

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

DATE: September 21, 2006 **TIME:** 7:30 a.m.

MEMBERS PRESENT

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

STAFF PRESENT

Shelly Allen
Patrick Murphy
Cathy Ji
Katrina Rogers
Sue Cason

STAFF ABSENT

None

MEMBERS ABSENT

Christine Close
Chuck Riekema

GUEST SPEAKERS

Tom Verploegen

1. Call to Order

The September 21, 2006 meeting of the Downtown Development Committee was called to order at 7:36 a.m. at the City Council Chambers, Upper Level 57 E. First Street by Chair Jeff Jarvis.

2. Approval of Minutes of the August 17, 2006 Regular Meeting.

It was moved by Gary Gallagher and seconded by Nabil Abou-Haidar to approve the minutes of August 17, 2006.

**Vote: 6 in favor
0 opposed**

3. Discuss and Consider General Plan Amendment, Case No. GPMInor06-02TC, for the properties generally located between 44 W. University Drive and 120 W. University Drive, to add Office Overlay designation to the General Plan Land Use Map.

Ms. Katrina Rogers presented a General Plan Amendment for six (6) properties on the north side of University Drive. An applicant proposed the amendment after purchasing 110 W. University Drive wanting to convert the home into an office.

Staff is in favor of this amendment for a couple of reasons; one, it meets the goals of the Downtown area and the Mesa 2025 General Plan; two, it provides continuity on the General Plan Land Use Map for the properties on University between Country Club Drive and Center Street. These properties have an office overlay designation on both the north and south sides of University Drive, excluding seven (7) properties on the north side of University Drive between Grand and Drew Streets.

The General Plan Amendment is required to have two (2) public hearings, so this proposal will also be considered at next month's DDC Meeting. The applicant also held a neighborhood meeting on August 16, 2006, with no citizens present at that meeting, and sent a flyer and site plan to all property owners and tenants within 300 feet of the site. Staff received calls from property owners included in the amendment asking questions, but all owners were in favor. The property owner at 86 W. University Drive has not contacted the City with a decision yet. Staff has spoken with the property owner and sent a packet to him on August 30, 2006, but staff has been unable to reach him for a final decision as to his inclusion in the GPA.

Staff recommends approval of the proposed General Plan Amendment. No action required on this item until next month's DDC meeting on October 19, 2006.

4. Discuss and Consider a Special Use Permit, Case No. ZA06-115TC for an office in the TCR-1 zoning district at 110 W. University Drive.

Ms. Rogers stated that staff is in favor of the Special Use Permit to allow the residence to be converted into an office. It has become more difficult for property owners to sell their single-family homes on arterial streets due to all the surrounding commercial uses, so the office use is an ideal use for the area, because it is compatible with the commercial uses as well as the surrounding residential. Also, the Special Use Permit avoids a rezoning of the property to a commercial zoning district, which will prevent more intensive commercial uses from entering into the area and disturbing surrounding residential uses.

There are certain guidelines for office uses in TCR-1, TCR-2, and TCR-3 Zoning Districts and Zoning Ordinances. Staff felt that this applicant met the criteria of the guidelines and that the applicant is intent on maintaining the residential and historic character of the home. There will be only minor modifications to the site such as adding a parking area to the back, and will meet codes for landscaping and drainage, etc. The driveway will remain the same. The Solid Waste Division has approved the continued use of rollout barrels. There will be minimal signage of which the applicant has not decided, but will be required to get a historic clearance for a sign permit. The applicant may add a handicap ramp in the back at a later date and again will need a historic clearance. There will be no visible changes to the front of the property along University Drive.

Mr. Adam Decker asked about any future signage request, if it would have to be applicable to the Secretary of the Interior standards concerning Historic standards, and would the process come through the DDC board.

Ms. Rogers stated that the applicant has to go to the Historic Preservation Office first to go over the design and location of the sign, and obtain a historic clearance from the Historic Preservation Officer. The Officer will review the request to make sure the sign does not affect the historic character of the home, that it meets the Secretary of Interior standards and that the design does not detract from the residential character. Once the Historic Officer gives the clearance, the applicant goes to the Building Safety Department for a sign permit, which then becomes subject to a Plan Review by the Town Center Office for compliance with the zoning code.

Mr. Gary Gallagher asked, if the signage needs to go through the Board of Adjustment?

