

**CITY OF MESA  
MINUTES OF THE DOWNTOWN DEVELOPMENT COMMITTEE  
MEETING**

**DATE:** January 18, 2001    **TIME:** 7:00 a.m.

**MEMBERS PRESENT**

Dave Wier, Chair  
Vince DiBella, Vice-Chair  
Theresa Carmichael  
Debra Duvall  
Art Jordan, AIA  
Wayne Pomeroy  
Terry Smith

**STAFF PRESENT**

Shelly Allen  
Katrina Bradshaw  
Robert Bagley  
Craig Crocker  
Tony Felice  
John Gendron  
Gordon Haws  
Peter Knudson  
Greg Marek  
Amy Morales  
Patrick Murphy  
Terri Palmberg  
Bryan Raines  
Scott Rigby  
Doug Tessororf  
Jim Wright

**OTHERS PRESENT**

Doug Brimhall  
Rob Burgheimer  
Carl Jordan  
Paul McKee  
Chris Miller  
Betsy Mott  
Peter Noble  
Laura Paty  
Gene Valentine  
Tom Verploegen

**MEMBERS ABSENT**

Shanlyn Newman  
Lori Osiecki

**1. Call to Order**

The January 18, 2001 meeting of the Downtown Development Committee was called to order at 7:02 a.m. in the City Council Chambers at 57 East First Street, by Chair Wier.

**2. Items from Citizens Present**

There were no items from citizens present.

**3. Approval of Minutes of November 16, 2000 Regular Meeting**

**It was moved by Wayne Pomeroy, seconded by Theresa Carmichael TO APPROVE THE MINUTES.**

**Vote: 7 in favor; 0 opposed**

**4. Discuss and consider design review Case No. DR00-011TC for the One Macdonald Center Building (Site 21), located at the northeast corner of Main Street and Macdonald Street.**

**Applicant: Malcolm Ross, ILR Holdings, Inc.  
Staff Contact: Patrick Murphy, (480) 644-3964  
e-mail Address: patrick\_murphy@ci.mesa.az.us  
Staff recommendation: Approval with conditions**

Mr. Murphy explained that the Downtown Development Committee members are being asked to consider three items that are related to the One Macdonald Center (Site 21). Those items are the design review for the building, the design review for the parking lot, and the special use permit to

allow outdoor seating. Mr. Murphy explained that, since all three items are intertwined, he would give only one staff report and the Board members would then vote on each item separately.

Mr. Murphy talked briefly about the development plans of the building, including entrances, signage, colors and materials, landscaping, realignment of the alley, outdoor seating, and elevations.

Mr. Murphy said the City agreed to improve the parking lot as part of the Redevelopment Agreement for this project and touched on highlights of the parking lot site plan. He explained that the main objectives were to improve the lighting and the landscaping as well as provide an enhanced pedestrian access from the Pepper Garage to the building. Mr. Murphy explained that the number of parking spaces would be reduced by 27 spaces, however, if improvements were going to be made to the parking lot, some parking would have to be sacrificed. He said adjacent business owners have been made aware of this and they understood the need for the reduction of spaces. All of the business owners are in favor of the proposed improvements to the surface parking lot.

Mr. Murphy said staff is pleased with the elevations and the development plans for this project. Public meetings have been held for the building, parking lot, and special use permit in which the attendees were in favor of the projects. Mr. Murphy also explained that individual meetings were held with the adjacent business owners and they were pleased with the project and were anxious to get the project started.

Chair Wier asked when the City plans to make additions to the Pepper Street parking garage.

Mr. Murphy said the City agreed to license 250 spaces in the Pepper Street garage to ILR Holdings, Inc. Staff feels the City can provide these spaces without having to add to the Pepper Street garage. Mr. Murphy said staff is working with MTCC to address these parking issues.

Mr. Marek said the City's proposed capital improvements budget includes a parking garage for the City block which could be added within the next three years if funding is available. In the mean time, staff has analyzed the area and believes that the City can fulfill the parking requirements for the One Macdonald Center by relocating City employees and redistributing the spaces.

Ms. Duvall pointed out that the recommendations regarding the surface parking lot and the Pepper Street garage have changed with each different proposal for the building. She expressed concerns with approving the design review of the surface parking lot without seeing where the additional parking spaces will come from. She felt that this kind of development would need additional parking in close proximity to the project.

Mr. Marek said that, as new developments are coming into downtown Mesa, people need to get away from the idea that parking has to be adjacent to the businesses. Mr. Marek pointed out that regardless of whether the building was being redeveloped, the City would be making improvements to the surface parking lot because it had no landscaping or lighting. Staff believes that the City employees who are currently parking in the Pepper Garage can be redistributed to other places in the downtown area. A number of City employees have moved to the South Center campus and this has freed up many of the parking spaces in the Pepper Garage.

