

## GENERAL DEVELOPMENT COMMITTEE MINUTES

May 20, 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 May 20, 2004 at 9:35 a.m.

COMMITTEE PRESENT	COUNCIL PRESENT	OFFICERS PRESENT
Rex Griswold, Chairman Kyle Jones Claudia Walters	None	None

(Items on the agenda were discussed out of order, but for purposes of clarity will remain as listed on the agenda.)

1. Discuss and consider accepting the Infill Working Committee final report.

Senior Planner Gordon Sheffield addressed the Committeemembers relative to this agenda item and acknowledged the presence of the Infill Working Committee members Dan Brock and Bob Saemisch who were present in the audience. He also displayed graphics in the Council Chambers and discussed various negative perceptions as well as positive benefits for infill property development.

Mr. Sheffield referred to the Infill Working Committee Final Report and highlighted the four recommended alternatives to facilitate infill development. (The complete report is available for review in the City Clerk's Office.) The four alternatives as recommended by the Infill Working Committee (IWC) are as follows:

**Alternative 1:** Use Existing Planning and Engineering related programs and processes, including:

- A) Increasing awareness and use of BIZ (Bonus Intensity Zones) and PAD (Planned Area Developments) Overlay Districts, and the use of Council Use Permits (CUPs) authorizing mixed land use projects;
- B) Increasing awareness and use of the Development Incentive Permit (DIP) and Substantial Compliance Improvement Permit (SCIP) review processes; and
- C) Providing better awareness of existing appeal processes (including both zoning and non-zoning related appeals).

**Alternative 2:** Develop Modifications to Existing Zoning Ordinance Requirements including:

- A) Develop "proportional" modifications to existing development standards in order to permit economically competitive development for smaller land parcels.
- B) Modify the list of permitted uses in zoning districts to create opportunities for "by right" mixed land use zoning districts (i.e., permit multiple residential uses in commercial districts or

possibly permit small service or office uses such as barber shops and beauty salons in residential districts through the approval of Special Use Permits. Part of this discussion should also be focused on the development of a Transit Oriented Development (TOD) ordinance to take advantage of opportunities for land use changes along the forthcoming light rail line on West Main Street.

**Alternative 3:** Public Hearing Process Improvements, in particular:

- A) The use of a zoning hearing officer for minor rezoning and site plan related hearing requirements; and
- B) Concurrent review of zoning and design review cases for “consent” type proposals. To a certain extent, this particular suggestion already takes place.

**Alternative 4:** Preplan Neighborhood/Transportation Corridors and the Creation of Special Districts:

- A) Specific Plans are a tool used to implement general plans, but are designed to address the specific land uses and development standards of a specific geographic area. This enabling statute permits a city to address any land use or site related development issues with requirements unique to the area governed by that plan.
- B) Infill Development Incentive Districts (IDIDs) are similar to a Specific Plan, but takes the concept one step further by also allowing a City Council to permit some waivers of development related fees such as development impact fees or building permits. The catch is that fees from projects in other areas of the community cannot be raised to offset the cost of the waivers. In addition, the IDID may be used to develop expedited review processes or development standards unique to that geographic area. The authority to establish an IDID would rest with the City Council who would have the option to review individual projects.
- C) Develop, consider and adopt studies (such as Specific Plans and Infill Development Incentive Districts) that focus on transportation related corridors. The IWC identified the West Main Street light rail line, West Broadway Road, West University Drive and all of Country Club Drive. Other corridors that may warrant study may be identified later, but these four were brought up initially by the IWC as worthy of study, empirically different from one another, as well as different from other areas of Mesa.
- D) As part of the implementation of this recommendation, it is also recommended that a Planning Infill Specialist be hired. This position would be filled by a person with specific knowledge of the development of infill related policies, IDIDs, specific plans and the application of these policies on infill related sites. The idea is to provide a specialist who understands the difficulties inherent in the development of infill sites and can provide suggestions to facilitate the development of the project. The individual hired for the position should also be skilled in facilitating neighborhood meetings to help coordinate the citizen input required for developing specific plans and IDIDs.

Mr. Sheffield advised that the Committee has the prerogative to not accept any of the recommendations, accept all four of the recommendations or adopt a limited program based on some of the recommended alternatives. He explained that it is the goal of staff that the City of Mesa be on the leading edge relative to an infill land use policy and also that the Council be proactive in determining the appearance of the community. Mr. Sheffield added that if the Committee recommends Council acceptance of the final report, staff would then solicit input from the Planning and Zoning Board, the Downtown Development Committee and the Design Review Board prior to Council adoption of such a policy.

