

TOWN OF FOUNTAIN HILLS  
MINUTES OF THE REGULAR MEETING  
OF THE FOUNTAIN HILLS PLANNING & ZONING COMMISSION  
OCTOBER 13, 2025

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: Chairperson Dan Kovacevic (telephonically); Vice Chairperson Clayton Corey (telephonically); Commissioner Mathew Corrigan; Commissioner Nick Proctor; Commissioner Scott Schlossberg (telephonically) and Commissioner Phil Sveum

Members Absent: Commissioner Peter Gray

Staff Present: Development Services Director John Wesley, Senior Planner Farhad Tavassoli, and Executive Assistant Paula Woodward.



**TOWN OF FOUNTAIN HILLS  
SUMMARY MINUTES OF THE REGULAR MEETING OF THE  
PLANNING AND ZONING COMMISSION  
OCTOBER 13, 2025**

**1. CALL TO ORDER, PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Commissioner Sveum called the Regular Meeting of the Fountain Hills Planning and Zoning Commission held on October 13, 2025, to order at 6:00 p.m. and led the Commission and audience in the Pledge of Allegiance.

**2. ROLL CALL**

Commissioners Present: Chairperson Dan Kovacevic (telephonically); Vice Chairperson Clayton Corey(telephonically); Commissioner Mathew Corrigan; Commission Nick Proctor; Commissioner Scott Schlossberg (telephonically);and Commissioner Phil Sveum

Commissioners Absent: Commissioner Peter Gray

Staff Present: Development Services Director John Wesley, Senior Planner Farhad Tavassoli, and Executive Assistant Paula Woodward

**3. STATEMENT OF PARTICIPATION**

**4. CALL TO THE PUBLIC**

None

**5. CONSENT AGENDA**

- a. **CONSIDERATION AND POSSIBLE ACTION: Approving the regular meeting minutes of the Planning and Zoning Commission August 11, 2025.**

**MOVED BY** Commissioner Proctor to approve the regular meeting minutes of the Planning and Zoning Commission August 11, 2025. **SECONDED BY** Commissioner Corrigan. 6/0 Unanimously

**6. REGULAR AGENDA**

- a. **PUBLIC HEARING, WITH CONSIDERATION AND POSSIBLE ACTION: Ordinance 25-09, amending Zoning Ordinance Chapter 1 (Introduction), and Chapter 19 (Architectural Design Guidelines), authorizing administrative personnel to review and approve design review plans based on objective standards.**

**MOVED BY** Commissioner Proctor to recommend the Town Council approve Ordinance 25-09, amending Zoning Ordinance Chapter 1 (Introduction), and Chapter 19 (Architectural Design Guidelines), authorizing administrative personnel to review and approve design review plans based on objective standards. **SECONDED BY** Commissioner Corrigan. 6/0 Unanimously

- b. **PUBLIC HEARING, WITH CONSIDERATION AND POSSIBLE ACTION: Request for a Special Use Permit to allow up to six (6) residential units on a 12,000 square-foot property generally located 200 feet west of the of the northwest corner of Avenue of the Fountains and Verde River Drive (16740 E. Avenue of the Fountains; APN#176-27-008) in the C-2 (Intermediate Commercial) zoning district.**

**MOVED BY** Commissioner Proctor to recommend the Town Council approve ( with stipulations) a Special Use Permit to allow up to six (6) residential units on a 12,000 square-foot property generally located 200 feet west of the of the northwest corner of Avenue of the Fountains and Verde River Drive (16740 E. Avenue of the Fountains; APN#176-27-008) in the C-2 (Intermediate Commercial) zoning district. **SECONDED BY** Vice Chair Corey. 6/0 Unanimously

- c. **PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION: Special Use Permit to allow 11 residential units on 11 non-contiguous parcels in a commercial subdivision (Plat 106) generally located north of El Pueblo Blvd. between Fountain Hills Blvd. and Ivory Dr. in the C-C (Community Commercial) zoning district.**

**MOVED BY** Chair Kovacevic to continue the PUBLIC HEARING, CONSIDERATION AND POSSIBLE ACTION: Special Use Permit to allow 11 residential units on 11 non-contiguous parcels in a commercial subdivision (Plat 106) generally located north of El Pueblo Blvd. between Fountain Hills Blvd. and Ivory Dr. in the C-C (Community Commercial) zoning district, to the November 10, 2025, Planning and Zoning Commission meeting. **SECONDED BY** Commissioner Corrigan. 6/0 Unanimously

7. **COMMISSION DISCUSSION/REQUEST FOR RESEARCH** to staff.

Chair Kovacevic inquired about the wireless text amendment status.

8. **SUMMARY OF COMMISSION REQUESTS** from Development Services Director.

Mr. Wesley said that the plan is to pick up the wireless discussion at the November Planning and Zoning Commission meeting. He said he has met with the new town attorney regarding the wireless text amendment.

9. **REPORT from Development Services Director.**

10. **ADJOURNMENT**

Commissioner Sveum adjourned the Regular meeting of the Fountain Hills Planning and Zoning Commission held on October 13,2025 at 7:07 p.m.

Post-Production File

**Town of Fountain Hills**  
**Planning and Zoning Commission Meeting Minutes**  
**October 13, 2025**

Transcription Provided By:  
eScribers, LLC

\* \* \* \* \*

Transcription is provided in order to facilitate communication accessibility and may not be a totally verbatim record of the proceedings.

\* \* \* \* \*

**TOWN OF FOUNTAIN HILLS  
OCTOBER 13, 2025 PLANNING AND ZONING COMMISSION MEETING MINUTES**

---

SVEUM: Well, let's do the pledge.

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.

