CITY OF MESA
MINUTES OF THE DOWNTOWN DEVELOPMENT COMMITTEE MEETING

DATE: July 19, 2001 **TIME:** 7:00 a.m.

MEMBERS PRESENT	STAFF PRESENT	OTHERS PRESENT
Art Jordan, Vice-Chair	Shelly Allen	Rulon Anderson
Vince DiBella	Katrina Bradshaw	Dave Wilson
Theresa Carmichael	Tony Felice	Bob Saemisch
Debra Duvall	Patrick Murphy	
Lori Osiecki	Bryan Raines	
Wayne Pomeroy	Craig Crocker	
Terry Smith		

MEMBERS ABSENT
Shanlyn Newman
Dave Wier, Chair

1. Call to Order

The July 19, 2001 meeting of the Downtown Development Committee was called to order at 7:01 a.m. in the City Council Chambers located at 57 E. First Street by Vice-Chair Jordan.

2. Items from Citizens Present

There were no items from citizens present.

3. Approval of Minutes of June 21, 2001 Regular Meeting

It was moved by Wayne Pomeroy, seconded by Deb Duvall to approve the minutes.

Vote: 7 in favor; 0 opposed

4. Discuss and consider Case No. HP01-001TC, for a Historic District Overlay for the Proposed Robson Historic District.

Applicant: **Barbara Atkinson**
Staff Contact: **Amy Morales, (480) 644-3356**
e-mail address: **amy_morales@ci.mesa.az.us**
Recommendation: **Approval with conditions**

Mr. Felice reviewed the boundaries of the proposed Robson Historic District, which is generally bounded by 2nd St. on the south, Morris Ave. and Country Club on the west, University and 3rd Place on the north, and Robson St. on the east. In 1999, members of the neighborhood surrounding the existing W. 2nd Street Historic District approached the City to consider expanding the boundaries. The City hired Ryden Architects to survey the area and provide a recommendation to the City. Ryden Architects made two observations as the result of that survey. The first was that it would be appropriate to expand the W. 2nd Street boundaries. The second was that the area to the west represented a different period of time of development in the downtown area and should be considered as a separate historic district. In addition, he advised that a certain number of homes that are currently a part of the W. 2nd Street Historic District be moved to the

proposed Robson Historic District. Mr. Felice explained that the Committee is only being asked to consider the historic overlay of the Robson Historic District. This did not include the expansion of the W. 2nd Street boundaries, which would be considered at a later meeting.

Mr. Felice explained that the proposed Robson Historic District is significant under the National Register Criterion A, in the area of Community Planning and Development, for its relationship to broad patterns of community development in Mesa, and Criterion C for the architectural styles. The proposed Robson Historic District illustrates important examples of architectural styles common in Arizona during the first half of the twentieth century, including National Folk or Vernacular, Classical Bungalow, California Bungalow, Tudor Revival, Colonial Revival, Ranch, and Transitional/Early Ranch.

Mr. Felice stated that it is important that a historic district designation be neighborhood driven. Within the boundaries of the proposed Robson district there are a total of 47 property owners. The petition that was received from the property owners contained 28 verified signatures, which represents 59.5% of the property owners within the boundaries. These owners also control 53% of the property in the proposed district.

Mr. Felice said there have been two public meetings as well as four separate mailings. To date, staff has received no opposition to the proposed designation.

Staff recommends that the Downtown Development Committee recommend approval of this historic district to the City Council.

Mr. Pomeroy asked what were the two pieces of property that are included in the boundaries along Country Club Drive.

Mr. Felice stated that they are two homes between Morris Ave. and Country Club Drive. One of those houses is the Miranda House, which has some historic significance in early Mesa History. The houses are being included in the District because they are significant for their architecture and the period of time in which they were built.

Ms. Duvall said a significant amount of property owners did not respond to the petition. She wanted to know if those property owners who did not respond live away from the area, and she asked if the absence of a response generally means concurrence.

Mr. Felice was not familiar enough with the absent signatures to verify whether or not they live on the site. He did state, however, that all the property owners have been mailed notices as well as the occupants.

Ms. Duvall asked when the notifications were sent out.

Mr. Felice stated over the past year there has been three separate mailings as well as a notice sent out about two weeks ago to notify them of this meeting.

It was moved by Lori Osiecki and seconded by Terry Smith to approve Case No. HP01-001TC, for a Historic District Overlay for the Proposed Robson Historic District.

Vote: 7 in favor; 0 opposed

5. Discuss and Consider Design Review Case Number DR01-004TC, for the First United Methodist Church Family Life Center, located at 15 E. 1st Ave.

