

GENERAL DEVELOPMENT COMMITTEE MINUTES

February 28, 2002

The General Development Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on February 28, 2002 at 10:25 a.m.

COMMITTEE PRESENT

Claudia Walters, Chairman
Jim Davidson
Mike Whalen

COUNCIL PRESENT

None

OFFICERS PRESENT

Mike Hutchinson

1. Discuss and consider Falcon Field and Environs Economic Development Strategy Plan.

Assistant Development Services Manager Jeff Martin, Economic Development Director Dick Mulligan and Airport Director Mark Meyers addressed the Committee regarding this agenda item.

Mr. Martin stated that the purpose behind the proposed development of a Falcon Field and Environs Economic Development Strategy Plan is to proactively prepare for increased development activity in the Falcon Field area. Mr. Martin commented on development that is presently occurring in this area, including the Dover Industrial Project and the Longbow Business Park. He added that it is the consensus of staff that a major factor contributing to increased development in this area is the extension of the Red Mountain Freeway. He noted that the freeway is expected to be open to Higley Road by the end of 2002.

Mr. Martin reported that an internal staff team comprised of representatives from the various City departments impacted by this issue, developed a scope of work and proposal for this project in conjunction with Mr. David Wilcox of Economic Research Associates (ERA), the consultant retained to develop the City's Economic Development Plan in the Vision 2025 process.

Mr. Mulligan reported that the scope of the Vision 2025 Economic Development Plan encompassed the broad community with some specific strategies, and that the purpose of the proposed project is to develop a detailed plan addressing future development of the Falcon Field employment center and how best to maximize the potential of Falcon Field Airport as an economic catalyst for the area.

Mr. Mulligan stated that it is the consensus of staff that development activity in the Falcon Field area is going to continue to accelerate and will outpace development activity in the Williams Gateway Airport area for several years because of advanced freeway access. He also commented on the opportunities this increased development will bring to the City.

Mr. Meyers said that Falcon Field Airport is currently ranked 5th in the Country with respect to the number of based aircraft. He said that although the airport currently has in excess of 30 leases, there is a significant amount of undeveloped airport land, which will be a focus of the project. He commented on the importance of incorporating an airport land development plan into this project to ensure the best future use of available land and maintain the existing synergy at the airport.

Mr. Meyers commented on the numerous issues the proposed project will address, including future infrastructure needs, the appropriate balance of aircraft storage versus aviation based businesses, the role of Falcon Field Airport compared to Williams Gateway Airport, and the selection of future tenants.

Mr. Martin commented on the benefits associated with the proposed airport land development plan and noted that this element of the project will assist staff in the difficult process of appropriately locating new tenants at the airport. He also reported that policy direction would be solicited from focus groups and stakeholders concerning the appropriate development of parcels surrounding the airport.

In response to a question from Chairman Walters concerning the scope of the proposed project, Mr. Martin clarified that the project will consist of two parts: 1) the City owned airport including a land development plan for remaining land available at the airport; and 2) an economic development plan addressing the land surrounding the airport.

Mr. Mulligan discussed input that was received from officials and developers of Scottsdale Airpark during a recent Mesa Chamber of Commerce event, which supported the importance of developing a strategy plan for the airport area.

Committeemember Davidson stated support for the proposed project. He also voiced concerns regarding the missed opportunity to incorporate this project into the previous work conducted by ERA, which might have resulted in an overall reduced cost for these combined services.

Mr. Hutchinson discussed the fact that staff was very impressed with the work performed by ERA in connection with the Vision 2025 Process and that there was staff consensus to retain ERA's services for this project because of their quality work and familiarity with the City.

Committeemember Davidson commented on a recent incident he witnessed that occurred over the airport when two private planes attempted to land at the same time requiring one of the planes to take evasive action.

Mr. Meyers advised Committeemember Davidson that he would look into this incident.

