

**CITY OF MESA**

**MINUTES OF THE PLANNING AND ZONING BOARD MEETING**

Held in the City of Mesa Council Chambers

Date: May 19, 2010 Time: 4:00 p.m.

MEMBERS PRESENT

Frank Mizner, Chair  
Randy Carter, Vice Chair  
Beth Coons  
Chell Roberts  
Vince DiBella  
Lisa Hudson  
Brad Arnett

MEMBERS ABSENT

OTHERS PRESENT

John Wesley  
Tom Ellsworth  
Gordon Sheffield  
Angelica Guevara  
Debbie Archuleta

Chairperson Mizner declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated May 19, 2010. Before adjournment at 4:57 p.m., action was taken on the following:

It was moved by Boardmember DiBella seconded by Boardmember Coons that the minutes of the April 20, 2010, and April 21, 2010 study sessions and regular meeting be approved as submitted. Vote: 7 – 0

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### B. HEAR A PRESENTATION, DISCUSS AND PROVIDE DIRECTION ON THE FOLLOWING:

1. Review and discuss the Public Review Draft of the Zoning Code Update with particular focus on Downtown and Mixed Use Districts and Telecommunications.

Staffmember Gordon Sheffield stated he would be presenting the Downtown, Mixed Use, and Telecommunications chapters of the Draft Zoning Code.

**Downtown Districts:** The downtown districts have not changed much. Mr. Sheffield stated the downtown area is no longer being referred to as the “town center”, but rather as “downtown Mesa”, and the proposal is to revise the name to reflect this change. There are minor changes consistent with the reformatting of the ordinance into tables. This is consistent with the intent to make the Code easier to understand without changing it drastically. The six downtown zoning districts include: the Downtown Core, the Downtown Business 1, Downtown Business 2, Downtown Residential 1, Downtown Residential 2, and Downtown Residential 3.

Chair Frank Mizner confirmed the City was not encouraging larger lots in the Downtown. Mr Sheffield responded that the minimum lot area requirements are designed to prevent small lots from subdividing into even smaller lots.

Mr Sheffield indicated that the **Downtown Core** continues to be a “plan based” district, which requires most major developments to be reviewed through a public hearing process first. This district allows mixed use, high density residential. As proposed, this district would prohibit any new churches. The two existing churches would be grandfathered. This zoning district would be the only area of the City where churches would not be allowed. The reason for prohibiting churches in this specific zoning district was that the City is trying to establish a vibrant entertainment district, which is difficult to do with the distance separations between churches and entertainment uses desiring to have State liquor sales licenses. Uses such as gas stations and car lots would not be allowed.

The **Downtown Business 1** district would allow uses similar to the O-S and C-1 districts, with some multiple residence uses. It would limit auto oriented uses. It would not allow detached single residences.

The **Downtown Business 2** district allow light manufacturing, auto oriented commercial activities, and warehousing.

The **Downtown Residential 1** district would allow minimum of 6,000 sq. ft. lots, with smaller setbacks than those typically found in the present R1-6 zoning district..

The **Downtown Residential 2** would allow 6,000 minimum lots and lower density multiple residence uses. The density calculation follows a variable format as listed in the table for this district.

The **Downtown Residential 3** would allow higher density multiple residence activities, and also allow some office uses upon approval of a Special Use Permit.

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**Mixed-Use Districts:** The **Mixed-use district (MX)** is a new district, and does not currently exist within the City. This district primarily allows commercial and office use, and includes higher density multiple residence uses at 15 to 25 units per acre. This district is designed to encourage urban forms, with a high concentration of activities focused back toward the public streets. The basic intent to create is a high degree of synergy on the street.

Boardmember DiBella asked how the redevelopment district works with the new Code. Mr. Sheffield stated the redevelopment district was not a zoning issue. The present zoning ordinance used the Redevelopment District to define the responsibilities of the Downtown Development Committee (DDC). Now that the City Council has decommissioned the DDC, there is no need for the the Zoning Code to address it. He stated there is some confusion because the Redevelopment District is not shown on zoning maps. It still exists, , but it is not practical to use because of State and City Charter limitations on its authority.

The Mixed-use District, like other urban character designators, encourages urban forms that push things together; built to lines rather than building setbacks, and promotes vertical development, specifically allowing taller buildings. It is designed to specifically allow residential uses to be built over office or commercial projects. It encourages the use of parking structures rather than surface parking lots; often with the parking structures in the center of structure and ringed with more active street uses on the outside edges of the development.

The **Transit Mixed-use 1 district (TMX-1)** is designed for use with transit lines, like light-rail or bus rapid transit (BRT) would be located starting from the light rail stations to out about 1/8 of a mile from the station site This district permits high density, multiple residence activities, attached single residence uses, office and smaller retail land uses. It has a minimum story requirement of 3, and a maximum of 6-stories Again, buildings are pushed forward on the lot, and oriented towards the street.

Chair Mizner asked why there is a maximum number of stories. Planning Director Wesley stated the requirement came from the Central Main Street group. He stated developers could go higher but they would need to go through a public hearing process .

