



COUNCIL MINUTES

September 9, 2010

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 9, 2010 at 7:31 a.m.

COUNCIL PRESENT

Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins

COUNCIL ABSENT

Scott Somers

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

Mayor Smith excused Councilmember Richins from the beginning of the meeting; he arrived at 7:35 a.m. He excused Councilmember Somers from the entire meeting.

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

1. Review items on the agenda for the September 13, 2010 Regular Council meeting.

All of the items on the September 13, 2010 agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: None

Items added to the consent agenda: None

Items removed from the consent agenda: None

2. Hear a presentation, discuss and provide direction on the Zoning Code Update.

Zoning/Civil Hearing Administrator Gordon Sheffield addressed the Council and advised that staff was planning to prepare a draft of the ordinance on the Zoning Update so that the process can move forward toward final adoption. He displayed a PowerPoint presentation (**See Attachment 2**) and noted that the various aspects of the Code are designed to achieve a balance of land use, impact and form.

Mr. Sheffield summarized revisions that apply to single residences. He referenced "Accessory Living Quarters" (ALQ), commonly referred to as "mother-in-law quarters," and noted that the current stipulation, that these facilities "shall not be leased or rented," would be deleted from the Code. Mr. Sheffield noted that when these quarters are no longer needed for their original, intended purpose, the property owner may wish to rent the quarters to generate extra income. He stated that the property then could be defined as a multi-family dwelling rather than a single family residence. Mr. Sheffield added that enforcement of the current regulation would be extremely difficult and said that staff proposes to delete the stipulation.

Councilwoman Higgins expressed opposition to staff's proposal and said that an ALQ renter may involve more than one person with several vehicles. She stated the opinion that this type of situation would be inappropriate in a single-family neighborhood.

Mr. Sheffield clarified that the proposed change includes a provision that the size limitation of the ALQ is reduced from a maximum of 50% of the size of the primary dwelling to a maximum of 30%.

Councilwoman Higgins noted that a large family could live in a small ALQ. She reiterated that the proposal would be detrimental to single-family neighborhoods in Mesa.

Mr. Sheffield said he was reviewing certain areas of the Code to ensure that the Council was in agreement with the direction taken by staff.

Councilmember Richins commented that this approach has been successful in a few western cities and he said that the concept has contributed to revitalization efforts. He stated that in west Mesa, areas exist where the children have grown up and left and as a result, area businesses and school populations have suffered. Councilmember Richins cited Austin, Texas, as a community in which this approach has been successful. He suggested that the Code include issues such as a minimum lot size and parking restrictions.

Vice Mayor Jones stated the opinion that a single residence with an ALQ was acceptable and that there would be no impact on the neighborhood.

Mayor Smith said that Councilwoman Higgins made some good points, but he added that governments tend to over-regulate for the exception. He suggested that the City's regulations would be more effective addressing issues such as parking rather than attempting to control the number of people residing in an ALQ.

Councilmember Finter noted that he had a home with an accessory building that housed his mother until she passed away. He expressed opposition to allowing duplexes in single-family neighborhoods and he added that regulating parking in neighborhoods was a very difficult issue.

In response to a question from Councilmember Richins, Mr. Sheffield clarified that most ALQs were attached to the primary residence. He noted that a detached ALQ must be located within the buildable area of the lot and comply with the same setbacks as the primary residence.

Mr. Sheffield suggested that the Council's concerns regarding parking could be addressed by requiring an ALQ to have a designated on-site parking space.

Councilwoman Higgins indicated that at the present time, a business cannot be operated out of a home, but noted that this proposal would allow a rental property business to exist. She stated that she could support any family member or friend living in an ALQ as long as it was not a money-making operation.

Councilmember Finter cited an example in his district of duplexes where parking occurs in the front yards, which is not prohibited by the Code and negatively impacts the neighborhood.

Mayor Smith stated the opinion that Councilmember Finter's example was unrelated to the situation with ALQs. He said that a duplex or a four-plex presents a completely different scenario than an ALQ.