Applicant: Rev. Fred Baum, First United Methodist Church

Staff Contact: **Patrick Murphy, (480) 644-3964**
e-mail address: **patrick_murphy@ci.mesa.az.us**
Recommendation: **Approval with conditions**

Mr. Murphy stated that the Committee is being asked to consider the design review for the Family Life Center at 15 East 1st Avenue as well as forward a recommendation to the Zoning Administrator for a variance to reduce the number of off-street parking spaces from 302 required spaces to 201 spaces. Mr. Murphy presented a vicinity map to illustrate the location of the Family Life Center and parking lot, and explained that they are included within the boundaries of the Redevelopment Site 22.

Mr. Murphy said staff recommends that the DDC approve the variance for the parking lot. Staff also recommends that the DDC approve the design review for the Family Life Center subject to the following stipulations:

1. Full compliance with the approved plans and all current Building Code requirements, unless modified through the appropriate review.

2. Compliance with the basic development as shown on the site plan (dated 6/21/01), elevations (dated 6/22/01), and landscape plan (5/31/01).

3. Review and approval of a complete comprehensive sign plan by the Redevelopment Staff before the issuance of a sign permit.

4. The Redevelopment Division shall review and approve the revised site plan and landscape plan depicting the pedestrian path from the Family Life Center to the Sanctuary, and the permanent trash enclosure prior to the submittal of an application for a building permit.

5. Redevelopment Staff shall review and approve the revised paint color for the stucco prior to the submittal of the application for a building permit. A beige color shall be used instead of the alpine white.

6. Redevelopment Staff shall review and approve the final color for the metal roof prior to the submittal of the application for a building permit. A natural aluminum finish shall be used on the roof.

Mr. Murphy gave a brief history of the Redevelopment Agreement and pointed out that one of the stipulations of the Redevelopment Agreement was that the Downtown Development Committee would consider the design review of the development plans for the project. Mr. Murphy also went over the project phasing for Site 22 and explained that due to financial reasons, the First United Methodist Church (FUMC) has decided to delay improvements to the parking lot until after the Family Life Center is completed. The Family Life Center is scheduled to be under construction by June 2002. The parking lot should be under construction by June 2003.

Mr. Murphy went over the proposed uses of the Family Life Center, some of which includes:

- Gymnasium for basketball, volleyball, and church activities
- Senior adult activities
- Preschool
- Classrooms for Sunday schools, activities, misc.
- Youth Center
- Scouting programs
- After school programs

Mr. Murphy stated that there was a public meeting held on July 12th in which about 21 citizens attended. Notification was sent to property owners and tenants within 300 feet of Redevelopment Site No. 22. The people who attended that meeting were generally in favor of the project, but questioned staff's stipulation #5 to require the building be beige instead of white. Staff explained that they would like the color of the Family Life Center to match the color of the sanctuary to make them more compatible. Members at the public meeting also felt that the sidewalk and trash enclosure should be built during Phase 3 improvements (surface parking lot), and that the color of the roof should be the aged brown color that the applicant originally proposed in order to match the church.

Mr. Murphy went over the site plan, elevations, landscaping, and colors and materials for the project. Staff is pleased with what has been proposed and feels the project will be an asset to the Town Center Redevelopment Area.

Mr. Murphy explained that staff has a couple of issues surrounding the pedestrian walkway and the trash enclosure. Staff feels they should be constructed during Phase 2a rather than waiting until the church can come up with funding to complete the surface parking lot. He said the pedestrian walkway will provide a safe, ADA accessible walkway between the Family Life Center and the sanctuary. He also said the permanent trash enclosure will be more aesthetically pleasing and will better service the increased solid waste that will be generated with the completion of the Family Life Center. He pointed out that it could take several years for the church to come up with the funding for the parking lot and staff feels that would be too long to wait for the permanent trash enclosure and the pedestrian walkway.

Ms. Duvall asked where the pedestrian walkway will be located and what would be located in its place if it is not completed.

Mr. Murphy stated that the walkway will direct pedestrians around the east side of the group home connecting the Family Life Center to the sanctuary. He said if the walkway is not constructed, the pedestrians will have to walk across the driveway for the parking area.

Ms. Smith asked what the pedestrian walkway will look like. Mr. Murphy stated that it would be a sidewalk with landscaping.

