoods protected. That's probably -- no, it is the highest -- of highest order. So I wouldn't want to see that change much, not a dramatic change.

And like the vice commissioner said -- vice chair said that may happen -- unintended consequences that could happen. And again, this is just discussion. But I like the model of, you know, Toll Brothers where they came in and built more houses and that type of thing. I'd rather see -- if we have a preference, I'd rather see that type of thing happen where the neighborhood is preserved as residential rather than commercial. And then, you know, we had the watchmaker and so on. And for whatever reason, they left. And then that left that open again. So just again, just food for thought.

KOVACEVIC: All right. Commissioner McDermott. And I have to apologize to you because you're the only one using the audio equipment properly. Everybody else is hitting the right button, and I can see the red ring around their mikes. But you're on my

screen here, and I'm not looking at it, so I'm sorry about that.

MCDERMOTT: Thank you, Chair. I appreciate that.

John, are there other districts in the valley that have done something like this that we could look at as a model of success, or perhaps not some lessons learned from --

WESLEY: Sure.

MCDERMOTT: -- other districts?

WESLEY: Chair, Commissioner, I haven't done extensive research at this point, a little bit that I've seen, it's been mostly converting schools to multi residents. That's been happening around the valley that I -- that I've -- that I'm aware of.

MCDERMOTT: They demolished the buildings and --

WESLEY: Or reuse them, whichever. But it's been, yeah, that type of pattern and where our schools are at, I don't know if that's viable here.

MCDERMOTT: Okay. Okay. Thank you.

KOVACEVIC: Anybody else? All right. Thank you for asking that question because I did that research and I've I found one of Phelps Dodge took a school building in Inspiration, Arizona, and turned it into an office while they were doing their mining inspirations out near Globe. And that's the only one I could find. Everything else has been a tear down and redevelopment. The -- my question for you would be, is a municipal use already allowed if the -- if the town wanted to turn it into another community -- community center. Is that already allowed?

WESLEY: Yes, Chair. Nonprofit community center type operations are already allowed.

KOVACEVIC: Okay. And then I just don't like the -- I don't like the school district getting into the office building or office business. It's just it's not the commercial -- the commercial real estate business. Commissioner Gray was very generous with -- with \$3 a foot rents. I think the rents here in town are about a buck or a buck and a half a month. So, it's \$12 to \$18. Whereas residential rents are \$2 to \$3 a foot - or a month. The retrofit costs for -- to turn these into viable offices is -- is incredibly high, and the school district is -- it's well publicized that they need money there. This isn't -- they're not flush with money to make this investment. And the town vacancy rate, I think

Amanda reported in the fourth quarter that it was 23 percent. So the demand is not there for office space. So I -- I'm having a hard time with this as well. But what the -- what I'm trying to get my arms around, if the school -- if we close the school and we had a single user that wanted to come in and use the entire space for say, light industrial, which that has had more success than office. The office buildings terrible -- or the office business is terrible right now. How would we -- are we better off just saying no to office tonight? And if the situation came up, do a text amendment then. And then have that user apply for the special use permit. And just -- just kick the can all the way down the road.

WESLEY: So Chair, certainly that's an option this evening. As mentioned earlier, we saw this come up as an issue over the last few months. We see the possibility of the type of issue coming forward again as -- as schools and churches and other buildings that are currently occupying residential districts may have challenges being maintained and used in the future. And we're just looking for a way to get ahead of it, and maybe we're too far ahead of it and need to wait and bring this back at some other time, or explore other options. I just wanted to have this discussion this evening and see what kind of feedback we would get.

Because while I understand the concerns about uses coming in to a neighborhood that might be viewed as detrimental, that would happen going through a very public process, and so it would get well vetted at that point. And so which may be more detrimental to the neighborhood as those uses or is it a building sitting there deteriorating? And that's kind of the thing that we're trying to weigh. And the thought was that the building sitting there deteriorated and not being used is more detrimental to the neighborhood than trying to find some way to get another viable use into the building.

KOVACEVIC: Commissioner Sveum.

SVEUM: Actually, I came here tonight thinking this was a good idea. Provide some opportunities, some -- some options for the District, but I think the comments are legit. You know, maybe it's the thing to do is to talk with the school about having them put together an overall plan of what to do with these properties. Maybe your department

can help them decide what to do or have something that's a little bit tighter. If there's concerns about the -- the type of tenants that they're not -- not falling in line with what is desired in a neighborhood, maybe they should be given some direction on that. But I mean, like I said, I think this -- the list would be fairly -- pretty nonoffensive to even to a neighborhood. You might have people actually living there nearby that want to walk to their office. In fact, I even thought the hours were too late. There's small businesses that work weekends. So I'm -- I'm fine with -- with what -- what the -- where we're heading here with this. But I would encourage the school to -- and whatever other nonprofits that are involved that have property that have been asking is to put a plan together and see what what's the best route? Maybe convince us that to give them that flexibility somehow.

