



COUNCIL MINUTES

September 18, 2008

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 18, 2008 at 7:33 a.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Councilmember Richins participated in the Study Session through the use of telephonic equipment until 8:30 a.m., at which time Mayor Smith excused him from the remainder of the meeting.

1. Review items on the agenda for the September 22, 2008 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: None

Items added to the consent agenda: None

Items deleted from the agenda: None

2. Hear a presentation, discuss and provide direction on amending the zoning ordinance to allow manufactured homes to be placed within recreational vehicle parks and subdivisions. (Related to Item 9b on September 22, 2008 Regular Agenda).

Zoning/Civil Hearing Administrator Gordon Sheffield introduced Senior Planner Jeff McVay, who has served as the Project Manager for the development of the proposed amendment.

Mr. McVay displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) and stated that the proposed amendment to the zoning ordinance would allow the placement of manufactured homes in recreational vehicle (RV) parks and subdivisions. He explained that many owners are adding porches, carports and other permanent structures to their RV's and utilizing the RV as a permanent residence. Mr. McVay stated that the proposed

amendment would apply only to recreational vehicle parks and subdivisions ten acres in size or larger. He said that other issues to be addressed include the following:

- Minimum lot space size.
- Minimum setbacks and building separation.

Responding to a series of questions from Mayor Smith, Mr. McVay stated that a current RV development permits a three-foot building separation between fire resistant structures, but manufactured homes are required to have a minimum six-foot separation between structures regardless of the type of structure. He said that an aluminum carport would be considered a fire resistant structure.

Mr. Sheffield explained that in the past, several individuals neglected to obtain building permits for the construction of carports and other structures. He said that in an effort to bring these structures into compliance with the existing Building Code, the required separation between structures was changed from six feet to three feet for fire resistant structures. Mr. Sheffield stated that the requirement for a three-foot building separation is related to issues of aesthetics and the Fire Code.

Mr. McVay continued the presentation by outlining the following issues.

- Provision of open space.
- Maximum enclosed building area.

Mr. McVay noted that David K. Udall, an attorney with Udall, Shumway & Lyons, submitted a letter (see Attachment 1) on behalf of his client, Palm Gardens RV Park, which outlines a compromise to change the current proposal for a maximum square footage limitation for an enclosed structure from 1,100 square feet to 950 square feet.

Responding to comments by Councilmember Somers, Mr. McVay advised that two parks, Monte Vista and Viewpoint, were previously rezoned and redefined as manufactured home parks with a maximum square footage per unit of 1,100 square feet.

Mr. Sheffield said the current minimum lot size is 1,200 square feet in a RV park and 1,750 square feet in a RV subdivision with an average of 2,000 square feet for the entire subdivision.

Discussion ensued relative to the fact that manufactured homes must meet the HUD (Department of Housing and Urban Development) building code; that RV's have no building codes; that a purchase in a subdivision can be financed with a normal mortgage; and that a different type of home financing is available for those purchased in a park that has leased lots.

In response to a question from Councilmember Higgins, Mr. McVay advised that staff's original proposal did not designate a maximum amount of square footage for the enclosed structure because of the belief that the lot size would determine the size of the structure. He said that the proposal for a size limitation is the result of concerns expressed by existing manufactured home park owners.

Mr. Sheffield explained that the size limitation proposed by manufactured home park operators would require larger RV's to utilize their facilities rather than an RV park.

Mayor Smith noted that RV parks, which are limited to leased or rented lots designed for transient occupancy, are evolving into more permanent types of residences. He stated that an RV, including attached structures, in excess of 950 square feet would be required to utilize a manufactured home park rather than an RV park.

Mr. Sheffield advised that the proposed ordinance is designed to ensure that manufactured home parks and RV parks meet higher standards when converting to manufactured home subdivisions and RV subdivisions. He said that the higher standards include upgraded landscaping, greater parking requirements, increased setback and lot size requirements, and increased open space requirements. Mr. Sheffield explained that after a park has been granted a Special Use Permit, the improvements would be required in gradual stages as the park begins the transition.

Councilmember Higgins stated the opinion that a three-foot building separation provides a neater appearance than a six-foot separation. She noted that a six-foot separation provides a greater opportunity for weeds and trash to accumulate.

Further discussion ensued relative to the fact that the six-foot separation satisfies life safety requirements that are based on the Fire Code; that the park operator would be responsible for maintaining the appearance of the property; and that park models evolved in order to fit within the lot size of an RV park.

