

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

DATE: August 17, 2006 **TIME:** 7:30 a.m.

MEMBERS PRESENT

Jeff Jarvis, Chair
Adam Decker, Vice Chair
Gary Gallagher
Nabil Abou-Haidar
Chuck Riekema
Dean Taylor

STAFF PRESENT

Shelly Allen
Patrick Murphy
Cathy Ji
Katrina Rogers
Sue Cason

STAFF ABSENT

None

MEMBERS ABSENT

Steve Chucri
Christine Close
Michelle Dahlke

GUEST SPEAKERS

None

1. Call to Order

The August 17, 2006 meeting of the Downtown Development Committee was called to order at 7:37 a.m. at the City Council chambers, Upper Level 57 E. First Street by Chair Jeff Jarvis.

2. Approval of Minutes of the July 27, 2006 Regular Meeting.

It was moved by Vice Chair Adam Decker and seconded by Chuck Riekema to approve the minutes of July 27, 2006.

**Vote: 6 in favor.
0 opposed.**

3. Discuss and Consider Special Use Permit, Case No. ZA06-079TC a request to modify existing Special Use Permit Case No. ZA94-123TC for outdoor seating and outdoor entertainment at Inside the Bungalow located at 48 N. Robson.

Mr. Murphy stated that the applicant is requesting a Special Use Permit to allow yoga classes in the rear building of Inside the Bungalow located at 48 N. Robson. Previously the rear building was prohibited from being used for business since the previous owner had done some work on the building without obtaining a building permit. The new owners currently have a building permit and are working on the building.

The Special Use Permit will also allow outdoor seating with amplification on the east patio facing Robson Street until 10 p.m. A very successful public meeting was held on August 10 in which a sound test was done and proved the amplification was much quieter than previously operated. One neighbor was against the outdoor entertainment until he came to the public meeting and spoke with the owners and listened to the sound test. There have been no other objections to this application from the surrounding neighborhoods. Staff is recommending approval of the Special Use Permit with stipulations.

There were no comments from the Board.

It was moved by Nabil Abou-Haidar and seconded by Dean Taylor to recommend approval of a Special Use Permit, Case No. ZA06-079TC, to request a modification of the existing Special Use Permit, Case No. ZA94-123TC for outdoor seating and outdoor entertainment at Inside the Bungalow located at 48 N. Robson with the following stipulations:

- 1. Special functions, i.e. weddings, parties, and gatherings are permitted in all outside areas depicted on the site plan dated June 9, 2006.**
- 2. Outdoor music with low amplification in the east patio area is permitted until 10:00 p.m. All amplification shall be through a system controlled by the owners of Inside the Bungalow.**
- 3. Hours of operation for Inside the Bungalow may be as late as 2:00 a.m.**
- 4. Outdoor seating is permitted in the areas noted on the Site Plan.**
- 5. Outdoor seating in the south patio shall be shut down no later than 10:00 p.m.**
- 6. Any complaints from the City and/or surrounding property owners or tenants shall be resolved to the satisfaction of both parties. If an issue is not resolved in a timely manner, the Town Center Development Director will conduct a meeting with both parties to discuss the issue. Upon review of all applicable documentation, the Town Center Development Director will render a decision to resolve the issue. The decision of the Town Center Development Director may be appealed to the Zoning Administrator.**

**Vote: 6 in favor
0 opposed**

4. Discuss and Consider a Special Use Permit application, Case No. ZA06-086TC for a Communication Tower located at the First Presbyterian Church 161 N. Mesa Dr.

Mr. Murphy presented an application for a proposed communications tower at the First Presbyterian Church in the rear of the parking lot directly south of the YMCA. The tower will be a fifty-five foot (55') cell tower designed to appear as a palm tree with more fronds than a typical cell tower. A six-foot (6') concrete masonry wall will screen the equipment space with landscaping around the wall. Staff does recommend approval of the communications tower as it does follow the guidelines for cellular towers and meets the setbacks. The tower will not adversely affect the surrounding areas and the landscaping is consistent with the immediate area. The neighbors within three hundred feet (300') of the site were notified of the project two weeks prior to the DDC meeting and there has been no objections stated.