KOVACEVIC: Oh, Commissioner Schlossberg.

SCHLOSSBERG: I'm following the rules.

John, I'm going back to Four Peaks Elementary. So my understanding currently, there is no one in that building. Is that correct?

WESLEY: That's correct.

SCHLOSSBERG: Okay. And the -- so back to McDowell Mountain Elementary. There is a possible tenant that is educationally --

WESLEY: Yes.

SCHLOSSBERG: -- coming in there --

WESLEY: Yes.

SCHLOSSBERG: -- with no need for any kind of special use --

WESLEY: Correct.

SCHLOSSBERG: -- permit or anything? Okay. All right. Thank you.

KOVACEVIC: I did speak to the school district today, and they have -- their indication was they have no interest in being in the commercial real estate business, and it's -- yeah, it's a -- it's -- it's really tough and it's very capital intensive and they don't have it. So given that, what would you like to see -- what would you like to see from us tonight?

WESLEY: So you've given us some good comments and feedback. And so I don't know

that any specific actions necessary at this point. We will take it back. We'll state it on our end. And if and when we think it's worthy to bring back based on the comments, we'll -- we'll get it put on a future agenda. But I don't want to put a time limit on it because, you know, we may decide it's more and decide it's not -- not the time and just -- just push it off for a while.

KOVACEVIC: Okay. So we'll let it go okay.

So that takes us to 7 D, discussion and possible direction regarding draft revisions to Chapter 11 multifamily zoning districts.

WESLEY: Chair, Commissioner, so I know at least have Commissioner McDermott's new since we discussed this last. I think everybody else was here. But you'll recall at the start of the year, I brought forth an outline for you and began discussion of my thoughts on reorganizing our zoning ordinance. And we have reviewed a couple of chapters previously. And so I have one more to cover this evening, but we'll provide some of that background again, since it's been a while since we discussed it.

Looking at ways to reorganize our current ordinance it's -- was originally developed back in 1990. It's been amended a lot of times, piecemeal fashion over the years. And it seems like it's time to have that comprehensive rework of it and reorganization of it. And so the goals here are, again, to reorganize the chapters take things from a list of uses to some use categories and use tables. I think it makes it a little easier to use and then better organize the various development standards and requirements that are kind of scattered through the ordinance currently. I'm not proposing significant changes. But as we'll talk about at least one tonight, there are a few changes that we do see as we're going along that we think are worthy to consider and include.

And so previously we discussed a new section 1.13 to zoning ordinance, which is the section that would list all the different use categories that's been provided for you for your review. And we discussed chapter 5 about Open Space District and chapter 6. These are the new numbers by the way, of single family residential. And so this evening want to take a quick look through the new chapter 7 multifamily zoning district. But before we do that again, here is the organization. Current ordinance is on the left.

And the proposed organization for the ordinance when we're done is on the right. And so again, trying to group the different districts together and different standards together, instead of having them spread out through the ordinance like they currently are.

So again, the -- the current ordinance is an example from the multifamily district currently of the list of uses that are allowed in multifamily. And so you can see the uses. But along with that, there are sometimes some standards stuck in, such as on the churches, including the columbarium, the ten percent of total building area. And so there's a standard stuck in with the description of the use and that gets a little bit cumbersome sometimes to remember some of those things there that way.

So our idea is instead to create use categories. And these are the different categories that we've identified and included in section 1.13 that would group things by. And so for example, under C residential some of the categories that would be there as far as the use -- use categories, you can see these for community residence duplex, multi residence and single family both attached and detached. Or under the quasi-public, here are some of the uses that were in the table before, but now they're grouped together in this fashion.

And so that leaves us then to the use tables which would look like this. And so it lists the zoning districts and then the different use categories and whether they're allowed or not. P says they're allowed. The dashes mean that they're not allowed in that category.

So one of the things that's a little bit challenging in our current ordinance is you can see the only thing different about the R-2 district is that it doesn't allow multifamily, allows a duplex, but nothing more than a duplex. And it's kind of hard to pick that up in the current ordinance. But here, hopefully that's a lot more clear. And so it goes through then the different uses that are allowed. And it has the list on the right-hand side if there's some further section description. So you can find that. Or if it's just a minor change, it's a footnote at the end of the table that this is where you find all those things that were in that list before with individual uses.

And so groups the permitted uses, the special use permit items, the temporary use permits are all kind of right there together. So you can see right away instead of reading through pages of the document to find where those different uses might be. So again, we think this is a lot clearer and easier for users to see what -- what uses can go where as it may be researching the town.