Committeemember Jones expressed appreciation to the IWC for its efforts and hard work relative to the drafting of an insightful and comprehensive document. He commented, however,

that the report does not make reference to the “undergrounding” or installation of underground utilities in older properties and expressed concerns that the costs incurred by a property owner to do so may actually exceed the cost to develop an infill site. He requested that staff conduct research and provide the Committee with an historical overview of Mesa’s policy and criteria relative to such installations and the potential impact on infill development projects.

In response to Committeemember Jones’ comments, Development Services Manager Jack Friedline clarified that the City of Mesa has had a policy for many years relative to the “undergrounding” of utilities. He suggested that it might be appropriate for the Engineering staff to make a presentation at a future meeting to solicit Council direction regarding the current policy. He added that it might also be appropriate that the issue be considered separately from the infill development policy and the administrative formalities that would be undertaken by the Planning Division.

Committeemember Jones reiterated that the “undergrounding” of utilities is an integral part of the infill development process. He noted that it is important that the issue be addressed by the Council and that an evaluation be made to assess if such work is cost prohibitive and will deter the development of smaller infill projects. Committeemember Jones added that possible alternatives should be explored including, for example, some type of future development district.

Mr. Friedline concurred with Committeemember Jones’ comments and stated that he would suggest that City Engineer Keith Nath update the General Development Committee regarding Mesa’s current underground utilities policy and offer possible options for consideration.

Chairman Griswold concurred with Committeemember Jones’ suggestion and urged staff to provide the Committee with an update relative to the installation of underground utilities as soon as possible.

Committeemember Walters expressed appreciation to the IWC and City staff for their efforts and hard work that has culminated in a concise and detailed final report. She commented that in reviewing the report, she recognized the fact that in reference to training, there are many options available to staff or the community that they are unaware of. She also expressed support for the “layering” of options which she considered an effective tool.

Committeemember Walters further commented that with the completion of the infill report, it might be an appropriate time to redefine and/or clarify the mission of the Redevelopment Office and possibly even rename it (i.e., Reinvestment and Revitalization Office or Community Investment Department) and assign some of the tasks outlined in the report to that department. She also offered several other suggestions regarding this issue including the creation of a pamphlet entitled, for example, “Infill Made Easy (Easier)” to distribute to citizens interested in possible infill development projects in Mesa; offering developers various rezoning options with regards to the development of certain infill projects; and make available possible sales tax rebates to developers who locate their businesses to abandoned commercial establishments and thereby generate new sales tax revenues for the City.

Discussion ensued relative to the creation of “by right” mixed land use zoning districts to create opportunities, for example, to permit multiple residential uses in commercial districts; and the development of a Transit Oriented Development (TOD) ordinance.

It was moved by Committeemember Walters, seconded by Committeemember Jones, to recommend to the Council that the Infill Working Committee final report be accepted in total (excluding any recommended budgetary requests which will be considered separately.)

John Giles, 44 West University Drive, an attorney representing a property owner confronted with the issue of “undergrounding” utility lines on his property, commented that he and Mr. Friedline have discussed the matter this morning. He noted that he anticipates the issue will be addressed either by this Committee or the Council in the near future in the hope of loosening City standards with regard to the redevelopment of small parcels of land especially in west Mesa.

Chairman Griswold commended the IWC for the informative and well-written final report. He also commented that he looks forward to further discussion regarding possible cost remedies concerning the “undergrounding” of power lines at small infill parcels and stressed that it is imperative that staff receive clear direction from the Council in order to reasonably and legally carry out their tasks in that regard.

Carried unanimously.

2. Discuss and consider proceeding with adoption of the International Building Codes.

Building Safety Director Terry Williams reported that the purpose of today’s presentation is to provide a short synopsis of the proposed adoption of the second group of International Building Codes (Chapters 1, 4, 5, 6 and 7) and also to present several housekeeping ordinances to update the Mesa City Code references to the Building Safety Division (BSD) and Building Safety Director.

Mr. Williams displayed graphics in the Council Chambers and provided a brief chronology of the process undertaken by staff that culminated in its recommendation to the Council to proceed with the adoption of the IBC Codes (See May 6, 2004 General Development Committee minutes for a detailed review of the presentation.) He advised that with the adoption of the above-referenced codes, as well as Chapters 2, 3 and 8 (which were discussed at the May 6<sup>th</sup> meeting), the new chapters would form an entirely new Title 4.