Councilmember Richins suggested a compromise that would allow an ALQ to be rented when the owner resides in the primary residence. He concurred with Councilmember Finter that allowing an owner to rent out both the primary residence and the ALQ would be unacceptable.

Responding to comments by Councilmember Finter, Mr. Sheffield advised that an ALQ could not serve as a small group home for recovering addicts or individuals transitioning from the justice system. He noted that the State of California requires municipalities to develop provisions which allow for an ALQ. Mr. Sheffield added that prohibitions against renting an ALQ would be difficult to enforce until a problem was identified.

Mayor Smith expressed support for regulations that address an infringement of the rights of other people.

Vice Mayor Jones commented that Mesa probably has many residences that do not conform to the existing Code because of ALQs. He stated the opinion that the City should not over-regulate for potential problems.

Councilmember Finter said he spoke from experience in that he has owned property that included a 1,500 square foot accessory building or "granny flat" utilized by an elderly family member. He noted that the current owner utilizes the property in the same manner, but expressed concern that other similar properties could develop into dual rentals in single-family residential areas.

Mayor Smith noted that the majority of ALQs range in size from 400 to 600 square feet and most are not equipped with a full kitchen. He expressed support for a requirement that the primary residence be owner occupied and also favored government regulations to protect neighborhoods from negative activity.

Councilwoman Higgins said there was no system in place to know which units were being rented, and she voiced concern regarding the potential decline of neighborhoods, particularly in west Mesa.

Mr. Sheffield commented that there are licensing requirements for multiple rental units.

Councilmember Richins said that although he appreciated Councilwoman Higgins' concern, as the representative for west Mesa, he supported the rental opportunities available from ALQs and added that ALQs could be a revitalization tool for older areas.

Mayor Smith stated that it was the consensus of the Council that staff identify the activities in the area of an ALQ that would be detrimental to the neighborhood.

Mr. Sheffield reported that the next topic related to single residence districts that face on to an arterial street. He stated that by utilizing a Special Use Permit (SUP), small retail shops, restaurants and offices would be allowed in these districts without rezoning.

Mayor Smith commented that currently there are areas where large houses that face arterial streets have been turned into offices. He stated that under the new revision, a residence could also be converted into a small retail business or restaurant so long as the business area did not exceed 1500 square feet. He added that a SUP would be required and that it would not be necessary for a request to go through Planning & Zoning or the Council.

Mr. Sheffield said that the businesses would also have to provide onsite parking. He advised that the owner would pay lower fees to obtain a SUP through the Board of Adjustment. Mr. Sheffield stated that a public review and posting would still occur and neighbors would be notified.

Councilwoman Higgins expressed her opposition to the change and stated the opinion that allowing this activity would cause a decline in the neighborhood.

In response to questions from Councilwoman Higgins, Mr. Sheffield explained that the commercial activity area could not be more than 1,500 square feet and that the structure could also be occupied as a residence.

Mayor Smith commented that in order to obtain the business, the resident would need to go through the process of posting for approval of an SUP.

Vice Mayor Jones stated that it was necessary for the properties along University to go through Planning and Zoning to be rezoned in order to allow a business to operate in a residential area. He said with the proposed revision, the same major arterial street would now go to the Board of Adjustment to obtain an SUP.

Councilmember Richins expressed concerns regarding the council giving up regulatory authority as well as the slow advancing of businesses into residential areas. He said he did see the need for revisions as there are some residential homes that are neither viable for raising children nor desirable to be used as rental properties due to heavy traffic. He added that he would be more comfortable with developing a regulatory scheme was developed that covered the use of these residential structures.

Mayor Smith proposed that specific areas be identified and designated for business activities, which would allow the Council the opportunity to look at the areas. He explained that this would protect other residential areas from having businesses come into their neighborhoods and also prevent changes allowing business activity through the Board of Adjustment without Council approval.