Mr. Marek said from a design standpoint, if another level is added to the parking garage it would become the dominant building structure in that area, towering over the Southwest Museum. He also mentioned that the cost to add to the Pepper Garage would be more expensive than to build a brand new parking garage. Staff feels it would be better to build a new parking garage on the City block rather than add to the Pepper Street garage. Mr. Marek pointed out that customers of the restaurants may have to park a block away, but he said that is not unusual in an urban area. Mr. Marek said structured parking will have to become a requirement in downtown as additional office

buildings or housing projects are built. Mr. Marek said he understood the Committee's concerns regarding parking, but he felt they needed to look at the bigger picture and that staff feels the parking issues will be addressed.

Mr. Murphy said Doug Brimhall, Rob Burgheimer, and Peter Noble from BPLW were in attendance and available to answer any questions or comments from the Committee on the design plans.

Mr. DiBella asked the architects to briefly review the deck areas and the canopy materials for the Committee.

Mr. Brimhall said the vertical columns on the façade will be made with Arizona sandstone consisting of two tones. The first tone is the base color of classic oak and the second tone is an accent color of rosa. The stone would be a wainscoting along the bottom portion of the building, and the body of the building above the wainscoting will consist of synthetic stucco with the color being ash brown. Mr. Brimhall said the deck, the trellis piece, and the guard rails are a green steelwork similar to that of the 36" tall fence that will surround the outdoor seating area. He said they decided to use green in order to make the pedestrian connection between the building and the streetscape project an invisible transition.

Mr. Brimhall also explained there will be two different uses of the glass. The ground level and the second level (the pedestrian level) will be kept visibly connected to the outside by using clear glass. The upper levels of the building will have a green glass tinting.

Mr. Wier asked what materials would be used for the canopy.

Mr. Brimhall said the canopy is mostly a green fabricated metal.

Mr. DiBella asked if there would be any permanent lighting attached.

Mr. Brimhall said it is all area down lighting. There would not be any kind of building accent with up lighting in order to comply with the Night Sky Ordinance.

Ms. Duvall asked what material was being used for the main body of the building.

Mr. Brimhall said it was the ash brown synthetic stucco.

Mr. Jordan asked several questions regarding the design of the building including the design of the windows, eaves, and canopies, which Mr. Brimhall addressed.

Mr. Jordan said the parking studies that have been conducted indicate that we need a multi-story parking garage and asked Mr. Marek if the City has changed their position regarding the need to have additional levels added to the Pepper Parking Garage.

Mr. Marek said the City has not reversed their standing on the parking issue. He said the parking study that was completed by Walker Parking Consultants indicates a need for a parking structure in the northeast portion of downtown. The Walker parking study indicated that there was adequate parking for the square footage and potential uses that would exist in the downtown core area. These results were based on the fact that people would have to walk one or two blocks in order to get to their destinations. Mr. Marek said as new office buildings and housing are added, structured parking would have to be built along with those projects to maintain a sufficient parking ratio.

Mr. Jordan asked if the 250 leased parking spaces would be adequate to satisfy the parking requirements for the One Macdonald Center.

Mr. Marek said it would and that the City is also looking at adding customer parking in the Pepper Garage and in the surface parking lot. He said that between the Pepper Garage, the surface

parking lot, and other parking in proximity to this building that the parking requirements would be satisfied.

Mr. Jordan said in a previous agreement with the Voit Companies, the City had agreed to pay for a new parking garage on the surface parking lot. He asked if the City would be saving any money by not having to build the parking garage.

Mr. Marek said the City would not be saving any money because, instead of building the parking garage adjacent to the One Macdonald Center, there are plans to build a parking garage on the City block.

Ms. Carmichael said the previous developer felt that, not only was the number of parking spaces a critical issue, but also that they needed the parking to be adjacent to a class A office building in order for the project to be successful. Ms. Carmichael wanted to know why staff felt this project would be successful without the additional parking and also asked how many parking spaces would be freed up in the Pepper Parking Garage by relocating City employees.

