

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

DATE: August 16, 2001 **TIME:** 7:00 a.m.

MEMBERS PRESENT

Dave Wier, Chair
Art Jordan, Vice-Chair
Vince DiBella
Theresa Carmichael
Debra Duvall
Lori Osiecki
Wayne Pomeroy
Terry Smith

MEMBERS ABSENT

Shanlyn Newman

STAFF PRESENT

Shelly Allen
Bob Deleon
Tony Felice
Kathy Guthmiller
Steve Ketchum
Greg Marek
Amy Morales
Patrick Murphy
Ben Patton
Bryan Raines
Paul Wilson

OTHERS PRESENT

Rulon Anderson
Virginia Aguero
Adrian Barraza
Dan Brock
Jim Davidson
Jason Emerson
Jim Gilman
Jack Hannon
Dee Logan
Paul McKee
Darryl Slade
Tom Verploegen

1. Call to Order

The August 16, 2001 meeting of the Downtown Development Committee was called to order at 7:00 a.m. in the City Council Chambers located at 57 E. First Street by Chair Wier.

2. Items from Citizens Present

There were no items from citizens present.

3. Approval of Minutes of July 19, 2001 Regular Meeting

It was moved by Terry Smith, seconded by Deb Duvall to approve the minutes as amended.

Vote: 8 in favor; 0 opposed

4. Discuss and consider Special Use Permit Case No. ZA01-66TC for a communications tower located at 207 N. Mesa Drive.

Applicant: Rulon Anderson, Cricket Communications
Staff Contact: Patrick Murphy, (480) 644-3964
e-mail address: patrick_murphy@ci.mesa.az.us
Recommendation: Approval

Mr. Murphy said the purpose of this report is to consider an application for a Special Use Permit (SUP) to allow a 65-foot communications tower at 207 N. Mesa Drive. Staff recommends that the Downtown Development Committee forward a recommendation of approval to the Zoning Administrator subject to the following stipulations:

1. Compliance with the basic development as shown on the development plans dated August 6, 2001.
2. Full compliance with the approved plans and current Building Code requirements, unless modified through the appropriate review.

Mr. Murphy said the Zoning Administrator will consider the Special Use Permit on September 4, 2001.

Mr. Murphy said the Downtown Development Committee considered a Special Use Permit request for a communications tower at 225 E. 1st Street at their meeting on June 21, 2001. By a vote of 6-1 the Downtown Development Committee recommended that the Special Use Permit be denied. The Zoning Administrator approved the Special Use Permit, and the Redevelopment Office and the Downtown Development Committee appealed the Zoning Administrator's decision. The appeal is still pending. Cricket Communications has agreed to withdraw their Special Use Permit at 225 E. 1st Street if a Special Use Permit is approved to locate a communications tower at the YMCA site.

Mr. Murphy said 207 N. Mesa Drive is zoned TCR-3 and provided exhibits depicting the zoning and land uses of the area surrounding the site.

Mr. Murphy said the proposed tower at 207 N. Mesa Drive complies with the *Mesa Commercial Communications Tower Guidelines* because it meets the setback ratio and required distance from existing streets. Based on the site plan, the tower will be approximately 390 feet from Mesa Drive and 194 feet from Lesueur Street. The Guidelines also state that a new communications tower must be justified on an as-needed basis. The applicant, Mr. Anderson, diligently researched existing facilities and found them to be incompatible either due to location or height and could not meet the needs of Cricket Communications. In addition, some of the property owners that he approached indicated that they did not want to lease space for communications equipment.

Mr. Murphy stated that the communications tower will be disguised as a flag pole and it will be at least 220 feet away from any residence, which meets the minimum distance requirement of 2 feet for each 1-foot of tower height from an adjacent residence.

Mr. Murphy said the tower has been incorporated into the YMCA's renovation plans, and will be helpful in providing directions for the patrons of the daycare center since it is located adjacent to the daycare center's driveway. The equipment space will be screened with an 8-foot CMU wall. Due to the YMCA's renovation and building plans, the existing flagpole by Mesa Drive is scheduled to be removed and the flag will be relocated to the proposed communications tower.

Mr. Murphy said the proposed tower is compatible with the surrounding area and with the YMCA renovation and building plans. Since it has deep setbacks from Mesa Drive, Lesueur Street, and the residential area to the north, it will not have a negative visual impact. Mr. Murphy provided two photo simulations showing before and after views of the communications tower from the YMCA parking lot and from Lesueur Street. Mr. Murphy said that placing the American flag on the tower will be permitted because there are no height restrictions in the TCR-3 Zoning District for flagpoles, and there are no regulations prohibiting it. Again he stated that the proposed tower complies with the *Mesa Commercial Communications Tower Guidelines*.