So one thing that is different in this is attached single family. Our current ordinance allows for the detached single family. So that's one dwelling unit per lot. Or you can have condominiums where you might have multiple units, but it's still on one lot. It's a condominium. So you just own the airspace in the unit but not the ground underneath you. And you can have apartments, but you can't have what might typically be known as row houses or townhouses. And the picture on the bottom right there. Those individual homes that are in there are -- owned the land under them have some yard in front or back maybe, but they get to own the ground and that's not allowed in our current ordinance.

And so if I go back up here to this one, you can see here the single residence. It lists both attached and detached. So that would be new having the attached single residence as an option. And then when we get to the table itself here, you can see under the single residence that it allows both -- both the attached. There are certain rules that go with that. And so that -- what I developed so far are right here. I'm not sure I like it yet. You may see this differently when we really come back and look at the Code. I'm trying to fit this in our current table, and I'm beginning to think I'm going to need to create a separate table that's for the attached single residence. It's kind of clunky getting it to fit in to this table.

SVEUM: Quick question. The single family attached, you mentioned condominium. What about it? Like, zero lot line type of arrangement?

WESLEY: It's not allowed in today's code.

SVEUM: Is it -- is it allowed to be put into the Code?

WESLEY: That's what -- that's what I'm proposing to do --

SVEUM: You are.

WESLEY: -- with this.

SVEUM: With a zero lot line rather than --

WESLEY: Right.

SVEUM: -- a condominium?

WESLEY: Right, right. That's what I think that's missing from our current code. And what I would like to add.

SVEUM: I didn't -- I didn't see that. I thought you were going to -- it would be required to develop the condominium plat and everything else.

WESLEY: No. No, it would -- it would be a -- yeah, a zero lot line plat versus a condo plat. So you could own the ground.

SVEUM: Well, the advantages, of course, are easier to finance for a buyer than a condominium or easier to build for a developer and be able to sell them. That's why I was wondering if it was (indiscernible).

WESLEY: Right.

SVEUM: Okay. Thank you.

WESLEY: So here this -- go ahead.

KOVACEVIC: I was just going to say then -- and you know, there's been a lot of talk about bringing in entry level housing, and that's one way to do it.

WESLEY: Right. So Chair, currently we have a lot of condominiums in town, a lot of duplexes were built. And over the years they've come back and done a condo on them. And we're seeing a lot of challenges long term as the property owners, the unit owners really working together to maintain the lot itself and who really has responsibility for that. It'd be a lot easier if we could have actually done this type of split of the duplex into two separate lots, and it's real clear on that ownership and that maintenance of the properties and so forth.

So what I've come up with at this point is that the narrowest any individual lot could be is 20 feet, and you have zero sides, as long as you're -- you're -- where you're building to the next one. But when you get to the end, then it's whatever the same setback is in that zoning district, whether it's the R-2, 3 or 4 district. And so again, but like I say,

when I try to stick that on here because of the lot area and the dwelling unit per lot, it gets a little bit clunky. So I'm not sure it really works quite right yet. So I'll have to figure that out. But -- but these are the basic standards I'm looking at what I've seen kind of in other combination I've seen in some other codes and what I think fits within what we have.

Any other questions about that? You see a need for this in the town. Seeing some yeses.

KOVACEVIC: Commissioner Gray.

GRAY: Yeah, I guess I see the value proposition. I don't know -- I don't know if I'm all the way there, but I -- I think I'm okay with -- with where John's taking it.

KOVACEVIC: Okay. Commissioner Sveum.

SVEUM: I think it's the rationale carries over to existing duplexes that have been dilapidated or just not well taken care of. Go through the process of zero lot line, for instance, and be able to divide those -- that duplex up, sell each side. And you've got owners there that will maintain it better with a very simplified process rather than the overkill of a condominium, right.

WESLEY: Right.

SVEUM: Yeah. I'm -- I'm really in favor of this. I think it's a good idea.

KOVACEVIC: Commissioner Corrigan.

CORRIGAN: My concern, John, is property values. I think entry level housing is a new opportunity, and we should take advantage of it. I have in mind, you know, like a state trust land, something like that, where it's a mixed model, single-family residence is kind of small and then mixed with condos and then also, you know, upscale homes, you know, as we see around here. And my concern about this is -- and I don't know if it's just a stigma thing, but when I see row houses and townhouses, I immediately think of high density, you know, urban settings New York, Chicago, Milwaukee, the older -- older cities where this has been done. And so I have concerns about that.

And my main concern is that when we do the entry level housing this way, in my mind, I see property values diminishing, coming down. So the concept I like but I think the

end -- the end of -- the result or the end of the building process and the build out and completion and then ownership. I think that might devalue other properties. And in my opinion it's going to bring down property values. That's just an opinion.