Ms. Shelly Allen stated that the Board of Adjustment deals with comprehensive sign packages outside of the Downtown area. Everything in the Downtown area comes to the DDC Board.

Ms. Rogers said the Town Center Office would prefer that the applicant avoid a comprehensive sign plan and comply with the Zoning Code requirements. The applicant has stated that he wants to stay within the character of a residence and staff will work with him on the signage.

The applicant was present and had no comments.

Staff recommends approval of the Special Use Permit with stipulations. No action required on this item until next month's DDC meeting on October 19, 2006.

5. **Discuss and Consider a Special Use Permit, Case No. ZA06-096TC for the proposed Farmers Market located on the south-side sidewalk of Main Street between Center Street and Macdonald Street.**

Mr. Patrick Murphy stated that the operator of the Farmers Market has been in the location on Main Street between Center and Macdonald Street since October 2001, and has operated in compliance with the previous Special Use Permits. The Zoning Administrator will consider this permit application on October 3, 2006. The surrounding property and business owners were notified of the proposed Special Use Permit application; we have not received any negative responses, but did receive a few positive comments. Mesa Arts Center Staff and the Downtown Mesa Association both concurred with Staff's recommendation to approve the Special Use Permit application.

Mr. Murphy stated that the Farmers Market should not have a detrimental impact on the surrounding properties and is consistent with the Redevelopment Plan, Town Center Concept Plan and the Farmers Market Operational Guidelines. The Farmers Market should help promote and showcase downtown merchants and create additional pedestrian activity.

Chair Jeff Jarvis asked how is the health standards enforced at the Farmers Market?

Mr. Murphy replied that the Health Department enforces the health standards.

Mr. Decker asked what efforts have been done in the past to protect the landscaping?

Mr. Murphy stated that the tables are situated away from the landscaping so patrons are not walking through it and there never has been a problem all the years since the Farmers Market has been there.

The applicant was not present at the meeting, but stated to Mr. Murphy that she is in agreement with all the conditions.

Staff is recommending approval of the Special Use Permit with stipulations.

It was moved by Gary Gallagher and seconded by Dean Taylor to recommend approval of a Special Use Permit, Case No. ZA06-096TC for the proposed Farmers Market located on the south-side sidewalk of Main Street between Center Street and Macdonald Street with the following stipulations:

- 1. Compliance with the Farmers Market Operational Guidelines.**
- 2. Compliance with all building, fire safety, and tax and licensing regulations of the City of Mesa.**
- 3. Compliance with all health permit regulations.**
- 4. Compliance with the site plan, labeled Exhibit No. 2, which delineates the basic layout of the Farmers Market.**
- 5. A Certificate of Insurance for \$2,000,000 and a hold-harmless agreement shall be in effect for the term of the permit.**
- 6. Compliance with the Good Neighbor Policy dated August 23, 2006.**
- 7. Only a washable chalk shall be used to outline the location of the vendor area on the sidewalk.**
- 8. Every effort shall be made to protect the landscaping within the Farmers Market area.**
- 9. The City shall reserve 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.**
- 10. The Special Use Permit shall be valid until October 1, 2009.**

**Vote: 6 in favor
0 opposed**

6. Consider Design Review Case No. DR06-004TC for improvements to the colonnade located in front of 152 W. Main Street through 160 W. Main Street.

Mr. Murphy stated that the colonnade is east of the Berge building and west of the Pomeroy building. The objective of the proposed renovation to the colonnade is to allow more daylight under the colonnade while maintaining a comfortable environment for the pedestrians. Upon the acceptance of the completed

improvements, the City will continue to own and be responsible for the maintenance of the colonnade.

The colonnade ceiling will be replaced with new perforated metal panes. The existing lighting will be replaced with new lighting on the ceiling pointing down. The City's Building Maintenance and Town Center Development Divisions are satisfied with the new lighting component. Also, there will be molded millwork along the roof of the colonnade and around the tops of the columns in front of 154 and 156 W. Main Street (See Exhibit 3).

The color scheme is different than the rest of the colonnade. Staff is in favor as it will provide some variety and improve the aesthetics of the Downtown area. The color scheme for the front and columns consists of avocado for 152, 158 and 160 W. Main Street, and plum for the front and columns of 154 and 156 W. Main Street. The molded millwork will be painted an extra white accent color and the perforated metal panes will be hunter green.