Mr. Murphy said staff is recommending approval of the Special Use Permit based on the following findings:

1. The proposed 65-foot tall communications tower exceeds the setback requirements and it will not adversely impact surrounding properties.

2. The proposed communications tower complies with the City of Mesa's Commercial Communications Guidelines, Mesa General Plan, and the Town Center Concept Plan.
3. The new communications tower is justified because there is not a reasonable possibility to place equipment at the required height on an existing facility.
4. The location of the tower has little visual impact from Mesa Drive and Lesueur Street.

Mr. Murphy said as part of the Citizen Participation process, staff sent out a flyer to the property owners and tenants within 300 feet of the proposed communications tower. The Zoning Administrator's Office also advertised a public hearing for this project in compliance with the City of Mesa's Zoning Ordinance. Staff received an e-mail from one of the neighboring property owners expressing concern with the visual aesthetics of the tower. Staff explained that the communications tower will be disguised as a flagpole, which alleviated her concern, but she also felt that this might set a precedent for additional communication towers in the area.

Mr. Pomeroy said he felt this was the ideal place to locate the communication tower, which satisfies the needs for Cricket Communications and also is more compatible to the surrounding area.

Ms. Duvall said there were four members of the Downtown Development Committee who also sit on the YMCA Board and asked if there was any reason why those members should refrain from comment or vote on this agenda.

Mr. Marek said he has previously asked that same question to former City Attorney, Neal Beats, and his response was that the YMCA is a nonprofit organization and Board members do not receive any remuneration and therefore does not create a conflict of interest.

Mr. Jordan asked if staff will determine whether the size of the flag will be proportional to the height and size of the pole.

Mr. Marek said that staff will not review the dimensions of the flag to determine the proportionality to the pole. He said the YMCA will be the ones responsible for putting the flag on the pole. He said that if the Board wants to be assured that the flag is proportioned to the size of the pole, it should be added as a stipulation.

Mr. Jordan requested that a stipulation be added for staff to review the size of the flag before it is flown on the pole.

It was moved by Wayne Pomeroy and seconded by Deb Duvall to approve Special Use Permit Case No. ZA01-66TC for a communications tower located at 207 N. Mesa Drive subject to the following stipulations:

1. Compliance with the basic development as shown on the development plans dated August 6, 2001.
2. Full compliance with the approved plans and current Building Code requirements, unless modified through the appropriate review.
3. Approval from Redevelopment Staff that the flag is proportional to the height and size of the flagpole.

Vote: 8 in favor; 0 opposed

5. **Discuss and Consider Case No. HP01-002TC, to expand the West Second Street Historic District (Historic Preservation Overlay District).**

Applicant: Virginia Aguero
Staff Contact: Amy Morales, (480) 644-3356
e-mail address: amy_morales@ci.mesa.az.us
Recommendation: Approval

Ms. Osiecki refrained from discussion and vote due to a potential conflict of interest.

Mr. Felice said the purpose of this report is to consider an application for a Historic Preservation Overlay District to be applied to the proposed expanded area of the West Second Street Historic District. The new area to be added is generally bounded on the south by West Second Street; on the north by University; on the west by Robson Street; and on the east by Center Street.

Mr. Felice provided an exhibit depicting the zoning and land uses within the West Second Street Historic District. He pointed out that there will be no change in zoning but only a Historic Preservation Overlay to the zoning.

Mr. Felice gave some background information and explained that in 1999 staff was approached by residents that live along 3rd Place and University to consider expanding the West Second Street Historic District. In response to their request staff directed Ryden Architects to conduct a comprehensive windshield survey of the area. Upon completion of the field survey, it was determined that the area west of Robson Street contained an entirely different architectural character than the area east of Robson Street. The architectural character along 3rd Place more closely resembled that of the West Second Street Historic District. Therefore, it was determined that two very distinctive historic districts existed within the original surveyed area: the proposed expanded West Second Street, and the proposed Robson Historic District.

Mr. Felice explained that the expanded West Second Street 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. The new area to be included in the West Second Street Historic District illustrates the same architectural styles found within the existing West Second Street Historic District, especially the Bungalow and Tudor Revival styles which are rarely repeated in Mesa. In addition, the Ranch architectural style has been introduced as in-fill in the expanded area. Mr. Felice said the new area has retained a high level of integrity and the residential architecture and landscaping appear essentially as they did in the mid-twentieth century.

Mr. Felice stated that the street width of Third Place is narrower than Second Street, but the landscaping and overall feeling of the street closely matches the same lush landscaping found in the existing West Second Street Historic District.