Mr. Marek said both agreements from Voit Companies and IRL Holdings, Inc. were asking the City to provide 250 leased parking spaces. In that aspect, the parking requirements for this project are no different than the previous one. Mr. Marek pointed out that back when the parking garage was being proposed for the Voit project, the Downtown Development Committee, Mesa Town Center Corporation, and the Redevelopment Office were opposed to building a parking garage on the surface parking lot. Mr. Marek said staff believes that by using the Pepper Street garage, redesigning the surface parking lot, and providing a pedestrian connection that the parking requirements would be satisfied. Mr. Marek said the owner of the project agrees with the way the parking lot has been designed and believes he will be able to obtain the lease rates he wants for a class A building. Mr. Marek pointed out that when the Voit project was being proposed, City employees were not yet planning to relocate to the South Center campus and thereby free up spaces at the Pepper Street garage. The trade off is that instead of building a new parking garage, the Pepper Garage will have many spaces freed up by relocating City employees.

Mr. Murphy said there are currently about 180 City employees in the Pepper Garage, 40 or 50 Post Office employees, and about 20 or 30 employees from the Mesa Convention and Visitor's Bureau. Staff feels they can move those employees to various locations in the City such as the Sistine Garage, Centennial Garage, other surface parking lots in the City block, and by the Irving School.

Mr. Marek also said there would be some spaces freed up when the Fire Department relocates to their new facility. The City is also investigating removing the helicopter stop on top of the parking garage which would free up additional space.

Ms. Carmichael wanted to clarify that she was not in favor of building a new parking structure on the site, but to possibly add to the Pepper Street Garage.

Mr. Marek said he felt this discussion signifies that the City really needs to have a parking management plan. Mr. Marek felt it would be necessary with all the construction coming up that a parking management plan is essential as new projects are being proposed. Mr. Marek said staff is going to work with MTCC to develop a parking plan for downtown.

Ms. Smith pointed out that the final elevations for the building were different from the preliminary designs that were presented to the Board a few months ago. She said she was very enthusiastic about the initial designs because they had a lot of character and detail that she felt is not reflected in the final design. She asked the architects to give her more information about the materials and design of the second floor terrace, the windows, the awnings, and the cornice.

Mr. Brimhall went into more detail on the design of the windows, terraces, etc.

Ms. Smith said she would like to see more specific drawings on the windows on the west side of the building, the metal cornice across the top, and the latticework on the second floor.

Mr. Jordan suggested that the architects create an exhibit of the entire length of the building that would visually display the various design features and give the Downtown Development Committee a better idea of how the building will look. He also expressed an interest in seeing the cornice detail once it has been resolved.

Mr. Burgheimer agreed with Mr. Jordan that there are more details that need to be worked out on the design of the building. He said they would be happy to come back with an update to the Board once more of the details have been worked out.

Mr. Pomeroy expressed his overall satisfaction with the project.

**It was moved by Wayne Pomeroy, seconded by Vince DiBella to approve design review Case No. DR00-011TC for the One Macdonald Center Building (Site 21), located at the northeast corner of Main Street and Macdonald Street subject to the following stipulations:**

- 1. Full compliance with approved plans and all current Code requirements, unless modified through the appropriate review and stipulations outlined below.**
- 2. Compliance with the basic development as shown on the site plan, landscape plan, and elevations.**
- 3. Review and approval of a complete comprehensive sign plan by the Redevelopment Staff before the issuance of a sign permit.**
- 4. The lighting plan shall be developed according to the City's Outdoor Lighting and Control Ordinance (Night Sky Ordinance), and shall ensure that light does not spill over into the adjacent properties.**
- 5. Obtain an encroachment permit from the City for the second floor deck above the Main Street sidewalk.**
- 6. Obtain approval from the City Council for the proposed new right-of-way line. All necessary easements shall be granted to the City.**
- 7. The storm water drainage plan shall ensure that the current storm water capacity is maintained.**
- 8. Upper elevations and an exhibit of the entire length of the building need to be submitted to the Redevelopment Division for further review by the Downtown Development Committee.**

Mr. Jordan wanted to reiterate that approval of the design review will be based on the architect's significant effort to improve the upper elevations and keep the Downtown Development Committee informed of the progress.

**Vote: 7 in favor; 0 opposed**

Mr. Marek also reassured the Board members that staff would make sure the entire Committee was comfortable with the design of the building before the construction documents were started.

**5. Discuss and consider design review Case No. DR00-010TC for the One Macdonald Center parking lot, located at the southeast corner of Pepper Street and Macdonald Street.**

**Applicant:** City of Mesa  
**Staff Contact:** Patrick Murphy, (480) 644-3964  
**e-mail Address:** patrick\_murphy@ci.mesa.az.us  
**Recommendation:** Approval with condition

Discussion on this topic was covered under agenda item #4. Please refer to minutes under agenda item #4.

