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Zoning attorneys regale audience with project tales

BY CECILIA CHAN
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Seven years after it was chased out of Gilbert neighborhoods – twice – Springstone finally opened Gilbert's first mental-health hospital in 2020.

Under the guidance of land-use and zoning attorney Adam Baugh, the 72-bed Copper Springs East went from being the brunt of public outcry to becoming a welcomed addition to the community.

Baugh formed a coalition, getting police and fire officials lined up behind the project and medical professionals who spoke of the need for such a facility in town, as teenage suicides were ramping up. The Planning Commission in December 2017 unanimously approved the conditional use permit for the facility.

"The way my community is formed, the way it grows, is not by accident," said Baugh, who has lived in Gilbert since 2003. "It's interesting and it's deliberate and for the greater good."

We as a town benefited with having that hospital here dealing with anxiety and mental-health issues."

For Baugh, every shopping center, master-planned community and mixed-use development has a tale to tell and he and Withey Morris law partner Jason Morris are sharing them on a podcast called "Dirt to Development." Baugh came up with the concept after years of regaling others with behind-the-scenes anecdotes of projects in the state.

"I thought to myself, I think people don't really appreciate what happens and goes into putting it together," Baugh said. "You see a hospital or a shopping center and don't realize everything that goes into it. That is the story we tell, not the project at the end of the day but all the ingredients that went into getting it approved."

The duo launched the podcast in October, releasing every two weeks a digital audio file produced in their Phoenix



Adam Baugh and Jason Morris, attorneys and partners in Withey Morris, have created an engaging series of podcasts on developments they have helped usher in. (Special to GSN)

office and featuring a developer or an industry expert.

Founding partner Morris said they also will talk about how this industry works and the types of projects they are seeing in the fastest growing county in the country.

"We not only have the stories we've told but the stories yet to be told," the Phoenix resident said.

Topics covered so far include what it took to navigate The Yard to fruition at 7th Street in Phoenix

"We did the first in Central Phoenix," Baugh said. "There were all kinds of issues...but it became a tremendous success with a dozen Yard concepts across Arizona and now nationwide. People don't know and appreciate all that. We went in to pull the first one off."

There's a Yard location in Gilbert's Heritage District as well.

Other topics will include how to work with neighbors, how to balance the role of politics in a case, strategies for land-use cases and tips and insights on

how to achieve successful entitlements.

In one of the podcasts, Baugh and Morris educate the public about the importance of zoning and what could go wrong if there are no zoning laws – such as in Houston, where Zone d'Erotica, an adult novelty store set up shop next to a Dillard's for a number of years until it was replaced by an eatery in 2019.

The Texas city has no zoning process but relies on private agreements or CC&Rs, according to Jim Stockwell of Clyde Capital, a commercial real estate investment and development company.

"If you own property, you can restrict the types of uses," Stockwell said in the podcast. "But in general, the city council isn't going to have an objection if you want a strip club next to your daycare center."

Listeners will not only get insight on how a particular development came to be but the politics and the players involved and the strategy used.

"People only see what's reported in the paper, they don't understand the

anatomy of how it gets to that point," Baugh said. "They don't appreciate the politics of a situation or the cranky neighbor next door or the difficult seller or environmental issues."

"We show them what it means to take a cornfield to a master community or infill to adaptive reuse. There's so much insight and value to help clients, viewers and the community can appreciate what it takes to build a community in Arizona."

Some Gilbert projects that will be featured in upcoming segments include Agritopia/Epicenter, the Heritage District and how Withey Morris landed American Furniture Warehouse in Gilbert, along with other tough entitlement sites.

"I did American Furniture Warehouse, which at the time was the biggest deal in town," said Baugh, who will talk about "how it came to be and how the Town moved heaven and earth to attract a tremendous economic generator."

Baugh also will share some of the craziness that surrounded a project such as with the mixed-used Epicenter.

"The neighbors came out and opposed me and a lady mocked me for wearing a suit," he said. "I was getting design approval and she didn't like it and got upset that a 'bunch of suits were in here doing a high-priced project.'"

And at one neighborhood meeting, an angry resident wanted to physically fight with Baugh over a proposed project.

"Just the politics behind a zoning case is interesting," Baugh said, "where the votes line up and the intersection of zoning, land use and politics in Arizona are all closely related."

The duo also will share insight of where the Arizona market is going, which Baugh declined to do ahead of that podcast.

Baugh, who is an experienced problem-solver with a talent for removing

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Residents tried to keep Copper Springs East from setting up shop in Gilbert but were no match for zoning attorney Adam Baugh. (Special to GSN)

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obstacles that impeded development, originally planned to practice immigration law.

But he realized that wasn't his career path after a year-long volunteer stint at Eloy Detention Center. He ended up in his current field after stumbling on it.

He said what best prepared him for the job was working as a summer salesman years ago knocking on doors, trying to persuade random strangers to buy pest-control services.

Today, he uses that skill to help landowners and developers succeed by finding ways to say yes when cities say no.

Although the subject matter on the surface can appear dry, Baugh and Morris weave humorous banter into their storytelling.

Baugh said the podcast allows the public to view him and Morris in a different light other than appearing at the podium in front of a city council, stiff and matter of fact.

Baugh said he's had a few learning curves with the new endeavor.

"I'm not a professional podcaster, there's lot of operational things," he

said. "It's a different format. You can't show someone something, you got to describe it. I also learned I've got to be more thoughtful in what I say," making it entertaining yet not offensive.

Feedback from listeners so far has been positive.

"Everybody loves it," Baugh said. "In Arizona land use impacts us all whether it's you being a neighbor next to a project or a resident in town benefiting from a new shopping center."

Baugh said the plan is to keep on producing the podcast as they have a wealth of material to draw from – their law firm handles cases statewide.

"So long as there's an interest in the community, we will continue to record," he said. "I think it's going to help local residents know they have a part in the process, they have a role to play and if anything, they would know they can help influence what is happening in their community."

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To listen to the podcast "Dirt to Development," go to witheymorris.com/dirt-to-development.

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