

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

DATE: May 20, 2004 **TIME:** 7:30 a.m.

MEMBERS PRESENT

Chuck Riekena, Vice-Chair
Theresa Carmichael
Christine Close
Marshall Poe
Wayne Pomeroy
Mark Reeb
Terry Smith

STAFF PRESENT

Shelly Allen
Katrina Bradshaw
Greg Marek
Patrick Murphy
Gordon Sheffield

MEMBERS ABSENT

Art Jordan, Chair
Jeff Jarvis

1. Call to Order

The May 20, 2004 meeting of the Downtown Development Committee was called to order at 7:33 a.m. in the City Council Chambers located at 57 E. First Street by Vice-Chair Riekena.

2. Items from Citizens Present

There were no items from citizens present.

3. Approval of Minutes of the April 15, 2004 Meeting

It was moved by Marshall Poe, seconded by Wayne Pomeroy, to approve the minutes.

Vote: 7 in favor; 0 opposed

4. Discuss and consider modifications to Design Review Case No. DR03-005TC for the Towers located at 22 N. Robson Street.

Applicant: John Jespersion, Tower Associates L.L.C.

Staff Contact: Patrick Murphy, Sr. Redevelopment Specialist, (480) 644-3964

Mr. Murphy introduced Gil Rand, architect for this project.

Mr. Rand explained that, as remodeling on the project commenced, the owner decided that he did not want to proceed with the three-story addition on the south side of the building. He felt there were other ways to provide the additional activities and functions that were being added to the facility. As a result, the owner is asking

that the three-story addition be eliminated from the project, and a new lush landscaped garden will be put in its place. The other changes previously proposed, such as the elevator and several small additions to the first floor, are still intended to be built. Mr. Rand said the owner also plans to make improvements to the existing landscaping on the property.

Ms. Carmichael commented that the proposed changes also include a reduction in parking spaces. She asked what the staffing levels are at peak hours.

Mr. Bartell, Manager of the Towers, said there are 81 employees at the facility. He said those employees are broken up into three 24-hour shifts. Approximately 23 employees work the 1st shift, many of them use public transit. He added that approximately 20 residents park their cars at the Towers, resulting in a total of about 43 parking spaces being used during the day.

Ms. Carmichael asked if his proposal is to leave approximately 10 spaces for other guests and/or visitors.

Mr. Bartell confirmed.

Ms. Smith asked what the average number of visitors that come to the Towers on a daily basis.

Mr. Bartell said he would guess approximately 7-8 people are visiting at a time. He added that many family members come for a short period of time to deliver something and often use the 2-hour street parking for their visits.

Vice-Chair Riekema asked for current occupancy levels.

Mr. Bartell said there are currently 147 residents and they could probably handle another 15-20 before they are at full capacity. He said if the leases that have been signed are also taken into account, they are at about 94% capacity.

Ms. Carmichael asked if there is any availability for leased spaces to be offered to employees of the Towers.

Mr. Verploegen, Executive Director of Mesa Town Center Corporation, said that with the renovation of the old Paul Sale building, 146 W. Main, and the expansion of the Arizona Museum for Youth, parking on that block will be tight. He added that Mesa Town Center is advocating the use of the 40 parking spaces at the former Federal Building, but in spite of that, leasable spaces for employees is limited. Mr. Verploegen felt that it would be best if parking for employees of the Towers be provided on site.

Mr. Murphy stated that staff is working with the Transportation Division to stripe 1st Street for diagonal parking. This would add additional parking spaces in the area.

Ms. Carmichael suggested that a stipulation be placed that leased spaces be made available to employees of the Towers if a parking problem arises at the site.

Mr. Marek said, based upon evidence provided regarding the current parking situation, there is sufficient parking available to employees at the site. Mr. Marek added that visitors to the Towers would be handled just as they would for any other downtown destination, either they are provided on site, or they overflow to available street parking and public parking lots. Mr. Marek said he felt uncomfortable placing a stipulation to require employees of the Towers to obtain parking decals because the City has not required that of any other retail businesses in downtown. In addition, the stipulation would be difficult to enforce without specifically identifying the terms of a parking problem.

