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GENERAL DEVELOPMENT COMMITTEE MINUTES

July 1, 2004

The General Development Committee of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on July 1, 2004 at 9:59 a.m.

COMMITTEE PRESENT	COUNCIL PRESENT	STAFF PRESENT
Rex Griswold, Chairman	None	Paul Wenbert
Kyle Jones		John Wesley
Mike Whalen		

1. Discuss and consider proposed revisions to the Desert Uplands Development Standards.

Principal Planner Dorothy Chimel addressed the Committee and provided a history of the Desert Uplands Development Disturbance Area regulations (see Attachment 1). She advised that subsequent to the Council considering the adoption of the Standards and Guidelines on June 7, 2004, staff was directed to amend the ordinance with the following revisions:

- Capping the building envelope disturbance area at a 50 percent maximum, plus a 10 percent revegetated temporary construction area, plus 10 percent for the utility trench and "over length" driveway (driveways which extend beyond the 30 foot front setback).

- Locating utility trenching adjacent to driveways is *encouraged.* Administrative approval is required for locating utility trenching in area(s) other than next to the driveway.

- Incorporating the guidelines (Planned Area Developments with Natural Area Open Space) into the ordinance without any allowance for disturbance for utility trenching and "over length" driveways in addition to that disturbance area allowed in the PAD table.

Discussion ensued relative to the fact that locating utilities along the driveway is encouraged and that locating the utilities in another area would require approval by the Planning Director; that developers are encouraged to utilize plants from the preferred list; and that in some instances, regulations require utilization of the preferred plant list.

Chairman Griswold noted that several individuals requested the opportunity to address the Committee.

Greg Allen, Allen Consulting Engineers, 2550 North Thunderbird Circle, expressed support for the proposed revisions, and he added that the 50 percent building envelope would resolve many problems.

Benjamin Scheier, I Plan, 4710 East Falcon Drive, #111, stated that the revisions would correct some of the flawed site development designs that currently exist and eliminate the need for retaining walls. He expressed support for the proposal.

The following individuals completed speaker/comment cards indicating support for the proposal, but stated that they did not wish to address the Committee:

Jeremy A. Felstead, Allen Homes, 2550 N. Thunderbird Circle
Clint Garner, Allen Homes, 2550 N. Thunderbird Circle

Mr. Jerry Seeman, 3714 North Hawes Road, representing the Spook Hill Neighborhood Action Association, read a document (a copy is available for review in the City Clerk's Office) outlining the association's objections to the proposed revisions, which include:

- Expanding the permitted destruction of the desert from 40 percent to 50 percent is unacceptable.
- The disturbance area is not capped at 60 percent.
- The "clustering concept only" should apply to Planned Area Developments (PAD), and that clarification should be incorporated into the document.
- Natural Area Open Space (NAOS) does not require revegetation, and revegetation at 50 percent from the preferred plant list is unacceptable.

Additional discussion ensued relative to the fact that the proposed ordinance includes a 10 percent cap for an "over length" driveway and utility trenching; and that the revegetation for these areas is required to be 100 percent from the preferred plant list and at the same density as the natural and undisturbed areas; and that developers are encouraged to landscape common areas, medians and parkways at 90 percent from the preferred plant list with a minimum requirement of 50 percent from the preferred plant list.

In response to Chairman Griswold's comment relative to the City being held to the same standards for the new water storage area that is being constructed, Ms. Chimel stated that the Planning Division was not involved with the design of that facility.

Ms. Chimel addressed Mr. Seeman's concern that the "clustering concept only" should be incorporated into the regulations by stating the opinion that the approach was not advisable. She explained that incorporating the regulations would prohibit a R1-43 development with gated, private streets; and that requiring a PAD overlay for a R1-35 development would reduce the size of the large lots in order to accommodate additional open space.

In response to Mr. Seeman's comment that he was merely seeking clarification relative to the application of the clustering concept, Ms. Chimel stated that she would identify the section of the ordinance that addresses his concern.

Chairman Griswold stated that a speaker/comment card was received from a representative of Momentum Construction in opposition to the proposal, and an unidentified member of the audience indicated that he did not wish to speak, and was attempting to understand the proposal.

Chairman Griswold advised that establishing a cap avoided unintended results; that the regulations would be strongly enforced; and that the intent of the proposal was to protect the desert.

Senior Planner Jo Ferguson explained that a 10 percent temporary disturbance is permitted to enable utilities in different locations to be trenched to one location and aligned with the driveway, and that this disturbance area does not count against the 50 percent building envelope. She stated that this area must be fully revegetated. Ms. Ferguson added that the additional 10 percent also enables a developer to place a home closer to the rear of a lot in order to preserve a lot feature or to capture a view.

Further discussion ensued relative to the fact that developers are encouraged to locate utilities along the front of the property as opposed to cutting across the property; and that the separation required between the wet and dry utilities and between the different types of wet utilities results in a wide trenching area that is to be revegetated utilizing the preferred plant list.

Ms. Ferguson also explained that that the 10 percent construction area meets the Occupational Safety and Health Administration's (OSHA) standards for a safe work environment; that 100 percent revegetation is required; that the developer must submit a revegetation plan as part of the permit process; and that a Zoning Inspector will ensure that the revegetation is completed as outlined in the plan. She noted that the requirements are outlined in Section (H) 1, subsections d, e and f of the proposed ordinance.