For the Transit **Mixed-use-2 district (TMX-2)**, this district begins a transition back from the immediate station area, beginning about 1/8<sup>th</sup> of a mile from their station site, and extending to about ¼ mile away. Again, this is a mixed-use district, with retail and office commercial activities. There is a minimum of 15 dwelling units per acre for residential-only projects, with no maximum density. However, there is maximum of 5 stories without Council approval. As with all of the urban oriented districts, there is a requirement for ground floor transparency.

**Wireless Telecommunications Facilities:** Mr Sheffield indicated that the chapter devoted to telecommunications was designed to encourage applicants: 1) to locate new facilities in non-residential areas when possible; 2) to co-locate second providers on existing facilities as much as possible; 3) and in all cases, try to locate telecomm facilities where the impact is as low as possible to residential districts. In addition, this proposal has design preferences intended to mitigate the aesthetic impact of the towers through design, screening, and location.

**Amateur Radio Facilities:** There will be no changes to allowances for amateur (ham radio) antennas; 75' maximum height for a single mast, and additional masts are limited to 30' feet within the buildable area of the lot. Also, the user to the radio equipment must live on-site. This prevents commercial sites being developed to "lease" separate sites. Chair Mizner asked if amateur antennas

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could still be regulated by C.C. & R's. Mr Sheffield responded that such facilities are regulated by the Federal Communications Commission, and that he was not aware of any current federal requirements that superseded CC&Rs with regard to the height and location of HAM radio masts.

Mr. Sheffield stated that in 1996 Congress adopted regulations regarding telecommunication towers, particularly with regard to cellular networks for data and voice communications. He stated local zoning authority can regulate where they are located and what they look like, but cannot prohibit them. The current Zoning Code requires a Special Use Permit to locate in a residential district or if a proposed tower is higher than the maximum height of 30' for commercial districts and 40' for industrial districts. The setback requirements remain as are stated in the present guidelines,: 1' of setback for each 1' of height relative to the street; and a setback of 2' for every 1' of height relative to residential sites. The new Code establishes minimum application submittal requirements, and would require applicants to provide 1) an inventory of their sites; 2) documentation of F.C.C. approval, 3) documentation of need of sufficient scope to facilitate Peer review by a qualified engineer. Something new with this Update: New stealth installations, in some cases, would be allowed as by-right uses. To be by-right they would need to be stealth structures; such as cupolas, steeples, clock towers, in commercial or industrial districts, or stealth trees in industrial districts, and need to meet setbacks. Another new standard is a requirement for a minimum 1000' separation from other towers on the same site, unless camouflage or stealth design is used. Ground mounted equipment would be required to be vaulted (partially below ground) when placed in a front or street-side setback.

In industrial districts, free-standing facilities that are not more than 70' in height, located 300' from a residential district, and otherwise meet setbacks, may be installed by-right. In all zoning districts, new providers may co-locate on existing facilities for up to 3 times., The fourth co-location would require a new Special Use Permit. .

Boardmember Coons asked if these changes were very different from what currently exists. Mr. Sheffield stated these are the things staff tries to negotiate now.

Chair Mizner asked if there were examples of older facilities being taken down. Mr. Sheffield stated applicants typically swap out the antennas, but they do not want to take the tower devices down. Chair Mizner asked if the City can require them to co-locate. Mr. Sheffield answered that the City can make, new facilities the last option, after co-location or camouflage sites have been considered. He stated most carriers try to co-locate because they save a considerable amount in capital costs.

**Workshop and Public Hearing Calendar:** Mr. Sheffield then explained the work shop schedule. He stated staff had added meetings to discuss general topics. The meetings would be held at 6:30 p.m. in the community rooms of Police and Fire substations, for the most part, to make it easier for the public to attend the meetings.

June 1	Superstition Springs Police substation
June 10	Fire station 216
June 14	Fire station 206
June 15	Fire station 218
June 29	Fire station 202
June 30	Dobson Ranch Association, La Casita Facility; 2719 South Reyes.

The Design Review Board will discuss the Draft Zoning Code Update at its June 2 and July 7

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meetings, and the Update is scheduled for general discussion at the June 16 and July 21 Planning and Zoning Board meetings.

Mr. Sheffield stated staff is monitoring comments from the public, will present those to the Planning and Zoning Board on July 21<sup>st</sup> and seek the Board's direction for any revisions that may be required. Then, on August 18<sup>th</sup>, staff anticipates having a public hearing with the Board voting on a recommendation to forward to City Council. It is hopeful the Council will discuss the Zoning Code in late August or September.

Boardmember Carter asked staff to e-mail any revisions to Board members prior to delivery of June or July meeting packets so the Board can review them and compare them to the Draft ordinance prior to the P & Z meeting.

Chair Mizner requested an appendix be provided in July so the Board can see the staff response to the comments.

Planning Director, John Wesley, stated the consultant for the Form Based Code will be at POOL on June 23 and June 24 to conduct public workshops and make presentations.

Respectfully submitted,

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John Wesley, Secretary  
Planning Director

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