Councilmember Richins said that he would feel more comfortable if specific areas were identified and considered.

Councilwoman Higgins expressed concern with regard to changing the current procedure when only a small area would benefit. She said that this revision was a way to allow individuals a less expensive way to obtain an SUP through the Board of Adjustment. Councilmember Higgins suggested that an alternate fee structure for these particular residents be developed and that the Council maintain control.

Councilmember Richins stated that the only residences that could be considered for an SUP would be those that occupied corner lots. He said that would limit the ability to designate specific sections of residential roadway that could be considered for business use.

Mr. Sheffield highlighted problems with mid-block residential businesses as opposed to corner lot businesses, parking and accessibility to the back of the house. He noted that generally, mid-block houses were too close to the property line, making it difficult to access the sides of the building.

Mayor Smith cited an example of old restaurants on the corner lot of 44th Street in Phoenix. He explained that these neighborhood restaurants in old residences were not only successful, but they were a benefit to the neighborhood. Mayor Smith expressed concern with the City over regulating instead of encouraging positive improvements to unoccupied areas. He said this could be a benefit to the neighborhood and the City.

Mr. Sheffield advised that by restricting the size of the business to 1,500 square feet and limiting the amount of space for parking, there would be less impact on the community.

Councilmember Finter expressed concern regarding the challenges surrounding residential corner-lot businesses on a major arterial road leading into a neighborhood. He described potential problems such as increased garbage, noise and the detrimental impact on property values.

Mayor Smith identified current problems with arterial corner lot homes. He pointed out the possibility for these homes to become abandoned, un-kept, boarded up, or a slumlord rental, as they are not suitable for any other use.

Councilmember Finter expressed opposition to the idea that retail use of a residential building would be an improvement.

In response to Councilmember Finter's comment, Mayor Smith stated that retail use would be an improvement if accomplished in the right manner, with quality being a requirement for the business.

Mr. Sheffield cited an example of the size of floor area for a corner-lot business. He identified a barber shop located on University Drive that was a conversion of an old house that fronts onto an arterial street. He said the area of the building was approximately 1,000 square feet, which was the scale to be considered for business use when a residential structure is fronted onto an arterial street.

Councilmember Finter indicated support for Mr. Sheffield's example regarding the scale and type of a residential business to be considered.

Councilmember Kavanaugh concurred with Councilmember Finter regarding potential consequences and the effect some businesses could have on the community.

Mr. Sheffield added that the idea of an Overlay District was something that could be pursued.

Mayor Smith expressed concern in regards to being too cautious. He cited other neighboring communities such as Tempe and Phoenix that have successfully created a framework that worked and encouraged high uses. He pointed out homes on University Drive that are unoccupied and boarded up due to the fact that the property could only be used as a residence or an office. Mayor Smith stated that unused structures bring down the neighborhoods as well as the entire City. He added that the Council should encourage the investment and development of neighborhoods instead of focusing on possible exceptions.

Councilmember Richins expressed support in allowing the various land use experiment within the new zoning code. He said that some kind of regulatory change needed to be embraced and the free market encouraged to embrace such changes. He stated that surrounding property owners should have the opportunity to provide input and the Council meeting would be an appropriate venue.

Mayor Smith thanked staff for their efforts that advance the cause and create incentives to benefit the citizens. He said that the Council could demand standards and limitations that encourage good investment, and added that staff had come up with “a beginning” to what is a middle ground that concentrates on the facilitation.

Vice Mayor Jones expressed opposition with leaving the decisions to the Board of Adjustments and said that he would like to see a process where Council maintained control in order to protect the neighborhoods.

Mr. Sheffield briefly remarked that a Residential Small Lot (RSL) District would be added.