Ms. Carmichael said the evaluation of the parking at the Towers is based upon past and current usage. In addition, she felt that the City has required many downtown employees to obtain parking decals. She added that the Towers have already reduced parking requirements from 190 required spaces down to 64 spaces. She said she has concerns with reducing that number further.

Mr. Marek clarified that the City does not require downtown employees to obtain parking decals. He said that if they choose to park in one of the City parking lots, then they have to obtain a decal, however they are not required to park in a parking lot and are free to use available on-street parking. In the case of the Towers, Mr. Marek said the employees are free to utilize the on street parking along 1st Street, once it is striped.

Mr. Reeb asked for the difference in square footage from the previously approved additions and the modified proposed additions.

Mr. Rand said they are deleting about 4,000 square feet of area that was originally proposed.

Mr. Reeb asked how the original proposed addition was intended to be used.

Mr. Rand said it was intended to be used as open space for meetings and gatherings but they later decided that they could consolidate that space on the 1st floor and eliminate the three-story addition.

Mr. Pomeroy asked how many apartments have been eliminated overall since the new owners took over the building.

Mr. Rand said they have eliminated about 5 apartments.

Mr. Pomeroy complimented the Towers for the improvements they have made to the site and the asset it is to the downtown area.

Alan Hatch, President of the Homeowners Association for Robson Street Villas, said the biggest concern for his residents regarding this project is parking. He felt that the proposed removal of several parking spaces on the northeast corner could perpetuate the problem of guests, vendors, and employees of the Towers to continue to park in the Robson Street Villas parking lot. Mr. Hatch did not feel that striping parking on 1st Street would alleviate the parking problems since employees who

arrive to work late or can't find a parking space do not want to walk that far, especially when it is hot.

Vice-Chair Riekema asked if the Robson Street Villas currently require parking stickers for their residents.

Mr. Hatch said they do not but are considering it for the future. He said they are also considering gating their street.

It was moved by Wayne Pomeroy, seconded by Marshall Poe, to approve the modifications to Design Review Case No. DR03-005TC for the Towers located at 22 N. Robson Street subject to the following stipulations:

- 1. Full compliance with approved plans dated April 20, 2004, 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 site plan dated April 20, 2004, which includes a parking reduction of the required number of parking spaces from 190 spaces to 55 spaces, landscape plan, and elevations.**

Mr. Reeb asked if there is a link between the two developments and if there is signage to indicate that the Robson Street Villas is private parking.

Mr. Hatch said they have three signs on site as well as additional towing signs but they are typically ignored by the visitors to the Towers.

Ms. Smith read an excerpt of the Downtown Development Committee staff report in regards to the parking issue between Robson Street Villas and the Towers. The staff report states that Alan Hatch met with the Towers in early November and they have resolved the parking issues.

Mr. Hatch said it is about 90% better than it was prior to their meeting. He added that, although the situation is dramatically improved, his concern is that the elimination of more parking spaces at the Towers could perpetuate the problem.

Mr. Rand pointed out that there have also been a large number of construction workers at the site. More parking will be freed up once they complete the work.

Mr. Poe asked if the tenants at the Towers are aware of the removal of the proposed meeting rooms and if they are in favor of these proposed changes.

Mr. Bartell said management has a meeting with the residents each month to bring them up to date on the status of the improvements and the amendments to the proposed plans. He said the residents are aware that some of the additions have been eliminated and that they will be replaced with landscaping. Mr. Bartell said that, although there is not 100% agreement, the majority of the residents support the proposed changes.

Mr. Poe said it sounds like the majority of the issues have been worked out between the Towers and Robson Street Villas and he encouraged them to continue to cooperate with each other and have open communication.

Ms. Carmichael said that she expects there will not always be enough on-site parking in a downtown area, but it is her understanding that there are already some minor parking problems for this site with the current parking situation and has some concerns with an additional parking reduction. Furthermore, the parking that is being eliminated is directly adjacent to the Robson Street Villas, which adds to the impact of the parking problems to this site as well as to the surrounding area. As a result of a reduction in the parking, she felt she could not support the motion.

Vice-Chair Riekema said he is in favor of the additional landscaping at this site and encouraged the managers of the two sites to continue to have open communication regarding the parking.