All the property and business owners within 300 feet of this property were notified of the proposed improvements. Staff did meet with a couple of the property owners that were in favor of the improvements and voiced no objections. Also, staff has been approached by several other property owners stating that they are interested in undertaking improvements to the colonnade in front of their buildings as well.

Downtown Mesa Association concurs with Town Center Staff to recommend approval.

Mr. Decker asked if all the tenants are satisfied with the new proposed changes since there will be a considerable loss of shade with the new panes?

Mr. Murphy replied, that according to the architect, all the tenants are aware of the change and are in favor.

The applicant was present and had no further comments.

It was moved by Gary Gallagher and seconded by Dean Taylor to recommend approval of Design Review Case No. DR06-004TC for improvements to the colonnade located in front of 152 W. Main Street through 160 W. Main 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 elevations dated July 14, 2006.**
- 3. The lighting plan shall be reviewed and approved by the City's Building Maintenance and Town Center Development Divisions prior to the issuance of a building permit. The lighting plan will ensure that the colonnade lights are a good design, maintenance friendly, and energy efficient.**

4. **Obtain necessary Right-of-Way permits from the Development Services Department prior to performing any work located within the Right-of-Way.**
5. **Obtain necessary Building Permits prior to performing any work on the colonnade.**
6. **The property owner of 152-160 West Main Street shall provide to the City of Mesa any necessary paint and/or lighting components required to maintain the paint color of the colonnade, and the proposed lighting under the colonnade.**

**Vote: 5 in favor, Chair Jarvis abstaining due to conflict of interest
0 Opposed**

7. **Discuss and Consider Design Review Case No. DR06-003TC for Lucas Automotive located at 313 W. Broadway and N. Country Club Drive.**

Lucas Automotive was not prepared to present their case today, therefore the case was read into the record and the case was continued until the November DDC meeting.

It was moved by Adam Decker and seconded by Nabil Abou-Haidar to continue Design Review Case No. DR06-003TC for Lucas Automotive located at 313 W. Broadway and N. Country Club Drive.

**Vote: 6 in favor
0 opposed**

8. **Discuss and Consider Special Use Permit and Variance, Case No. ZA06-086TC to allow vehicle sales and the display of vehicles into the fifteen-foot side yard setback at 313 W. Broadway.**

Lucas Automotive was not prepared to present their case today, therefore the case was read into the record and the case was continued until the November DDC meeting.

It was moved by Adam Decker and seconded by Nabil Abou-Haidar to recommend continuation of Special Use Permit and Variance, Case No. ZA06-086TC to allow vehicle sales and the display of vehicles into the fifteen-foot side yard setback at 313 W. Broadway.

**Vote: 6 in favor
0 opposed**

9. **Discuss and Consider an Amendment to the Zoning Ordinance to alter the language of Section 11-18-3 (A) 1 (a) to allow building permit applications to be submitted prior to finalization of public review processes.**

Mr. John Wesley, Planning Director for the City of Mesa, stated that the City Staff has initiated this change to the Zoning Ordinance in order to facilitate the overall development and review process, and assist developers in getting their projects processed faster. This process will allow them to begin the construction plan review process prior to the completion of the public review process in cases that are deemed to be appropriate. Currently Title 11, Chapter 18, Section 3 of the Zoning Ordinance has a requirement that states before you can submit documents to the Building Safety Division for construction plan review, you must be able to demonstrate that you have met all the requirements of the ordinance. Many projects in the past appeared to be in very good shape with no significant problems for the end of the process, but had been unable to submit the construction documents for review based on the current code standards.

The proposal is to amend the Code, both in Title 11 and some amendments in Title 4, which does not have to come before the DDC Board, so we can allow the construction documents to be submitted and begin the process. The staff pointed out some concerns that may come forward such as it may be harder for staff or a boards to negotiate with an applicant to make changes in the project that have already gone to the work and expense of preparing construction documents already under review. The Planning Division will require the applicant to sign a letter acknowledging that they are submitting the documents "at risk" and if there are changes required by any of the review boards they would need to go back and make the changes. The applicant is not guaranteed anything by submitting early.

Mr. Taylor asked if this is just to expedite the process, but maintain checks and balances? Mr. Wesley replied yes. Mr. Decker asked how this amendment affects the Downtown area? Ms. Allen replied that the change in the amendment does not affect the DDC Board. The applicant is "at risk" and would have to comply with any changes.

