

# COUNCIL MINUTES

September 1, 2005

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 1, 2005 at 7:30 a.m.

## COUNCIL PRESENT

Mayor Keno Hawker  
Rex Griswold  
Kyle Jones  
Tom Rawles  
Janie Thom  
Claudia Walters  
Mike Whalen

## COUNCIL ABSENT

None

## OFFICERS PRESENT

Mike Hutchinson  
Debbie Spinner  
Barbara Jones

1. Review items on the agenda for the September 6, 2005 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: 4f (Hawker)

Items removed from the consent agenda: 7a, 7b, 7c and 8a

Items deleted from the consent agenda: 7.2a

2. Hear a presentation on the annual Transit Service Agreements with the RPTA.

Assistant Development Services Manager Jeff Martin provided the Council with a brief update regarding a series of transitions that have occurred in recent months between the City of Mesa and the Regional Public Transportation Authority (RPTA). He reported that the City now contracts with the RPTA for all of the transit service provided in Mesa. Mr. Martin advised that Mesa is leasing its Transit Operations and Maintenance Facility to the RPTA, with the intention of selling the structure to the agency following the expiration of a three-year lease agreement. He also stated that the City has eliminated a number of positions at the facility as a result of such changes. Mr. Martin further discussed the fact that Mesa is moving toward a regional transit service approach as a result of the passage of Proposition 400.

Transportation Planning Administrator Kevin Wallace displayed a PowerPoint presentation in the Council Chambers and highlighted the City's annual Transit Service Agreements with the RPTA, which provide bus and Dial-a-Ride service. He stated, among other things, that Mesa currently has an eight-year agreement with the RPTA (including options for two one-year extensions) and said that staff seeks Council authorization for such funding on an annual basis. He noted that the agreements are divided into two phases to coincide with Proposition 400 funding. Mr. Wallace further discussed the Fixed Route Express Service and Dial-A-Ride Agreements, as well as the Super Grid Routes.

Discussion ensued relative to various challenges that have arisen as a result of the City contracting with the RPTA to provide all transit service in Mesa (i.e., the utilization of older express route buses, and fewer spare buses which have negatively impacted the completion of maintenance on vehicles); and staff's efforts, in conjunction with the RPTA, to address those concerns.

In response to a question from Councilmember Griswold, Mr. Wallace clarified that the recent increase in fuel costs and its negative impact on the Dial-A-Ride expenses have been of great concern to staff. He noted that the Fixed Route Express Service vehicles, however, are fueled by compressed natural gas (CNG) and are not affected in the same manner.

Councilmember Griswold stated that the City is currently updating various zoning codes and encouraged staff to research the issue of transit corridors. He commented that if such corridors were established, the areas could be rezoned, for example, for high-density housing or retirement homes and benefit Mesa residents who do not own vehicles, but still require affordable and dependable transportation.

Further discussion ensued relative to Phoenix, Tempe and Glendale's transit systems.

Councilmember Rawles requested that staff provide the Council with additional financial data regarding the amount of money being expended by the region as a whole on transit services, excluding light rail.

Mayor Hawker thanked staff for the presentation.

3. Discuss and consider procedures regarding criteria for determining minor site plan modifications for administrative review.

Planning Director John Wesley reported that this item is in follow-up to the June 23, 2005 Study Session wherein staff responded to recommendations made by the Ad Hoc Redevelopment Committee to streamline a number of planning processes. He explained that in particular, one of the Committee's recommendations was that staff revise the "internal definition" of what could be considered for administrative approval. Mr. Wesley stated that such revisions would allow more items to be approved by the Planning Director. He added that the Council had requested that staff bring back the revised criteria for review.