Mr. Felice said staff conducted a public meeting on April 18, 2000, to discuss whether or not the residents were interested in creating a historic district for their neighborhood. Virginia Aguero (expanded area resident) assumed the neighborhood representative position and has circulated petitions during 2000 and 2001.

Mr. Felice said that within the boundaries of the existing and proposed new West Second Street District, there are a total of 83 property owners. He said there are 10 absentee property owners in the expanded West Second Street area and a total of 16 that would be in the entire West Second Street area. The submitted petition contains 45 verified signatures of property owners, which represents 54% of the property owners and 60.8% of the area within the boundaries of the

proposed new district and the existing West Second Street District combined. The ordinance requires a petition with signatures of 50% plus one of the property owners within the boundaries of the proposed Historic District, and who also control 50% of the property area to be included in the Historic District.

Mr. Felice said a second public meeting was held on, June 6, 2001, to discuss the Historic Preservation Zoning Overlay for the neighborhood. The meeting provided an opportunity for those who may have been opposed to the designation to come forward. No opposition has been expressed. It is important to note that all property owners have been notified by four separate mailings, and the absence of signatures does not mean property owners are opposed to the designation. In most cases, they represent absent property owners who have not responded to the written notifications. To date, staff has received no opposition to the proposed designation.

Mr. Felice said the Historic Preservation Committee recommended approval of the expanded West Second Street Historic District and their recommendation will be forwarded to City Council along with the Downtown Development Committee's recommendation at today's meeting.

Ms. Aguero, neighborhood representative residing at 150 W. 3rd Place, said her family has lived in her home for 32 years. She said she has worked hard to circulate the petitions and obtain the signatures needed for this project. She said the neighborhood has raised \$340 towards the cost of the zoning overlay. She complimented the Historic Preservation staff for the work that they have done on this project.

Ms. Carmichael asked if staff knows the percentage of properties in the expanded area that are considered contributing properties to the historic district.

Mr. Felice said approximately 72-73% of the homes in the expanded area are contributing properties.

Ms. Carmichael asked if there are any statistics on the number of property owners in the expanded area that signed the petition for expansion.

Mr. Felice said they are not required to provide a percentage of signatures obtained in the expanded area, however, he said that most of the owners that Ms. Aguero approached in the expanded area agreed to sign the petition.

It was moved by Wayne Pomeroy, seconded by Art Jordan to recommend that City Council approve Case No. HP01-002TC, to expand the West Second Street Historic District (Historic Preservation Overlay District).

**Vote: 7 in favor
0 opposed
1 abstained (Lori Osiecki)**

6. Discuss and Consider Design Review Case Number DR01-006TC, for Fire Station 201, located at 320 E. 1st Street.

**Staff Contact: Tony Felice, (480) 644-3965
e-mail address: tony_felice@ci.mesa.az.us
Recommendation: Approval with conditions**

Mr. DiBella refrained from discussion and vote due to a potential conflict of interest.

Mr. Felice said the purpose of this discussion is to present design review and development plans for a new fire station located at 320 E. 1st Street (northwest corner of Mesa Drive and 1st Street). Mr. Felice displayed a vicinity map and reviewed the boundaries of the site and discussed the land uses of the surrounding area.

Mr. Felice said that when the location of the Fire Station was being considered there were several issues that were raised and he wanted to briefly mention how those issues were resolved.

Removal of two homes - The original fire station footprint was moved in order to save the Mendoza House, which has since become a local historic landmark.

Mass of the building - The building was set back 75 feet from the nearest house and the screen wall was raised to 7 feet. In addition, dense mature landscaping was added to the site.

Open Space - The City agreed to develop an open space with a park-like setting to the north of the fire station since those parcels would become difficult to develop as commercial or residential properties.

Historic Compatibility - The Wilbur neighborhood was clear that they wanted a building designed as a historic fire station that would be compatible with the time period of development reminiscent of the Wilbur Historic District. At their request, staff hired Don Ryden, AIA, an historic architect, to evaluate this as an edge-fill project and comment on the design. Ryden prepared an opinion of appropriateness and provided design consultation to the architect of the project. Staff is comfortable that the architect has met the design objectives that were provided by Ryden.

Mr. Felice said staff believes that the development plans meet the goals of both the Historic District and the City with respect to a compatible design that will add value to the neighborhood and the community.

Mr. Felice talked about different aspects of the design of the building including the colors and materials and elevations. Mr. Felice explained that the plans indicate that the apparatus bay doors are metal rollup doors, however, these doors must incorporate transparent glass windows since metal rollup doors are inappropriate in this design. He said this has been included as one of the stipulations to this project. Mr. Felice continued to discuss the elevations, the site plan, parking, and lighting. Mr. Felice pointed out that based on code requirements, parking spaces on the west end of the site must be reconfigured to be 18 feet in length and accommodate a 2-foot overhang within this area as opposed to using the landscape area for this overhang as currently noted on the plans. Again, he said this issue has been addressed as one of the stipulations to the project.

