

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

DATE: June 21, 2007 **TIME:** 7:30 a.m.

MEMBERS PRESENT

Jeff Jarvis, Chair
Adam Decker, Vice Chair
Nabil Abou-Haidar
Steve Chucri
Linda Flick
Gary Gallagher
Dean Taylor

STAFF PRESENT

Shelly Allen
Sue Cason
Cathy Ji
Katrina Rogers
Gordon Sheffield

STAFF ABSENT

Patrick Murphy

Others Present

Sharon Winter

MEMBERS ABSENT

1. Call to Order

The June 21, 2007 meeting of the Downtown Development Committee was called to order at 7:35 a.m. at the City Council Chambers, Upper Level 57 E. First Street by Chair Jeff Jarvis.

2. Approval of Minutes of the May 17, 2007 Regular Meeting.

It was moved by Linda Flick and seconded by Adam Decker to approve the minutes of May 17, 2007.

**Vote: 7 in favor
0 opposed**

3. Discuss and Consider Design Review Case No. DR07- 001TC and Preliminary Plat for the proposed Legacy Villas Condominiums located at 603 North Center Street.

In Mr. Patrick Murphy's absence, Ms. Katrina Rogers gave a brief overview of the application for the proposed Legacy Villas Condominiums located at 603 North Center Street. This property was originally owned by the City of Mesa and sold in July 2006. The zoning for the property is R-2 which is multi-family residential. Legacy Villas is a proposed seven-unit condominium project to be developed at the northeast corner of Center and 6th Streets. The project will have two (2) buildings on

the site consisting of a five-unit and two-unit structure. The units will be individually sold and owned by the new property owners.

As part of the design review case there is a request to modify some of the site development design standards in Chapter 15 of the City of Mesa's Zoning Ordinance. The request is to modify the front setback from twenty feet (20') to ten feet (10'), the rear setback from thirty feet (30') to fifteen feet (15') and the side setback from thirty feet (30') to fifteen feet (15'). The color scheme for the buildings was presented at the study session.

The main entrance to the site is from 6th Street. Parking requirements have been met with 2 spaces per unit and also required guest parking for the site.

Citizen participation was completed with all property owners and tenants within 300 feet of the site being notified. Staff has not received any comments from the public at this time. The Town Center Development staff is recommending approval subject to stipulations.

Mr. Jarvis asked for a justification for the modification of the setbacks.

Ms. Rogers replied that the odd size and triangular shape of the parcel was the basis for the limited amount of room to place buildings and organize the site, as well as the urban area as justification for the reduction in the setbacks.

Mr. Decker questioned if the driveways were able to maintain sufficient space for parking and entrances.

Ms. Rogers stated that all the driveways and parking areas meet the minimum requirements in spite of the modified setbacks.

It was moved by Gary Gallagher and seconded by Nabil Abou-Haidar to approve Design Review Case No. DR07-001TC and Preliminary Plat for the proposed Legacy Villas Condominiums located at 603 North Center Street with 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 dated May 24, 2007.**
- 3. 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.**
- 4. Final placement of plant/landscape materials shall be subject to the approval of a City of Mesa Landscape Inspector.**

5. **Modify the requirements as described in Chapter 15 of the City of Mesa Zoning Ordinance to reduce the following setbacks: front setback from twenty feet (20') to ten feet (10'), rear setback from thirty feet (30') to fifteen feet (15'), and side setback from thirty feet (30') to fifteen feet (15').**
6. **Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).**

As part of the approval of this design review case, staff is also asking for a recommendation regarding the Preliminary Plat with the following stipulations. The final plat will be approved by the City Council.

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 dated May 24, 2007.**
3. **Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).**
4. **Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat or at the time of the City's request for dedication, whichever comes first.**
5. **Compliance with all requirements of the Subdivision Technical Review Committee.**

**Vote: 7 in favor
0 opposed**

4. **Discuss and Consider Special Use Permit Case No. ZA07-050TC for outdoor temporary and/or peddler merchandising on public and private property for "Friday Night Out" located within the area bounded by Morris Street to the west, Center Street to the east, Mahoney Street alignment to the south and Pepper Place to the north.**

Ms. Rogers stated that this Special Use Permit is to allow temporary outdoor and peddler merchandising in the TCC Zoning District. The "Friday Night Out" event began on March 9, 2007 when a group of the Downtown Merchants held a meeting and decided to stay open late (until 10:00pm) to provide some promotional sales for the retail businesses that chose to participate. After the success of the first event, the merchants decided to hold the event monthly on the second Friday of each month. This event was created to help promote and showcase the Downtown area, and

increase the foot traffic. A steering committee was put together comprising of the business and property owners located within the pedestrian overlay area. The committee will make the decisions concerning the type of vendor and what they will be selling or doing, and also have the right to approve or decline a vendor application. The vendors will be required to meet certain criteria as far as cleanliness, neatness and eye appeal of their booth or table. The vendors will be located within the City of Mesa right-of-way areas on the sidewalks on Main Street, both the north and south sides. An insurance policy has been provided to the City to cover anything that might occur within the right-of-way.