Mr. Sheffield highlighted the Revisions to the Multiple Resident Unit (MRU) District that fronts onto arterial streets. He advised that the MRU would take the same direction from Council as the Single Residence District. Mr. Sheffield outlined the proposed Density Increases as follows:

- RM-2: From 12 to 15 units an acre
- RM-3: From 17 to 20 units an acre
- RM-4: From 25-30 units an acre

Mr. Sheffield noted that the increase would allow properties that are not conforming to the ordinance to now conform, which would be a benefit. He reported that the RM-5 District was added. He added that currently there were not any RM 5 Districts however residents could rezone to have up to 43 units an acre. (See Page 5 of Attachment 2)

In response to Councilmember Richins and Mayor Smith’s questions regarding the Urban Designator Options, Mr. Sheffield advised that he believed that the height limit a structure could be built was four stories or approximately 46 or 48 feet. He added that he would check with Building & Safety to confirm that information and provide it to the Mayor’s Chief of Staff.

Councilmember Richins requested that industry trends be researched and that the City's zoning regulation conforms to the industry trend as opposed to an arbitrary number.

Mr. Sheffield summarized the revisions to the Commercial District, which included a "by-right" option for MRU in commercial districts. He stated this would guarantee a certain amount of commercial activity and also noted that up to 25 dwelling units per acre could be added in the C-2 District.

In response to questions from Mayor Smith, Mr. Sheffield explained that in the existing C-2 District, the new provision would allow up to 25 units per acre.

Mr. Sheffield advised that an option for Commercial Plant Nurseries was provided in the LC (C-2) District. He stated this would allow Plant Nurseries to go into a C-2 District through the SUP process with the Board of Adjustment. He further advised that the new revisions would allow Research & Development Uses in GC(C-3) Districts and MX Districts. Mr. Sheffield said that the revision allowed personal services, small retail and small restaurants in the OC District with a 1500 square foot limitation. He added that Farmers Markets would now be allowed in the LC District with a Temporary Use Permit (TUP). (See Page 6 of Attachment 2)

In response to a series of questions from Councilwoman Higgins, Mr. Sheffield explained that currently, personal services were only allowed in C-1 Districts and precluded from C-2 Districts. He said that the new provision would provide for the activity in a C-2 District on a limited scale.

Councilwoman Higgins expressed opposition with the "by-right" option that would allow personal services to expand into the C-2 Districts. She stated that she would be more supportive of the new provision if it were only allowable with an SUP with each area being looked at individually.

Mayor Smith said that Councilwoman Higgins made some good points but he noted that he did not like the ever expanding list of SUP's. He further commented that there were policy decisions that should not be considered under a SUP.

Councilwoman Higgins remarked that she would not like to see the personal services expanded into the OC District.

Mayor Smith reiterated the statements of Councilwoman Higgins in that she would not like to see the expansion as a by-right, however, she would be agreeable to it being allowed with a permit.

Mr. Sheffield continued with the presentation and explained that a restaurant would be allowable in an OS District as an accessory once an office complex was in place. He said the restaurant would not be allowable in an OS District as a by-right stand alone activity.

In response to questions from Councilwoman Higgins, Mr. Sheffield proposed that the restaurant be designated as an accessory based on the office space being at least 5,000 to 10,000 square feet.

Councilwoman Higgins expressed support for Mr. Sheffield's proposal as she believed it could make a difference depending on the location of the restaurant.

Mr. Sheffield stated that he would pursue a requirement that an accessory restaurant be based on the presence of at least 5,000 to 10,000 square feet of office space.

Mr. Sheffield commented that Farmers Markets are currently required in a C-3 District or Industrial District and would now be allowable in a C-2 or C-1 District with a TUP.

Mr. Sheffield continued with the presentation and highlighted the small scale commercial revisions. He advised that "bars" had been broken out as a separate use and require a SUP in the C-2 District and would be by-right in the C-3 District. He summarized the division of the Recreation Classification (See Page 7 of Attachment 2).