There were no comments.

It was moved by Gary Gallagher and seconded by Dean Taylor to recommend the approval of Special Use Permit, Case No. ZA06-086TC for a Communications Tower located at the First Presbyterian Church 161 N. Mesa Dr. with the following stipulations:

- 1. Compliance with the development plans (site plan, landscape plan, and elevations) dated July 5, 2006.**
- 2. The height of the screen wall surrounding the equipment shall not exceed six (6) feet.**
- 3. Full compliance with the approved plans and current Building Code requirements, unless modified through the appropriate review.**

**Vote: 6 in favor
0 opposed**

5. Discuss and Consider Design Review Case No. DR06-003TC for Lucas Automotive located at 313 W. Broadway.

Lucas Automotive was not prepared to present their case today, therefore the case was read into the record and recommend that the case be continued until next month's DDC meeting.

It was moved by Adam Decker and seconded by Chuck Reikena to continue Design Review Case No. DR06-003TC for Lucas Automotive located at 313 W. Broadway.

**Vote: 6 in favor
0 opposed**

6. **Discuss and Consider Special Use Permit and Variance Case No. ZA06-086TC to allow vehicle sales and to allow the display of vehicles into the fifteen foot side yard setback at 313 W. Broadway.**

Lucas Automotive was not prepared to present their case today, therefore the case was read into the record and recommended that the case be continued until next month's DDC meeting.

It was moved by Adam Decker and seconded by Gary Gallagher to continue a Special Use Permit and Variance Case No. ZA06-086TC to allow vehicle sales and allow the display of vehicles into the fifteen foot side yard setback at 313 W. Broadway.

**Vote: 6 in favor
0 opposed**

7. **Board Member Comments.**

Mr. Reikena asked if there has been or could be any discussion between the City and Mesa Public Schools concerning cell towers being built at new construction of schools since the City has no authority over communication towers being constructed at public schools. Ms. Allen stated that she would check with the City's Planning Department and get back to the Board at a later date.

8. **Director's Report, Shelly Allen.**

1. Ms. Allen reported that 70 trees were damaged in the Downtown area as a result of a storm a few weeks ago. It will cost the City approximately \$70,000 to replace them. Right now the City is looking at a replacement method and timeline, and also if a different tree may be used. The issue was that the trees were not planted correctly according to our landscape experts on staff.
2. The City Council approved the 1st Avenue and Pomeroy Street location for the City Courts.
3. A proposal to redo the colonnade that is in front of some of the Tibshraney buildings from the Berge building going east will be presented to the committee at a future meeting.
4. The Farmer's Market will be on the agenda for next month to renew their Special Use Permit. They are not making any changes at this time.
5. Ms. Debbi Dollar, Deputy City Manager, has appointed Ms. Teri Killgore of Economic Development as the Interim Economic Development Director. Ms. Killgore and Ms. Allen will co-direct Economic Development and Town Center Development as they will eventually be integrated.
6. On 6th Street and Center a City owned parcel was sold and the new owner is putting a small condo project there, which will be coming to the Board in the near future.

7. The Downtown Mesa Association is providing a bus tour of the Downtown area on August 23. The tour begins at 7:30 and 9:30 a.m.
8. A General Plan Amendment will be coming in September. When the Town Center Concept Plan was completed, an Office Overlay was placed on most of the homes on University. There are several commercial offices along the south side of University between Country Club and Center. There is a need to add the Office Overlay to the north side of University with some existing offices already there.
9. The Carwasher will be going to the City Council on August 28 and again on September 5 to be adopted.
10. The Economic Development Advisory Board is having a retreat on September 7 and Ms. Allen feels that Downtown Development Committee should consider having a retreat as well.

9. **Report from Downtown Mesa Association, Tom Verploegen – Executive Director.**

Mr. Verploegen was unable to attend this morning.

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

11. **Adjournment.**

With there being no further business, this meeting of the Downtown Development Committee adjourned at 7:45 a.m.

Respectfully Submitted,

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