Mr. Wesley referred to the August 23, 2005 City Council Report and highlighted the draft criteria as follows:

A minor modification to an approved site plan is limited to changes that:

- Do not increase the total building footprint on the site more than 20% to a maximum increase of 5,000 square feet.
- Do not increase building height within 50' of residentially used property and do not increase the height of any building on the site more than 20%.
- Do not increase the number of floors/stories above grade.
- Do not increase the activity or intensity of use such that it would negatively impact adjacent residentially used property within 100' of the perimeter of the site.
- Involve only minor adjustments to building footprints, locations, and orientations.
- Involve only minor shifting of pad locations, reconfiguration of parking lots, or drive aisles.
- Adhere to the General Plan and applicable adopted Sub-area plans.

Discussion ensued relative to the fact that pending Council approval of the above-referenced criteria, staff would update the administrative approval written guidelines; that such modifications would provide the Planning Director with the authority to send cases through the public review process (even if they meet the modification criteria) should there be reason to believe that the public requires an opportunity to comment on the case; and that the Planning Director could also request the applicant to conduct a neighborhood meeting and/or provide documentation reflecting neighborhood support for the change prior to the Planning Director acting on the administrative request.

Mayor Hawker stated the opinion that it is a fundamental decision for City government to determine the level of "impartial authority" delegated to staff and what "control" the Council has once such authority is delegated. He commented that he would not object to the proposed delegation of authority to the Planning Director in the private sector, but noted that City government faces "a different level of scrutiny." He requested input from Mr. Wesley regarding his comments and how he would deal with a "no brainer" case, for example, in which a request is made for a wall to be moved a few inches, but a neighbor who previously complained about prior issues now becomes aware of this new request.

Mr. Wesley assured the Council that staff is always sensitive to the concerns of the neighborhood with regard to a case and would make every effort to respond to such concerns. He stated that it is staff's tendency to "error on the side of putting it back through the public hearing process" prior to the Planning Director acting on the administrative request.

Vice Mayor Walters expressed support for the proposed draft criteria and commented that it would provide the Planning Director with "some flexibility" to consider more cases administratively.

Councilmember Griswold voiced support for staff's proposal and noted that such modifications would be important for a modern city like Mesa.

Councilmember Rawles also expressed support for the draft criteria and the manner in which staff would handle neighborhood issues as expressed by Mr. Wesley.

Councilmember Thom concurred with her fellow Councilmembers and stated the opinion that such changes would make Mesa a more “business friendly” community.

It was moved by Councilmember Griswold, seconded by Councilmember Rawles, that staff’s recommendations as outlined in the August 23, 2005 City Council Report, be approved.

Carried unanimously.

4. Acknowledge receipt of minutes of boards and committees.

- a. Design Review Board meeting held August 17, 2005.
- b. Police Committee meeting held August 25, 2005.

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

Carried unanimously.

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

Mayor Hawker Meeting in the Town of Florence regarding Superstition Vistas

6. Scheduling of meetings and general information.

City Manager Mike Hutchinson stated that the meeting schedule is as follows:

Tuesday, September 6, 2005, TBA – Study Session

Tuesday, September 6, 2005, 5:45 p.m. – Regular Council Meeting

Thursday, September 8, 2005, 7:30 a.m. – Study Session

Wednesday, September 14, 2005, 7:30 a.m., Joint Breakfast Meeting with the Mesa Chamber of Commerce

Thursday, September 15, 2005, 7:30 a.m. – Study Session

Monday, September 19, 2005, TBA – Study Session

Monday, September 19, 2005, 5:45 p.m. – Regular Council Meeting

7. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

8. Items from citizens present.

There were no items from citizens present.

9. Adjournment.

Without objection, the Study Session adjourned at 9:00 a.m.

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KENO HAWKER, MAYOR

ATTEST:

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BARBARA JONES, 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 1<sup>st</sup> day of September 2005. I further certify that the meeting was duly called and held and that a quorum was present.

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BARBARA JONES, CITY CLERK

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## City Council Report

Date: August 23, 2005

To: City Council

Through: Mike Hutchinson, City Manager  
Paul Wenbert, Deputy City Manager

From: Jack Friedline, Development Services Manager  
John Wesley, Planning Director

Subject: Review of draft staff procedures regarding criteria for determining minor site plan modifications for administrative review

### **PURPOSE**

The purpose of this report is to provide Council with information on the changes staff plans to implement with regards to defining what constitutes a minor change to an approved site plan. Following input and direction from the Council, staff will finalize the operational procedure to be used.