SVEUM: All right. Thank you.

Paula, roll call please.

WOODWARD: Chairman Kovacevic.

KOVACEVIC: Present.

WOODWARD: Vice Chair Corey.

VICE CHAIR COREY: Here.

WOODWARD: Commissioner Sveum.

SVEUM: Here.

WOODWARD: Commissioner Schlossberg.

SCHLOSSBERG: Here.

WOODWARD: Commissioner Gray.

Commissioner Corrigan.

CORRIGAN: Here.

WOODWARD: Commissioner Proctor.

PROCTOR: Here.

WOODWARD: Okay.

SVEUM: Thank you. Call to the public should fill out a request and hand it over to Paula. Thank you.

Do we have any cards?

WOODWARD: No, Chair.

SVEUM: All right. Nothing on the consent agenda.

WOODWARD: Our meeting minutes.

SVEUM: Oh, yes.

WOODWARD: Item number A.

SVEUM: Okay. Is there a motion to approve the regular meeting minutes of the Planning and Zoning Committee of August 11th, 2025?

PROCTOR: I'll make that motion.

CORRIGAN: Second.

SVEUM: Moved and seconded.

All those in favor?

ALL: Aye.

SVEUM: Opposed? Motion carried.

WOODWARD: 6-0.

SVEUM: All right. Next on the agenda, public hearing with consideration and possible action, ordinance of 2509, amending Zoning Ordinance Chapter 1 and Chapter 19, architectural design guidelines authorizing administrative personnel to review and approve design review plans based on objective standards.

TAVASSOLI: Thank you, Mr. Chairman, members of the commission both up here at the dais and joining us remotely. So as you mentioned, this is a zoning ordinance text amendment to Chapter 19 particularly with a few additions to the definition section of section 1 of Chapter 1. So what is the purpose of this amendment that we're bringing before you? This is staff initiated. However, it is in response to some recent legislation that was approved earlier this year.

Actually, I believe it was codified earlier in the summer, that being HB 2447. Like I said, it's codified in the statutes, and this is to replace -- the purpose of this amendment is in response to that legislation. And particularly here, the purpose is to replace subjective design guidelines that are spelled out in Chapter 19 of the Zoning Ordinance. Those guidelines address particularly architecture, architectural enhancements, features, embellishments, color palettes, things like that. So the purpose is to replace those subjective design guidelines. And I'll explain a little bit more later what we mean by subjective versus objective.

To replace them with objective, measurable standards. It is to enable administrative approval of those objective standards. We already approved site plans administratively, with a few exceptions, but I just wanted to reinforce that point. And also maintain high quality context sensitive development outcomes ultimately. Again, as I mentioned, HB

2447 was approved earlier this year. So this is somewhat going over some of the same stuff I went earlier. But it takes effect at the end of the year. And you might be thinking, well, why are we coming to you at this point here in the last quarter of the year presenting this to you. Well, given the lead time and given the fact that we didn't have a commission meeting, I'm not sure if it was July or August, but it didn't quite work out to bring it before you any earlier. So we staff kind of try to put this together and bring something before you, so we can meet that deadline.

So what are our objective standards. Well, they're not based on personal interpretation or taste. I'll give you some examples of that here in a few seconds. They're verifiable by reference to adopted benchmarks or criteria in the zoning ordinance. And it uses measurable terms such as shall, must. It lists numeric values, for example, when it talks about light reflectivity, sidewalk width. So an example would be a facade. This is particularly in the architecture section. Facade must be -- must include three materials rather than just simply saying facade should include three materials, or it would be great if it would include three materials.

And also, for example, walkways must be 5 feet wide. So we'll start with amending the title. We're going to change it, Chapter 19, the title currently being Architectural Design Guidelines to Architectural Design Standards to reflect a shift from discretionary guidance to enforceable standards. Now, this here is a summary of the amendments that are being proposed in the ordinance, or I should say Chapter 19, in particular. You may have gone through the legislative edits that are attached to the staff report, and you've probably noticed a lot of strikeouts and a lot of additions. Much of that was kind of restructuring so that the language is a little bit more clear.

There were a few additions with regards to applying or implementing some measurable standards, as I mentioned earlier, but largely the outcome that we expect to see in our architectural reviews would closely align with the -- what are now the guidelines and soon to be, hopefully, standards.

What I will do at this point, since there are a lot of edits that you've noticed already, I will -- if you would allow me to slowly, not too slowly, scroll down some of these edits

and starting with Sections 1901 and 1902, which clarifies the purpose and applicability. And at this point, for those two sections, I'll open it up to any questions or comments you might have. Sorry. I'm too fast there, but as you can see -- yes.

KOVACEVIC: I have a question. I think part of 1901, is that with the stacking of the -- is that the section that mentions the stacking of the cars?

TAVASSOLI: 1901. The reference to stacking. That would be -- I'm hearing from John. That would be for the drive throughs --

KOVACEVIC: Yeah.

TAVASSOLI: -- in 1903. Yeah, that would be in the next section.

KOVACEVIC: All right.

TAVASSOLI: Well, 1903 specifically.

KOVACEVIC: Well, when we -- I'll ask my question when we get there.

TAVASSOLI: Okay. Okay. So okay. Well, hearing no comments, I will move on to Section 1903, which addresses site planning. And here, we've added measurable standards with regards to site planning and walkway width. And as Chairman Kovacevic mentioned, stacking particularly -- a stacking capacity of 11 vehicles per lane from a pickup window at a drive through establishment.

Commissioner or Chairman Kovacevic.