Chairman Griswold advised that additional speakers wished to address the Committee, and he asked Bill Jaffa to come forward.

Bill Jaffa, 30 West 1st Street, stated that the City of Mesa traditionally had the least restrictive zoning of any Valley community, but he expressed the opinion that the ordinance before the Committee proposes the most restrictive zoning in the Valley. He further stated that if the Desert Uplands were in Scottsdale, the building envelope could be 80 percent. Mr. Jaffa outlined several concerns relative to how his development plans would be impacted by the proposed ordinance. He advised that the developers said that they could "live with" the 60 percent minimum, but he stated the opinion that the restriction was not in the best interest of the City.

Chairman Griswold suggested that Mr. Jaffa meet with Ms. Chimel immediately following the meeting to discuss his concerns.

Barbara Carpenter, 7130 East Saddleback Street, #6, a member of the Planning and Zoning (P&Z) Board, noted that the P&Z meeting minutes included in the Council Report reflect the fact that the Board had questions and concerns related to this issue. She suggested that the ordinance could be clarified by allowing any combination of disturbance providing that the disturbance does not exceed 60 percent. Ms. Carpenter expressed the opinions that standards suitable for Scottsdale are not necessarily suitable for the City of Mesa, and that City projects and private projects should be held to the same standards.

Chairman Griswold explained that providing a 10 percent temporary construction disturbance area enables the placement of scaffolding, trucks and other related equipment, and that the ordinance requires 100 percent revegetation of that area. He also explained that the other exceptions related to an "over length" driveway in order to accommodate lots where the home placement was better suited to the rear, and to encourage utility trench placement along the

front property line and in alignment along the driveway. Chairman Griswold stated that many people have devoted a great amount of time to developing the Desert Uplands Standards, and he acknowledged the efforts of Ms. Ferguson. He added that the Standards are a work in progress, and that changes could be made in the future if necessary.

Committeemember Whalen acknowledged the efforts of Chairman Griswold regarding the Desert Uplands Standards. He stated that there appears to be general support for the 50, plus 10, plus 10. He asked staff to provide a perspective relative to the placement of a 7,000 square foot home on a one-acre lot.

Ms. Chimel advised that 35,000 square foot lots are more common than one-acre lots. She displayed several examples of large lots with footprints of 7,225 square feet with building envelopes that allowed for the outdoor living areas. Ms. Chimel noted that the examples are for a subdivision plan that is currently being processed; that the subdivision homes are "product built" rather than "custom" homes; and that a 50 percent envelope will be applied to the subdivision if the proposed ordinance is approved.

It was moved by Committeemember Whalen that staff's recommendation for Alternative 1 (to adopt the ordinance amending subdivision regulations, sections 9-6-1 and 9-6-5) be moved forward to the full Council with a recommendation for approval. He stated that additional staff members are being added to enforce the Desert Uplands Standards, and that neighbors would also be vigilant regarding activity in the area. Committeemember Whalen thanked everyone involved for the spirit of cooperation exhibited during the process.

Committeemember Jones seconded the motion, and he expressed the opinion that the Committee's review of the changes was appropriate prior to moving the proposal forward for Council consideration.

Discussion ensued relative to the fact that the ordinance will be introduced on July 6th and will be considered for adoption on July 12th; and that these timeframes are included in the advertising of the ordinance.

Chairman Griswold called for the vote.

Carried unanimously

2. Adjournment.

Without objection, the General Development Committee meeting adjourned at 10:52 a.m.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the meeting of the General Development Committee of the City of Mesa, Arizona, held on the 1st day of July 2004. I further certify that the meeting was duly called and held and that a quorum was present.

_____
BARBARA JONES, CITY CLERK

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Attachment 1

History of Desert Uplands Development Disturbance Area

Regulation	*Base Disturbance Area Allowed*	*Additional Disturbance Area Allowed*	*Excluded from Disturbance Calculation*	*Planned Area Development PAD Subdivisions*
DUD Guidelines	No reference to Building Envelope or Lot Disturbance	NA	NA	PAD development considered on case by case basis
Standards 1989	Footprint of Enclosed Building (Main house with its attached garage) plus 40% of remainder of the lot	None	Any disturbance area over that of the main house - capped at 40% (guest houses, accessory buildings, patios, driveways, swimming pools, utility trenching, etc.)	PAD development held to the standards of disturbance area equal to the enclosed building plus 40% of the remainder of the lot
Standards 1999	40% of the entire lot	None	No exclusions	PAD development held to the standards of 40% disturbance area per lot
Standards & Guidelines June 7, 2004	50% of the entire lot	10% temporary construction disturbance area to Be revegetated	Any disturbance from over-length driveways and utility trenching	Guidelines for PAD development with NAOS allowed disturbance areas proportional to amount of NAOS preserved
Standards July 1, 2004	50% of the entire lot	10% temporary construction Disturbance area to Be revegetated, plus 10% cap allowed for utility trenching and 16' wide over length driveway	NA	Guidelines incorporated into the Standards