Committeemember Walters commented that she has been approached by several members of the community who suggested that when the Council considers the adoption of the Building Code, that it adopt the Code first and then consider the amendments separately at the same Council meeting. She explained that because of the drastic changes to the Code, if the Code and the amendments are considered as one item, a Councilmember could conceivably be opposed to one of the amendments, but yet give the appearance that he or she is opposed to the entire Code. Committeemember Walters added that there is currently no mechanism available to separate the Codes and amendments for further discussion and requested input from staff relative to her suggestion.

Chairman Griswold concurred with Committeemember Walters’ comments and stated that it would be beneficial for the entire Council to discuss the proposed amendments.

In response to Committeemember Walters’ suggestions, Mr. Williams clarified that in the May 17, 2004 General Development Committee report, staff attempted to provide specific detail of the more significant proposed amendments to ensure a greater understanding of their impact.

He stated that he would be willing to supply the Committeemembers with a more enhanced explanation of the amendments, if necessary.

Chairman Griswold indicated that the Family of Codes (I-Codes) is a very modern tool with which to conduct business in Mesa. He explained, however, he would like a better understanding of the amendments and noted that it would be useful to him to review them individually and possibly remove those items that need further discussion or refinement. Chairman Griswold added that he would be amenable to a one-sentence description of each amendment. (i.e., this affects adobe buildings.)

Committeemember Walters commented that although she generally agrees with Chairman Griswold's comments, she is not an architect or builder and does not have the professional expertise to comment on a "one-sentence description" of an amendment. She stated that she would prefer that staff solicit input from the development community with regard to the Codes and questioned whether the process has already been accomplished and she is simply unaware of the results.

Mr. Williams reported that between January and March of this year, staff held a series of public hearings on the proposed codes and amendments, but explained that they were poorly attended and limited feedback was obtained. He reported, however, that staff made presentations before the Board of Appeals on four occasions, which also afforded opportunities for public comment on the proposed ordinances, and that the Board ultimately recommended their adoption. Mr. Williams stated that a draft of the proposed Code is available for review on the BSD's web site. He also cited, by way of illustration, that as a result of certain input obtained from a local architect at one of the Board of Appeals meetings, staff elected to modify the language in a specific chapter of the Code.

Committeemember Walters remarked that because of her lack of expertise relative to the creation of the Codes, she would be interested in viewing the technical feedback obtained from the development community relative to the Codes and amendments, as well as staff's responses to the input.

Discussion ensued relative to the elements in the Code that are still pending and to which staff is pursuing feedback and comment including Chapter 4 (Electrical Code) related to outdoor lighting control, the Fire Code (related to sprinkler requirements), and Chapter 1 (Administrative Code); and the fact that at the May 17, 2004 Fire Committee Meeting, staff was directed to be prepared to respond to the Council's questions regarding the zero square footage requirement in commercial buildings.

It was moved by Committeemember Jones, seconded by Committeemember Walters, that the second group of International Building Codes (Chapters 1, 4, 5, 6 and 7) and a series of housekeeping ordinances to update the Mesa City Code references to the Building Safety Division and the Building Safety Director be moved forward to the Council as presented, with the understanding that additional discussion among the full Council on certain elements will occur.

Committeemember Walters suggested that Committeemember Jones amend his motion to state that the Council consider the matter at a future Study Session in order to provide the Council with sufficient time to discuss the various Codes and amendments in detail.

Committeemember Jones amended his motion per Committeemember Walters' suggestion and further moved that staff provide the Council with information relative to various Code alternatives (especially with regard to the Fire Code) that are utilized by the surrounding communities.

Additional discussion ensued relative to the proposed housekeeping ordinances; and the Chapter 1 "Refunds" provision regarding the conditions under which the Building Safety Director may authorize that a percentage of the building permit fee be refunded when no work has been completed.

Chairman Griswold expressed appreciation to Mr. Williams and his staff for their efforts and hard work in this regard.

Carried unanimously.

3. Adjournment.

Without objection, the General Development Committee meeting adjourned at 10:48 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 20<sup>th</sup> day of May 2004. I further certify that the meeting was duly called and held and that a quorum was present.

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BARBARA JONES, CITY CLERK