A good neighbor policy was submitted to address issues regarding the parking that may be generated by the event. The Solid Waste Division will be providing additional trash containers to insure the sites are maintained. The Downtown Mesa Association's Clean-Sweep Ambassadors have also agreed to make sure that the area remains clean before, during and after each event.

The public participation requirements were met by notifying all property owners and tenants within three hundred feet of the area. Staff has not received any complaints concerning any of the events held to this date. The steering committee is prepared to address any complaints that may occur.

Mr. Decker inquired who will be the members of the steering committee and how many members comprise the committee?

Ms. Rogers stated the members are either property or business owners within the specific area of the event and that there are three (3) members that comprise the committee.

Mr. Decker also wanted to know the purpose of no additional signage for the vendors.

Ms. Sharon Winter, Vice President of the Downtown Mesa Association, replied that other than a small sign at the front of the table that the vendor may chose to put up, there really was no need for major signage since it is only one night a month.

Ms. Rogers stated a small sign on the table would not be in violation of the Sign Ordinance as they are temporary signs under six square feet which is a minimum size without a permit.

Mr. Decker also stated his concern for the washable chalk and removable tape on the sidewalks and wanted to know the purpose for it.

Ms. Winter replied that the purpose of the chalk and tape is to mark the limit of each vendor's space.

It was moved by Adam Decker and seconded by Gary Gallagher to recommend approval of Special Use Permit Case No. ZA07-050TC for outdoor temporary and/or peddler merchandising on public and private property for "Friday Night Out" located within the area bounded by Morris Street to the west, Center Street to the east, Mahoney Street alignment to the south and Pepper Place to the north subject to the following stipulations.

1. No materials may be placed upon any of the City's street furniture, which includes pedestrian light poles, street light poles, tables, benches, and trash cans.
2. Materials may not obstruct/impede pedestrian or vehicular flow of traffic.
3. No additional signage is allowed.
4. The area encompassed within the Special Use Permit will be kept neat/clean and hazard free during "Friday Night Out" event hours. In addition, the event area shall be neat and clean following each monthly event.
5. Materials will be removed from the sidewalk at the close of the "Friday Night Out" event.
6. Vendors shall be advised that they may park in Main Street parallel parking spaces long enough to unload their merchandise, but shall then immediately move their vehicles and park in one of the four surface parking lots behind the Main Street Colonnade area (the Drew Lot, the Mahoney Lot, the Pepper Lot, or the Macdonald Lot).
7. All building, fire safety, and tax and licensing regulations of the City of Mesa shall be adhered to.
8. Compliance with all health permit regulations shall be maintained.
9. Compliance with the site plan, and narrative, which includes the Good Neighbor Policy, shall be maintained.
10. A Certificate of Insurance for \$2,000,000 and a hold-harmless agreement shall be in effect for the term of the permit.
11. Only a washable chalk or removable tape shall be used to outline the location of the vendor area on the sidewalk.
12. The City reserves the right to make necessary adjustments to the Special Use Permit or the site plan to ensure pedestrian safety and that the landscaping is properly maintained.

**Vote: 7 in favor
0 opposed**

5. Consideration and Recommendation to the City Council on proposed Resolution for Planning Division fee charges.

Mr. John Wesley, Planning & Zoning Director, gave a presentation on the proposed Resolution for Planning Division fee charges in the preceding Study Session. Since

Mr. Wesley was unable to attend the regular Downtown Development Committee meeting, Mr. Gordon Sheffield, Planning & Zoning Administrator, was in attendance to answer any questions the Committee might have.

It was moved by Gary Gallagher and seconded by Linda Flick to recommend approval on proposed Resolution for Planning Division fee charges.

**Vote: 7 in favor
0 opposed**

6. Board Member Comments

There were no comments.

7. Director's Report, Shelly Allen, Town Center Development Director

Ms. Allen was unavailable to give the Director's report.

8. Report from Downtown Mesa Association – Tom Verploegen, President

Mr. Verploegen was unavailable to give his report, so Ms. Sharon Winter, Vice President, gave a brief update. Ms. Winter stated that the Downtown Mesa Associates board packet would be mailed to the DDC members by next week and contained updates and projects that Downtown Mesa Association is working on.

9. Items from Citizens Present (No action can be taken)

There were no items.

10. Adjournment

With there being no further business, this meeting of the Downtown Development Committee adjourned at 7:50 a.m.

Respectfully Submitted,

Shelly Allen, Town Center Development Director
Minutes prepared by Sue Cason