Councilmember Finter noted that only a few large properties would be affected by this ordinance. He expressed the hope that future plans would include parks that are smaller than ten acres in order to provide these properties with the opportunity and tools to implement improvements.

Additional discussion ensued relative to the fact that the requirements for improved landscaping and recreational opportunities would be addressed through conditions of the Special Use Permit; that the exterior landscaping would be required in the first phase of the transition; and that the open space requirements should be in place when manufactured homes account for 66 percent of the park.

Responding to a question from Councilmember Somers, Deputy Fire Chief Rich Kochanski advised that there is no difference in the fire flow calculation between RV's and manufactured homes. He noted that a lack of fire hydrants within a park could require firefighters to access a hydrant on the street, which could create a problem for additional fire units responding to the scene.

Mr. Sheffield stated that the infrastructure required in order to comply with fire safety standards would be addressed as conditions in the Special Use Permit and coordinated with the Fire Department.

In response to a question from Councilmember Finter, Mr. Sheffield advised that the existing Code requires that a new application for a manufactured home park or subdivision be at least ten acres in size, and therefore that requirement was also placed on RV parks applying for the conversion.

Further discussion ensued regarding the fact that the 950 square foot compromise is between the manufactured home operators and the applicants; that future applications could come forward from other RV parks with larger lots that are able to accommodate an enclosed structure in excess of 950 square feet; and that RV parks with larger lots could apply for a rezone with an overlay.

Responding to comments from Vice Mayor Jones regarding the necessity of making the Code changes at this time, Mr. Sheffield stated that without the Code change, RV subdivisions would be required to comply with all aspects of the General Plan in order to rezone the property, and he advised that several existing sites would not be able to conform with the General Plan.

Mr. Sheffield responded to comments from Councilmember Higgins by clarifying that the compromise outlined in Mr. Udall's letter (see Attachment 1) provides for a 950 square foot limitation on enclosed space in a RV park and no square foot limitation for an enclosed space in a RV subdivision.

Mayor Smith noted that Councilmember Richins had another commitment and excused him from participating in the remainder of the meeting.

Mr. Sheffield confirmed that the square footage of an enclosed space in an RV subdivision would be limited by the lot size and the building envelope.

Additional discussion ensued relative to the fact that the proposed ordinance establishes artificial limitations when lot sizes and building envelopes typically limit the building size; that the Council should address the issues of safety and sustainability, in addition to considering alternatives for parks of less than ten acres; and that that a process is presently in place that enables parks to transition to subdivisions.

City Attorney Debbie Spinner advised that the ordinance could be reintroduced without the reference to 1,100 square feet.

Mayor Smith expressed concern that the ordinance does not accomplish the City's goals.

City Manager Christopher Brady suggested that at the direction of the Council, the ordinance could be reintroduced to reflect staff's original proposal that does not include a square foot limitation.

Mayor Smith stated that he wanted to ensure that the proposal does not create a "back door" situation. He noted that a difference does exist between RVs and manufactured homes, and he stated the opinion that addressing a marketing issue was not the proper role of the City.

Mr. Sheffield explained that the ordinance introduced at the previous Council meeting included a 1,100 square foot limitation. He said the compromise proposed by Mr. Udall provides for a 950 square foot limitation on enclosed space in a RV park and no square foot limitation for an enclosed space in a RV subdivision.

Mayor Smith recommended that the ordinance remain on the agenda as stated and that the Council reconsider the item on Monday, September 22, 2008. He thanked staff for the presentation.

3. Hear a presentation, discuss and provide direction on the proposed Planned Community District for the Mesa Proving Grounds.

Planning Director John Wesley displayed a PowerPoint presentation (a copy is available for review in the City Clerk's Office) and noted that streets are some of the largest public spaces in a community. He added that in addition to facilitating the movement of traffic, walkable, pedestrian-oriented streets provide the connectivity that brings people together within a community.

Deputy Transportation Director/City Traffic Engineer Alan Sanderson continued the presentation by providing an overview of the street plan for the Mesa Proving Grounds (MPG). He stated that two significant policy changes are proposed to address the area:

- Reducing the street lighting requirements.
- Utilizing a different planning methodology.

