

**CITY OF EL MIRAGE
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
February 8, 2011**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Doug Doede called the meeting to order at 6:02 p.m. and led the Pledge.

II. ROLL CALL

Members present were Doug Doede, Beth Simek, Brandon Forrey, Mary Koestner, and Bill Morrison. Staff members present were Director Scott Chesney, Planner Mark Smith, and Technician Margarete Aranda.

III. APPROVAL OF THE MINUTES OF JANUARY 11, 2011

Mary Koestner asked for a couple of clarifications and made a motion for approval of the corrected minutes of January 11, 2011, seconded by Bill Morrison. The motion passed five to zero.

IV. CONTINUANCES [NONE]

V. NEW BUSINESS

1. Site Plan for Aaron's & Auto Zone at 13030 and 13050 West Thunderbird Road (the northeast corner of Dysart & Thunderbird)

Mark Smith briefed the Commission on the staff report for the facilities on the northeast corner of Thunderbird and Dysart west of Wal-Mart. Access is through Wal-Mart's western entry. They are retail allowed in the zone and the developer has worked to make them compatible with Wal-Mart. Applicant Todd Sergi was present to represent the property.

Doug Doede said the layout was well-organized for the confined area, and it will complement the intersection. The project is an opportunity for employment with reputable companies that will help the City.

Koestner agreed, Simek said her community was thrilled with it so close, Forrey said it was a slam dunk, and Morrison had no opposition.

Doede said safety concerns are eliminated. Smith said they met the 50-foot turning radius and had two hydrants and a new 8-inch line. Forrey noted the sidewalks from the street to the buildings. Smith stated that all the off-sites were completed with the Wal-Mart plat. Morrison moved to recommend approval, seconded by Simek. Sergi said they were excited to develop in El Mirage and staff was great to work with. It was an odd-shaped site but they were able to attract two national tenants. He thanked the Commission and staff once again. Motion carried 5 to 0. Smith said it would go to Council February 24th.

2. Proposed code amendments for a form-based development code

Smith presented a graphic overview of the proposed form-based code including the six transects and two special districts within the City:

- T1 Natural Zone along the river with most uses by warrant and setbacks and heights determined by site plan for specific uses.
- T2 Rural Zone in the Ranchettes with detached residences by right and other uses by warrant with large setbacks but less than existing.
- T3 Suburban Zone with typical single-family residences and some recreation by warrant with smaller lots and setbacks and two-story ht.
- T4 General Urban Zone in the downtown with businesses and lodging and attached or detached residences by right and other uses by warrant. Setbacks are minimal at ten-foot front and rear, five-foot or zero-lot-line sides, and three stories. Doede asked if awnings are permitted in front. Smith said they are not allowed within the front ten feet. Some places allow arcades over sidewalk but we have existing homes farther back. Many are about ten feet on the front due to additions. Staff thought ten feet was a good compromise to allow buildings closer to the road, with zero lot lines are typical in T5.
- T5 Urban Center Zone typical on arterial roads allows businesses, mixed use, and multifamily usually on second stories or above. Other uses are by warrant. Setbacks are five feet or zero lot line with fire codes. Heights go to 5 stories with setbacks above second stories for access.
- T6 Urban Core typical of redevelopment expected north of Grand. Mixed uses are common including residential uses on upper stories. Transit-oriented development is common where there is commuter rail. There are no specific standards but setbacks or sprinklers control fire.
- CP Commerce Park for the south end of the City allows business and auto facilities plus lodging and live-work units but not typical residence. Most industries are still by warrant to control uses that do not promote the City's economy. The General Plan suggests solar & greenhouses. Setbacks are small and two stories are permitted but can be pretty tall.
- MH Mobile Home for our three mobile parks allows mobile homes, park models, and recreational vehicles plus detached or attached homes. Recreational uses such as golf courses and recreation halls are by warrant. Most parks already have existing facilities. Setbacks are five feet or zero lot line with fire walls. Two stories are allowed, but not common.

Doede said it was helpful. Forrey said it was an excellent summary. Staff included a map with proposed zones for all areas of the City. He asked the Commission to look closely to see if it needs adjustment. Prop. 207 does not allow taking away rights so we have to look at that. Koestner asked about changes from the plan and adopting it. Smith said the Smart Code is a good base but must be adjusted to local conditions to fit the City. Koestner liked the way staff did that.

Chesney said the advantage of the form-based code is that it sets clear rules and replaces old style zoning. The next step is the design standards. Having clear rules and allowing mixed uses and intense development makes it friendlier for developers. It also protects property rights more than traditional zoning and variances since it is discussed up front and the warrant is like a development agreement. A form-based code protects or enhances property rights now and in the future. Prop. 207 says a government cannot diminish the use without being charged with regulatory taking and buy that right. A form-based code allows a property owner a higher and better or more intense use. It has not been tested in Arizona but we will check with legal counsel. From a planning perspective we do not think that will be a problem.

The Chair suggested that the Commission and Council tour Verrado to see what that style of urban living is like. They designed it for older design. It is a good example of what El Mirage may want. Chesney said Verrado and other traditional neighborhood design or new urbanism spend millions of dollars to create what the City already has downtown. Also in the part of the City called the Neighborhoods it protects and enhances the suburban model and their investment in that model.

VI. DIRECTOR'S REPORT

Chesney had two items related to Maricopa Association of Governments (MAG). MAG recently created an Economic Development Committee although the City does not have a seat on that committee yet but MAG is taking an active role on economic development. MAG is also doing a sustainable transportation and land use study through the transit-oriented division looking at sustainable link between new transit and the land use that accompanies that. With the adoption of the new Plan, El Mirage is far ahead of anyone else at the table. Staff will bring back information.

VII. ADJOURNMENT

All business concluded, the Chair adjourned the meeting at 6:35 p.m.

Mark L. Smith, Senior Planner

Doug Doede, Commission Chair