**It was moved by Wayne Pomeroy, seconded by Art Jordan to approve design review Case No. DR00-010TC for the One Macdonald Center parking lot, located at the southeast corner of Pepper Street and Macdonald Street subject to the following condition:**

1. The storm water drainage plan shall ensure that the current storm water capacity is maintained.

**Vote: 7 in favor; 0 opposed**

**6. Discuss and consider special use permit Case No. ZA01-01TC to allow outdoor seating at the One Macdonald Center building (Site 21).**

**Applicant:** Malcolm Ross, ILR Holdings, Inc.  
**Staff Contact:** Patrick Murphy, (480) 644-3964  
**e-mail Address:** patrick\_murphy@ci.mesa.az.us  
**Recommendation:** Approval with conditions

Discussion on this topic was covered under agenda item #4. Please refer to minutes under agenda item #4.

**It was moved by Wayne Pomeroy, seconded by Vince DiBella to approve special use permit Case No. ZA01-01TC to allow outdoor seating at the One Macdonald Center building (Site 21) subject to the following conditions:**

1. Redevelopment Staff shall have final approval of the tables, chairs, and any umbrellas to be used in the outdoor seating area.
2. The area will be maintained to be free of trash and debris at all times.
3. No amplified music or loudspeakers are permitted.

**Vote: 7 in favor; 0 opposed**

**7. Discuss and consider design review Case No. DR00-009TC for the Aquatics Center, located at the southeast corner of First Avenue and Macdonald Street.**

**Applicant:** City of Mesa  
**Staff Contact:** Shelly Allen, (480) 644-3964  
**e-mail Address:** shelly\_allen@ci.mesa.az.us  
**Recommendation:** Approval with conditions

Ms. Allen gave a project overview and touched on information such as the size of the facility, amenities, location, and colors and materials. Ms. Allen said BPLW has actively involved public participation with this project and has held over 20 public meetings as the design phase has progressed.

Ms. Allen said the main entrance to the facility would be located facing the corner of Macdonald Street and First Ave. She said BPLW and staff have worked diligently to create a pedestrian friendly facility and encourage pedestrian connections to surrounding parking areas.

Ms. Allen said staff recommends approval of the design review for this facility subject to the seven stipulations listed in the staff report, which she briefly reviewed with the Board.

Ms. Allen introduced Gene Valentine and Carl Jordan with BPLW for a formal presentation of the design review.

Mr. Valentine indicated that, in order to save time, he would not walk through the entire project but would spend some time talking about the colors and materials of the elevations. He pointed out that they intend to comply with the stipulations requested by City staff. He said that BPLW has been working with the Sherman Group to ensure that the Aquatics Center project does not interfere with the First Avenue Streetscape project as mentioned in stipulation #5. He also mentioned that BPLW is attempting to obtain usage rights for the photographs that will be used for the super graphics as mentioned in stipulation #7.

Chair Wier said he was impressed with the super graphics and asked what materials would be used to protect them from fading.

Mr. Valentine said they originally intended for the graphics to be painted, however, BPLW is investigating using a more durable material, which is a colorfast vinyl material. He said they would provide that research to the Board once they have more information. Mr. Valentine acknowledged that durability and colorfastness is an important issue to keep the super graphics from fading.

Ms. Duvall asked how far away from the building a person would need to stand in order to get a clear perspective of the graphics.

Mr. Valentine said if a person was directly adjacent to the building then the pictures would be distorted, however, from as little as 20 to 30 feet away or more the image would become quite clear.

To clarify Mr. Valentine's comment, Ms. Duvall asked if a person would clearly see the graphics if they were standing on the sidewalk or driving by on the street. Mr. Valentine confirmed that they would.

Mr. DiBella said the staff report indicates that the super graphics are an alternate bid item. He asked why they are being considered as an alternate item.

Mr. Valentine indicated that the budget for this project is a primary concern, and as such, they have been working with the program construction manager, 3-D International, to identify potential areas that could be listed as bid alternates. He said it is their intent that the super graphics be included in the project and there is every indication that they are within budget, however, prudence dictates that there be some provisions to identify areas of the project that are nonessential to its function.

Chair Wier indicated that there were no more question from the Board at this time and for BPLW to continue with the presentation.

Mr. Carl Jordan went over the colors and materials of the project.

Ms. Duvall asked Mr. Jordan to discuss the landscaping of the project.

Mr. Carl Jordan said BPLW has met with the Sherman Group who has completed a preliminary design for part of First Avenue and Macdonald Street. He explained different elements of the landscaping plan which included a landscaped plaza in the front of the facility and a large grove of palm trees on the northeast corner of the project.