KOVACEVIC: Yeah. I guess and I see number 11 came from. That's what's already in our code, but I did -- that just seems like an awful lot of cars to require. And so when I looked at what our neighbors to the south require, and they're in the neighborhood of four, I think maybe three from a pickup window from the order speaker 6. But 11 just seems like an awful lot. Now, I would guess that this isn't maybe the place that we would want to change that; we don't have the time. But between that and the LRV, which we haven't gotten to yet I think some of these standards, we want to -- well, that's my comments.

TAVASSOLI: Okay.

SVEUM: I have a question regarding that as well. Is this -- if it was a pharmacy or a bank, it might have two lanes. Does that include both lanes or just one lane or how

that's --

TAVASSOLI: That's a good question. Well, in this case it says per lane. So we could consider splitting that between two lanes if -- or switch two lanes.

SVEUM: That's -- yeah. I think it is a good point there. That's an awful lot of cars. Probably four or five per lane would be sufficient. But are there other situations where you've come up with -- when you're working with drive throughs that -- if they wanted more or less, or you've had to kind of cut them back, or has it been a problem? Not with 11 probably.

TAVASSOLI: Dutch Bros has a particularly long two lanes.

SVEUM: Yeah. Yeah. That's true.

TAVASSOLI: But other than that, I -- we've actually John and I have dealt with few drive through establishments featuring drive through establishment or drive through lanes. But as you can see, there are many throughout town that have been around for a while.

SVEUM: I was also in that same section looking at avoiding pedestrian. I think the minimizing is a good way to put it because there might be parking. Well, for instance, even at one of the other coffee establishments off of Fountain Hills Boulevard, the line combined way back, but there's parking on the other side of that of that drive through lane. So I mean, you really can't avoid being there. I'm just -- I think minimizing is a good maybe a good term.

Are there other commentary?

CORRIGAN: My thought was the same about the Dutch Bros at any given time on from, let's say, 6 a.m. to 9 even. You might see more than 11 cars, but there are two lanes. So to -- yeah, valid point.

SVEUM: Okay. If I can, what was the rationale for 11 per lane?

TAVASSOLI: That's a good question. As you can see, because it's not -- hasn't been struck out or edited. That's been there for -- that was there previously. I'm not sure if it was from the original ordinance or if it was evolved over time, but.

SVEUM: Perhaps prevailing practice, I mean, I --

TAVASSOLI: Probably. It might have been based on previous models. Now you got

phone orders and pick up windows and things like that.

SVEUM: I concur with what the sentiment that 11 may be a bit much and maybe split them up per lane.

TAVASSOLI: Okay. All right. So anything further on -- for Section 1903, parking and vehicular circulation, site design variety. I'll just go over to 1904, which addresses requirements for facade articulation, color limits, and energy efficient features. And by that, we mean particularly shaded areas and patios and things like that.

So Section 1904(a) addresses facade articulation. And yeah, really much of it is in the same spirit as what is currently in effect, only as you can see here, we've kind of broken it down, so folks can read each of the criteria kind of in a line-item format, one, two, three, four.

SVEUM: Commissioner Corrigan.

CORRIGAN: Farhad, I might be showing my ignorance here, but what is visual interest?

TAVASSOLI: Visual interest. Well, I guess you could say it is -- it has to do with how attractive a building is, or does it -- does the architecture, I guess, kind of attract the attention in any special way of a pedestrian or passerby.

CORRIGAN: And the reason I asked that question is, you know, I guess we're trying to stay away from the subjective and more the definitive is that in the area of maybe subjective versus factual.

TAVASSOLI: Yeah. Something that's kind of hard to measure.

CORRIGAN: I don't know.

TAVASSOLI: It all depends on taste. Yeah. Yeah. Yeah. I understand what you're saying. The hope is with these objective standards such as the ones here one through four, the goal would be to attract some visual interest. Now, whether or not these requirements will actually do that, yeah, that would be subjective. I would agree.

CORRIGAN: Would -- just consistency to the prevailing architectural design of the town, or I don't know quite how to phrase that, but rather than a subjective term as I see it, a visual interest.

TAVASSOLI: Yeah. That's a good point. There's somewhere in here in the zoning

ordinance that or in Chapter 19 where it talks about earth tones or neutral colors, but. Maybe we'll come across it here shortly, but yeah, I understand specificity matters. Moving on here, color and material variation might be in here. So I think Chairman Kovacevic made mention of this, that there is a mention in here of the light reflectivity values as a measurable standard in reviewing architectural features.

KOVACEVIC: I think that's 1906, we'll get -- so we can -- we'll get there.

TAVASSOLI: Okay. Okay. Energy efficiency and shading. Got some measurable standards here. As I said, energy efficiency here. We mean things such as building orientation, shading devices, reflectivity of roofing materials. There's already mention of a misting systems and canopies being permitted. This is not required. Transparency and security. This is to avoid dark things such as dark corridors, hiding spots. There's a section in the general plan that discusses encouraging a safe -- what's called safe by design. I'm not sure if that's a trademarked phrase, but as it is right now, the current -- currently the chapter is the same in the same spirit. Although, again, we're using objective standards here.

Accessibility, screening, utilities and equipment, corporate buildings, infill, and contextual compatibility. So that concludes Section 1904.

Moving on to Section 1905. As you can see here, landscaping and signage. We've defined landscaping quantities, signage integration, and lighting limits as objective standards.

I wish there was a smoother way to scroll down this page.

Water conservation, parking lot, landscaping. And again, I want to reemphasize the fact that currently everything is in paragraph form, and so we've broken it down here to make it easier to navigate and to find the requirements by using the numbers.

Okay. I'm not hearing much, so I'll move on to materials and colors.

So here, we've mentioned permitted and prohibited materials. And there are already some -- I think there were already some prohibited materials mentioned in here in the current version. I want to change the format here to be consistent with the other instead of using bullets, use numbers. Okay. Reflectivity -- yes, Chairman Kovacevic.