In response to a question from Committeemember Whalen concerning the geographical scope of the project, Mr. Mulligan advised that the project boundaries are consistent with the Falcon Field employment center boundaries designated on the updated General Plan and said that

generally the boundaries are McKellips Road on the south, the Salt River on the north, Recker Road on the east and Greenfield Road on the west.

Committeemember Whalen indicated support for identifying retail corridors adjacent to the freeway in connection with the project. He also commented on the waiting list to acquire hanger space and urged staff to consider solutions to this problem including the possibility of public/private partnerships to develop additional hangars.

Discussion ensued regarding the ongoing debate concerning the issue of leasing versus selling airport land.

Chairman Walters indicated that although she has concerns regarding the City's budget constraints, she supports the project.

It was moved by Committeemember Davidson, seconded by Committeemember Whalen, to recommend to the Council that staff's recommendation to enter into an agreement with Economics Research Associates to develop the Falcon Field and Environs Economic Development Strategy Plan, be approved.

In response to questions from Committeemember Whalen regarding the rates for hangar space, Mr. Meyers advised that although the rates for hangar space at Falcon Field Airport are among the highest in the Valley, there is a 4-5 year waiting list for hangar space. He added that rates were adjusted approximately three years ago. He also commented on the fact that a significant portion of the existing uses at the airport are for aircraft storage, and discussed staff's efforts to equalize employment uses versus aircraft storage.

Discussion ensued regarding the controversy that historically arises in connection with the City's proposal to increase hangar rates.

The committee voiced appreciation to staff for their on-going efforts at Falcon Field Airport.

Carried unanimously.

2. Discuss and consider an ordinance amending regulations regarding keeping of livestock.

Neighborhood Planner Ben Patton and Zoning Administrator John Gendron addressed the Committee concerning this agenda item. Mr. Patton stated that staff proposes to revise the Mesa City Code and the Mesa Zoning Ordinance in an effort to better address the administration of livestock regulations in the City. He said that citizens living in semi-rural areas of the City have recently expressed concerns regarding their inability to legally keep the number of livestock that they believe to be their historical privilege.

Mr. Patton stated that Mesa City Code Section 6-4-20 addresses this issue and provides an allowance for two head of livestock for the first full acre of land and an additional head of livestock for every additional ½ acre of land. He noted that because these regulations do not exist in the Mesa Zoning Ordinance, a legal non-conformity is not recognized for these properties. He added that these regulations are enforced through the Animal Control Division of the Police Department.

Mr. Patton reported that there are three common situations representing code violations which have led to this proposal, including: 1) a property owner owns more than one acre of land but maintains an excessive number of livestock; 2) a property owner owns less than one acre and maintains livestock; and 3) a property owner who owns less than one acre, by virtue of a right-of-way acquisition, and maintains livestock.

Mr. Patton commented on the extensive process conducted by staff during the last several months to address these issues, including a public outreach program, and noted that staff's recommendations are the result of significant study and debate. He noted that the citizens included in the outreach effort support staff's proposal.

Mr. Patton outlined staff's proposed dual solution to these issues, including:

- 1) For those properties which have lost their livestock privileges through acquisition of public road right-of-way, a proposed amendment to Section 6-4-20 of the Mesa City Code would reestablish the livestock privileges on those parcels that have become less than one acre in size by virtue of the right-of-way acquisition (Attachment "A" to staff's report);
- 2) For properties zoned for single-family residential uses who wish to keep more livestock than currently allowed through City code, or wish to keep livestock on parcels which are marginally less than one acre in size, a proposed amendment to Section 11-4-3 of the Mesa Zoning Ordinance would allow property owners in residentially zoned areas of Mesa to apply for a Special Use Permit (SUP) which, if approved, would legally authorize the keeping of livestock on their property (Attachment "B" to staff's report).

Mr. Patton reported that the SUP application would be submitted to the Planning Division and reviewed by the Board of Adjustment. He added that if the SUP is approved, the applicant must adhere to the Board's conditions of approval as well as other pertinent City regulations that apply to the keeping of livestock.

