



COUNCIL MINUTES

April 21, 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 April 21, 2008 at 4:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Kyle Jones
Tom Rawles
Darrell Truitt
Claudia Walters
Mike Whalen

COUNCIL ABSENT

Scott Somers

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

(Mayor Hawker excused Councilmember Somers from the entire meeting.)

1. Review items on the agenda for the April 21, 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: 5i, 5j, 5k, 5l, 5m, 5n, 7a (Hawker); 7a (Whalen)

Items removed from the consent agenda: 7e

Items deleted from the consent agenda: 3g

Items added to the consent agenda: None

2. Hear a presentation, discuss and provide direction on Module 2: Development Regulations of the Zoning Code Update.

Zoning/Civil Hearing Administrator Gordon Sheffield referred to a PowerPoint presentation (A copy is available for review in the City Clerk's Office) and provided a brief, but complex overview of Module 2 (Development Standards – General Site Regulations) of the Zoning Ordinance Update project. He reported that the existing Zoning Code places a heavy emphasis on land use and explained that one of the goals of the update is to equalize land use, various performance standards (i.e., impact standards) and form standards. Mr. Sheffield added that such efforts are intended to produce more predictable results and, on a long-term basis, afford easier access to the Zoning Code online.

Mr. Sheffield indicated that a Technical Review Committee was formed for the purpose of reviewing Module 2 and providing input to staff in that regard. He said that the six-member Committee consists of representatives from the Downtown Development Committee (DDC), the Design Review Board (DRB) and the Planning & Zoning (P&Z) Board. Mr. Sheffield added that subsequent to the Committee's review, staff would solicit similar feedback from the development community.

Councilmember Truitt stated that he would have preferred staff to seek input from the "end users" of the Zoning Code during the technical review of Module 2 as opposed to later in the process.

Mr. Sheffield offered a short synopsis of the proposed revisions to the development standards including, but not limited to, the following:

- Agricultural District – No revisions proposed to dimensional requirements; add "corral fence" provisions.
- Single Residence Districts (SR-6) – Increase lot coverage from 40% to 50%; allow livable area to encroach to front yard; set separate minimum setback at 20 feet; consider allowing one-half of the building width to encroach into the rear yard; consider allowing tandem parking arrangement.
- Residential Districts (RS) Zone – Other Single Residence Districts – Permit open porches to encroach into front yard by 10 feet; consider rear yard encroachments of up to 10 feet for one-half width of rear building; increase lot coverage by 5%.
- Residential Small Lot (RSL) Zone – Introduction of a new zoning district that would include lots from 2,500 to 4,500 square feet; a "menu driven" option that would allow developers to select various community standards for a project; includes criteria for third story structures; setbacks adjacent to RS zones; zero-lot-line development standards; open space requirements.
- Commercial and Mixed Use Districts – Add a Mixed Use (MX) District, which would vertically integrate various types of activities (i.e., residential and commercial); proposed "Character Designators," measurable general building form standards; add minimum residential density allowance (proposed: 15 du/ac) for Commercial Districts.
- Employment Districts – Establish one-acre minimum lot size for single use – single lot projects.
- Town Center Districts (TCR Zones) – Revise setbacks to "pedestrian" standards.

Discussion ensued relative to a "zoning spectrum;" the fact that suburban districts tend to be on the extremes of the spectrum both in residential and industrial areas, while urban districts tend to be in the center; that with this proposal, staff is attempting to urbanize the R1-6 District and create an entity with distinguishing characteristics between R1-6 and R1-7; and that staff is also considering adding a General Industrial (GI) District to the Employment District, Transit Oriented Development (TOD) Districts along areas near the light-rail line and future bus rapid transit line, as well as adding the RSL District and Mixed Use District.

Vice Mayor Walters expressed concern regarding the proposed addition of a minimum residential density allowance for Commercial Districts. She stated that it is one thing when a single entity controls the development of a property, but when multiple owners are involved, it could become problematic relative to who would construct the residential projects.

Mayor Hawker questioned, for instance, whether it would be appropriate to have commercially zoned land near Phoenix-Mesa Gateway Airport that would include a residential component that would be impacted by the flight patterns and noise contours.

Vice Mayor Walters stated that now that she and the Mayor have raised their concerns with regard to this issue and they will not be on the Council when a vote is taken on the final Zoning Code update, what will happen with regard to their input.