KOVACEVIC: Any comments on this yet?

TAVASSOLI: No. Not yet.

KOVACEVIC: Okay. Sorry.

TAVASSOLI: I'm sorry, Chairman. Were you asking if I'm taking comments or have there been any comments?

KOVACEVIC: Are you taking comments?

TAVASSOLI: Oh, yes. Absolutely. Sorry. I misunderstood you.

KOVACEVIC: Okay. Sorry. So with the colors and the LRVs, we have a minimum, but we don't have a maximum. And our neighbors have a maximum, and it's generally 40 or less. And they allow 60 or less on commercial, but 40 or less is residential. And so, you know, again, I don't know if we're addressing the actual standards or just trying to fix them or set them to or document what they already are, I guess is what I'm trying to say. But as we revisit these chapters of the ordinance, we should look at a maximum LRV as well, because it's not comfortable driving down the street and having a sun reflecting off of a bright white house into your eyes. That's all.

TAVASSOLI: Point well taken. There is a -- let's see here. Well, going back to one of the previous sections, 1904, there is a LRV is addressed under the -- let's see. That would be section B, color and materials variation, where for facades, we would be requiring an LRV between 20 and 60. So I'm not sure if that addresses your concern, but not beyond that. Not beyond 60.

SVEUM: The changes that you're -- you put in in the red line, everything, are they compared to surrounding community? Is it any more strict than Scottsdale or Mesa?

TAVASSOLI: Having looked at -- Commissioner Sveum, members of the commission, having looked at some of the other ones, there were a handful of jurisdictions where their design -- well, they would be design standards were measurable, and they've actually provided a rubric. And I don't -- I can't say for sure which one it was that I came across, but I think, it might have been Scottsdale. Yeah. And there were quite a few jurisdictions that already had Queen Creek. I clearly remember speaking with the development services director there, and yeah, they had to make very few changes in

response to this, HB 2447.

SVEUM: It's nice to have kind of a measuring stick with all this and make it your comments easier to -- or your review easier to make and have the applicant understand what the requirements are. Architecture is in the eye of the beholder. So again, putting some meat to it or some teeth to it, it makes a lot of difference. I think it's a good idea. It's hard to follow all of this, I will say, because of all the changes. We spent a lot of time on 5G that goes underground, and we're not spending a lot of time on what's above ground, but I mean it. So that's -- I think it's -- I don't know if this has to be all decided tonight without having a final copy or. I know your -- we have to have it done by the end of the year, correct?

TAVASSOLI: Right. Yeah. I believe the way the statute is codified, it would need to take effect December 30th, which means we would need to have it approved in November.

SVEUM: Yeah. So any comments from those that are out of town?

Commissioner Corrigan.

CORRIGAN: Farhad, I just wondered with Scottsdale, how did they designate all this? Is it by palette or reflectivity, or how do they measure when it's reference to color? I'm just curious. How do they do that? How do they determine what's an acceptable palette or reflectivity or whatever? Are there restrictions?

TAVASSOLI: I mean, we don't --

CORRIGAN: Let's say, for example, just being outrageous here. Pumpkin orange or parrot blue or you know I mean? Do they define a palette, a color, a scheme?

TAVASSOLI: Mr. Chairman, Commissioner Corrigan, I don't think they -- like, you know, whatever you want to paint your house, you get this fan deck, you know. You wouldn't find a palette an acceptable, I guess, palette of colors. Typically, they're generalized as you know, earth tones or -- yeah. But yeah, that's one objective standard that we don't find, at least from what I've seen.

CORRIGAN: Okay. Thank you.

TAVASSOLI: Yeah. And then, Section 1907 just found this as an opportunity to just clarify the administrative role in appeals procedures. So not much change there. Now,

if there's no more comments about these proposed changes in Chapter 19, we did have to add a definition to the definition section of the zoning ordinance, that being design review plan. The legislation uses that term, but it's really synonymous with site plan. Now, there's no the ordinance uses site plan a lot throughout the ordinance, never design review plan. But we included now both definitions to make the definitions clear and also clarify that they are synonymous with one another. And they do align with the current legislation. And also, to ensure consistency and legal clarity as I just mentioned, with these two -- addition of these two new terms.

So the intended outcome is to ensure compliance with state law and -- to the end of my presentation here, provide predictable, consistent review for applicants and staff, reduced delays by allowing administrative approvals. Like I said, we already do that. But we will be doing the same once these standards become objective and to preserve the town's design, quality and character. So our recommendation is to approve the proposed amendments to Chapter 19 as presented, as well as to add the two definitions to Chapter 1 or specifically Section 1.12.

Got it? Thank you.

SVEUM: Questions? Well, ask for a motion.

CORRIGAN: Before a motion --

SVEUM: I guess I have -- I'm sorry.

CORRIGAN: Oh. I'm sorry.

SVEUM: I should ask if there's any other public --

WOODWARD: No Chair.

SVEUM: All right. I'll close the public hearing and ask further questions.

PROCTOR: I don't think from hearing from other Commissioners, we're ready to approve as written. There were some questions on the stacking. Others on some other areas but not a ton. I'm all for, you know, narrowing the subjective bandwidth. I think this does a good job on that. But I'll just throw a suggestion, perhaps we can buck this back to staff to make those changes and bring it back to us next month for approval or for consideration for approval. Or alternatively, we could make a motion stipulating

what changes we want made and go that way. But I think from listening to other Commissioners, there are a few tweaking areas that we'd like to do.