Mr. Murphy went on to explain that staff is also in favor of the variance to reduce the number of off-street parking spaces that the church has proposed. The literal interpretation of the Zoning Ordinance requires that the church provide 302 parking spaces. Staff agrees that the church does not plan to assemble in the sanctuary and the Family Life Center at the same time. Mr. Murphy explained that the City has granted variances to several other churches based on this same finding. The applicant was able to meet the criteria that the Zoning Ordinance requires in order to grant the variance.

Mr. Murphy explained that the plans for the Family Life Center were circulated to various City divisions as well as the Mesa Town Center Corporation and the Mesa Arts Center consultants, all of which are in support of this project. Staff recommends approval of the design review case, subject to the stipulations listed earlier in the staff report, and also recommends approval of the variance application.

Mr. Saemisch, architect with Saemisch, DiBella Architects located at 48 W. Main Street, discussed the sample of the colors and materials that was circulated to the members of the Board. He explained that the MAC consultants have suggested that the color of the roof for the Family Life Center be a natural aluminum finish in order to match the stainless shingles on the Mesa Arts Center. The church would prefer to keep the original proposed color consisting of a darker brown because it will be more compatible to the sanctuary. Mr. Saemisch pointed out that the church is trying to establish itself as its own community and feels it is more important to make the Family Life

Center compatible to the sanctuary rather than the Mesa Arts Center. He felt it was ludicrous to compare the two facilities. In addition, the Family Life Center will be located at the south end of the site and barely visible to the Mesa Arts Center.

Mr. Saemisch explained that the church cannot afford to do both the parking lot improvements and the Family Life Center at the same time. He said the reason for building the Family Life Center first is because people will be much more responsive to the fund drive if they see the completion of the Family Life Center and have the use of the facility. He said the completion of the building will be the driving force in the success of the fund drive for the parking lot. Mr. Saemisch also pointed out that they are not in favor of improving the trash enclosure and constructing the pedestrian walkway because it will not be compatible to the configuration of the existing parking lot. He explained that they would rather wait and make these improvements when they construct the new parking lot.

Vice-Chair Jordan asked questions about the site plan and wanted clarification of the proposed construction site for Phase 2a of the Family Life Center.

Mr. Saemisch used the site plan to illustrate the area of construction and answer general questions for Vice-Chair Jordan.

Mr. Saemisch said the church has two issues with installing the permanent trash enclosure at the same time as the Family Life Center. The first reason is because the trash enclosure will be in the way of traffic and construction and, furthermore, would have to be rebuilt with the construction of the surface parking lot. Mr. Saemisch said they prefer to build the trash enclosure only one time when the parking lot is under construction. The second reason is because the grades will be at different levels and they won't match up unless the trash enclosure and parking lot are done at the same time. Mr. Saemisch said the preliminary grading designs have been submitted to the City, however these figures are inexact and if the trash enclosure is installed before the parking lot, they will be at different heights.

Ms. Smith asked what would be the cost for the proposed changes from staff to have the trash enclosure and the pedestrian walkway built during construction of the Family Life Center.

Mr. Saemisch said the cost for the trash enclosure is approximately $10,000. He said it would be fairly easy to install the pedestrian walkway as part of Phase 2a construction, however, the issue has more to do with parking than cost. He said they do not want to lose the parking spaces in that area until they have new ones to replace them. This won't occur until the construction of the parking lot. He suggested that they not use that area as a major pedestrian walkway until the parking lot is rebuilt. He added that it will be totally inaccessible during construction anyway. Instead pedestrians can walk around the front of the buildings.

Ms. Duvall asked staff why they are requesting the trash enclosure and pedestrian walkway be completed during Phase 2a as opposed to waiting for the parking lot improvements. She asked if it was to address safety issues, aesthetics, etc.

Mr. Murphy said it was to address both safety and aesthetics. Staff is also concerned with the length of time it will take for the church to come up with the funding for the parking lot and the possibility of additional delays preventing the improvements from being completed. He pointed out that the grading plans have been completed, which should indicate what elevation is needed for the permanent trash enclosure. Staff felt that it could be built correctly the first time and allow for a more attractive view from the Family Life Center. Mr. Murphy added that the walkway will also provide a safer, more aesthetically pleasing atmosphere for pedestrians.

Mr. Saemisch said that if the trash enclosure is completed with Phase 2a there will be a huge drop off in order for it to match the grading of the completed parking lot. He added that the church has every intention to complete the parking lot as soon as they can. The church anticipates that the

fund drive will move to full swing once the patrons have a beautiful Family Life Center next to an unsightly parking lot. Mr. Saemisch also wanted to point out that the church has been trying to acquire a small piece of property to the east, and if they are able to obtain it, they plan to reconfigure the grading of the parking lot, hence it is advantageous to delay the construction of the parking lot and trash enclosure a little longer.