Mr. Sanderson advised that the narrower streets are designed to encourage slower traffic and accommodate non-automobile use. He said that the streets would provide interconnectivity and more route options within a dense, congested urban area. Mr. Sanderson noted that the layout of the streets is tilted to reflect the angles of the sun rather than the typical north and south grid. He added that the layout would encourage traffic to utilize the perimeter arterial streets to reach destinations other than the Mesa Proving Grounds area rather than utilizing a MPG street as a "pass through." Mr. Sanderson provided an overview of the district and neighborhood streets, parking availability and service lanes, which would function similar to alleyways. He reported that the planning was coordinated with the Fire Department to ensure that the streets are accessible for emergency vehicles. He stated that the right-of-way would begin at the back of the curb to provide flexibility between the curb and the buildings for landscaping, street furniture, restaurant seating, etc.

In response to a question from Mayor Smith, Trevor Barger, DMB's Director of Planning for the Mesa Proving Grounds, advised that approximately eleven feet along the right-of-way would be governed by the owners' association with regard to landscaping and ensuring that a clear zone is maintained throughout the area.

Mayor Smith stated the opinion that the setbacks be clearly defined to avoid conflicts between the building setbacks and other areas related to the City's standards.

Mr. Sanderson continued the presentation by noting that representatives of DMB worked with staff to address the concerns of bicyclists. He explained that the urban neighborhood proposed by DMB would provide interconnectivity and minimize vehicle travel. Mr. Sanderson advised that although DMB requested that no public street lighting be required in five of the Land Use Groups (LUGs), City Code requires lighting on all public streets except in the Desert Uplands area, which has three standards of lighting. He said that staff is recommending a standard similar to the Mountain Bridge model of Desert Uplands lighting, which requires lighting at intersections, at pedestrian, bicycle and pathway crossings, and along nighttime activity centers. Mr. Sanderson added that the reduced street light requirements would apply to the Open Space, Civic Space, Village, District and Retreat Land Use Groups.

Responding to a question from Mayor Smith, Mr. Sanderson stated that alternative methods of illumination were considered, and he noted that the Plan includes sidewalk lighting, lighting from the fronts of buildings, and streetlight fixtures that differ from the typical City standards.

Mr. Barger stated that DMB plans to utilize dusk to dawn sensors on front porch lights and garage coach lights in addition to focusing spotlights on certain trees and installing pedestrian level pole lighting.

Mr. Wesley advised that the lighting standard could be included in the Development Unit Plan and referenced in the specific subdivision and site plans.

In response to a question from Vice Mayor Jones, Mr. Barger advised that the homeowner's association would be responsible for ensuring that light bulbs on front porches are replaced when necessary.

Mayor Smith stated, and the Councilmembers concurred, that staff has direction to include these types of street lights in the Plan.

Mr. Sanderson continued the presentation by addressing the "Traffic Model Land Use Assumptions" and the projected "2030 Traffic Volumes" (see Attachment 2).

Discussion ensued relative to the fact that the streets would be engineered to accommodate the projected traffic volumes; that the Plan design creates a grid that encourages vehicle traffic on the perimeter rather than traveling through the middle of the development; and that the Plan design creates congestion at build out that provides opportunities for alternative types of transportation.

Deputy Transportation Director for Planning and Transit Mike James continued the PowerPoint presentation and advised that a Transit Concepts Plan has been developed. He reviewed the routes funded by Proposition 400, none of which connect to the Mesa Proving Grounds. Mr. James stated that many workers would not have transportation to their jobs in the MPG area if funding for connecting bus routes is not available by 2014. He added that Power Road or Ellsworth Road could be considered for use as a high-capacity transit corridor, and he emphasized that planning for the necessary rights-of way was extremely important.

In response to a question from Councilmember Finter, Mr. James advised that connections are being planned in the event a high-speed commuter rail system becomes a reality.

Mr. James outlined the following recommendations:

1. If there are no bus routes connecting to MPG in 2014, consider cost sharing to implement a bus connection between the Northwest Core/Resort area and Power/Guadalupe. The route implementation could be established in the development agreement.
2. Consider cost sharing to fund a circulator serving MPG, which would connect to Arizona State University Polytechnic and the airport terminal. The route implementation could be established in the development agreement.

3. Incorporate integrated, on-street six-bay transit centers in the core development area. The design and pedestrian amenities would be consistent with regional standards and practice.
4. Install transit shelters with lighting, benches and bike racks at quarter-mile intervals along the following roadways within or adjacent to the Proving Grounds: Elliot, Ellsworth, Signal Butte, Ray, Williams Field, Warner (north and south) and Spine East.
5. Incorporate bus bays (pull-outs) at arterial intersections deemed necessary by the City Traffic Engineer and concurrent with the development of sidewalks and travel lanes.