Vote: 6 in favor;
1 opposed (Theresa Carmichael)
2 absent (Art Jordan, Jeff Jarvis)

5. Discuss and consider Special Use Permit Case No. ZA04-038TC for a Comprehensive Sign Plan for the retail building located at 354 N. Country Club Drive.

Applicant: Scott Hudson, Arizona Commercial Signs
Staff Contact: Shelly Allen, Sr. Redevelopment Specialist, (480) 644-2773

Ms. Allen introduced the applicant, Scott Hudson, and the developer Kirk Zink.

Mr. Hudson thanked Ms. Allen for expediting the application and helping to put the sign package together. He explained that he feels the signage they have proposed meets the design standards expected by the City and is aesthetically pleasing for the downtown area. He asked if the Board members had any questions.

It was moved by Theresa Carmichael, seconded by Marshall Poe, to recommend approval of Special Use Permit Case No. ZA04-038TC for a Comprehensive Sign Plan for the retail building located at 354 N. Country Club Drive.

Mr. Reeb said this is a very attractive building and he is glad to see this development occur. He pointed out that this building is located on a gateway corner in the downtown area and felt that one of the things the developer could do to help maintain its aesthetic appeal is to refrain from using window painting as a source of signage. He asked if the applicant would be willing to agree to a stipulation to restrict window painting at this site in exchange for the additional signage that is being requested as part of this Special Use Permit.

Mr. Hudson agreed that window painting is unattractive and consented to the stipulation. He added that property management will ensure that the tenants adhere to the stipulation.

Mr. Reeb asked the representative of the developer if he would also be willing to agree to the stipulation.

Kirk Zink, representative of the developer, said he had no problem agreeing to the stipulation.

Ms. Carmichael and Mr. Poe amended the motion as follows:

It was moved by Theresa Carmichael, seconded by Marshall Poe, to recommend approval of Special Use Permit Case No. ZA04-038TC for a Comprehensive Sign Plan for the retail building located at 354 N. Country Club Drive subject to the following stipulation:

- 1. Window painted signage is prohibited.**

Vote: 7 in favor; 0 opposed

6. Discuss and consider Special Use Permit Case No. ZA04-037TC for a Communications Tower located at 422 S. Mesa Drive.

Applicant: Rulon Anderson, T-Mobile
Staff Contact: Shelly Allen, Sr. Redevelopment Specialist, (480) 644-2773

Mr. Reeb claimed a potential conflict of interest on this agenda item and also on agenda item #8 and abstained from discussion and voting on this item. (Mr. Reeb left the meeting at this time.)

Ms. Allen introduced Rulon Anderson with T-Mobile to give the presentation for this project.

Mr. Anderson, representative of T-Mobile, passed around a materials board for the monopalm. He said that technology has improved over the last 5 years which provides for alternative tower structures that can be disguised to appear as trees, flag poles, etc. He said that he is a huge proponent of this type of technology.

Mr. Anderson displayed photo simulations of the monopalm at Broadway and Mesa Drive to illustrate how these communication towers have improved from previous years. Mr. Anderson stated that this type of cell technology is beneficial to the community and provides critical services in areas that were heretofore ignored. He also explained that cell technology is now allowing police officers to locate persons who call 911 from their cell phones. In order to do that, however, cell phone providers must provide sufficient coverage of their services in all areas and these types of cell phone towers are helping them to make that happen.

Ms. Close asked what the height of the cell towers are that are shown in the pictures.

Mr. Anderson said they are 65 feet.

Ms. Close said she is concerned that the proposed monopalm at Broadway and Mesa Drive does not fit in with the surrounding area. She pointed out that there are no other palm trees in the picture.

Mr. Anderson said he believes the perspective of the picture is misleading. He said the photo simulation can make the monopalm stand out, but in actuality there are other palm trees in this neighborhood. He said that staff had suggested planting additional palm trees adjacent to the monopalm but since it is located in the loading zone of the Kerby's Furniture Store, additional planting of palm trees is not an option. Mr. Anderson said there are lone palm trees located in many areas throughout the city and so he felt it looks quite normal.

