

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

DATE: January 18, 2007 **TIME:** 7:30 a.m.

MEMBERS PRESENT

Jeff Jarvis, Chair
Adam Decker, Vice Chair
Nabil Abou-Haidar
Linda Flick
Gary Gallagher
Dean Taylor

STAFF PRESENT

Shelly Allen
Sue Cason
Cathy Ji
Patrick Murphy
Katrina Rogers
Gordon Sheffield

STAFF ABSENT

GUEST SPEAKERS

Tom Verploegen

MEMBERS ABSENT

Steve Chucri
Christine Close

1. **Call to Order**
The January 18, 2007 meeting of the Downtown Development Committee was called to order at 7:30 a.m. at the City Council Chambers, Upper Level 57 E. First Street by Chair Jeff Jarvis.

2. **Approval of Minutes of the November 16, 2006 Regular Meeting.**

It was moved by Adam Decker and seconded by Dean Taylor to approve the minutes of November 16, 2006.

Vote: 6 in favor
0 opposed

3. **Discuss and consider Design Review Case No. DR06-05TC for the Falles Parades Retail Center located at 316 E. University Drive. (Applicant has requested a continuation to the February 15, 2007 Downtown Development Committee meeting.)**

It was moved by Adam Decker and seconded by Linda Flick to continue Design Review Case No. DR06-05TC for the Falles Parades Retail Center located at 316 E. University Drive to the February 15, 2007 Downtown Development Committee meeting.

**Vote: 6 in favor
0 opposed**

4. Discuss and consider Design Review Case No. DR06-006TC for the Police Technical Services Building located at 133 N. Morris Street.

Mr. Patrick Murphy stated that the present Police Technical Services building no longer suits their needs. The Downtown Development Committee is reviewing this case due to the following reasons; 1) a request to exceed the height requirement (permitted fifty [50] feet, requested fifty-three [53] feet and six [6] inches; 2) a request to allow the exhaust stacks to extend no more than two (2) feet above the screen wall; and 3) a request that the screen wall be no more than thirty-two percent (32%) porous.

The new facility will be built between the existing Court Building and the existing Police Parking Garage. The primary access for the site is from Morris Street and has been oriented to face Morris Street. This will allow pedestrian traffic a continuous pathway to the surrounding Police Department buildings via the public sidewalks. The building setbacks have been increased for this development due to the proximity needs of the Police Technical Services building with the Police Department buildings and the shared common secured driveway located at the rear of the building.

The applicant has proposed a very lush landscape package that exceeds the number of trees and shrubs required by the Zoning Ordinance. Town Center Staff is very pleased with the proposed landscape package.

All property owners and tenants within 300 feet of the site were invited to attend a neighborhood meeting conducted on November 17, 2006. One member from the public attended the meeting with no objections to the project. There have been no negative responses to the proposed development project.

This project is consistent to the Redevelopment Plan, Town Center Concept Plan and is compatible to the surrounding area. Staff recommends approval of Design Review Case No. DR06-006TC with stipulations outlined in the Downtown Development Committee Report.

It was moved by Linda Flick and seconded by Nabil Abou-Haidar to recommend approval of Design Review Case No. DR06-006TC for the Police Technical Services building located at 133 N. Morris Street 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, landscape plan, and elevations dated December 15, 2006.**

3. **The lighting plan shall be developed 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.**
4. **Final placement, quantity, and design of all signage (wall, monument, window, etc.) shall be approved under a separate sign permit.**
5. **Final placement of plant/landscape materials shall be subject to the approval of a City of Mesa Landscape Inspector.**
6. **As permitted in the City of Mesa Zoning Ordinance in Section 11-13-2 (G, 6), the height of the building shall be permitted to exceed the maximum height of fifty (50') feet in the TCB-1 zoning district.**
7. **Modify the screening requirements as described in Chapter 15 of the City of Mesa Zoning Ordinance to allow the exhaust stacks to extend no more than two (2) feet above the screen wall, and that the screen wall be no more than thirty two percent (32 %) porous.**
8. **Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).**

**Vote: 6 in favor
0 opposed**

5. Discuss Zoning Ordinance Update – Gordon Sheffield, Zoning Administrator

Mr. Gordon Sheffield gave a power-point presentation of the proposed Zoning Ordinance Update Project.

Project Purpose:

- Align the Mesa Ordinance with goals and objectives of the Mesa 2025 General Plan
- Modernize Development Review Processes
- Update Zoning Land Use Districts
- Update Design Guidelines and Development Standards

Activities to date:

- Stakeholder Interviews held – September 20, 2006
- General Development Committee Presentation – December 7, 2006
- Community Workshop held – December 7, 2006
- Draft report on results from workshops – January 2007
- Issues and Options Paper – estimated late February or early March 2007
- Joint meeting with Downtown Development Committee and Planning & Zoning Board on March 28, 2007 at 4:00 PM to 7:00 PM

Listed below are the issues and priorities received from the stakeholder and community meetings held. From this phase of the project the Planning Division will develop options for the Zoning Ordinance Update.