Mr. Felice also talked about the landscaping and some of the issues surrounding the open space. Turf is used around the site and in the right-of-way between the sidewalk and curb area, contributing to the sense of lushness and providing continuity with the Wilbur neighborhood and the rest of First Street. He said on the plans, there appears to be an inconsistency between the stated number of plants in the legend and what is shown on the plans. Staff added a stipulation that the landscaping quantities must be consistent with the number shown on the landscape plans. Mr. Felice said the open space is primarily turf with a meandering sidewalk. Retention on the site is indicated on the development plans as a 3-foot depression that extends for almost 100 feet. Staff is concerned that this depression is too deep and the retention should be redesigned so that it is accommodated across the entire site. Mr. Felice said the architect has indicated that they are willing to work with staff on that issue as well as also work on a lighting plan (pedestrian and ground lighting) to be incorporated into the open space area. These items have also been included as a stipulation to the project.

Mr. Felice said as part of the Public Participation plan, several meetings were held with the Wilbur Neighborhood and the Wilbur Planning Committee. In addition, the project was evaluated by an internal Design Review Committee, Mesa Town Center Corporation, the Historic Preservation Committee, and the Downtown Development Committee workgroup.

Mr. Felice said Fire personnel and Redevelopment staff worked together to develop a project that is sensitively conceived and designed with compatibility to the neighborhood. He indicated that it was not an easy task to work with the programming needs of the Fire Department, the expectations of the architect, and the expectations of the Wilbur Historic District, but he felt the final product will add value to the neighborhood and to the downtown area. Staff recommends that the Downtown Development committee approve the plans 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 site plan and elevations.
3. Redevelopment staff will review and approve final color and design of the metal roofing parapet (designed to balance the pediment on north and south elevations).
4. The Fire Department and the Wilbur Neighborhood will sign a Good Neighbor Noise Abatement agreement prior to the issuance of a building permit.
5. The lighting plan shall be implemented according to the City's Outdoor Lighting and Control Ordinance (Night Sky Ordinance), and shall ensure that light does not spill over into the adjacent properties. Light standards shall be as noted on Exhibit 5 to the staff report.
6. The type of apparatus bay doors must incorporate transparent glass and be approved by the Redevelopment Office prior to the issuance of a building permit.
7. The design, color and materials of protection measures for the pre-cast columns must be identified and approved by the Redevelopment Office prior to issuance of a building permit.
8. Parking spaces on the west side of the site must be reconfigured to meet code requirements for a minimum length of 18 feet.
9. Landscaping quantities must be consistent with the number shown on the landscape plans.
10. Retention in the open space must be changed from a 3-foot depression over 100 feet to using the entire open space area and must be approved by the Redevelopment Office before a building permit is issued.
11. A lighting plan (pedestrian and ground lighting) must be incorporated into the landscape plan for the open space and approved by Redevelopment prior to the issuance of a building permit.

Ms. Osiecki commended the Fire Department, the Wilbur Neighborhood, and Redevelopment staff for working together, working out the issues, and working out a compromise to the design of the project that would meet the needs of everyone involved.

Ms. Duvall said she was also pleased to see that the design aspects of the project have been worked out because she was concerned that the certain members of the neighborhood were initially displeased with the design of the project. She said it appears that all the issues have been addressed and everyone is comfortable with the final project.

Ms. Osiecki said she has spoken with a few members of the Wilbur Historic District who indicated that they were very happy with the way their concerns were addressed and that the neighborhood was happy with the way things worked out.

Ms. Duvall asked if the architect has agreed to meet the requirements of the 11 stipulations that were cited by staff.

Mr. Felice said both staff and the architect have discussed the issues and have agreed to work through them as indicated in the stipulations.

Mr. Jordan complimented staff and the architect on how the signage is being addressed. He asked if stipulation #3 indicates an intention of the design team to work on the pediment above the doors and make them wider.

Mr. Brock, architect with Brock, Craig and Thacker, explained that initially they did not include a pediment in the design, however, they were steered in that direction and asked to incorporate the pediment into the design. Mr. Brock explained that they have considered making the pediment thicker but instead decided to connect two pediments together with a gable roof.

Mr. Jordan asked that the refuse gates be addressed with the attention to detail and quality that has been used in the rest of the project. He also expressed that his personal preference on the lighting is the Essex or Cambridge light fixtures instead of the Heritage II.