TAVASSOLI: Chairman, Commissioners, that's what I would recommend. I got a pen handy here. So if -- aside from recording the meeting, but if any specific changes that you'd like to see, now's a good time, and we'll make sure that they're reflected on the version that town council will be receiving next month.

SVEUM: Are we having a meeting next month, John?

WESLEY: Yes, Chair. We will be having a meeting next month. We've got several items that will be on that agenda. We'll point out, as Farhad pointed out earlier, in order to make sure we're compliant with state statute, we need town council to act on this November because it takes 30 days for it to go into effect. So if we're to be done by the end of the year, council needs to act in November. So if you want to continue, it would need to schedule a special meeting within the next week or so for you to come back together to consider those amendments.

SVEUM: Well, does the calendar not work if we meet at our regular -- or it doesn't work for November? Oh.

WOODWARD: The meeting date in November is scheduled November 10th.

KOVACEVIC: Commissioner, can I make a comment here? Like, for instance, the stacking -- the stack, that's already in the Code. That's what our existing code says. That's not something staff came up with to put in a new amendment. It's what it already says. I'd like to suggest that we approve it and ask John and Farhad to revisit the specific numbers that go -- that are in this section of the Code. And that we review them and have the chance to modify them and that they use Mesa, Chandler, Scottsdale, Cave Creek, carefree as -- and compare the numbers to what those municipalities have in their code. Because the -- like the stacking is -- it is way out of line with what everybody else requires, but I don't think this is the night to change that. That's my two cents as far as that goes.

CORRIGAN: So Dan, you are -- you are suggesting to pass it as it's been presented and then address it -- have staff addressed the stacking and bring it back?

KOVACEVIC: Yes, that's what I'm suggesting. Stacking, I think we -- I don't have a complaint with the numbers. I think they need to be restated in that other section of the Code. In 1906 -- I mean, we mentioned it earlier on the facades, but in 1906(e), we should have a statement there that we have a maximum LRV of 60 or whatever it is. But that -- yeah, but that's where I'm at. I would pass it so that so that we can remain compliant with state law and then come back and revisit the actual numbers.

TAVASSOLI: Are you okay with that?

CORRIGAN: Sounds good to me.

TAVASSOLI: Okay.

PROCTOR: Well, with that Mr. Chair, I'll make the motion to move to adopt ordinance 2509 as written.

KOVACEVIC: It's been moved. Is there a second?

SVEUM: Second?

CHAIR KOVACEVIC: All in favor, signify by saying aye.

ALL: Aye.

KOVACEVIC: Opposed? Motion carries.

WOODWARD: 6-0.

KOVACEVIC: Thank you. All right. Next on our agenda is public hearing with consideration and possible action request for a special use permit to allow up to six residential units on a 12,000 square foot property located 200 feet west of the northwest corner of the Avenue of the Fountains and Verde River Drive, which is 16740 East Avenue of the Fountains in the C-2 Intermediate Commercial Zoning district.

TAVASSOLI: Thanks again. Commissioners Sveum, members of the Commission. So some of you might be familiar with this property as it was presented before you as a different special use permit request about a year ago, I think it was about 11 months ago. So this is a 12,000-square-foot vacant lot located just down the street here by the Chase Bank. In between the Chase Bank and a vacant lot immediately to the west of that is a series of commercial buildings, which include establishments like the Thai restaurant and a new martial arts studio. It is zoned C-2 currently with the planned

shopping center overlay, as well as another overlay, that being the entertainment district. The general plan designates it as the Town Center.

Directly to the north is the common parking area that's intended to provide all the parking for Plat 208. And to the south, as I mentioned, is the Avenue and Park Place, one of the phases of Park Place, just beyond that to the south. So this is coming to you as a special-use permit request, because the applicant is proposing more than one residential unit on one of the upper floors. That being a total of six for-sale residential units. Each of those residential units being 31 -- little over 3,100 square feet. Those residential units will be multi-level, but they'll be occupying the second and third floors, and there will be a deck on top of that where the elevators will lead up to, and each individual unit will have its own elevator, I should note.

The commercial suites, of course, would be on the lower level. Each of those suites -- each of those three suites will be approximately 950-square feet. Parking. There will be six private garages for each of those units accommodating a total of two cars. They're pretty -- if you look at the site plan, they're pretty deep. I think it's about 37 or 38 feet in depth. So it may accommodate a tandem arrangement but, certainly, wide enough for cars to park side by side. There is access to the parking in Plat 208 in addition to the shared and on street parking for commercial.

The architecture, as you can see on the lower right, features a desert modern design. The height to the, I believe, to the parapet is just under 40 feet. And as I mentioned, the elevator overrun goes to the 44-foot level.

I should mention for the record, there was some confusion by particularly one of the Commissioners about the previous special-use permit case that came before. I don't quite remember the number of units. I think it's -- 12. Thank you. 12 units. That came in November of 2024. That passed overwhelmingly, however, it did not proceed to the town council meeting as there were some changes in the plans, so to speak.

So the zoning ordinance requirements -- yes.

CHAIR KOVACEVIC: This is Dan.

TAVASSOLI: Yeah.

KOVACEVIC: You're saying that planning and zoning voted unanimously to approve the prior on this lot?

TAVASSOLI: Correct, Chairman Kovacevic. And I believe it was a 7-0 vote. I think everyone was present at that meeting.

SCHLOSSBERG: Hey, Chair. I think I was a nay.

TAVASSOLI: Okay.

KOVACEVIC: What's that?

SCHLOSSBERG: Schlossberg was a nay on that vote.

KOVACEVIC: Okay. So it's 6-1.

TAVASSOLI: 6-1.

KOVACEVIC: Okay.