- Streamline the review processes
- Update the zoning purposes and standards
- Recognize differences between urban, suburban and transitional areas
- Increase design quality
- Increase code flexibility
- Add urban zoning standards
- Update historic preservation chapter
- Update enforcement provisions
- Reorganize and reformat to make code easier to use
- Revise specific standards (Special Uses, Commercial Uses, RV and Manufactured Homes)
- Implement the General Plan
- User-friendly ordinance
- Encourage infill
- Allow detached Mother-in-law units
- Incentives for green building construction
- Better buffers for residential districts
- Restrictions for “problem” uses (Payday Loans, Pawn Shops, Tattoo Parlors, Day Labor and Group Homes [Halfway Houses])
- Design guidelines should reflect neighborhood character

The next step is a decision making phase to design the new Zoning Ordinance. The Planning staff will start to breakdown each issue individually such as the land uses, processes and design guidelines, and make supplementary provisions on some of the minor issues that don't necessary fall into any specific category. Staff is trying to reduce the need for some variances by setting up certain patterns of characteristics and architectural qualities already established in certain areas of the City, such as Dobson Ranch, Citrus Groves, etc.

Vice Chair Decker asked what the timetable will be for the new Zoning Code to be implemented.

Mr. Sheffield answered that Proposition 207 that was passed by the Arizona voters in 2006 has affected how much can be changed in the Zoning Code. Some areas may not change simply because it could subject the City to monetary claims under Proposition 207. Mr. Sheffield stated that it would probably be a year before a draft Ordinance is complete and then a public hearing process for possible adoption will begin.

Mr. Decker asked if the staff is doing an interpretation of Proposition 207 to implement that interpretation into the code.

Mr. Sheffield stated that every city and county within the valley is going through the same set of issues. The League of Cities and Towns is organizing several talks with

many of the best legal minds in the state are working on the interpretation of Proposition 207 as there is no case law.

Mr. Decker asked if any city or county is willing to risk a challenge to the Proposition to get an interpretation.

Mr. Sheffield answered that there is rumor of several people challenging the whole idea of the Proposition. However, Mr. Sheffield stated that certain cities have a waiver that releases the city from any obligation of paying any of Proposition 207 claims in the event the City Council passes the applicants' particular zoning request. City of Mesa is viewing a draft waiver, but has not released it yet. One town located on the rim has passed an ordinance stating the applicant must have a waiver if they request rezoning. There may be some Constitutional issues with that as it denies due process.

Ms. Linda Flick asked if specific issues will be addressed at the March 28, 2007 joint meeting with Downtown Development Committee and the Planning and Zoning Board.

Mr. Sheffield answered that the issues and options paper from the consultant and staff addition to that paper will be completed by late February or early March and will be handed out at the March 28 meeting. This will give the boards a chance to go over some of the questions raised by the paper and evaluate different options that may be worth reviewing.

Ms. Flick asked if the Planning Division is incorporating some of the process improvements that have already been done over the last few months through the internal and external stakeholders.

Mr. Sheffield stated that the Planning Division may stay with some of the improvements that have been done in-house without having to change the code.

Ms. Flick asked if some sub-area planning is incorporated, is there a potential for creating some imbalance as it relates to specific sub-area plans such as design or form base as it relates to an area that may be more urban in nature?

Mr. Sheffield answered that the Proposition 207 question also enters into this because forms are required before uses and that rate gives raises to questions to whether Proposition 207 claims since the applicant may lose their land use priority and have to build to a new building form priority. All of this has to be taken into account. The character areas may come in on a voluntary basis.

Chair Jeff Jarvis asked if developing pedestrian friendly design ideas are going to be incorporated into the new ordinance such as Phoenix has done.

Mr. Sheffield answered is something that the Planning staff is looking at as part of the design and form guidelines. The guidelines in place right now are very broad and may be made more specific, therefore, making the project more predictable.

Mr. Jarvis asked if the City's evolution in zoning is able to encourage multi-model transportation development.

Mr. Sheffield answered that Planning would like to get ahead of the curve on some of these issues, instead of being behind it.

Mr. Nabil Abou-Haidar asked if there will be any provisions for integrating art or encouraging art into the architecture of a development.

Mr. Sheffield answered that there is nothing currently in the code, but there is a guideline for public buildings and Planning does work with the Mesa Arts Center in regard to those projects. Mr. Sheffield can raise Mr. Abou-Haidar's question to the staff and consultant for discussion.

6. Board Member Comments

Chair Jeff Jarvis stated that the applicant for the Police Technical Services building has presented a high quality product, listened to the community and incorporated public input. Thanked each person involved with the project.

7. Director's Report - Shelly Allen

Ms. Shelly Allen gave the Director's Report at the Study Session.

8. Report from Downtown Mesa Association – Tom Verploegen, President

Mr. Tom Verploegen stated that the Downtown Mesa Association's Executive Committee is in the process of doing a property owners' survey. The Policy Committee is drafting a Community Special Events Policy and Position Statement. With the City of Mesa's budget restraints, the community events will be on a private basis such as The Veteran's Parade and Martin Luther King's Day. Downtown Mesa Association is looking at community fund raising to be able to continue events in the Downtown area.

Mr. Verploegen gave the Business Development Committee Report for 2006, and also feels that there should be an update to the Downtown Concept Plan. The plan was last updated in 1999.

9. Items from Citizens Present (No action can be taken)

There were no items.

10. Adjournment

With there being no further business, this meeting of the Downtown Development Committee adjourned at 8:30 a.m.

Respectfully Submitted,

Shelly Allen, Town Center Development Director
Minutes prepared by Sue Cason