Mr. Brock explained that they have struggled with the choice of lighting for many months. Some of the issues they have faced is to incorporate a light fixture that is reflective of the time period and can meet the requirements of the Night Sky Ordinance. After much debate, they eventually settled on the choice that has been presented on the design plans. He said the design team could continue to work with staff and make changes to the lighting, but the main thing they need to keep in mind is to provide lighting that is complementary to the Wilbur neighborhood.

Mr. Wier asked if the light fixtures will be green in color to match the design.

Mr. Brock said he has not seen an actual color chip of the light fixture yet. He said the color will be a green tone and would allow staff to review the color chips once he receives them.

Mr. Brock said there are a couple of stipulations that Mr. Felice had mentioned in his report that the design team would like to discuss. He asked if stipulation #7 could be reworded as follows, "If protection measures for the pre-cast columns are used, then the design, color, and materials must be identified and approved by the Redevelopment Office prior to issuance of a building permit." Mr. Brock explained that it is not necessarily the intention of the design team to use protection measures adjacent to the pre-cast. If the stipulation is reworded as indicated, then it leaves the spirit of the stipulation in place without requiring the protection measures to be provided.

Mr. Brock also wanted to eliminate stipulation #8. He explained that in the past there has generally been little deviation from the requirement of 18 foot parking stalls. However, Mr. Brock said he is currently serving on a committee that is rewriting design guidelines for the City and one of the changes being considered is the increase of setback requirements. Part of the tradeoff for the increase of setbacks is to allow the front bumper to overhang two feet, recognizing that this is not considered to be a serious problem. Mr. Brock explained that there are two reasons for wanting to keep the parking overhang into the landscaping. One is because they have increased the minimum setbacks from 10 feet to 20 feet. The second is that the size of the driveway on the west and north side of the Fire Station has been designed extra wide to allow it to serve as a bypass drive for visiting firefighters driving large apparatus trucks. This will allow them to get in and out without having to go through a fire bay.

Lastly, Mr. Brock said that stipulation #10 gives him the impression that the design team is to make the entire open space a foot deep for landscaping. He explained that the landscape architect designed the open space to consist of a meandering walk and round pads for the purpose of locating public art or sculptures. Mr. Brock said this project has approximately \$40,000 budgeted for public art and it was the intention of the landscape architect to screen those with a combination of mounds and landscaping. It was also the desire of a couple of the homeowners to have some screening without having to incorporate any walls. The design team felt it was important to have a combination of water retention basins mixed in with the mounding.

Mr. Jordan asked what was the driving reason why the bay doors should be transparent instead of translucent.

Mr. Brock said it would provide natural light into the bays as well as display the fire apparatus which was a request of the Fire Department.

Mr. Marek said concerning stipulation #7, staff's concern was that some of the protection measures that are utilized could be considered unsightly such as yellow and black striping. Mr. Marek explained that staff only included stipulation #7 to be sure they would be involved if protection measures were utilized. He said he did not have a problem with the rewording that Mr. Brock has proposed for that stipulation.

Mr. Marek said his concern with the parking, as mentioned in stipulation #8, is that there is potential for damage to the landscaping if the cars are overhanging into the landscape area. Mr. Marek pointed out that many times landscapers can misplace trees or plant vegetation that is not accurately placed according to the landscape plan. Staff's concern is that the overhang of the cars will interfere with the dense, lush landscaping that is being proposed.

Mr. Marek said staff's concern with the retention in the open space was that a three-foot depression would look too deep. Staff would like to work with the landscape architect to see if it can be smoothed out more. Mr. Marek also pointed out that the Engineering Department has recently agreed to have a 30% reduction of any retention requirements in the Redevelopment Area.

Ms. Duvall asked for clarification regarding the issue of retention in the open space.

Mr. Marek explained that a three-foot depression over 100 feet looks pretty deep. Staff believes that may create problems with standing water and will look like a big hole. Staff believes the slope should be more shallow. Mr. Marek said that with all the open space area, more of it could be used for retention purposes as well as for driveways and parking lots.

Ms. Duvall asked if Mr. Brock's concern is that the landscaping plan would have to be modified in order to meet with the requests of staff to smooth out the area.

Mr. Brock said he only brought up the concern because he wants to keep the berms and the sculpture affect that they have designed, however, he is willing to work with staff on the retention issue and would agree to leave the stipulation as it was written in the staff report.

Ms. Smith asked if Mr. Brock had a response to the issue raised by Mr. Marek regarding the parking interfering with the landscaping.

Mr. Brock said he feels that when landscaping areas get to be 20-25 feet wide, there is a lot more flexibility and freedom in what is planted and how it is laid out. As a result, he said his landscape architect and design team do not share the same concern as Mr. Marek. Mr. Brock said that, in the past, landscape setbacks were only five feet wide. In those cases, he felt that Mr. Marek's concern with the dense landscaping would have a lot of validity, however, he feels that the 20 feet of landscaping is a wide enough area that it does not pose a problem for damage to landscaping.