TAVASSOLI: My apologies. Yeah. But yeah, it did not proceed to the town council. So I was going over the parking requirements here for -- so typically for commercial uses, there's one space required for 275 square feet. Residential requires two and a quarter for each unit in a multifamily arrangement. And so a total of 48 would be required, but the parking requirements are met through the tract 208 common area, plus the private garages I mentioned earlier.

Solid waste is required within 250 feet of walking distance of each of these units. There is currently a trash enclosure within -- well within that distance. It would require approval from Plat 208, the Property Owners Association, prior to any of the residents using that trash enclosure. So there's ongoing discussion between the applicant in the Plat 208 association about perhaps adding an additional enclosure. So public -- the applicant, as required, did arrange a public outreach effort.

I actually had a meeting last month, I believe September 25th with the neighboring landowners and stakeholders to state it more generally. I believe I have this slide titled incorrectly. I think this should be about, basically, consistency with the general plan and the zoning ordinance. But the general plan supports mixed use, walkable development for this area in particular, and encourages compatibility with surrounding uses. In our estimation staff, it meets -- the proposal would meet the zoning ordinance and overlay

district intent with the minor height exception subject to site plan review. This is the -- this is correctly titled.

We believe it's consistent with the general plan and downtown vision, what the applicant is proposing. It supports mixed use, walkable development, and is compatible with surrounding land uses, meets zoning and overlay district intent with the mixed-use nature of what's being proposed with the residential in the second floor, and minor height exemptions are subject to site plan review as well.

I think before I go, I really don't have much more here. But before going ahead in these slides, I thought I'd pull up the site plan. And by the way, the applicant is here as well, has also prepared a presentation. But if I can navigate here and just share a few details real quick.

And again, you've seen this rendering. As I mentioned, the residential units, all six of them here, they will be multi-level on the -- starting on the second floor. First floor, commercial. There will be three -- well, at least three -- actually, more, walkways leading into the commercial level of the building. And then, garages would be, as I mentioned, at the rear. These are actually side view -- this is a side view here. I believe this -- yeah. The side elevation and the front as well. You saw the rendering earlier. And then, the back would feature the garages. And there will be some modifications that will need to be made to the driveways accessing the back of this building. As I mentioned, each of the units will feature an elevator. And I think that's about the extent I wanted to share with regards to the building's design and architectural features. And I will conclude here shortly if I pull up the right presentation. So our recommendation is to recommend approval of the special-use permit request as presented. There are two stipulations that you see in the staff report but you see a total of five bullets here. Much of this -- three of these are actually taken straight out of the zoning ordinance, such as site plan approval being required and substantial conformance with submitted plans.

And with that, I'll conclude my presentation and open it up to questions. As I mentioned, the applicant is here as well and has prepared a presentation. Thanks.

SVEUM: Questions so far?

Commissioner Corrigan.

CORRIGAN: Farhad, in the -- I know in the analysis staff analysis, one of the comments was it notes here that the applicant is proposing a tandem garage for each unit, but staff is concerned that the length of the tandem garages might be too short. And considering that the request required dimensions for parking stall are 9 by 19 and the garages appear to be shorter than that. Is this part of the modification that you were talking about? Is that what you're referring to?

TAVASSOLI: Now Mr. Chairman, Commissioner Corrigan as was mentioned earlier in my presentation, or perhaps I didn't address this in the staff report, the garage is wide enough for two cars to park side by side. That garage door that you saw earlier in that elevation, 16-feet wide, so certainly, two cars can park in there. Now, the depth is about 38 feet. And so perhaps a two -- perhaps economy sized car and a smaller car could fit right behind it. But certainly, a lot of square footage within that garage. Yeah.

CORRIGAN: Okay. Thank you. I think that's it.

TAVASSOLI: Yeah.

SVEUM: I'll pull up your presentation here. There you go.

DEMOSS: Okay. All right. Okay. Thank you. Hi. My name is Samantha DeMoss. I'm with Rose Law Group, 7144 East Stetson. And I am here tonight for the East Avenue of the Fountain's mixed-use development on behalf of Bondy Construction and Design. So Farhad gave a great presentation, so I won't try to be, too -- I'll try not to be too repetitive, but this is the general conceptual. It's mixed-use right on the avenue of the Fountain's next to the bank.

All right. And so the purpose of our request, it's zoned C-2. We're going to have C-2 uses on the ground floor. The purpose of the SUP is to allow the addition of the residential units. It's going to be six residential units, totaling about a little over 3,100-square feet per unit. And then three small commercial suites on the bottom at about 1,000-square feet. It is vacant, and it's generally located on the corner of East Avenue Fountains and Verde Drive. The lot is a little over a quarter acre. It was originally

platted in the original Plat 208 in 1971, and was replatted in 2001, and has been vacant since then.

And as Farhad mentioned, there was a prior concept before that was withdrawn that had 12 townhomes. And we now have six with the mixed-use concept. Okay. And that's just kind of a street view of where we're at. Okay. And then this is the zoning in the overlays. As I said, it's intermediate commercial. It's also located within the entertainment overlay and the planned overlay district and the general plans and area plans that apply are -- it's in the Avenue District of the Downtown Vision Plan. It is in a mixed-use growth area, and it has a mixed-use designation in the future land use plan. So this is the preliminary site plan. As you can see, it'll be pedestrian oriented commercial at the ground level, accessible to pedestrians attending the commercial suites on East Avenue of the Fountains. And then, the residents will access it through the back with their private garages. We're set back 5 feet on the front. The sides have a 3-foot setback to allow pedestrian walkway along the sides and no setback on the rear. And the density is about eight-dwelling units per acre and the lot coverage, the ordinance standard is 100 percent, and we are at 79 percent for our lot coverage. All right. And those are our preliminary architectural elevations. You can see like he was talking about the private two-car garages in the back and they are intended for non-tandem parking. But the garages have elevator access through them to get straight up to your unit if you're a resident. And then there's just the other side elevation. All right. And then site access and circulation. Just to kind of help you visualize, the residents will enter on North Verde Drive and enter through the back. And we've been in contact with Plat 208 consistently, and we'll have meetings coming up. But they wanted us to meet with them to finalize the site access and shared improvements during the site planning phase.