Vice-Chair Jordan felt it was important to keep the project heading towards completion. He suggested that, as the architect, Mr. Saemisch should push the client towards a deadline for completion and not allow too much leniency on that issue.

Mr. Saemisch said once the Family Life Center is completed, they will be over the hump and the church will be anxious for completion of the entire project.

Mr. Pomeroy felt it was important to place a deadline on the completion of the parking lot so the Board could be assured that it would be completed and not left hanging.

Mr. Saemisch suggested that a stipulation be added that the parking lot be completed before the construction of the 2nd floor shell of the Family Life Center.

Ms. Duvall said she normally supports staff on their recommendations because they are more familiar with the project, however, when she is considering a case on a facility that serves as a religious and family life center she is more concerned that the citizens have a place to go for their worship and community activities than she is on the aesthetics of the parking lot. For this reason, she would rather see the enhancement of a facility be completed for the benefit of the people rather than the enhancements made for the cars. Ms. Duvall said she would recommend elimination of stipulation #4 dealing with the two issues regarding the walkway and the trash enclosure.

Mr. Murphy indicated that the color of the metal roof was briefly discussed and asked what was the general consensus of the Board on the final color of the roof (stipulation #6).

Vice-Chair Jordan asked Mr. Saemisch what was his recommendation.

Mr. Saemisch said the color of the roof will not have a major impact on site. Furthermore, people may not recognize that the Family Life Center is actually connected to the church, due to the fact that they are separated by a group home. He suggested that the color be left up to the church. He noted that the natural aluminum finish that was suggested by the MAC consultants will actually be cheaper than the originally proposed color of the aged bronze. However, the aged bronze will be more compatible to the sanctuary.

Vice-Chair Jordan asked the Board on their preference for the color of the roof and the general consensus of the Board was to go with the aged bronze.

Mr. Murphy suggested that the Board modify stipulation #6 to require the aged bronze be used for the aluminum roof.

Mr. DiBella noted that he would abstain from voting due to a potential conflict of interest.

It was moved by Deb Duvall, seconded by Lori Osiecki, to approve Case Number DR01-004TC, for the First United Methodist Church Family Life Center, located at 15 E. 1st Ave subject to the following stipulations:

1. **Full compliance with the approved plans and all current Building Code requirements, unless modified through the appropriate review.**

2. **Compliance with the basic development as shown on the site plan (dated 6/21/01), elevations (dated 6/22/01), and landscape plan (5/31/01).**

3. **Review and approval of a complete comprehensive sign plan by the Redevelopment Staff before the issuance of a sign permit.**

4. **Redevelopment Staff shall review and approve the revised paint color for the stucco prior to the submittal of the application for a building permit. A beige color shall be used instead of the alpine white.**

5. **The improvements to the surface parking lot shall be completed prior to the issuance of a building permit for the second floor tenant improvements of the Family Life Center.**

6. **The original proposed color of aged bronze shall be approved as the final color for the metal roof prior to the submittal of the application for a building permit.**

Vote: 6 in favor
0 opposed
1 abstained (Vince DiBella)

6. Discuss and consider Variance Case No. ZA01-59TC for the First United Methodist Church, located at 15 E. 1st Ave., to reduce the required amount of off-street parking spaces.

Applicant: **Rev. Fred Baum, First United Methodist Church**
Staff Contact: **Patrick Murphy, (480) 644-3964**
e-mail address: **patrick_murphy@ci.mesa.az.us**
Recommendation: **Approval**

Please see agenda item #5 for the staff report and discussion on this topic.

Mr. Jordan proposed that the Zoning Ordinance be revised to include some sort of exception on the minimum requirement of parking spaces for churches and other religious facilities so that it is not necessary to obtain a variance on parking. He pointed out that if other churches have been granted variances for this same purpose, there may be justification in pursuing the need for a revision to the Zoning Ordinance.

It was moved by Wayne Pomeroy, seconded by Deb Duvall to recommend that the Zoning Administrator approve Variance Case No. ZA01-59TC for the First United Methodist Church, located at 15 E. 1st Ave., to reduce the required amount of off-street parking spaces.

Vote: 6 in favor
0 opposed
1 abstained (Vince DiBella)

Mr. Pomeroy asked if the church parking lot could be used to service the Aquatics Center as well.

Mr. Saemisch said the church would pursue some kind of financial agreement with the Mesa Arts Center and the Aquatics Center for use of their parking lot.