Ms. Smith said the monopalm at McKellips and Gilbert Road is convincing because it is camouflaged by other vegetation in the area. She compared it to a plastic boulder that looks good when it's next to a rock but when in isolation it is not as effective of a masking tool. She said she would be more supportive of this request if additional palm trees could be planted right next to the monopalm.

Mr. Anderson felt that the monopalm at this location is similar to the one at Gilbert and McKellips in that there are no other palm trees around them but there is still other vegetation close by. He added that they could have located the Broadway/Mesa Drive monopalm out in front of the Kerby's store where other palm trees are located, but he felt it looked better at the location that is proposed.

Ms. Carmichael asked if there were any attempts to hang these antennas on an existing cell tower in the area. She asked if maybe they could co-locate with Cricket on the cell tower at the YMCA.

Mr. Anderson said there were no other possible alternatives that would meet the coverage objectives for T-Mobile. He said the problem with the Cricket tower at the YMCA was that it will not provide optimum coverage.

Ms. Carmichael asked about the durability of the materials for the monopalm and how it will be maintained.

Mr. Anderson said T-Mobile has a maintenance person who visits every site on a monthly basis. Reported problems are immediately addressed. He added that T-Mobile wishes to sustain good relations with their landlords and one of the ways they do that is by maintaining their sites.

Ms. Allen said that stipulation #3 in the staff report asks that T-Mobile provide a maintenance plan to the Office of Redevelopment to ensure that the tower remains in the same condition as the initial installation.

Ms. Smith asked for examples of other types of trees that are used to disguise these communication towers.

Mr. Anderson said there is a pine tree tower located in Phoenix off of I-10 and Broadway Road. They also have saguaro cactus but the palm tree was the most appropriate choice for this location.

Mr. Poe asked if there was a height limit on the communication tower, which would not require a Special Use Permit.

Gordon Sheffield, Sr. Planner, said the height limit is 30 feet before a Special Use Permit is required.

Mr. Poe asked if other cell phone carriers will want to use this tower in the future thereby changing it from a single palm to a double.

Mr. Anderson said if it did, the request would have to be approved by this Board. He added that it is a City requirement that the towers be co-locatable.

Mr. Poe asked if the City has any leverage or enforcement action with the owner of the property to ensure that the tower remains visibly attractive.

Mr. Sheffield said the manufacturer of this product recommends a two-year maintenance plan. The leverage that the City can utilize is to rescind the Special Use Permit if the stipulations are not being adhered, including that of maintenance.

Ms. Close said that it was previously stated that there is not enough room to locate additional palm trees next to the monopalm and asked how big the area is. She wondered if a least one palm tree could fit.

Mr. Anderson said the monopalm takes up a 20 x 30 foot space. He added that the location does not have a water source to irrigate the trees. He said it would be incumbent upon the landlord to bring a water line into the asphalt parking area.

Ms. Close asked if the monopalm has to be 65 feet high.

Mr. Anderson said it does in order to provide optimum coverage for T-Mobile.

It was moved by Theresa Carmichael, seconded by Marshall Poe, to recommend approval of Special Use Permit Case No. ZA04-037TC for a Communications Tower located at 422 S. Mesa Drive subject to the following stipulations:

- 1. Compliance with the basic development as shown on the development plans dated April 26, 2004.**
- 2. Full compliance with the approved plans and current Building Code requirements, unless modified through the appropriate review.**
- 3. Provide the Office of Redevelopment with a Maintenance Plan for the Palm Tree Communications Tower to ensure the tower remains in the same condition as the initial installation.**

Mr. Poe asked who determines whether stipulation #3 is being adhered and who would request a revocation of the Special Use Permit if it is not.

Mr. Marek said it would be the responsibility of City staff and the Board members to determine if the monopalm is being maintained.

Ms. Close said she will support this motion but suggested that future sites for these types of towers be located in areas where there is existing vegetation to help them be better camouflaged.

Ms. Smith pointed out that it is inevitable that more of these towers will be located throughout the city. She encouraged continued creativity on how they are disguised and suggested that the City have a clear cut plan of what will be considered acceptable in terms of their appearance.

Ms. Carmichael suggested that the City require future applicants to make an effort to use existing towers for their equipment.

