

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

**DATE:** February 15, 2001    **TIME:** 7:00 a.m.

**MEMBERS PRESENT**

Vince DiBella, Vice-Chair  
Theresa Carmichael  
Debra Duvall  
Art Jordan, AIA  
Shanlyn Newman  
Lori Osiecki  
Wayne Pomeroy

**STAFF PRESENT**

Shelly Allen  
Katrina Bradshaw  
Tony Felice  
Greg Marek  
Amy Morales  
Patrick Murphy

**OTHERS PRESENT**

Jim Davidson  
Chris Miller  
Tom Verploegen

**MEMBERS ABSENT**

Dave Wier, Chair  
Terry Smith

**1. Call to Order**

The February 15, 2001 meeting of the Downtown Development Committee was called to order at 7:03 a.m. in the City Council Chambers at 57 E. First Street, by Vice-Chair DiBella.

**2. Items from Citizens Present**

There were no items from citizens present.

**3. Approval of Minutes of January 18, 2001 Regular Meeting**

**It was moved by Wayne Pomeroy, seconded by Art Jordan to approve the minutes.**

Vote: 7 in favor; 0 opposed

**4. Discuss and consider Historic Preservation Overlay District Case No. HP00-001 for the Temple Historic District generally bounded by Broadway Rd. on the south, Main Street on the north, Lesueur St. on the west (including the Arizona Mormon Temple), and Mesa Drive on the east.**

<b>Applicant:</b>	<b>Walt McGiver, Temple Historic District Representative</b>
<b>Staff Contact:</b>	<b>Tony Felice, (480) 644-3965</b>
<b>e-mail Address:</b>	<b>tony_felice@ci.mesa.az.us</b>
<b>Staff recommendation:</b>	<b>Approval</b>

Mr. Felice explained that the purpose of this report was to consider a local zoning overlay for the Temple Historic District. Background information for this project included:

- The Temple Historic District was listed to the National Register of Historic Places on November 8, 2000.
- The existing zoning includes TCB-1, TCR-2, C-2, R1-6, and R1-9. Mr. Felice explained that the Historic Preservation overlay does not change the existing zoning, it only adds another layer.

- The Historic Preservation Office received a petition with 60% of the property owners signing in favor of the Historic Preservation zoning overlay designation. Mr. Felice explained that 50% plus one is required in order to proceed with the zoning overlay request.
- The significance of this historic district is that it is a cohesive neighborhood of middle and upper class families that arrived in Mesa and developed around the Temple between 1910 and 1949. The Arizona Temple is included as a contributing property to the historic district. The district is unique in that it contains several different architectural styles.

Mr. Felice explained that the benefits of a historic district zoning overlay include:

- Recognition of the cultural, historic, and architectural forms in the city.
- Possibility of increased property values from 30% to 50% once they are listed on the National Register.
- Property tax incentives which includes a tax reduction program for owners of historic properties. This encourages and promotes historic preservation and property maintenance.

Mr. Felice explained that the only restrictions placed in the Zoning Ordinance for a Historic Preservation Zoning Overlay was that a six month stay of demolition is required on all contributing properties. Mr. Felice said the City will provide design guidelines and assistance to property owners for remodeling or for new construction within a historic district to help them maintain the historic integrity of their property.

Mr. Felice said this Historic Preservation Zoning Overlay is compatible with the Historic Preservation Plan, the Downtown Concept Plan, and the Redevelopment Plan.

Ms. Duvall asked if the other 40% of the property owners within this historic district, who did not sign the petition, were opposed to the zoning overlay.

Mr. Felice said there were two neighborhood meetings held in which some of the neighbors were concerned with government control over private property. Mr. Felice said that staff was able to alleviate those concerns by educating them on the purpose of the zoning overlay and discrediting the myths regarding historic preservation. Mr. Felice said there was no indication, either verbal or in writing, that property owners were not in favor of the historic district or the zoning overlay. Mr. Felice also explained that there are a number of property owners that do not reside on location and the absence of their signature does not necessarily indicate opposition, but that they were not available for signature.

Ms. Duvall asked if there are other restrictions to properties within a Historic Preservation Zoning Overlay other than the six month stay of demolition.

Mr. Felice said the *Historic Preservation Act* that was passed by Congress does not seek to establish governmental control over historic properties. It merely establishes guidelines for government agencies to preserve historic assets. Mr. Felice explained that the Historic Preservation Ordinance adopted by City Council only includes one restriction, which is the six month stay of demolition. Other than that, the City can provide design guidelines to property owners and make recommendations on the types of development that can occur, but there are no other restrictions that they can enforce. Mr. Felice said the only exception to that would be that a special use permit is required in order to operate an office in a Level I or contributing property of a historic district. Mr. Felice went on to explain that the City will work with property owners who want to make modifications to their homes so that they do not jeopardize tax incentives that are available to them, but the City is only there to educate and inform, they cannot enforce the guidelines that are provided.