In response to questions from Councilwoman Higgins, Mr. Sheffield clarified that the LC District is now the C-2 District and the GC District is now the C-3 District. He further explained that if a pool hall had a restaurant liquor license, it would be a by-right condition in the C-2 District and if the facility had a bar liquor license, it would be a CUP in C-2 District. (See Page 7 of Attachment 2)

Councilmember Finter identified a business on Power Road & University Drive that was successful. He expressed concern with the possibility of a bar or pool hall going into a Fry's shopping center with families walking through the parking lot with groceries.

Mr. Sheffield confirmed that large scale commercial recreation continued to be a C-3 activity. He summarized the revisions of the Employment/Industrial District and explained that recycling was required to be in an M-2 District with a CUP. He further explained that recycling had been broken out by scale, allowing small scale recycling to go into commercial districts. He added that an outdoor recycling activity may require a SUP. Mr. Sheffield said that in the case of a major recycling activity, industrial zoning would be required. He reported that airport activities were added at the request of the airport. He stated that aircraft maintenance, refueling and terminal parking lots which were required to be indoors in the Employment District would now be allowable outdoors. He clarified again that plant nurseries would be allowed in the Employment District with a SUP. Mr. Sheffield informed the Council that a High Impact (HI) District had been added. He said currently there are PEP, M-1 and M-2 districts and that the HI District would be the functional equivalent of an M-3 District. He noted that currently, extremely high impact activities are required to be in an M-2 District with a CUP. He added that this option would remove some of the legislative options the Council has in considering HI cases. He also noted that HI activities would now be required to go into an HI District, which would give the Council full legislative options in considering those particular cases. (See Page 7 and 8 of Attachment 2).

Mr. Sheffield confirmed that the HI District would include the Chrome Rubber Plant (CRM), CMC Steel, chemical plants and industries of that scale.

Councilmember Richins expressed concern regarding the manner in which the Council would address distribution sites if the Medical Marijuana Law should pass.

In response to a question from Councilmember Richins City Manager Christopher Brady explained that he had been provided some feedback regarding medical marijuana distribution and said that staff would make a presentation to the Council in that regard.

Planning Director John Wesley asked if Council would be inclined to hold discussion on TMX vs. Form-Based Codes until next week.

Mayor Smith stated that there was Council concurrence that the presentation concerning TMX vs. Form-Based Codes be continued to a future study session.

Major Smith thanked Mr. Sheffield and staff for their efforts and hard work.

3. Hear a presentation and discuss the Retail Analysis for the proposed Spring Training sites.

Todd E. Kjar, Principal for Brown Group Inc., reported that he met with Chicago Cubs Representative David Scholl, representing Vantage Partners, and in that meeting he heard their vision for what they plan to do once a site was selected. He stated that the Chicago Cubs envision a new stadium modeled in the spirit of Wrigley Field in Chicago which would include specialty retail shops, restaurants, clubs and art galleries. He noted that not only would there be a retail component, but there would also be offices, nutrition centers and a rehabilitation center for the players. He added that the Cubs would also conduct the yearly draft at this location.

Mr. Kjar informed the Council that in order to justify continual traffic in and out of the area, the new site would need an anchor. He stated that they were not sure what the degree of pull would be to these sites on a 365 day basis. He remarked that the presentation should simplify their report of the sites to be considered

John Tippetts, Vice President of Operations and Information Systems for Munson Research displayed a PowerPoint presentation (**See Attachment 1**) and provided a brief overview of their company along with an overview of how Munson Research provided retailers, developers and governments with information necessary for them to make the best decisions.

Mr. Tippetts reported that his company was commissioned to analyze three possible sites for the Cubs Sports Complex. The three sites to be considered are as follows:

- University Drive & North Mesa Drive (Downtown site).
- North Dobson Road & West 8th Street (Riverview site).
- East Thomas Road & North Recker (Recker site).

Mr. Tippetts stated that his firm was not asked to give a recommendation, but to provide an analysis of each individual site which included characteristics and site trade demographics. He briefly reviewed the individual site characteristics, demographic characteristics and the deliverables considered for each site. (See Page 5 of Attachment 1).