Mr. DiBella asked how the retention is provided for the project.

Mr. Carl Jordan said the retention for this project was particularly challenging because there was not adequate softscape areas to accommodate the retention. As a result, they have designed an underground, 1,200 foot pipe, which is six inches in diameter, located underneath the south parking lot. He said even though this was a costly expense, it was their only option in order to meet the retention requirements.

Mr. DiBella asked Mr. Marek if the project would be able to take advantage of any reduced design considerations for required retention.

Mr. Marek said staff is still working with Engineering on looking at the retention requirements for downtown and Gordon Haws is scheduling a meeting in the next couple of weeks to look at the results of the research. Depending on the approach that is taken, there may be up to 30% reduction on a tentative basis for retention in the downtown area. Mr. Marek said he wasn't sure if the retention for this project was providing the full 100year/2 hour storm requirements.

Mr. Haws, Sr. Civil Engineer, indicated that the project is providing 100% retention requirements to be sure that the cost is covered in the project. He said if they are able to reduce the requirements based on some the studies that are being conducted, then the savings could be used to supply the super graphics or other areas of the project.

Mr. DiBella said he is very much in favor of the project, and was concerned that the super graphics were being considered an alternate item. He felt the super graphics were the main theme of the design and was concerned that there was a possibility that the super graphics may not be included in the project.

Mr. Jordan wanted to know how the Board would be involved if the super graphics had to be eliminated from the project.

Mr. Marek indicated that staff feels the super graphics were important to the project as well, and for that reason, stipulation #7 indicates that if the super graphics are eliminated or dramatically reduced in scale, they would come back to the Downtown Development Committee for approval of the revised plans.

Mr. Pomeroy asked staff if they have considered naming rights.

Ms. Palmberg, Parks and Recreation Administrator, said staff has been pursuing funding sources for this development and had just received proposals from four different companies to evaluate naming rights, marketing opportunities, project underwriting, and item underwriting (i.e., how to maximize scoreboard opportunities by sponsorship). She said they hope to have City Council approve a contractual agreement with one of these companies within the next month. The company that is selected will be expected to supply the City with an outline and understanding of their marketing and advertising opportunities and help execute a plan to accomplish that. She also warned against the responsibilities that would come with those advertisements.

Mr. Jordan asked if there were provisions to allow permanent retail.

Ms. Palmberg said staff is currently putting together a team with Real Estate and legal representatives to work on the RFP for the recruitment of some retail operations in the facility.

Mr. Jordan complimented the design team and staff on how well the project has evolved over the past year and expressed his enthusiasm for the project.

BPLW displayed a 30-second video clip of a fly-around of the facility.

Ms. Duvall asked about the status of the proposed Aquatics Center in Tempe.

Ms. Palmberg said that Tempe has a tentative location for the project, which is just off of their original location along the Tempe lake. She said their scope of the project has significantly changed from their original vision. She said they have not brought anything before their City Council yet and are attempting to put together their funding for the operation. She said she had no further knowledge of deadlines or other information.

Ms. Duvall asked if Tempe's revised scope for their project is less impressive than Mesa's current project.

Ms. Palmberg said it is different from Mesa's Aquatics Center because it includes a 50 meter pool, an under roof dive tank, and an exterior warm up pool. She said their focus is to create a massive entertainment venue. She said they envision having nightly laser light shows and water shows. She said the project is on hold pending finding the resources to develop the facility.

Mr. Jordan asked if the City was ready to go out for bid and, therefore, determine how much the project will cost to build.

Mr. Valentine said they had just completed 100% submittal for design development and is undergoing constant value engineering with the assistance of 3-D International. He said the project is on schedule and is tentatively scheduled to finish construction documents at the end of May. He said the project will go out for bid during the summer and will start construction in October of 2001.

Mr. Jordan asked when the project would be complete.

Mr. Carl Jordan said it would be completed in the early part of 2003.

**It was moved by Deb Duvall, seconded by Vince DiBella to approve design review Case No. DR00-009TC for the Aquatics Center, located at the southeast corner of First Avenue and Macdonald Street subject to the following stipulations:**

- 1. Full compliance with approved plans and all current Code requirements, unless modified through the appropriate review and stipulations outlined below.**
- 2. Compliance with the basic development as shown on the site plan and elevations.**
- 3. Review and approval of a complete comprehensive sign plan by the Downtown Development Committee (DDC) before the issuance of a sign permit. The sign plan shall include a directional sign plan and special signage at the major entranceways.**
- 4. The lighting plan shall be developed according to the City's Outdoor Lighting and Control Ordinance (Night Sky Ordinance), and shall ensure that light does not spill over into the adjacent properties.**