7. Discuss the proposed Redevelopment Area bounded by Country Club Dr. on the west; 8th Ave. on the south; Center St. on the east; and the Crescent Ave. alignment on the north.

Staff Contact: **Patrick Murphy, (480) 644-3964**
e-mail address: **patrick_murphy @ci.mesa.az.us**

Mr. Murphy said the purpose of this agenda item is to discuss the proposed redevelopment area generally bounded by Crescent Avenue on the north, Country Club Drive on the west, Center Street on the east, and 8th Avenue on the south. Staff will forward the comments received from the Downtown Development Committee, Planning and Zoning Board, and public meetings to the City Council as part of the staff report for the resolution designating the Redevelopment Area boundaries and declaring that redevelopment of the area is necessary.

Mr. Murphy said once the boundaries have been established, a Redevelopment Plan will be created to designate how the City plans to implement revitalization of the area. Staff has driven through the area and has determined that it meets the criteria of a redevelopment area. There are numerous instances of deterioration of buildings, poor lot layout, and numerous properties that are in non-conformance with the Zoning Ordinance.

Mr. Murphy said one of the issues that has come up with both City Council and the Planning and Zoning Board is who should have jurisdiction over this new area. The City Code currently states that the Downtown Development Committee has jurisdiction over all redevelopment areas designated in the City, however the Planning and Zoning Board has some concerns as to why that control has been given to the Downtown Development Committee. Staff does not yet have answers as to who will be the governing Board over this redevelopment area. Staff plans to work with the Downtown Development Committee, Planning and Zoning Board, Planning staff, and City Council to come up with the best solution to these questions and address them as part of the Redevelopment Plan.

Mr. Murphy said the purpose of today's discussion is to hear the Board's comments about the proposed boundaries and the issues that were just mentioned. Notification of the public meeting has already been mailed out in both Spanish and English, as well as has been placed on the Redevelopment website. Most of the questions that staff has answered for the property owners revolves around the issue of eminent domain.

Ms. Smith asked how Housing for Mesa felt about the designation of this redevelopment area.

Mr. Murphy said they are very much in favor. He stated that no one is questioning that this area is in decline. The City's goal is to stabilize and revitalize the area using the redevelopment powers that are available. For instance, funds could be used to improve the streets, lighting, and establish rehab programs for people to fix up their homes. There could also be a more coordinated effort between Code Compliance and police enforcement to make the area safer. Mr. Murphy also stated that another benefit of designating a redevelopment area is the added spotlight that is placed on it bringing it to the attention of various City departments and City Council, encouraging the City to focus more efforts on this area.

Ms. Duvall felt it was important that, as the City goes through this process, it is made clear that the intent is not to relocate or demolish existing residential but rather to help the neighborhood become a cleaner, safer place to live.

Vice-Chair Jordan felt it would be helpful to publicize what the vision is for this area, allowing the neighborhood to see the benefits that they will receive rather than putting the City in a position where they have to defend what they are doing. He asked if the City has some kind of plan or vision for this area.
Mr. Raines, Interim Neighborhood Services Manager, stated that this area has been identified for a couple of reasons. First, the City wants to work towards affordable housing because there is a growing shortage of affordable housing throughout the City. Second, there are some very important assets located in this community, one of which is the Boys and Girls Club. The City wants to help them improve and expand their facility because they provide great services to the citizens of Mesa. The long-term goal for this redevelopment area is to improve and increase the

amount of affordable housing by using City's assets like Habitat for Humanity and Housing for Mesa. The City would also like to have the option to acquire various properties as they become available and use them for additional affordable housing. The City would also like to work with property owners on issues with code compliance and building safety.

Ms. Osiecki asked what was the commercial versus residential ratio in that area.

Mr. Raines said it was about 50/50. He proceeded to point out areas of heavy commercial uses on the aerial map exhibit.

Ms. Osiecki asked how creating a redevelopment area would generate improvements to the residential areas. She asked if staff would use City funds to revitalize the area or will they look to bring in outside developers to redevelop the area.

Mr. Raines said the City is not in the development business. At some point the City may issue a Request for Proposals to have an outside developer work with the City to develop a specific site. He said the City does not have a specific site in mind yet to issue a Request for Proposal, however, if the area is designated as a redevelopment area the City will be more enabled to acquire properties for redevelopment as they become available. He explained that the City does not have funding at this time to start acquiring a bunch of land, bulldoze it, and redevelop it. The intention is to acquire properties as they become available, retain them, and then consolidate them in to larger blocks that can be developed.