### **BACKGROUND**

At the June 23, 2005 Council Study Session, Development Services Department staff presented to Council a report providing our response and recommendations relative to the Ad Hoc Redevelopment Committee's report and recommendations. One of the items in that report was a recommendation that staff revise the internal definition of what can be considered for administrative approval to allow more items to be approved by the Planning Director. Council asked staff to proceed with this, but to bring the revised criteria back for review.

### **DISCUSSION**

The Zoning Ordinance contains two references to the ability and opportunity for the Planning Director to approve changes to approved site plans. These ordinance statements are:

Sec. 11-18-8 (O). After approval of a Site Plan by the City Council, modifications to the Site Plan may be approved by the Planning Director, when it is determined that the modifications are minor, such as minor dimensional changes and building configurations. Such requests shall be made in writing and be accompanied by a fee of \$200.00. The Planning Director may waive the fee if good cause is shown.

Sec. 11-18-8 (P). Any modifications to a Site Plan which has been approved by the City Council that is considered a major modification by the Planning Director, such as changes in uses, densities, or other major changes, shall be returned to the City Council through the procedures described in this Section for the original Site Plan Review.

In order to implement these ordinance provisions, staff has had in place for many years a set of criteria to determine if a proposed change is minor. The current operating procedure is worded as follows:

Items considered to be minor changes may include:

- Slightly different building footprints, varying architectural elevations, minor modifications of PADs (Planned Area Developments), shifting pad locations, a maximum area change of 1,000 square feet, and reconfiguring parking areas.

This criterion, particularly the limitation of a maximum of an area change of 1,000 square feet, has made a lot of fairly routine changes go through the public review process (Planning and Zoning Board, Design Review and/or City Council).

Staff has received a lot of customer input requesting that we find ways to streamline our processes. Most administrative reviews are completed within a couple of weeks of submittal; Items going through the public review process currently take four to five months.

After staff review and consideration, we are planning to amend the criteria for determining if a case is minor in a way that will allow the Planning Director to consider more cases administratively. Administrative approval for a minor-site plan modification would be for those requests that would appear to not have a negative impact on adjacent properties. Compared to the current criteria, additional criteria have been added to address the interface between a development and properties adjacent to it. The draft criteria are:

A minor modification to an approved site plan is limited to changes that:

- Do not increase the total building footprint on the site more than 20% to a maximum increase of 5,000 square feet;
- Do not increase building height within 50' of residentially used property and do not increase the height of any building on the site more than 20%;
- Do not increase the number of floors/stories above grade;
- Do not increase the activity or intensity of use such that it would negatively impact adjacent residentially used property within 100' of the perimeter of the site (i.e. impacts due to traffic, loading activities, noise, lighting etc.);
- Involve only minor adjustments to building footprints, locations, and orientations; and,
- Involve only minor shifting of pad locations, reconfiguration of parking lots, or drive aisles;

- Adhere to the General Plan and to applicable adopted Subarea plans.

If the minor modification criteria are approved, staff will update the administrative approval process written guidelines. The changes to this document will also make it clear that the Planning Director has the authority to send cases through the public review process, even if they meet the abovementioned minor modification criteria, should there be reason to believe the public needs the opportunity to review and comment on a case. The document will also allow the Planning Director to request the applicant to hold a neighborhood meeting and/or document support for the change from surrounding residents before acting on the administrative request.

### **CONCLUSION**

Development Services Department staff is looking at a variety of ways to improve our processes, allow faster review of development projects, and maintain citizen input into the process. Currently, the criteria placed on determining what is a minor amendment to an approved site plan are very limiting. With concurrence of the City Council, this criterion will be adjusted to allow more site plan cases to be considered administratively.

John D. Wesley, AICP  
Planning Director

Jack Friedline,  
Development Services Manager

Paul Wenbert,  
Assistant City Manager

Mike Hutchinson,  
City Manager