5. **The project boundaries and the conceptual First Avenue streetscape boundaries shall be defined and approved by the Office of Redevelopment prior to submitting plans for development plan approval.**
6. **The hardscape material shall be submitted to the Office of Redevelopment for approval prior to submitting plans for development plan approval.**
7. **The super graphics for the building are approved as shown. Any deviation shall be submitted to the Office of Redevelopment for approval and may require additional design review approval by the DDC.**

**Vote: 7 in favor; 0 opposed**

8. **Discuss and consider amending sections 11-8-4, 11-8-5, and 11-8-6 of the Zoning Ordinance pertaining to the regulation of pawn shops, tattoo parlors, and body piercing salons.**

**Staff Contact: Patrick Murphy, (480) 644-3964**  
**e-mail Address: patrick\_murphy@ci.mesa.az.us**  
**Recommendation: Approval**

Mr. Murphy explained that back in 1988 an ordinance was adopted by City Council to limit the number of pawn shops and tattoo parlors that came to Mesa by requiring them to be at least 1,200 feet away from each other, as well as from a school. Recently, it came to staff's attention that a footnote was added to that ordinance after it was considered by the Downtown Development Committee that existing pawn shops and tattoo parlors that were located in Mesa would be exempt from the 1,200 foot rule, providing that they obtained a council use permit.

Mr. Murphy said this came to staff's attention when various existing Mesa pawn shops expressed interest in relocating their business to the Mera Bank building (which is now for sale). Staff originally thought the City could reject any council use permit applications for a pawn shop at this location because it would be within 1,200 feet of a school, but after further investigation, it was noted that the existing Mesa pawn shops were exempt from that rule.

Mr. Murphy said staff was concerned with this exemption in the ordinance and felt that it should be eliminated. He said that the concentration of the majority of pawn shops and tattoo parlors in Mesa were located within the boundaries of Gilbert Road, Alma School Road, Southern Avenue, and University Drive.

Mr. Murphy said all the pawn shops and tattoo parlors located in Mesa were notified of the proposed changes as well as the business and property owners within the Town Center Redevelopment area. A public meeting was held and there were no comments made in opposition to the ordinance. Mr. Murphy said the phone calls he received from people regarding this issue were generally in favor of the change. Mr. Murphy said there was one pawn shop owner who expressed disapproval to the changes. He felt the ordinance should remain as it is or should be modified to allow the existing Town Center pawn shops to remain as part of the exemption to the 1,200 foot rule.

Mr. Murphy said the Mesa Town Center Executive Board discussed the proposed changes to the ordinance last week and recommended that it be approved. Staff recommends that the Downtown Development Committee and the Planning and Zoning Committee both recommend approval to the City Council.

Ms. Smith wondered why there was a higher concentration of pawn shops in Mesa and asked Mr. Murphy if it was because Mesa's ordinances regarding pawn shops were different than surrounding communities.

Mr. Murphy said he didn't know what the surrounding City ordinances were in regards to pawn shops. Mr. Marek said the concentration of the pawn shops and tattoo parlors in the older portions of Mesa are probably due to the abundance of older buildings that become vacant and were available at very low rents. He thought that Chandler, Gilbert, and Tempe didn't have as high a number of vacant buildings with cheap rents. He said when the ordinance was first considered, staff recommended the prohibition of pawn shops and tattoo parlors in the Town Center area. Mr. Beets, City Attorney, was not comfortable completely banning those uses. Staff felt that the 1,200 foot separation was a compromise that would help prevent pawn shops from concentrating in downtown. As was stated, staff was unaware that the 1,200 foot regulation was exempt from existing pawn shops.

Mr. DiBella asked if the existing pawn shops or tattoo parlors would have the ability to expand at their present site under the changes that are being proposed.

Mr. Murphy said it would depend on if it was an expansion of the building or an expansion of the business. He said the ordinance does not clearly define that point, which is another reason why staff is recommending the exemption be eliminated from the ordinance.

Mr. Jordan said he was not concerned so much with the quantity of the pawn shops that are located in Mesa but that their signage and design quality are not aesthetically pleasing. For this reason, they are labeled as being an undesirable development for downtown. He felt that if the City could develop some guidelines to prevent them from looking trashy, he would not have a problem with them locating in downtown.