Ms. Osiecki said that usually when a redevelopment area is established it is generally followed by and issue for a Request for Proposals. She asked if the City is planning to do that or if it is just a blighted area that they will try to help revitalize.

Mr. Raines said the City may issue a Request for Proposals if they are able to obtain property at a specific site that they want to redevelop. He said it would really depend on how fast sites become available for acquisition by the City before an RFP will be considered. He added that it is not the City's intention to go out and displace people in this area in order to gain their property, rather the City will wait until properties become available in which the City has an interest in acquiring.

Vice-Chair Jordan asked how the funding for land acquisition of these properties has been addressed in the CIP budget.

Mr. Raines said land acquisition for this area has not been addressed in the 5-year CIP because the City did not foresee the creation of this new redevelopment area. He said the City has set aside contingency funds that are used for projects that come up that were unexpected. He said this area is of significant importance to City Council and they are willing to use contingency funds to purchase properties.

Vice-Chair Jordan asked if there have been any plans to hire a consultant to do some preliminary design work for the City on how this area could evolve over a period of time, or does the City plan to develop it piece by piece as land becomes available.

Mr. Raines said at some point the City will have an overall plan for the area but the first step is to establish the redevelopment area that the City will be working with and a Redevelopment Plan will follow.

Ms. Smith asked why Housing for Mesa would want to purchase land from the City rather than directly from the owner.

Mr. Raines said the City has the ability to utilize outside funding sources such as Community Development Block Grant funds, and other types of external funding sources to help groups like East Valley Habitat for Humanity or Housing for Mesa.

Ms. Carmichael said she thought those funds were available even without establishing a redevelopment area and asked if there are additional sources of funding available when a redevelopment area is established.

Mr. Raines said designating a redevelopment area helps the City obtain funding sources that otherwise may not be available.

Mr. Murphy also wanted to add a few points. He addressed Vice-Chair Jordan's previous comment about a plan for the redevelopment area. Mr. Murphy said once a redevelopment area is established, the City will prepare a Redevelopment Plan and one of the requirements is to include an exhibit for the future land use of the area and so the vision for the redevelopment area will be addressed at that time. He also responded to Ms. Osiecki's question about how this will stimulate redevelopment in the area. He pointed out that as surrounding land is improved through efforts made by the City, it will spur the homeowners to want to improve their property as well.

Mr. Murphy said staff only intended this agenda item to be a discussion at this time and staff will consider the comments and concerns that were addressed today and make sure to address them as the project continues. He said staff will give the Board an update at the August DDC meeting to let them know what happened at the public meeting and what the public's concerns were. Once the boundaries are set, staff will move forward with the Redevelopment Plan.

Vice-Chair Jordan said he would like the Board to be kept abreast of all the developments and meetings that will take place until the next meeting in August.

8. Discuss and consider the Zoning Administrator's decision on Special Use Permit Case No. ZA01-36TC for a flag pole/communication tower at 225 E. 1st St.

Staff Contact: Patrick Murphy, (480) 644-3964
e-mail address: patrick_murphy@ci.mesa.az.us

Mr. Murphy said the Zoning Administrator approved the Special Use Permit application for the communication tower/flag pole located at 225 E. 1st Street, with a stipulation that the flag not be flown on the tower. The Zoning Administrator came to his decision based on the fact that he felt the tower would be compatible to the surrounding area as long as it was a stealth tower, hence the request to remove the flag. He also felt that the setback requirement of 53 feet was not necessary as long as the tower was stealthed. He also felt that the applicant met due diligence by trying to locate the tower on an existing facility and was unsuccessful in their efforts.

Mr. Murphy said Redevelopment staff has heard a number of concerns from the members of the Downtown Development Committee as well as from residents in the surrounding area that they did not feel this tower should have been approved. Mr. Murphy explained that once the Zoning Administrator makes his decision there is a 30-day appeal time limit. The appeal then goes to the City Council for final decision. Mr. Murphy briefly reviewed the concerns that were brought up at the last meeting including the noncompliance with the setbacks and incompatibility to the surrounding area. Mr. Murphy reiterated that because of these issues the Downtown Development Committee recommended denial of the Special Use Permit. However, the Special Use Permit was approved. Staff would like direction from the Board on whether or not to pursue an appeal.

