

**CITY OF EL MIRAGE
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
JANUARY 21, 2009**

I. CALL TO ORDER

Vice-Chair Hugh Flisyn called the meeting to order at 6:01 p.m.

II. PLEDGE OF ALLEGIANCE

Vice-Chair Flisyn led those in attendance in the Pledge of Allegiance.

III. SWEARING IN OF NEW MEMBERS AND ROLL CALL

New Commission member Michael Barvitz was sworn in before the meeting. Commission Chair Hugh Flisyn and Vice-Chair Robert Jones and members Doug Doede and Michael Barvitz were present. Deidre Gossett was unable to attend. Staff present included Management Assistant Sharon Antes, City Attorney Rick Flaaen, Senior Planner Mark Smith, Building Official Mary Dickson, Engineering Project Manager Jerry Horacek, Police Officer Randy Stewart, Assistant Fire Chief Howard Munding, and Technical Services Support Specialist Robin Owens.

IV. APPROVAL OF THE MINUTES

Robert Jones moved for approval of the minutes of December 17, 2008. Doug Doede seconded, and the motion passed 3 to 0 for approval as presented with Michael Barvitz abstaining since he was not present at last month's meeting.

V. WITHDRAWALS AND CONTINUANCES [NONE]

VI. NEW BUSINESS

- 1. Request for Planned Area Development overlay and preliminary plats for Pueblo El Mirage Resort at 11201 N. El Mirage Rd. to allow manufactured &/or site built homes on small lots in R-4+65 & 70 db.**

Mark Smith presented a synopsis of the case, stating that the resort was platted in 1984 prior to the present City Zoning Ordinance adopted in 1987. The resort was designed for recreational vehicles which include motor home travel trailers and park models. The plan was revised in 1990 to add new lots for manufactured homes which are larger and built to federal HUD standards. The zoning was amended in 2004 to add the Fairways for manufactured homes and again in 2005 to convert the southeast part of the existing lots referred to as the Village from recreational vehicles to manufactured homes.

The present request is to place a planned area development overlay on the R-4 zoning. A planned area development allows more flexible standards in exchange for unique design and added amenities. The resort does have a curvilinear design and about a third of the area is in open space including golf course and several community recreational buildings and meeting halls.

The PAD overlay will allow the existing lots in the resort that are smaller than the required R-4 standards to be converted to manufactured homes plus the re-platting of vacant lots to larger lots for additional manufactured homes or site-built homes. Smith noted the difference in lots sizes and setbacks between standard R-4 and the resort's existing and proposed lots. The red lots are owned by other parties who chose not to participate in the request except that the owner of Lot 1234 requested to be added to the PAD request. The map also noted flood areas which are proposed to be amended. County or federal approval is required before permits can be issued on affected lots.

Smith noted several benefits to manufactured homes including more space and amenities, insulation for the noise zone, and more permanence and value which increases property tax assessments plus sales tax for units sold locally. The only perceived downside was the mix of RVs and manufactured units and that the RVs that remained were not insulated for the noise from air traffic. He outlined the stipulations and answered questions from the Commission regarding right-of-way dedications and other recommended stipulations. He then noted that Jeff Morrison of WLB and owner Scott Roberts were present.

Scott Roberts stated there were 100 lot owners of which 85 wanted to be part of the request, 14 did not respond, and only one said they did not want to be included. The RVs and manufactured homes mixed well in the part already converted. He noted that their manufactured homes sold for \$80-120,000 compared to \$30-40,000 for park models. The City receives 3% in sales tax.

Craig Peeples, renter on Lot 83, had concerns that if a park model is sold, the owner may require the buyer to sign a commitment to remove the park model in the future. Commission members said that was between the management and the renter. Peeples also stated that there are no areas for guest parking. Roberts said there was no guest parking in the existing resort or in any other development in the City or elsewhere. He stated that the Estates was near the clubhouse which had extra parking at night when the golf course was closed and the Greens was near the banquet hall parking area. He said they may lose a lot in the Lakes to provide guest parking in that area. Roberts stated that the streets were 28' wide. Commission members asked Howard Munding how much room was needed for emergency vehicles. Munding replied that 20' was the minimum to allow equipment and room to pass it. This would still allow parking on one side of the street but not both. After some discussion Commission members suggested that the owner work with City staff to provide guest parking on one side of the street in the resort.