Ms. Duvall said she remembered serving on the Planning and Zoning Board when a case came before them in which there was some controversy with the neighbors on whether to create a historic district because of the restrictions which might be placed upon them. She asked if the Historic Preservation Ordinance has always been the same regarding this issue or if it had been updated since she had served on that Board.

Ms. Osiecki said that the case that went before the Planning and Zoning Board at that time included people who didn't understand the Ordinance and assumed that restrictions would be placed on their properties once they obtained the zoning overlay. She said that those people were misinformed and the six month stay of demolition only provided a way for the neighborhood or the City to acquire, trade, or relocate a historic property or compensate the owner for that property in some way to prevent the loss of a valuable historic structure.

Mr. Felice explained that the *Historic Preservation Act* was passed in the post World War II era when a construction boom was wiping out valuable historic resources. The *Historic Preservation Act* required governments to do everything they could to preserve historic assets and refrain from wiping out historic structures to replace them with new construction.

Mr. Marek also added that the contributing properties to a historic district are also considered being on the National Register. Since the Arizona Temple is one of the contributing properties to the Temple Historic District, it is one of only a handful of temples in the United States that is on the National Register. Mr. Marek said it is also eligible for individual listing on the National Register, which some of the neighbors are interested in pursuing.

Mr. Jordan asked if there was a definable document that explains the provisions of the zoning overlay and specifically outlines the restriction of the six month stay of demolition or could a municipality create its own provisions for each zoning overlay.

Mr. Felice said the provisions for the Historic Preservation Zoning Overlay are outlined in the Historic Preservation Ordinance, including the six month stay of demolition. He explained that the zoning overlay does not change the existing zoning of the properties within the historic district. Without the process of providing a zoning overlay, the City may not realize that it had a historic district because there is no required involvement from the City in reviewing and approving a National Register nomination. The zoning overlay provides a way for the City to locally recognize and register its historic community. The reason why the zoning remains the same is so that the City can remain flexible to incorporate the commercial and residential properties that are within the district, rather than imposing a zone change which would impose restrictions that are outlined in the Zoning Ordinance.

Mr. Jordan asked if the City Council has the ability to add additional stipulations to a zoning overlay other than the six month stay of demolition or if it is not subject to modifications that are not mentioned in the Zoning Ordinance. For example, he asked if Council could create a stipulation to limit the kinds of colors you could use to paint your house as part of the approval of the zoning overlay.

Mr. Marek said the zoning overlay does not change or modify the underlying, or existing, zoning for the district. Therefore, if properties have R-3 zoning or C-2 zoning, those zoning regulations still are in effect. The Zoning Ordinance itself outlines what is permissible and what is not for both the existing zoning and the zoning overlay. The Zoning Ordinance is not a conditional document but must be strictly followed according to its guidelines. Therefore, if a property owner wished to develop their property, they would have to comply with requirements of the Zoning Ordinance according to the underlying zoning of that property as well as the zoning overlay. Again, Mr. Marek repeated that the zoning overlay itself only provides one restriction, which is the six month stay of demolition.

In order to clarify Mr. Jordan's question further, Mr. Felice stated that Council could not arbitrarily place conditions on a zoning overlay without having to modify the Zoning Ordinance, which would then apply to all applicants who applied for the zoning overlay. Mr. Felice said City Council could approve the zoning overlay with attached guidelines and recommendations to staff, but they could not make changes or establish stipulations.

Mr. Marek said the City tries to provide a Historic Preservation Plan that is tailored to each individual historic neighborhood which would provide guidelines for future development in that area. This could help prevent developers from coming in and applying for a zone change that may be incompatible to the neighborhood.

Ms. Duvall asked if there are other types of overlays provided in the Zoning Ordinance other than the Historic Preservation zoning overlay. For instance the Lehi area may benefit from a citrus overlay to preserve its assets which are not necessarily related to historic architecture.

Mr. Marek said currently there are no other overlays in the Zoning Ordinance other than the age restriction. However, the City's General Plan is currently going through an update process and one of the issues they are looking at is to provide different character areas within the community such as the Desert Uplands, the Lehi area, and the citrus groves. If these are identified, the implementation process may consist of creating additional overlays in the Zoning Ordinance.

Mr. Felice pointed out that there is a Historic Landmark overlay that is provided in the Zoning Ordinance.

Ms. Osiecki said the West Second Street Historic District was able to include the medians, which are not actual structures, but are considered part of the historic district.

Mr. Pomeroy asked if Mr. Crosby, who currently owns property in close proximity to the temple, has responded to the proposed zoning overlay for the Temple Historic District.

Mr. Felice said he has not heard a response from Mr. Crosby but has spoken to him before about the possibility of the zoning overlay. He said Mr. Crosby's property is adjacent to the historic district boundaries. Mr. Felice said that the City would work with any developer of that property to ensure that construction was compatible to the historic district.