Ms. Duvall wanted to clarify that when the Downtown Development Committee gave a recommendation for denial for this communication tower, it was based on the finding that the tower did not conform to the Communication Tower Guidelines and had nothing to do with the flying of

the American flag. She was disappointed in the publicity that this case received which misconstrued that the recommendation for denial had anything to do with the American flag. She recommended that the Board appeal the Zoning Administrator's decision to the City Council based on the previous finding that the tower exceeded the height limit and setback requirements and therefore did not comply to the Communication Tower Guidelines.

It was moved by Dev Duvall, seconded by Vince DiBella to recommend appeal of the Zoning Administrator's decision to approve Special Use Permit Case No. ZA01-36TC for a communication tower at 225 E. 1st St.

Ms. Carmichael asked if the monopole now complies with the height requirement for communication towers now that it is no longer considered a flagpole.

Mr. Murphy said it was in compliance with the height guidelines for a monopole/communication tower.

Vice-Chair Jordan also felt that the original recommendation for denial had nothing to do with the American flag. He asked what would prevent the applicant from hanging various types of apparatus from the monopole once they had been issued a permit and how will the Downtown Development Committee be assured of what it will truly look like.

Mr. Murphy said if the applicant wants to change anything on the communication tower he will have to modify the Special Use Permit and get it re-approved. Mr. Murphy presented the exhibit containing a depiction of the proposed monopole. He said the completed monopole would look like it appears on the exhibit.

Mr. Anderson, Cricket Communications, stated that the height of the monopole is 12 feet below the height guidelines for a communication tower. He also stated that the Zoning Administrator found that the tower was in compliance with the setback requirements because he considered Pepper Street to be an alley, not a thoroughfare, and therefore was not a City right-of-way.

Vice-Chair Jordan felt that better communication was needed in the preparation of these cases so that the Downtown Development Committee and the Zoning Administrator can have some commonality on how issues of this type are interpreted.

Mr. Murphy wanted to clarify that Pepper Street is considered to be a thoroughfare street and should be interpreted as the right-of-way.

Mr. Anderson pointed out that Cricket Communications has obtained an approval from the City of Mesa Zoning Administrator for this special use permit. The only thing that the monopole is in noncompliance to is the 53-foot setback. If an appeal is forwarded to City Council, all Cricket Communications will have to do is relocate the pole 53 feet back from Pepper Street, which the landowner has agreed to allow them to do. If City Council still denies the application, the City will be in violation of the 1996 Federal Communications Act.

Vice-Chair Jordan asked why the applicant has not already proposed to relocate the tower 53-feet back from the right-of-way.

Mr. Anderson said they offered to move the tower at the Zoning Administrator hearing but the Zoning Administrator's interpretation of Pepper Street was that it was not a thoroughfare and therefore did not require that the communication tower be moved back 53 feet.

Ms. Smith asked if the Downtown Development Committee had the option of approving a revised application based on the findings that the tower is now in compliance with the height requirement and the applicant seems willing to relocate the tower to the required 53 feet.

Mr. Murphy stated the Downtown Development Committee would have to appeal the Zoning Administrator's decision based on the finding that the tower does not meet set back requirements, and then the Zoning Administrator can make an administrative change to the Special Use Permit requiring the applicant to move the tower back 53 feet from Pepper Place. If this is agreed to, then the appeal would dissolve and would not need to be reviewed by City Council.

Ms. Osiecki asked if there are any guidelines on the distance between communication towers.

Mr. Murphy said there is no separation requirement. The Communication Tower Guidelines ask that the applicant first try to locate the tower on an existing building or another existing tower. If those options are not available, then the City will consider the placement of a new stealthed tower.

Vote: 4 in favor (Vince DiBella, Deb Duvall, Art Jordan, Wayne Pomeroy)
3 opposed (Theresa Carmichael, Lori Osiecki, Terry Smith)

9. <u>Director's Report – Patrick Murphy gave the Director's Report in Greg Marek's absence</u>

IDA Conference – The IDA Conference will be help from September 29th through October 2nd in Pittsburgh, Pennsylvania. A packet with more information will arrive within the next couple of weeks. One member of staff and one member of the Downtown Development Committee will be able to attend the conference this year.

New Jersey Building Rehab Code – Bill Connelly from New Jersey will be in Mesa on July 27, 2001 to talk about the Building Rehab Code. Members of the Downtown Development Committee are invited to attend. The meeting will be held at 10:00 a.m. in the Mesa City Plaza Building, room 170.