Okay. And then there's just the back view. Okay. And this is just kind of a general idea of the design concept. Very appropriate in a downtown pedestrian-oriented vertical separation of uses with commercial at the street level. And then it'll be transparent glazing and wide sidewalks to be attractive to the pedestrian and promote safety.

All right. And community outreach. We had five people attend our neighborhood meeting, and most of them were just curious, and we had nothing but positive feedback. We've also been doing outreach with the local owners on the Avenue of the Fountains, and we also presented to the Fountain Hills Chamber of Commerce. And we have their support. And that is our support letter from the Fountain Hills Chamber of Commerce.

All right. And so a little bit about the developer. He's actually local. He's going -- he lives here, and he's going to own and operate it. Him and his family live in Fountain Hills, and they're excited to become further involved with Fountain Hills through this project. And then, that's just kind of some concepts of -- they're very experienced company, and these are concepts they've done in the past kind of proving their track record, especially with infill and mixed-use oriented sites.

Okay. And this just kind of goes over the vision for the downtown and the overlays, entertainment, live, work, play, heavily interactive. And this encourages coordinated multi-tenant development with the pedestrian focus as those overlays intend.

Thank you and I'm happy to take any questions.

SVEUM: Perhaps I missed it. The residential units are rental, or are they for purchase?

DEMOSS: For purchase, yes. So they'll be for sale.

SVEUM: They're for purchase.

DEMOSS: Yeah. The idea is have long-term residents that can live and walk around, and there will also be an association for the condos separately.

SVEUM: Separately.

DEMOSS: Yeah. Uh-huh.

SVEUM: Thank you.

Mr. Corrigan.

CORRIGAN: I understood they were for sale, is that not correct, the six units?

DEMOSS: Uh-huh.

CORRIGAN: Oh, okay.

DEMOSS: Oh, yeah. Sorry. I meant there will be an association for the general property

management, but they're for sale. Uh-huh.

CORRIGAN: What are your thoughts about the commercial users? Any thought put into that or what you're trying to attract as far as retail or service or?

DEMOSS: Yeah. The applicant's currently actively targeting retail lessees. The goal is kind of an anchor tenant is a coffee shop or something along those lines and then just appropriate uses that would complement that.

CORRIGAN: So they'll all be tenants that would pay a sales tax?

DEMOSS: Yes.

CORRIGAN: (Indiscernible) requiring that now. All right. And they're all about 950 square feet, you said?

DEMOSS: Yes. So if there were food related users, they'll be smaller users, like a coffee shop, but yeah, about 950-square feet per. Uh-huh.

CORRIGAN: Okay.

SVEUM: Anyone? Anyone have any other comments of our -- other commissioners? Questions?

Go ahead, Clayton.

SCHLOSSBERG: It's Scott here.

SVEUM: Oh.

SCHLOSSBERG: I just wanted to comment. I mean, I've been doing this a long time with P&Z, and that was I -- in my opinion, arguably the best packet I've ever seen. I mean, I really don't have any questions because it was so well done. So kudos to the Rose Group.

DEMOSS: Thank you. I'm very lucky I have a project manager who's beyond detailed, so I'm sure all your questions were answered, and staff was very helpful as well.

VICE CHAIR COREY: This is Clayton. I agree and great PowerPoint presentation.

DEMOSS: Thank you.

KOVACEVIC: This is Dan. One question for you. The parking is behind the -- where the garages are and behind the building. There's not really a place provided that somebody parking in the Plat 208 parking lot can walk to the front to get into the retail. Has any

thought been given to that?

DEMOSS: Yeah. So there will be setbacks on the sides of the building. Three foot, and there'll be walkways so that they can walk straight through. The reason the setbacks are on the side is so that the residents didn't have to do tandem parking so that they could have that full space. But the full access details will cover in the site planning as we work with the association as well. Thank you.

SVEUM: Any other questions? Comments?

CORRIGAN: I guess I was just curious. This project is in the shopping and entertainment overlay, and that's the request for the special-use permit for that. And I know we've had -- I'll call it a trend of commercial properties turning into other than designated and usually residential. And this, by the way, it's a very attractive project. There's nothing aesthetically or physically wrong with it. It's a beautiful project, but I continue to question the special-use permit process for this. And I recognize that right across the street, Park Plaza, one, retail on the bottom, you know, residential on top. That's the plan that that is consistent. And Park Plaza, two, and three, will probably happen. I understand that, but I am concerned about the special use permit process that we use to continually seemingly turn commercial property into residential. So that's my concern. It's not necessarily something that you would answer, but maybe more for the commission to consider.

And the other thing, do you happen to know the De Ja View condo, which is fairly close to your development project. Do you know if that happens to be a rental or an ownership project? It's maybe two units away. I saw it on the plot.

DEMOSS: I'm not familiar with that project. I'm sorry. I just know ours will be for sale, but I'm not familiar with that one. My apologies.

CORRIGAN: Okay. Thank you.

DEMOSS: Of course.

SVEUM: All right. I guess I will also mention the Fountain Hills Chamber of Commerce letter that you had referenced. We all did get a copy of that. So want to put that into the record.

Any other questions? I'll close the public hearing. Any further discussion?