Mr. Jordan asked if Mr. Brock is proposing a reduction of parking space length from 18 feet to 16 feet.

Mr. Brock said there is no reduction proposed. The length of the parking lot is currently 18 1/2 feet with a two-foot overhang into the landscape area.

Mr. Marek clarified that the current Code requires that the parking stalls be 18 feet deep with a two-foot overhang within the asphalt area. Mr. Brock's proposal is that 16 feet of parking is within the asphalt area with two feet overhanging into the landscaping. Mr. Marek said that if the Board desires to comply with Mr. Brock's proposal then they should remove stipulation #8. If the Board wants the parking to comply with the current Code, then stipulation #8 needs to remain.

It was moved by Art Jordan, seconded by Deb Duvall to approve Design Review Case Number DR01-006TC, for Fire Station 201, located at 320 E. 1st Street subject to 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 site plan and elevations.**
- 3. Redevelopment Staff will review and approve final color and design of the metal roofing parapet (designed to balance the pediment on north and south elevations).**
- 4. The Fire Department and the Wilbur Neighborhood will sign a Good Neighbor Noise Abatement agreement prior to the issuance of a building permit.**
- 5. The lighting plan shall be implemented according to the City's Outdoor Lighting and Control Ordinance (Night Sky Ordinance), and shall ensure that light does not spill over into the adjacent properties. Light standards shall be as noted on Exhibit 5 to the staff report.**
- 6. The type of apparatus bay doors must incorporate transparent glass and be approved by the Redevelopment Office prior to the issuance of a building permit.**
- 7. If protection measures for the pre-cast columns are used, then the design, color, and materials must be identified and approved by the Redevelopment Office prior to issuance of a building permit.**
- 8. Landscaping quantities must be consistent with the number shown on the landscape plans.**
- 9. Redevelopment Staff will work with the architect to resolve issues regarding the retention in the open space area and must be approved by the Redevelopment Office before a building permit is issued.**
- 10. A lighting plan (pedestrian and ground lighting) must be incorporated into the landscape plan for the open space and approved by Redevelopment prior to the issuance of a building permit.**

**Vote: 7 in favor
0 opposed
1 abstained (Vince DiBella)**

7. **Update on the public meeting and public comments regarding the proposed Redevelopment Area.**

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

Mr. Murphy said staff would like to present an update to the Downtown Development Committee on the public meeting and public comments regarding the proposed Redevelopment Area. The proposed Redevelopment Area is generally bounded by Country Club on the west, Crescent Avenue on the north, Center Street on the east, and 8th Avenue on the south.

Mr. Murphy said in order for the City to designate a redevelopment area the City Council must adopt a resolution defining the redevelopment area boundaries and declare that redevelopment of the area is necessary. Once this has been done the City can proceed to prepare a Redevelopment Plan.

Mr. Murphy said the criteria used to determine the need for a redevelopment area is the condition of the buildings and lots, the layout of the streets, safety conditions, percentage of absentee property owners, and percentage of noncompliant properties within the area. Staff has also observed that there has been some private investment within the area, however, there are instances where run down properties are located right next to maintained properties, which also confirms a need for redevelopment.

In July staff presented a plan of action to the Downtown Development Committee, Planning and Zoning Board, and City Council. A public meeting was scheduled on July 26th to gather input from property owners and tenants. Those comments will be discussed with the Downtown Development Committee at today's meeting, they will also be presented to the General Development Committee, and finally to City Council to consider a resolution defining the redevelopment area boundaries and declare the area in need of redevelopment. Once this has been completed, staff plans to set up a project team consisting of City staff and members of the neighborhood to work on the Redevelopment Plan. Public meetings will also be held to obtain input from property owners and tenants within the redevelopment area.

Once the Redevelopment Plan has been prepared, the Downtown Development Committee and Planning and Zoning Board will consider the conformance of the Redevelopment Plan to the General Plan and will provide a recommendation to City Council. The City Council will then consider the resolution to approve the Redevelopment Plan.

When the action plan was presented to the Downtown Development Committee and Planning and Zoning Board in July, the concerns of the Boards were as follows:

1. Ensure the Redevelopment Plan complies with the General Plan.
2. Address concerns regarding which City Council Advisory Board should have jurisdiction over this new area.
3. Discourage the use of eminent domain to benefit private developers.
4. Determine the future land use plan for this area.
5. Communicate that the City's intent is not to relocate or demolish existing residential but rather to help the neighborhood become a cleaner, safer place to live.