WESLEY: Commissioner, in relation to -- to that one example I know of in town is the narrow canyon through their PAD. They have some -- this type of housing up there with attached single family. I think Commissioner Sveum's right about the duplexes that are currently in town, be a great reuse of some of those properties. They can be just as high dollar as any other home. They don't have to necessarily be entry level homes.

CORRIGAN: Okay. Thank you.

KOVACEVIC: Commissioner McDermott.

MCDERMOTT: Thank you, Chair.

John, I just have a quick question and a comment. My comment is I really like the tables a lot. I think it makes it a lot easier for readability. So I think that's a -- that's a big improvement. One I don't understand I guess is under accessory. It says home occupation. I guess I'm not familiar, what -- what -- what does that mean?

WESLEY: So as an accessory use in a -- in a residential dwelling, you can have home occupation as provided for in section 5. In this case will change 15.14 the -- of the zoning ordinance sets out the criteria that you have to follow for home occupation.

MCDERMOTT: Again, so what is home occupation? I guess I'm just --

WESLEY: So -- yeah. So it's a business you operate out of your home --

MCDERMOTT: Oh.

WESLEY: -- under certain criteria.

MCDERMOTT: Okay.

WESLEY: You know.

MCDERMOTT: Okay. So that -- okay -- okay -- okay. Thank you.

WESLEY: So otherwise, again, as I stated before, we're really just moving things from the current ordinance. Just -- just reorganizing it. So again, some things have moved around as the sections are listed here, but really didn't change in wording or requirements. And everything else with regard to parking and signage, lighting, all those

things stay the same.

Any questions you have about where we're at? Again, this is initial review. Just going to be bringing these to you as we have the opportunity when we've been through all of it. We'll bring back the whole thing then for a more in-depth discussion and public hearings.

KOVACEVIC: I like it, too. I think this is a great start.

WESLEY: Okay. Thank you.

KOVACEVIC: Okay. Number 8, call to the public.

Paula, do we have any speaker cards?

WOODWARD: No, Chair.

KOVACEVIC: Commission discussion direction to the director. Commissioners?

Commissioner Gray, anything for John?

GRAY: Oh, I've been here. It's out of bounds, so treat it accordingly. But you open with asking John for an update on why our continuance isn't before us tonight. And of course, I heard the response and we just got another lesson in unintended consequences of stuff going through the process. And I know that the commission by default sent a recommendation of no vote on that, but now we just lost total line of sight to something that was a long ways from what I think a lot of us thought it needed to be, given the parcel and the placement and the orientation and so on and so forth. And that density went through the rest of the process a couple of weeks ago. And now -- now the ship sailed. I just think that's really unfortunate, but I think that's another data point that this commission had better reflect on.

You know, especially with agenda item -- I don't know, the agenda item or chair, but the item we talked about first there with the school property, we better be really careful with the unintended consequences of our actions, because I think that's -- that's exactly what happened there. And I think it's unfortunate. I know that's out of balance.

Nobody has to address it. But I wanted to get that out there.

KOVACEVIC: Thank you.

Any other commissioner -- any other commissioners? Future agenda items?

WESLEY: Chair, Commissioners, at this point, I'm not thinking of anything we have for a June meeting. We'll let you know for sure in the next little bit. But right now, it looks like we won't have a need necessarily for June meeting. We could potentially pick up another chapter of the zoning ordinance, but I don't necessarily want to call you all together just to do that. So we'll let you know for sure.

And otherwise it'd be good if you could, over the next few weeks, give Paula some feedback on any of your summer plans. So as we look at the possibilities for July and August meetings, that we'll know if we have any challenges with quorums for those, because we do have a couple of applications that are on the horizon that will probably hit either July or an August meeting. So need to be aware of that. That's it.

KOVACEVIC: All right. Do I have a motion to adjourn?

PROCTOR: So, moved.

KOVACEVIC: Second.

MCDERMOTT: I'll second.

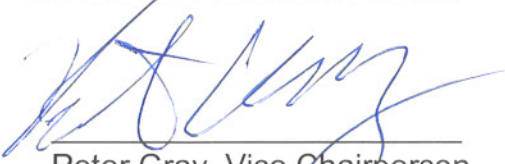
KOVACEVIC: All in favor? Aye.

ALL: Aye.

KOVACEVIC: Seven zero.

Having no further business, Chair Kovacevic adjourned the Regular Meeting of the Planning and Zoning Commission held on May 11, 2026, at 6:49 p.m.

TOWN OF FOUNTAIN HILLS


Peter Gray, Vice Chairperson

ATTEST AND PREPARED BY:



Paula Fisher, Executive Assistant

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting held by the Planning & Zoning Commission of Fountain Hills in the Town Hall Council Chambers on the 11 of May 2026. I further certify that the meeting was duly called and that a quorum was present.

DATED this 10 Day of August 2026.



Paula Fisher, Executive Assistant