Vote: 6 in favor; 0 opposed

7. Presentation by Dr. Larry Christiansen, Mesa Community College, regarding expanded downtown campus.

Vice-Chair Riekema welcomed Dr. Larry Christiansen, President of Mesa Community College, to the Downtown Development Committee meeting.

Dr. Christiansen addressed the Committee, giving an overview of MCC's plans in relation to downtown Mesa. His presentation included topics such as the bond election, downtown occupancy, future growth, collaboration with downtown facilities such as the Mesa Arts Center, and the steps involved in establishing a downtown campus.

Vice-Chair Riekema asked how Mesa Community College feels about the proposed budget cuts for the Mesa Main Library in downtown. He also asked about the status of the development of their Red Mountain Campus.

Dr. Christiansen said they originally anticipated it would take about 5 years to reach a student enrollment of about 4,000 students at the Red Mountain campus and another 5 years to put in place some occupational programs. In actuality it only took about three years to max the facility and they are commencing with the second 5-year plan for Red Mountain in only its third year of operation. He said the students have greatly outweighed the expectations for that campus.

Dr. Christiansen provided a synopsis of the steps that are currently being worked on to establish a downtown campus. Those steps include: \$10 million on the ballot, establishment of a Memorandum of Understanding between MCC and the City of Mesa, preliminary discussions on possible downtown sites, collaboration with the private sector for interest and involvement of the downtown campus, etc.

Vice-Chair Riekema asked how much square footage Mesa Community College currently occupies in downtown.

Dr. Christiansen said they occupy about 50,000 square feet. He hopes they can bring some of the scattered activity together once the leases expire.

Vice Chair Riekema thanked Dr. Christiansen for his presentation.

8. Discuss the submittals to the Request for Qualifications (RFQ) for Site 17 and consider a Request For Proposals (approximately 25-acre parcel located at the southwest corner of Mesa Drive and University Drive). (Continued from the March 18, 2004 meeting.)

Mr. Murphy gave a PowerPoint presentation for Site 17, focusing on the conceptual building program that was developed by Hunter Interest, Inc., financial feasibility, and MCC's involvement. Mr. Murphy added that there have been over 30 developers that have contacted the Redevelopment Office who are interested in receiving the Request for Proposals (RFP) for Site 17 once it is issued.

Mr. Murphy said the staff report outlines the modifications that have been made to the RFP over the past couple of months at the Downtown Development Committee's request. He added that the Redevelopment Office and Hunter Interests recommend proceeding with the RFP. The Downtown Development Committee's recommendation will be forwarded to the City Council for a final decision.

Vice-Chair Riekema asked how long it would take for the City Council to take action on this before the RFP could be issued.

Mr. Murphy said it would have to be reviewed by the General Development Committee before it proceeds to City Council. He anticipated that it might be in July when the final decision is made.

Mr. Riekema asked how long the developers will have to respond to the RFP once it is issued.

Mr. Murphy said 90 days. He added that staff is hoping they will be able to advertise the RFP at the end of July and receive proposals back by late October or early November. He added that it will take staff at least 30-45 days to review the responses which would mean the Downtown Development Committee would not review the responses until January 2005. Mr. Murphy pointed out that the results of the November Community College bond election will be known by then.

Mr. Poe said the joint meeting with City Council comprised of an extensive discussion on whether to delay the RFP for Site 17 until after the November election. Mr. Poe said that after hearing Dr. Christiansen's presentation, he did not see any value in delaying this until after the election. Furthermore, the deadline for the RFP will occur at approximately the same time as the November election.

It was moved by Wayne Pomeroy, seconded by Marshall Poe, to recommend approval to issue the Request For Proposals for Site 17 (approximately 25-acre parcel located at the southwest corner of Mesa Drive and University Drive).

Ms. Smith strongly encouraged the Committee hold true to the standards that they have established for this project and to only accept proposals that meet that standard.

Vice-Chair Riekema agreed with Ms. Smith's comments and felt that the discussions that the Committee has had over the past few months have been valuable for developing an RFP that reflects the expectations the City has for this site.

Mr. Murphy added that there have been previous proposals for redevelopment projects that the Downtown Development Committee and City Council have rejected because they did not meet the standards that were expected.

Vote: 6 in favor; 0 opposed

(Wayne Pomeroy left the meeting at this time.)