Mr. Pomeroy asked if the zoning overlay would have a negative affect upon the possible need to clear out some of the structures that are an eye sore along Mesa Drive.

Mr. Felice said the boundaries of the historic district were designed with that possibility kept in mind. He said the only property on Main Street that was included in this district was the Arizona Temple. The properties that are adjacent on Main Street were not considered to have historic merit and were not included in the district. In addition, several of the properties that are along Mesa Drive are noncontributing properties and therefore provides more flexibility to make modifications.

**It was moved by Deb Duvall, seconded by Lori Osiecki, to recommend that the City Council approve the Historic Preservation Overlay District Case No. HP00-001 for the Temple Historic District generally bounded by Broadway Rd. on the south, Main Street on the north, Lesueur St. on the west (including the Arizona Mormon Temple), and Mesa Drive on the east.**

**Vote: 7 in favor; 0 opposed**

**5. Director's Report -- Greg Marek**

**Downtown Development Committee Retreat** – Mr. Marek went over the agenda for the DDC Retreat which includes the discussion of new redevelopment areas. Mr. Marek mentioned that the Citizen's Survey indicated that redevelopment of older neighborhoods was the number one concern of Mesa residents. He said this was also one of the top priorities of City Council. The DDC Retreat will be held on Monday, February 26, 2001 from 4:00 to 8:00 p.m.

**One Macdonald Center (Site 21) and Mesa Verde (Site 17)** – The financing plan for the Mesa Verde project is being submitted to the Lenders. Mr. Ross has also submitted a conditional funding commitment for the Bank One building that is similar to the financing structure for the Mesa Verde project. The financing documents for the Bank One building were due on February 14<sup>th</sup> which he was not able to meet. City Council is considering a request for an extension. If that is approved, the financing plan for both the Mesa Verde project and the One Macdonald Center would be due at the end of May.

**Pawn Shop/Tattoo Parlor/Body Piercing Salons** – The Planning and Zoning Board voted against the amendment to the existing Ordinance. They were concerned that the City may be placing undue regulations on pawn shops. City Council is hearing an introduction to the Ordinance at its meeting today.

**Sign Ordinance** – Staff is moving forward with the modifications to the Sign Ordinance, which will be brought before the DDC in a couple of months. Downtown business owners would like to reevaluate the issue of portable signs and staff is working on developing some regulations regarding that.

**Main Street Streetscape Phase III** – Construction will begin early next month. Construction will go from Sistine Street to Mesa Drive. It is scheduled to be completed in November.

**Center Street Streetscape** – Design plans for Center Street from Main Street to First Ave. are underway. Streetscape construction will coincide with the construction of the Mesa Performing Arts Center. Transportation, Engineering, and the Redevelopment Office are trying to resolve parking and bike route issues along Center Street.

Ms. Duvall asked if the parking issues on Center Street are related to the design and construction of the street and not to downtown parking issues in general.

Mr. Marek said the issues are related to the design of the street, however, the way the parking is laid out will affect how many parking spaces will be provided.

**Downtown Drainage Study** – Retention requirements are being reduced in the Mesa City Code by 30% from the 100yr/2hr storm requirements that currently exist for downtown. Mr. Marek pointed out that this reduction will save \$100,000 for the Aquatics Center project. This will make it easier to develop in the downtown area.

**Historic Preservation Plan** – The City has hired Debbie Abele, a historic preservation consultant, to provide a Historic Preservation Plan for the City of Mesa. Staff would like to have the completed draft done in time for the General Plan update draft.

**Fire Station No. 1** – The DDC will be considering the design review for the Fire Station at the DDC meeting in April. A DDC work group was established consisting of Lori Osiecki and Art Jordan to meet with staff to discuss the design plans.

**Site 25** – Staff received two proposals for this project. One was from the Crow Group that includes twin office towers, retail on the ground floor, and loft housing. The other project was from the Boyer Group that consisted of mixed uses including office, retail, and residential. The DDC will discuss the proposals at its meeting in March.

Vice Chair DiBella reminded the Board that the colors for the Mesa Arts Center are being displayed on the south side of the old movie theater building.

Ms. Carmichael asked if the colors will be placed in a more conspicuous location so the public can view them as well.

Ms. Allen said the color panels were placed at the current location in order to test them against the intensity of the sun.

Vice Chair DiBella asked if the stucco sample hanging from the top of the building was a sample of the color as well as material.

Ms. Allen said the sample reflects both the color and material that has been proposed for the project.

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

Mr. Verploegen talked about miscellaneous issues including an outline of the MTCC web site and the Sculptures in the Streets Committee. A press conference will be held for the sculptures campaign fund and the unveiling of the first permanent sculpture on Wednesday, February 28, 2001, at 10:30 a.m. at the Mesa City Plaza Building.

**7. Board Member Comments**

None

**8. Adjournment**

With there being no further business, this meeting of the DDC was adjourned at 8:00 a.m.

Respectfully Submitted,

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