Mr. Patton commented on the general level of citizen support for staff's recommendations and noted that because staff's proposal represents a new approach to these issues, it is possible that future amendments may be necessary as these processes develop.

Committeemember Whalen voiced the opinion that the proposed recommendations represent a reasonable solution to these issues and stated support for the recommendations, particularly the group SUP application process.

It was moved by Committeemember Whalen, seconded by Committeemember Davidson, to recommend to Council that staff's recommendations amending regulations regarding the keeping of livestock, be approved.

Discussion ensued regarding cases that may arise under these regulations involving County properties annexed into the City; the fact that generally when right-of-way acquisitions occur, a significant portion of the lot is retained by the property owner; the fact that there are no State or County regulations that limit the number of livestock maintained on residential property; the fact that applicants will have to build their case for a SUP based on historical conditions associated

with the property and other factors; and the fact that the Council is not involved in the SUP process and that Board of Adjustment decisions are appealed to Superior Court.

Mr. Gendron commented on the SUP process and said that the Board of Adjustment and the Zoning Administrator will consider the merits of each case, including lot size, historical precedent and other factors.

Committeemember Davidson voiced concerns regarding the fact that the Council is not involved in the SUP process and the fact that staff's proposal does not adhere to the City's policy of requiring annexed properties to comply with City standards.

Discussion ensued regarding the fact that the SUP process does include public notification and public comment and the fact that neighbors can voice concerns and opposition to SUP applications and the Board of Adjustment will consider those comments as part of the process.

In response to a question from Chairman Walters concerning County regulations, Mr. Patton explained that although the County has no limits on the number of animals allowed on residential property, it does have regulations relative to nuisance control and sanitation.

Chairman Walters voiced concerns regarding the proposed group application process, the fact that each property under a group application may have different circumstances, and the fact that a neighbor opposed to the conditions on one property in the group may be intimidated and unwilling to oppose the entire group.

In response to Chairman Walters' concerns and questions relative to the group application process, Mr. Gendron explained that a group application for a SUP is used successfully in other City zoning cases; and that in cases where neighbors have complaints regarding one or more properties in a group, the Board would consider those individual complaints. He pointed out that the Board has the option of denying the permit for an individual property in a group.

In response to a question from Chairman Walters concerning the possibility of reducing the City's SUP application fee (\$400) for this type of SUP, City Attorney Debbie Spinner advised that she would research this issue.

In response to questions from Chairman Walters regarding the process of addressing violations concerning one property in a group subsequent to the approval of a group SUP, Mr. Gendron explained that the City would take action against an individual property owner in a group; and that although an individual's rights to have animals may be obtained collectively as a group, individual property owners can be cited and made to comply individually and also lose their rights individually.

In response to a request from Chairman Walters, Ms. Spinner advised that she would also research this issue.

Chairman Walters indicated support for the motion for the purpose of moving this matter forward to the Council.

Carried unanimously.

3. Hear and consider an overview of the issues, policies, standards, and costs associated with retention basins.

Parks and Recreation Director Joe Holmwood addressed the members of the Committee and stated that this agenda item is in response to a request from Council during the FY01/02-02/03 budget hearings that staff examine the potential and feasibility of reducing the City's maintenance costs for retention basins.

Mr. Holmwood provided the Committee with an overview of various issues, policies, standards and costs associated with retention basins. He stated the fact that there are currently 127 retention basins scattered throughout Mesa that are maintained by the City; noted that a retention basin is defined as a water collection facility designed to collect storm water runoff and release it at a controlled rate after a storm; stated that an estimated 59% of retention basins maintained by the City are used for recreation/practice fields, and added that under current regulation, retention basins developed in "conventional" residential subdivisions are accepted by the City upon completion of an approved maintenance period for future maintenance.