Sign Ordinance – The General Development Committee recommended approval to the City Council on the proposed changes to the Sign Ordinance at their meeting on July 16th. Mr. Verploegen suggested one other amendment to the proposed changes regarding sponsorship on banners. The original proposal limited sponsorship to 15% on all banners. Mr. Verploegen felt that would be sufficient for streetlight banners, however he thought it would be too small for the across-the-street banners. He was concerned he would have a hard time obtaining sponsorship if there was not enough room to recognize all the sponsors on the banners. He proposed a maximum of 30% sponsorship coverage for the across-the-street banners and 15% sponsorship for the street light banners. Redevelopment staff and the General Development Committee have agreed with these changes.

Saturday Farmer's Market – Mesa Town Center and Redevelopment staff have been meeting with Dee Logan who has expressed interest in doing another Saturday Farmer's Market for this November. She would like to hold the market on the sidewalks along Main Street this year rather than on Macdonald Street. Staff feels there may be enough room on the sidewalk for both the Farmer's Market booths and pedestrian traffic, however there are concerns with safety in terms of it being so close to the vehicular traffic on Main Street. Staff plans to obtain feedback from the business owners along Main Street, but based on prior conversations, the general consensus is that business owners are in favor because it generates more pedestrian traffic for their business. There is also a concern that Ms. Logan's proposal for this year's Farmer's Market includes more crafts than produce. Staff is working with Ms. Logan to ensure that the crafts are of higher quality and that there are still a sufficient number of booths selling produce. Mr. Verploegen has issued a letter asking for feedback from the Downtown Development Committee regarding the proposed changes to the Farmer's Market.

Mr. Jordan asked how the final decision will be made regarding these issues.

Mr. Murphy said the Farmer's Market requires a Special Use Permit, so the Downtown Development Committee will probably review it sometime in September or October for a recommendation to the Zoning Administrator. A detailed analysis of the Special Use Permit will be provided when it is brought to the Board for consideration. Mr. Murphy said Mr. Verploegen has asked for feedback from the Board on these issues because he doesn't want to pursue these changes if they are not generally accepted by the Board.

Mr. Jordan was not in favor of having too many crafts at a Farmer's Market event. He did not think that was the type of product that would attract people to downtown Mesa. He felt the focus should be on the fresh produce. Many of the Board members echoed agreement of Mr. Jordan's comment. Board members also expressed concern with holding the Farmer's Market on the sidewalk along Main Street unless they felt there was a lot of support from the business owners.

Mr. Murphy said staff would express the Board's concerns to Ms. Logan.

Aquatics Center - The General Development Committee recommended that the Aquatics Center be relocated to Site 17 at their last meeting. Mr. Murphy wanted to clarify that the members of the General Development Committee recommended this because they wanted the City Council to have the opportunity to make the final decision and does not necessarily reflect what their final vote will be on the outcome of the location. Mr. Murphy does not know yet when this will be considered by City Council but will notify the Board as soon as he is informed.

Ms. Osiecki said she felt it would be a mistake to move the Aquatics Center to Site 17 and did not support a relocation of the facility.

Vice-Chair Jordan encouraged the Board members to express their views to the City Council members because of the controversy surrounding this issue.

Streetscape Phase IV – The General Development Committee recommended approval of the Phase IV Streetscape plans at their last meeting.

9. Report from Mesa Town Center Coorporation, Tom Verploegen, Executive Director

Mr. Wilson gave the report in Mr. Verploegen's absence.

Mr. Wilson talked about the issues previously discussed regarding the Farmer's Market and expressed Mesa Town Center's support for the proposed changes to the market. They feel that there will be some advantages to the changes including increased visibility if it were located on Main Street, no street closures will be required, and there will be increased pedestrian activity and traffic for Main Street businesses. Mr. Wilson also pointed out that at last year's Farmer's Market the crafts seem to be the most popular item rather than the fresh produce. Mr. Wilson said Mesa Town Center is in favor of the changes mentioned and wanted to hear what the consensus was from the Downtown Development Committee before extensive measures were taken to work out the details.

Vice-Chair Jordan said it seems that the Board is generally not in favor of what's being proposed unless the Board sees an overwhelming support from downtown business owners and more detail can be provided that would change the opinion of the Board.

10. Board Member Comments

Mr. Jordan said if it is unclear how the administration of a potential new redevelopment area should be handled, he wanted to suggest that the Downtown Development Committee would like to be

considered as an involved, influential party in this matter because they definitely have experience and interest in redevelopment projects.

11. Adjournment

With there being no further business, this meeting of the DDC was adjourned at 9:01 a.m.

Respectfully Submitted,

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Mr. Gregory J. Marek, Director of Redevelopment
Minutes prepared by Katrina Bradshaw

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