Mr. Murphy said staff sent out a flyer and fact sheet in both English and Spanish advertising the public meeting that was held on July 26, 2001. A phone line was also dedicated for the Spanish speaking public. Staff received approximately 30 phone calls requesting information on the proposed Redevelopment Area prior to the meeting. Most of the people who called agreed that revitalization of the area was necessary but wanted the City to be sure and retain the existing housing developments and expressed concern with the possible use of eminent domain.

Mr. Murphy said the key issues discussed at the public meeting revolved around crime in the area, fear of eminent domain, condition of the alleys, and concerns regarding the incompatibility of the existing commercial, industrial, and residential uses. Some of the property owners felt that the area is redeveloping on its own and doesn't need to be designated as a redevelopment area. The majority of the property owners did not have any objections to the proposed boundaries; however, a couple of the business owners on Country Club Drive requested that the western boundary be Morris Circle and eliminate the inclusion of businesses on Country Club Drive. Another property owner who owns and manages several properties on Morris Circle asked that it also be excluded from the redevelopment area. Mr. Murphy again stated that there were numerous comments regarding the use of eminent domain and the fear of people losing their homes.

Mr. Murphy said recently there have been several comments that the City should prepare a Redevelopment Plan before a resolution is adopted to form a redevelopment area. Mr. Murphy said staff will continue to work with property owners and tenants as well as with various City divisions. Once City Council designates the redevelopment area, staff will begin preparing a Redevelopment Plan.

Jack Hannon, 736 S. Macdonald, said he does not represent a formal neighborhood association but has heard overall comments from the neighbors in the area. He indicated that many of the concerns of the neighbors have already been expressed by Mr. Murphy but one that has not been mentioned is the fear that redevelopment will push a low income housing project that will further overload the facilities of the neighborhood including the Amberwood Apartments and Lincoln School. Some of the people also have friends and relatives who have been affected by redevelopment in the downtown area and they would like to see if there is a possibility to institute a revitalization program as a preparation stage before a Redevelopment Plan. Mr. Hannon said he will continue to work with staff and attend the City Council meetings when this matter is considered.

Ms. Duvall asked if there will be more discussion between City staff and the neighborhood in an attempt to continue to provide information about the redevelopment program. She also asked if there is a reaction to Mr. Hannon's comment about a revitalization program prior to a Redevelopment Plan.

Mr. Murphy said there will be continued dialog with the property owners and tenants within that area. Staff will continue to send out flyers regarding upcoming meetings, including the City Council meeting. Staff will also set up a project team consisting of City staff and property owners to work on a Redevelopment Plan that will address the concerns of the neighborhood and that everyone can feel comfortable with.

Ms. Smith asked if the Downtown Development Committee will consider the boundaries and the need for redevelopment in the area at their next meeting.

Mr. Murphy said City Council makes the final decision on the proposed boundaries. Staff is currently gathering public input and sharing that information with the Downtown Development Committee to keep them abreast of what's happening and share the Board's comments with the City Council. The Downtown Development Committee and the Planning and Zoning Board will consider the Redevelopment Plan once it has been completed. In order to clarify the Board's role at today's meeting, Mr. Murphy said the Board is not asked to make a recommendation on the proposed boundaries, but staff is asking for the Board's input. City Council is the authority on designating the boundaries for the redevelopment area.

Ms. Smith said she would like to see this area continue as a low-density ownership housing area. She was not in favor of more apartments or rental living units.

Ms. Duvall asked why the City has decided to designate a new redevelopment area in the City when there are still plenty of projects that have been proposed and are currently being worked on in the existing Redevelopment Area. She understood that by expanding the redevelopment area to include this new area that there would be more possibilities for the City to work with the neighborhood to help them improve the area, but she felt like there needed to be a more definitive response to the reasons for wanting to expand the Redevelopment Area. She wanted to know what would be the benefits to the City of Mesa, to the current Redevelopment Area, and to the business and homeowners to have it declared as a redevelopment area.

Mr. Marek first wanted to clarify that the City is not expanding the Town Center Redevelopment Area. The area being discussed is being proposed as a brand new redevelopment area separate from the current Redevelopment Area. Mr. Marek explained that the City Council is also looking at creating other redevelopment areas in the community including west Mesa along the Tempe border, and also in the area of Mesa Lutheran Hospital. Mr. Marek explained that there has been some controversy over who should have jurisdiction of the new redevelopment areas. The current Code states that the Downtown Development Committee has jurisdiction of all designated redevelopment areas, but the Planning and Zoning Board feels that the City should reconsider that issue. There is a possibility of creating a new redevelopment board that would have jurisdiction of the new areas and leave the Downtown Development Committee in charge of the Town Center Redevelopment Area. The new redevelopment board would be comprised of two members from the Downtown Development Committee, two members from Planning and Zoning Board, one member from the Design Review Board, and perhaps a few more people. This suggestion will be brought to the General Development Committee for consideration within the next few weeks.