Responding to Vice Mayor Walters' inquiry, Mr. Sheffield acknowledged that he had the same concerns when the consultant first raised the issue with him and noted that staff continues to study the matter. He indicated that from staff's perspective, there has been a reduction in the overall number of properties within Mesa that generate sales tax revenue and said that they would prefer that such a trend not continue to occur. Mr. Sheffield said, on the other hand, if there is an underutilized property that is already being used for commercial activity, a higher efficiency of the land use might occur if residential activity, in addition to commercial activity, were allowed to occur.

Vice Mayor Walters commented that although she does not disagree with Mr. Sheffield's premise, she would suggest possibly rezoning a piece of the commercial property or placing it under a Mixed Use zoning category as opposed to allowing it as a use "by right" in the zone.

Councilmember Rawles stated that the procedural question raised by Vice Mayor Walters deserves attention. He suggested that when the Zoning Ordinance update is presented to the new Council, it would be appropriate for staff to apprise them of the comments and concerns brought forward by this Council.

Development Services Department Director Christine Zielonka clarified that one of her goals relative to the Zoning Ordinance update is for staff to compile a summary of the comments/feedback obtained not only from the Council, but also from the stakeholders and experts. She assured everyone that such information, including any questions that have yet to be resolved, would be provided to the new Council.

Councilmember Rawles further suggested that the comments of this Council be highlighted in staff's presentation to the new Council.

In response to a question from City Manager Christopher Brady, Mr. Sheffield confirmed that the consultant asked staff and the Council to consider adding minimum residential density requirements for the Commercial District.

Mr. Brady stated that the Council could simply indicate that the issue is not worth pursuing from a policy-making perspective.

Mr. Sheffield clarified that the current Zoning Code does have a procedure in place that allows residential uses in Commercial Districts, but noted that there are no minimums associated with such activity. He explained that this proposal would set the minimum, but commented that it has not yet been determined whether that would be a "by right" type of activity or an additional procedure.

Mr. Brady stated that what he has heard the Council say is that they would prefer a “by right” type of activity.

Mayor Hawker thanked Mr. Sheffield for the presentation.

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

- a. Downtown Development Committee meeting held February 21, 2008
- b. Audit and Finance Committee meeting held March 27, 2008

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

Mayor Hawker declared the motion carried unanimously by those present.

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

Mayor Hawker stated that on Wednesday, April 23, 2008, at 5:00 p.m., there would be a joint meeting of the Maricopa Association of Governments (MAG) Regional Council and the Transportation Policy Committee regarding various transportation projects being proposed for consideration on the 2008 General Election ballot. He noted that the meeting would be held at MAG’s offices, which are located at 301 North 1st Avenue, Phoenix.

5. Scheduling of meetings and general information.

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

Thursday, April 24, 2008, 7:30 a.m. – Study Session

Thursday, May 1, 2008, 7:30 a.m. – Study Session

Thursday, May 1, 2008, TBA – Audit & Finance Committee Meeting

Monday, May 5, 2008, TBA – Study Session

Monday, May 5, 2008, 5:45 p.m. – Regular Council Meeting

Monday, May 19, 2008, TBA – Study Session

Monday, May 19, 2008, 5:45 p.m. – Regular Council Meeting

Monday, June 2, 2008, TBA – Study Session

Monday, June 2, 2008, 5:45 p.m. – Regular Council Meeting

Councilmember Jones commented that on Saturday, April 26th, 2008, at 8:00 a.m., he would host a Pancake Breakfast for District 4 residents. He stated that the event would be held at Fire Station 201, which is located at 301 East 1st Street.

6. Prescheduled public opinion appearances.

- a. Hear from Brenda Bertels regarding public transit.

Brenda Bertels, 520 North Mesa Drive, expressed a series of concerns regarding the Council's decision to cut back on the frequency of Mesa's Saturday bus service from 30 minutes to one hour. She stated that such action is scheduled to commence May 1st. Ms. Bertels commented that such a reduction in service would significantly impact the disabled community and urged the Council to reconsider their decision.

Mayor Hawker thanked Ms. Bertels for her comments.

7. Adjournment.

Without objection, the Study Session adjourned at 5:40 p.m.

KENO HAWKER, 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 21st day of April 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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