Mr. Marek said that, besides the visual aspect that Mr. Jordan was talking about, pawn shops simply don't have a good reputation, and therefore, class A type developments are not interested in locating into the same building as a pawn shop, regardless of the signage or design. He said a successful recruitment of class A development depends on the image that the downtown portrays, and a downtown with pawn shops is not perceived as being a major employment center with high-end tenants. In response to the design guidelines that Mr. Jordan suggested, he said this year staff will be working to create improved design guidelines that would apply to the Town Center area.

Ms. Duvall asked if staff received any public comments verbally or in writing regarding this issue.

Mr. Murphy said staff did not receive anything in writing. He said they received a few phone calls and also comments from the citizens at the public meeting.

Ms. Duvall asked what comments were made at the public meeting. She wanted to know how the owners of the pawns shops and tattoo parlors felt about this subject.

Mr. Murphy said the tattoo parlors were in favor of the changes and were unaware that the 1,200 foot exemption to existing businesses even existed. He said the pawn shops and tattoo parlors were mostly disturbed about being grouped together in this ordinance. They mostly asked questions about why the City was changing the ordinance and what was the intent. The pawn shop owners present at the public meeting did not express any comments on their approval or disapproval of the proposed changes to the ordinance. Mr. Murphy said he did receive several phone calls from one of the pawn shop owners in downtown who expressed his opposition to the ordinance. This person felt the two pawn shops that exist in downtown should remain exempt from the 1,200 foot rule.

Ms. Smith asked if this was a citywide change to the ordinance or if it would just affect the downtown.

Mr. Murphy said the ordinance is being changed citywide.

Ms. Duvall asked if the existing businesses that are currently within 1,200 feet of each other would be able to remain as such even if the changes to the ordinance are approved.

Mr. Murphy said if they are currently within 1,200 feet of each other they would be considered legal nonconforming uses and would not be required to move.

Mr. Jordan asked if there was a lease vacancy could another pawn shop move into that same location even if it is within the 1,200 feet.

Mr. Murphy said as long as they don't cease operations for a year a new pawn shop could come and take over the lease under the legal nonconforming rule.

Ms. Duvall asked if there were any comments from Mesa Town Center.

Mr. Murphy said the Mesa Town Center Executive Board met on January 11<sup>th</sup> and recommended that the City Council approve the ordinance.

**It was moved by Vince DiBella, seconded by Art Jordan, to approve amending sections 11-8-4, 11-8-5, and 11-8-6 of the Zoning Ordinance pertaining to the regulation of pawn shops, tattoo parlors, and body piercing salons.**

**Vote: 7 in favor; 0 opposed**

**9. Discuss and consider the final concept design of the Downtown Pedestrian Connection (north-south phase).**

**Staff Contact: Tony Felice, (480) 644-3965**  
**e-mail Address: tony\_felice@ci.mesa.az.us**

Mr. Felice said the North/South Pedestrian Connection project is one of the first priorities of the Downtown Concept Plan. The project is partially funded with TEA-21 funds, which is a transportation enhancement fund offered through the federal and state government. The project area runs north and south along the Lewis Street alignment from Main Street to University Drive. He said previously there were three different themes that the consultant team developed-- the Line, the Grid, and the Flowing Edge. The overwhelming response from the public (180 comments) indicated that the preferences were a three-way tie between all three concepts. As a result, the final concept brought before the Board for consideration was a combination of the best elements of all three concepts. Mr. Felice stated the Board is being asked to approve the final schematic concept of the project.

Mr. Felice went over the different aspects of the design and pointed out the different elements that were brought into the project from each of the three themes. He also went over the different phases of the project and how the surrounding buildings would be affected.

Chair Wier asked how the proposed parking garage for the City block would affect the North/South Pedestrian Connection.

Mr. Felice said the Pedestrian Pathway was designed to accommodate new structured parking developments and would introduce people into the pedestrian movement as they would exit from the parking area.

Mr. Felice went over the fiscal impacts, capital improvement budget requests, and additional grant funding received for an East/West Pedestrian Pathway. Mr. Felice also mentioned that Laura Paty, the landscape architect from the Planning Center, was present to answer questions for the Board.

Ms. Duvall said she was impressed with the project. She asked if there had been a decision made regarding the location of the light rail project.

Mr. Felice said no decisions have been made yet regarding the location of the light rail project. He said the project team has planned for the future and has designed the Pedestrian Pathway to accommodate a light rail platform on First Street and Main Street.

Mr. Pomeroy asked if the City has acquired the land behind the Post Office were the Pedestrian Pathway is proposed to run north and south.

Mr. Felice said the City has talked to the Post Office about acquiring some of the land that they are using for parking and, in return, the City would replace the rusted chain link fence with a new decorative wall. The City has also examined the library parking lot and determined that the spaces are larger than necessary and that would free up some land for the project. Mr. Felice said the rest of the land needed to build the Pedestrian Pathway is already owned by the City.