Mayor Smith stated that the nature of the MPG development creates a new urban core that is based on being able to easily traverse within the area. He noted that MPG is outside of the City's existing public transportation service area, and he added that a funding source to establish and maintain public transit in the area is not presently available. Mayor Smith stated the opinion that all parties involved, including the Gateway area, the City and the Region, should begin to discuss plans to jointly address the issue.

In response to a question from Councilmember Somers regarding the Community Facilities District (CFD), City Manager Christopher Brady advised that the burden of the CFD is fairly significant for infrastructure, fire stations, parks, etc. He said that although the CFD could be considered in future funding discussions, other funding mechanisms would also be brought forward for consideration. Mr. Brady noted that the Council would consider the General Plan Amendment at the next Council meeting, and that additional briefings are planned for future Study Sessions.

Mr. Wesley advised that at the September 22nd and 25th Study Sessions, staff would provide additional information regarding the Community Plan and the Master Plan. He stated that formal action by the Council would be placed on the October 6th Council agenda and the Study Session on October 2nd would provide an opportunity to discuss any final adjustments.

City Attorney Debbie Spinner advised that ordinances on the annexation, the comparable zoning, the rezone from R1-43 to the Planned Community District and the streetlight standards are being introduced at the Monday, September 22nd Council meeting.

In response to a question from Councilmember Somers, Mr. Wesley explained that the ordinances are worded in a manner that allows for changes to occur in the Community Plan document without changing the ordinance.

Mr. Brady added that the Development Agreement is being finalized and will be presented to the Council for discussion on Thursday, September 25th.

Councilmember Somers expressed the opinion that the estimate of jobs to be created by the development is incorrect, and he also questioned the manner in which the area could become an urban core when the floor area ratio and the building heights are so low.

Mr. Brady suggested that these issues could be addressed during the presentations scheduled for next week, and he added that the applicant would be invited to make a presentation to the Council. He said that other issues to be addressed relate to the Master plan, job creation,

sustainability language, the over-engineering of infrastructure, the CFD, the public improvement obligations of the developer, and the necessity to accelerate some of the City's capital improvement projects.

Mayor Smith commented that the concept of the area has changed in that many of the jobs are going to be south of the 202 Freeway. He said that MPG's impact extends beyond the actual boundaries of the development. Mayor Smith added that private investment would create many of the jobs.

Mr. Barger noted that the job numbers cited reflect the current General Plan that is in place, and he offered to provide comparable data to the Council next week.

Mayor Smith thanked staff for the presentation, and he noted that the applicant would have sufficient time at the Study Session next week to address the issues and questions raised by the Council.

4. Acknowledge receipt of minutes of various boards and committees.

- a. Parks and Recreation Board meetings held on June 11, 2008 and August 13, 2008
- b. Public Safety Committee meeting held on August 25, 2008
- c. Transportation and Infrastructure Committee meeting held September 8, 2008

It was moved by Vice Mayor Jones, seconded by Councilmember Kavanaugh, that receipt of the above-referenced minutes be acknowledged.

Mayor Smith declared the motion carried unanimously by those present.

5. Hear reports on meetings and/or conferences attended.

Vice Mayor Jones: 9/11 Commemorative Ceremony.
 Sister Cities Concert in remembrance of 9/11.
 Courtyard Towers event honoring Police and Fire personnel.
 Regional Medical Center Open House.
 Embraer Air Event.
 Light Rail Transit news conference.

Councilmember Kavanaugh: Opening of the Housekeeping Olympics.

Councilmember Somers: Opening of Buffalo Wild Wings at Superstition Springs.

6. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Monday, September 22, 2008, TBA – Study Session

Monday, September 22, 2008, 5:45 p.m. – Regular Council meeting

Wednesday, September 24, 2008, 8:00 a.m. – General & Economic Development Committee

Thursday, September 25, 2008, 7:30 a.m. – Magistrate interviews followed by Study Session

Mayor Smith announced the passing of former Westwood High School choir director and music teacher, Elizabeth White, and he expressed gratitude on behalf of the City for her decades of service.

7. Items from citizens present.

There were no items from citizens present.

8. Adjournment.

Without objection, the Study Session adjourned at 9:46 a.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 18th day of September 2008. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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Attachments (2)