Chair Jarvis stated that he has been involved with these types of processes many times in Mesa as well as other cities and is pleased to see this amendment.

It was moved by Adam Decker and seconded by Nabil Abou-Haidar to recommend approval of an Amendment to the Zoning Ordinance to alter the language of Section 1-18-3 (A) 1 (a) to allow building permit applications to be submitted prior to finalization of public review processes.

**Vote: 6 approved
0 opposed**

10. Board Member Comments.

There were no comments.

11. Director's Report, Shelly Allen.

1. Initially there was a lengthy modification to an electric substation to be brought to the DDC Board on September 21, but the Electric Division has requested to pull the application. They have some concerns with some of the landscape requirements and will come to the board at a later date.
2. At the last City Council Study Session there was discussion concerning the decorative streetlight replacements. The Council has concerns about the cost. The initial cost of the streetlights when first put in was \$4100 a piece and since then has doubled in price, because the pole has been discontinued and is now a special order item. Staff is looking at what other cities do to address that type of situation and will be bringing forward recommendations to get input from the Board before giving a presentation to Council.
3. A few months ago a severe storm downed several trees along Main Street and the Transportation Director is looking at options for replacing the trees. The City Manager has directed staff not to replace the trees. Staff is looking at the option of perhaps replacing only the trees in the grates, to prevent any hazards to pedestrians.
4. In October, John Wesley, Director of the Planning Division is presenting a Payday Loan Ordinance to the City Council. Another Check Cashing business is opening in the new building on the SE corner of University and Country Club Drives. There is already one on the SW corner of University and Country Club Drives, and hopefully Council will take an action that will prevent this from happening in the future.
5. Regency Gardens on Robson and Pepper want to implement modifications to their site to add outdoor and storage space.
6. There is a W. Main Street Study group doing a study on West Mesa. The public meetings will be in the October and November timeline.
7. The railroad crossing east of Serrine has been abandoned. The crossing used to have spurs that passed Serrine and Hibbert to assist the industrial businesses along that corridor. Pacific Railroad has abandoned the spurs and instead of removing the tracks, they have paved over the tracks.
8. Pepper Street is scheduled for a new overlay. First Street will have a new slurry seal in the May timeline to accommodate the extension of the chilled water line to service the Police building and the new Services Technical building.
9. The tape from the July Board meeting was unclear as to the two volunteers solicited for the Zoning Ordinance Update. Mr. Decker was clearly one, but unable to determine who the second volunteer was. Mr. Taylor volunteered to be the second representative.

12. Report from Downtown Mesa Association, Tom Verploegen – Executive Director.

Mr. Verploegen stated that the Downtown Corporation had two (2) clean audits. Several people went on the bus tour of Downtown Mesa. There are twice as many businesses now than what was here back in 1984-1985. Also, Mr. Verploegen gave an updated report about the financial analysis of the Downtown square mile as a public revenue generator. DMA looked at 11 factors such as sales tax, bed tax,

building permit fees, impact fees, utilities, etc. The Town Center Development Office collaborated with Downtown Mesa Association to provide a great deal of the information for the analysis. In 2005 to the City of Mesa, in terms of what is documented so far, there was \$26.6 million of gross revenue generated. Utilities were over \$10 million gross and \$2 million net revenue to the City. In terms of all government, 2005 revenues were over \$48 million, which makes the Downtown area a significant economic generator.

Mr. Verploegen felt there was good collaboration between Town Center Development and DMA on the City Court building location. The parking was the key issue of the location and feels the right decision was made. Mr. Verploegen feels that it would be a good fit to locate an office building on the Main Street location and stated that he and Mr. Murphy have met with a developer concerning that location.

In the Business Development Committee Report a marketing brochure was produced in collaboration with Town Center Staff. The brochure is a nice 8 page pictorial in terms of image and types of businesses. A very nice quote was acquired for the brochure stating, "Downtown Mesa revitalization is no longer just around the corner, it has arrived. Downtown is primed for new quality dining establishments and they will benefit from the growing market, and increasing number of Downtown activities." Mr. Steve Chucri, a Boardmember, provided the quote.

Mr. Verploegen said the new sculptures for this year are a step-up from previous years with some very nice pieces.

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

14. Adjournment.

With there being no further business, this meeting of the Downtown Development Committee adjourned at 8:20 a.m.

Respectfully Submitted,

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