Ms. Duvall said she was more concerned with the reasons for creating this new redevelopment area than she is with who will have jurisdiction over it. She asked what would be the benefit to the homeowners, businesses, and the City of Mesa as a whole.

Mr. DiBella felt that the property owners and tenants would benefit from understanding what resources are available to their community prior to a redevelopment designation and what other resources and benefits will become available once a redevelopment area is designated. He felt that the neighborhood needed to have clarification of these benefits.

Mr. Marek said that in a redevelopment area, City funding can be used for the redevelopment of private property, which is not allowed if a redevelopment area does not exist. He also said the Neighborhood Office has a citywide perspective and focuses on all areas of the City. Mr. Marek explained that if a neighborhood is designated as a redevelopment area, the Redevelopment Office can provide a level of more focused attention and partner City resources with the community to help make improvements.

Mr. Pomeroy said there seems to be a lot of confusion with the citizens involved of what redevelopment really means. He felt that more communication and understanding was needed. Mr. Pomeroy also said that the neighborhood being discussed has a high volume of crime and another advantage of creating a redevelopment area would be to help control the crime. Chair Wier said that when most people think about redevelopment they feel threatened that the City wants to take their property. He agreed that more education was needed for the general public.

8. Discuss the New Jersey Rehabilitation Code

Mr. Marek said the New Jersey Code addresses the rehabilitation of existing buildings. He explained that most building codes are designed for new construction and not for rehabilitation. About three and a half years ago, New Jersey adopted a rehabilitation code that has been quite successful. Prior to New Jersey's creation of a rehabilitation code only about 15% of their permits were for rehabilitation. Within a year of the Code becoming effective, about 60% of the permits were for rehabilitation with a 10%-40% savings for those projects.

Mr. Marek said the City of Mesa is also looking into adopting a rehabilitation code to serve as an economic development tool and also provide an incentive for rehabilitation. The City's next step in meeting this goal is to form a project team or task force to look at the applicability of the New Jersey Code to the City's current Code and come up with a rehabilitation code that will be as successful as New Jersey's. Mr. Marek said a list of suggested changes to the New Jersey Code has been prepared that would allow it to conform to the Uniform Building Code, which is what the City of Mesa is currently following.

Mr. Marek said this staff will update the Downtown Development Committee on the progress of this project.

9. Discuss the Downtown Bazaar/Farmer's Market, Dee Logan

Ms. Logan thanked Mr. Marek and Mr. Verploegen for their help in redirecting the Farmer's Market and looking at ways to bring it closer to the downtown area.

Ms. Logan explained that the Farmers Market was set up on Macdonald Street last year and it proved to be a challenge because of the road closure and the way it had to be laid out. She explained that the group of people who were involved in the Farmer's Market with her last year were not interested in doing another Farmer's Market on Macdonald Street. She said she expressed her concerns to Mr. Verploegen and he suggested that the Farmer's Market be moved to the sidewalks along Main Street.

Ms. Logan said she received some of the comments that were made at last month's Downtown Development Committee regarding their concerns of having a flea market type set up on the Main Street sidewalk. She explained that they do not see themselves as a flea market atmosphere but are proposing a combination of farmer's produce with handcrafted products. She pointed out that the market would continue to use approved tents or green market umbrellas that will give it a festive look. She also said that the market would have more shade if it were located on the south side of Main Street, which would allow the market to stay open longer.

Ms. Logan said she met with downtown merchants and MTCC staff on Tuesday and the merchants seemed to be very enthusiastic that the Farmer's Market would be coming back this year. The merchants were very encouraging and agreed to work with the Farmer's Market in their efforts to operate again this year.

Ms. Logan said they have been considering different names for the market this year and have considered calling it the Downtown Main Street Market.

She said she will continue to work on the concerns that have been expressed by the Board.

Mr. Marek said the Downtown Development Committee will consider a recommendation on the Special Use Permit for the Farmer's Market at a future meeting.

10. Director's Report, Greg Marek

There was no report from staff.

11. Report from Mesa Town Center Corporation, Tom Verploegen, Executive Director

Mr. Verploegen talked about the Town Center bus tour, Sculptures in the Streets III, and raising money for the sculptures. He also asked for some feedback from the Board on their opinion of what has been proposed for this year's Farmer's Market.

Chair Wier said he was in favor of a market in downtown Mesa because it would generate pedestrian traffic and bring people to downtown Mesa.

12. Board Member Comments

None

13. Adjournment

With there being no further business, this meeting of the DDC was adjourned at 8:39 a.m.

Respectfully Submitted,

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

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