9. Revision of the Mesa Commercial Communication Tower Guidelines (Resolution 7042) by adding the Wireless Communications Design and Placement Guidelines for Parks and Recreation Facilities (Citywide)

Mr. Gordon Sheffield, Sr. Planner, said in 1997 the City Council adopted the current Communication Tower Guidelines. Within those guidelines, it specifically states that no new wireless facilities can be located within the city parks. Due to the increased technology and improved designs of the communication towers, the guidelines are being modified to allow communication towers to be located in parks.

Mr. Sheffield said he was directed by the City Manager's Office to initiate this proposal. It has been presented to the Parks and Recreation Board who supports the new guidelines and has recommended approval. The guidelines will also be considered by the Downtown Development Committee, the Planning and Zoning Board, and then by City Council who will make the final decision.

Mr. Poe said the staff report talks about flagpoles, palm trees, pine trees, and other stealth monopole designs. He asked if there are other designs that are available other than the saguaro cactus mentioned earlier.

Mr. Sheffield said companies are working on designing other types of trees such as the broad leaf oak that is being designed in California as well as different varieties of palms. Mr. Sheffield also mentioned fake water towers or church steeples. Another option being used is to incorporate the equipment into architectural elements of buildings.

Ms. Smith asked if Mr. Sheffield if he is aware of any communities that have used public art as a means to stealth communication towers.

Mr. Sheffield said he would guess that there are. He mentioned a facility in Phoenix that gained some notoriety a couple of years ago but has not heard of many instances since then.

Ms. Carmichael asked for clarification that if a tower is over 30 feet in height, no matter what its location, it would need a Special Use Permit.

Mr. Sheffield said the height requirement is based on the zoning district. In commercial and industrial districts, the communication towers are allowed to meet the maximum height established in that zoning district. Residential districts require a Special Use Permit for a communication tower no matter what the height.

Ms. Carmichael asked if a Special Use Permit is required for communication towers that are located in a park.

Mr. Sheffield said it depends on the zoning district the park is located within. He added that anything being located within a park must be considered by the Parks and Recreation Board.

Mr. Riekema asked if the proceeds generated from these applications can be used specifically for the Parks and Recreation Department or if they have to be deposited into the City's General Fund.

Mr. Sheffield said the City Attorney's Office has stated that the proceeds must be deposited into the General Fund.

It was moved by Theresa Carmichael, seconded by Marshall Poe, to recommend approval of the revisions of the Mesa Commercial Communication Tower Guidelines (Resolution 7042) by adding the Wireless Communications Design and Placement Guidelines for Parks and Recreation Facilities (Citywide).

Vice-Chair Riekema said he will not support the motion because he felt that the funds should be used specifically for the Parks and Recreation Department. He is also concerned with the visual pollution in the City and felt that aesthetics should take a higher priority than they do.

**Vote: 4 in favor (Carmichael, Close, Poe, Smith)
1 opposed (Riekema)
4 absent (Reeb, Pomeroy, Jordan, Jarvis)**

- 10. Discuss and consider Amending Sections 11-18-8, 11-18-9, and 11-18-10 of the Zoning Ordinance pertaining to fees for planning services.**

It was moved by Marshall Poe, seconded by Terry Smith, to recommend approval to amend Sections 11-18-8, 11-18-9, and 11-18-10 of the Zoning Ordinance pertaining to fees for planning services.

**Vote: 5 in favor
0 opposed**

11. Report on the Ad Hoc Redevelopment Advisory Committee

Due to time constraints, a report was not given at this time.

12. Report from Mesa Town Center, Tom Verploegen - Executive Director

There was no report from Mesa Town Center Corporation.

13. Director's Report, Greg Marek

a. **Election of Chair** – Mr. Marek said there will be three DDC Board members (Art Jordan, Wayne Pomeroy, and Terry Smith) whose terms expire in June. The election of the new chair and vice-chair will be on the June DDC agenda. The three new members are Adam Decker, Nabil Abou-Haidar, and Dean Taylor.

14. Board Member Comments

None

15. Adjournment

With there being no further business, this meeting of the Downtown Development Committee adjourned at 9:10 a.m.

Respectfully Submitted,

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