Mr. Holmwood advised that since the early 1980's, the City has been compelled to assume ongoing maintenance responsibility for a few retention basins originally constructed as "private" basins. He explained that during the budget hearings, it was suggested that one way to reduce the City's maintenance costs of the basins was to revert the maintenance responsibility back to the developer, but that has not been well received by homeowners' associations.

In response to a question from Chairman Walters, Mr. Holmwood clarified that if the City assumes the responsibility of maintaining a retention basin located in a residential development, the basin becomes a public facility and must be accessible to the general public. He added that the size of the retention basin determines whether it would be utilized for recreational purposes.

Mr. Holmwood reported that the City has acquired additional retention basins as a result of the Southwest Mesa Drainage Master Plan. He commented that in the 1980's, the number of retention basins maintained by the City increased as a result of the development of the Superstition Freeway, but at the present time, there are no flood control basins included in the Red Mountain Freeway design to Higley Road. Mr. Holmwood said that the future development of the freeway beyond Higley Road may require additional basins, but at this time it is difficult to estimate the number and total acres of additional basins.

Mr. Holmwood explained that during last year's budget hearings, Mayor Hawker suggested that staff explore the possibility of offering retention basins to the private sector and/or evaluate other avenues to address the rising maintenance costs being borne by the City. He noted that Management Assistant Debbie Yukolis and Parks Maintenance Supervisor Jerry Bradney researched this issue, and it was staff's conclusion that offering the few large basins in the City's maintenance inventory to the private sector would only be feasible if Council accepts a revenue-producing reuse that surrounding residents find acceptable so that the private sector can offset its maintenance costs.

Discussion ensued relative to additional cost-reduction alternatives that were considered by staff including an Adopt-a-Program for retention basins, redesigning retention basins, and a reduction in maintenance levels.

Mr. Holmwood informed the Committee that staff also contacted Chandler, Gilbert, Tempe, Scottsdale and Phoenix to determine how these municipalities handle the ongoing maintenance of retention basins, and in general, all of them require that residential basins be maintained by a homeowners' association unless the basin exceeds five acres in size.

Mr. Holmwood stated that it is staff's recommendation that the Committee recommend to Council approval of the allocation of general funds annually to retain the existing maintenance levels for the total amount of basin acres for which the Parks and Recreation Division is responsible to maintain, and that the Parks and Recreation Division and the Engineering Division work together to evaluate the potential redesign of new retention basins to achieve the maximum amount of recreation potential within minimal cost considerations for ongoing maintenance.

Committeemember Whalen stated support for staff's recommendations and said that he considers retention basins part of the City's park system because they are used recreationally. He also indicated support for ensuring that the maintenance of these facilities remains consistent in the future.

It was moved by Committeemember Whalen, seconded by Committeemember Davidson, to recommend to the Council that staff's recommendations to maintain the allocation of general funds annually to retain the existing maintenance levels for the total amount of basin acres for which the Parks and Recreation division is responsible for maintaining, and that the Parks and Recreation Division and the Engineering Division work together to evaluate the potential redesign of new retention basins to achieve the maximum amount of recreation potential within minimal cost considerations for ongoing maintenance, be approved.

In response to a question from Committeemember Davidson concerning maintenance costs outlined on Page 5 of staff's report, Mr. Holmwood confirmed that staff estimates that Fiscal Year 2002/03 maintenance costs will be \$1,828,353, which is \$288,163 more than what is currently allocated in the FY 2002/03 budget.

Chairman Walters stated that she views this issue as a joint Utility/Parks and Recreation issue because of the fact that retention basins are a form of a storm drain system. She requested that staff examine the possibility of implementing a utility surcharge in a minimal monthly amount, possibly in the range of \$.25 - \$.50, to help subsidize the cost of maintaining these facilities.

Carried unanimously.

4. Adjournment.

Without objection, the General Development Committee meeting adjourned at 11:28 a.m.

General Development Committee
February 28, 2002
Page 8

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the General Development Committee of the City of Mesa, Arizona, held on the 28th day of February 2002. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

pjt