Mr. DiBella said there seems to be a lot of texture, color, and pavement patterns in the exhibits but he asked what materials were being used to create these features.

Ms. Paty went over the patterns and materials that were shown on the exhibit.

Mr. Felice pointed out that the project is designed to accommodate growth and change which means they would not have to tear up portions of the Pathway just because a building was expanding.

Ms. Duvall asked Mr. Felice to explain more about one of the original themes called the Line.

Mr. Felice explained the concept of the Line and the features that went along with it.

Ms. Paty also said the Line provided the most opportunity to incorporate art and public involvement.

Mr. Jordan said the staff report indicates that the design must be forwarded to ADOT for approval. He wondered if somewhere during the construction document preparation phase if it would come back before the Board for an update on the final details of the project.

Mr. Felice said staff will update the Board as this project moves forward. He said that the project team will start examining specific artistic elements when this moves to the construction document phase and staff will be interested in getting the Board's feedback on these items.

Mr. Felice explained that the next step is for the City Council to approve the final concept, determine that all the funding is in place, and prepare a design concept report to forward to ADOT for approval.

**It was moved by Deb Duvall, seconded by Vince DiBella, to approve the final concept design of the Downtown Pedestrian Connection (north-south phase).**

**Vote: 7 in favor; 0 opposed**

**10. Update and presentation on the Light Rail Transit System.**

**Staff Contact: Kevin Wallace, (480) 644-5075**  
**e-mail Address: kevin\_wallace@ci.mesa.az.us**

Jim Wright, Transit Administrator, said Kevin Wallace was unable to be at the meeting. Mr. Wright gave some background information on the project and introduced Betsy Mott, the urban design guideline manager, to give a presentation on the project.

Ms. Mott gave a presentation on Light Rail and the urban design of the project.

**11. Update on the Saturday Farmer's Market.**

**Staff Contact: Patrick Murphy, (480) 644-3964**  
**e-mail Address: patrick\_murphy@ci.mesa.az.us**

Mr. Murphy indicated that all the information on the Farmer's Market was given in the staff report and asked the Board if they had any questions.

Mr. Duvall said it looked like it was working out well.

Mr. Murphy said the City and Farmer's Market staff are very pleased with the results of the project.

**12. Director's Report -- Greg Marek**

**Downtown Development Committee Retreat** – Based on the responses from the Board, the Board retreat will be on Monday, February 26, 2001 from 4:00 to 8:00 p.m. Mr. Marek said the retreat would be located in the Redevelopment Office and dinner would be provided.

**Maricopa County Courts Project** – The County has changed their position and is no longer planning to co-locate the Justice Courts. As a result, staff has been working with Tri-City Properties and the United Way to find a more suitable location for them since DES is planning to move out of their building.

Ms. Duvall asked if that meant their building would become vacant.

Mr. Marek said the DES building could potentially become vacant around July 1<sup>st</sup>. Mr. Marek said options are being reviewed about acquiring that property so that entire block could be redeveloped.

**Winchell's Donut Shop** – Staff is working with the store at Country Club and Main Street on the repainting of that building. Staff feels the building needs to be repainted to its original colors because the banding on the building is actually considered to be a sign. Also, the repainting is in violation of the approved colors.

Chair Wier asked when the color panels will be placed on the site for the Mesa Arts and Entertainment Center.

Ms. Allen said the project team is finishing them up and needs to present them to City Council before making them available to the public.

**Temple Historic District** – The DDC will be considering the historic district zoning overlay for the Temple Historic District, which has been placed on the National Register of Historic Places. Staff

has received a petition from the Temple neighborhood to obtain the Historic District zoning overlay. The Historic Preservation Committee has already reviewed this issue and has recommended approval to the Downtown Development Committee and City Council.

**Site 25** - Submissions to the Requests for Proposals are due on January 31, 2001. Staff expects to receive at least one proposal and would like to set up a three person work group for Site 25.

Mr. Pomeroy, Ms. Smith, and Chair Wier volunteered to be on the workgroup.

**13. Report from Mesa Town Center Corporation, Tom Verploegen, Executive Director**

Mr. Verploegen indicated that the Downtown Development Committee would receive their board packet next week.

**14. Board Member Comments**

None

**15. Adjournment**

With there being no further business, this meeting of the DDC was adjourned at 9:14 a.m.

Respectfully Submitted,

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Mr. Gregory J. Marek, Director of Redevelopment  
Minutes prepared by Katrina Bradshaw