Ernie Ghezzi, owner of Lot 226, asked if he could put his own manufactured home on his lot. Roberts said that they had to comply with the covenants. They had run into problems already with electric lines on some existing lots. Ghezzi asked if they had to dig out a pit or could use the existing slab. Mary Dickson stated that as of January 1st state requirements for tie-downs would require the pit rather than the slab. The Chair noted that compliance and certification for FHA costs \$2500 to \$5000. Dickson stated that there were a few other options as well as FHA that were allowed by code.

Elizabeth Marion, owner of Lot 630, asked if she could place a park model on her lot. Mark Smith stated that she could. Scott Roberts read aloud the PAD provision for Village lots and concluded that she could place a park model. She stated that she recently purchased a new motor home for the property. The Chair recommended that the developer meet with residents and owners.

Commission members discussed the need for perimeter walls on areas near roadways. The Chair also strongly suggested that the developer consider screening the back of the restaurant and dumpsters plus the area around the maintenance yard on the northeast to avoid conflicts with adjacent residents. City Attorney Rick Flaaen recommended another stipulation be added to address the perimeter walls and offered the appropriate language for it.

Michael Barvitz stated that he personally did not see a better way to lay it out. Doug Doede asked if firewalls would not need to extend 2' above the roof. Mary Dickson responded that the code allows two one-hour firewalls with 5/8" sheetrock on both sides of the studs plus 5' of non-combustible material on either side. The Chair said he preferred to see cinder block between studs. Roberts said he would have his architect work with the staff on the design.

The Chair asked for other comments and then called for a motion. Michael Barvitz made a motion to approve the proposed PAD and plats subject to the following stipulations:

1. The project shall be built according to plans submitted and in compliance with all applicable City codes and policies except as specifically amended by the Planned Area Development narrative.
2. The manufactured and/or site-built homes shall be attenuated for 30 db reduction and all buyers shall be notified that the area is subject to over-flights from Luke Air Force Base using the LAFB sample notification letter plus a notation on all recorded plats.
3. All lots presently shown in the floodway or 100-year floodplain on the PAD plan shall require a letter of map revision from FEMA or a floodplain permit from Maricopa County Flood Control District before any permit for construction will be issued by the City.
4. Roberts Properties LLC shall dedicate required rights-of-way on the well site at the southeast corner of Cactus Rd. & El Mirage Rd. to accommodate

future improvements to the intersection needed as a result of increased traffic from the Resort and other growth.

5. The developer shall work with the City on the widening and extension of Peoria Avenue adjacent to the golf course without jeopardizing the status of the accreditation of the golf course.

6. All revised lots must be re-platted and recorded before the City will issue permits for any development on new lot configurations.

7. At the time of development of sites adjacent to public rights-of-way and property designated as "Owned by Others" on the PAD, the developer shall install perimeter exterior 6' block/masonry walls as follows:

- a. Area identified as the Estates - Along the west of Lots E17 to E24 and along the north side of the area adjacent to the Cactus road right-of-way. No permits will be issued for any individual lots within the Estates until after this entire perimeter block/masonry wall has been installed.
- b. Area identified as the Lakes - Along the north side of Lot L45. No permit shall be issued for this lot until this block/masonry wall has been installed.
- c. Area identified as the Fairways – Along the west side of Lots F165 to F172 and Lot F16. No permits will be issued for any of these lots until this block/masonry wall has been installed.

Doug Doede seconded the motion which then passed on a vote of 4 to 0. Mark Smith noted that Council was scheduled to review this matter at their regularly scheduled City Council meeting on Thursday, January 22, 2009.

2. Discussion on Arizona Department of Commerce Planning and Zoning Handbook and future training.

Sharon Antes informed the Commission that Director Kristen Busby and her Senior Planner Erika Green will be at the February 18th meeting to conduct training. The presentation is expected to take approximately two hours. She asked if the Commission wanted to do it all next month or have it split into two sessions. The majority wanted to split. Staff will also be presenting a proposed minor General Plan amendment to the Commission next month.

VII. ADJOURNMENT

There being no other business, Robert Jones moved to adjourn, seconded by Doug Doede. The motion passed and the meeting adjourned at about 7:30 p.m.

Mark L. Smith, Senior Planner

Hugh Flisyn, Commission Chair

George Flores, Comm. Dev. Director

Rick Flaaen, City Attorney (as to form)