Is there a motion? Oh, sorry. Go ahead, Dan.

KOVACEVIC: I just wanted to mention to Matt. Matt, the underlying zoning here is C-2. So in order to do residential in a C-2 zoning district, we have to do a special -- but we got a zoning overlay that encourages residential, but we still need to do the special ordered palette. They still have to go through that process.

CORRIGAN: Thank you for the clarification, Chairman Kovacevic. Appreciate that. Thank you.

SVEUM: All right. Is there a motion?

PROCTOR: I'll go ahead and make the motion that we approve the special use permit for up to six dwelling units. All residential units to be on the second and third floors with the two stipulations listed in the staff recommendations.

SVEUM: Second. Is there a second?

COREY: Second.

WOODWARD: Who was that that just second?

CHAIR KOVACEVIC: Oh, that's Clayton.

SVEUM: Clayton. Okay.

All right. Any further discussion?

All in favor, say aye.

ALL: Aye.

SVEUM: Opposed. Motion carried.

DEMOSS: Thank you, Commissioners.

SVEUM: Thank you.

Next, public hearing in consideration of possible action, special-use permit to allow 11 residential units on 11 noncontiguous parcels in a commercial subdivision Plat 106.

Generally located at the north of El Pueblo Boulevard, between Fountain Hills Boulevard and Ivory Drive in the city or the community commercial zoning district.

TAVASSOLI: Thank you, again, Chairman, Commissioners. Commissioners, I'm sure you recall this special use permit request for the residential units of Plat 106 came before

you in August, in which the applicant presented a new plan differing from the initial plan about several months before that. The applicant, or rather the Commission, upon conclusion of the presentation and the as proposed voted to post- or rather continue the case to today's meeting to in which the Commission might have expected to see a revised plan.

I'm here to tell you that the applicant is still in ongoing discussions with the owners of Plat 106. Some progress has been made with regard to some proposed -- even more proposed changes in which the hope is that there would be a more organic, more cohesive design. Like I said, it's still ongoing. The applicant is requesting that it be further continued to the November 10th commission meeting. Otherwise, I don't have a presentation before you, but the applicant is here. In case you have any questions for him. Thank you.

SVEUM: Any questions?

CORRIGAN: Yes. Dan, I have one question for John. How many continuances can we give before we can't continue anymore?

WESLEY: So Chair Kovacevic, if the Commission has a limited number that they can do and has to take action, I believe it's within 90 days, but if it's the applicant requesting the continuance, they can basically ask for as many as they want.

KOVACEVIC: Okay. So they can ask for continuances until they get their plan --

WESLEY: Yes. The Commission doesn't necessarily have to agree with the continuance, but you're not under the same obligation to act within a certain number of days when it's the applicant that's requesting the continuance.

KOVACEVIC: Okay. Thank you.

SVEUM: Thank you, John.

All right. Next commission discussion. Request for research to staff. Oh. Oh. I'm sorry.

UNIDENTIFIED SPEAKER: I actually make a motion to vote on this --

SVEUM: Okay.

CHAIR KOVACEVIC: I'll move that we continue to November 10th meeting.

SVEUM: Is there a second?

CORRIGAN: I'll second that.

SVEUM: All in favor?

ALL: Aye.

WOODWARD: 6-0.

SVEUM: Okay. Now, we'll go to Commission discussion/request for research to staff.

We're looking for any -- for anything from the staff.

KOVACEVIC: Yeah. Well, I'm wondering, John, when are we going to get back? When can we wrap up wireless broadband?

WESLEY: Chair, yes, I was going to give an update on that here in just a moment. I guess I can't -- and I'll go ahead and do that now if you would like, and kind of move on maybe to our combination of items 8 and 9 here on the agenda as far as my report. I can't say when you're going to wrap it up, but I can say that the plan is to have -- pick up the discussion at your November meeting. As you know, the last time we met, which was June or July on, I can't remember which it was, we started talking about the small cell portion of the requirements, and we went through a presentation of the different pieces of that.

The main controlling document in that is the Terms and Conditions document. And we've been needing our attorney to get up to speed on a number of things. She came on board with the town, and so we had a meeting, again, with her last week to review the progress on her review of that document.

And she felt that she could complete that review and have me some information, so we can be prepared to start talking about it again at the November meeting. That's the goal that we set. And so again, we do plan to pick that particular item up for your November meeting.

At your November meeting, now, my mind just went blank on a couple other things. I know that are on that agenda for how do you remember. I know one is another text amendment, but I can't remember what it's for at the moment, but I guess you'll have the actual rezoning of the downtown to apply the new overlay is one item that I know you'll have on there. So I know there's two or three items for that November meeting.

**TOWN OF FOUNTAIN HILLS  
OCTOBER 13, 2025 PLANNING AND ZONING COMMISSION MEETING MINUTES**

---

SVEUM: Any summary of commission requests from development services director?

And you've already given your report. I'll entertain a motion to adjourn.

CORRIGAN: So moved.

COREY: Second.

SVEUM: All those in favor signify by saying "aye."

ALL: Aye.

SVEUM: Opposed. Unanimous. Thank you everybody.

KOVACEVIC: Thanks, Phil.

SCHLOSSBERG: Thank you.

Having no further business, Commissioner Sveum adjourned the Regular Meeting of the Planning and Zoning Commission held on October 13, 2025, at 7:07 p.m.

**TOWN OF FOUNTAIN HILLS**



Dan Kovacevic, Chairperson

**ATTEST AND PREPARED BY:**



Paula Woodward, 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 13 of October 2025. I further certify that the meeting was duly called and that a quorum was present.

DATED this 10 Day of November 2025.



Paula Woodward, Executive Assistant