Mayor Smith stated that if the site was located right on Main Street where people exited the light rail, it would be a greater benefit. He added that walking half a mile and being that far removed from light rail would not be a benefit.

Mr. Tippetts remarked that the stadium traffic would benefit from the light rail, but noted that shoppers would not walk more than a half mile to shop. He added that light rail was not part of the research or consideration of this site.

Mayor Smith commented that he understood that the light rail was not part of the study and stated his opinion that it was an issue that should not be ignored. He agreed that for retail use at the downtown site, the light rail would not be used on a daily basis.

In response to a series of questions by Councilmember Kavanaugh, Mr. Tippitts clarified that the analysis on the one, three and five mile radius for the Downtown site was inadvertently omitted but he would be able to provide that information to Council.

Mr. Tippitts remarked that people would walk a distance for a sporting event, but that retail customers would not like to walk that far if they had things to carry.

Mayor Smith remarked on whether people would walk in 120 degree heat in July and August. He stated that during those months, people may choose to drive to the site which would be more accessible and make the trip on foot as minimal as possible.

Councilmember Finter stated that 2016 was the completion date for the light rail construction and said it would be interesting to see how the time line for the completion of the light rail would coincide with completion of Wrigleyville.

Mr. Kjar advised that most retailers are working on a three to four year timeline. He said that to a retailer the year 2016 is not far off.

Mr. Tippitts advised that when numerous retailers are together it draws people to the area. He pointed out that the downtown area does not have a lot of retailers and few major retail brands. He stated that traffic counts were a strength for this site and that the average daily traffic counts on the major streets was 59,300. Mr. Tippitts added that though this site had the highest traffic counts it also had reduced speed limits and numerous intersections with traffic signals. He continued by saying that visibility at this site was a weakness. He stated that the flat terrain allowed people driving past to see the stadium however any retail would be over shadowed. He noted that there was little retail competition and that the high number of vacancies could be potential competition for retail space.

In response to a question from Councilwoman Higgins, Mr. Kjar explained that the synergy created by the LDS Temple was not studied. He said he was not sure how much cross traffic there would be from the Temple visitors.

Mr. Tippitts added that there were many private and civic buildings and organizations like the Temple that were not included in the report.

Responding to a series of questions from Councilwoman Higgins, Mr. Kjar clarified that many of the vacant retail centers had big boxes that could not be used again. He said that the large boxes would now become a tear downs which would mean starting over which might not be affordable. He reported that 20% to 30% of vacant big boxes would not be used again and that was why it would be more expensive to develop and would require a more complicated entitlement process.

Mayor Smith cited a string of retail buildings located on Southern Avenue that potentially may never be used again. He noted that the City was looking at the possibility of some mixed uses

for those buildings and added that it would make it as easy as possible to go through the entitlement process.

Mr. Kjar commented on the issues of properties being down zoned and overall changes in zoning which could make things more complicated.

Councilmember Finter stated he received information that the new Wrigley West would be a unique high quality regional draw and could possibly overcome some of the weaknesses outlined.

In response to questions from Mayor Smith, Mr. Kjar explained that the issue would be finding what will create a continual draw for the entire year. He stated that one of the challenges is that there are only 17 spring training games. He advised that he reviewed the Gateway Project in Glendale and when it was not a game day there was not much activity in that area. He added that the draw for Wrigley West could not be determined in this report and it may not be retail.

Mayor Smith remarked that retail was what had been suggested as the base because it was what they had data on and could use. He stated that the analysis included entertainment for the area, however, since it was unknown what the Cubs would want, only basic knowledge was applied.

Mr. Kjar agreed with Mayor Smith that until they know what the draw would be, it can't be assessed. He said they had applied traditional retail criteria and made certain assumptions given certain circumstances to determine if it could be successful.

In response to a series of questions from Mayor Smith, Mr. Kjar stated that, for example, if a Bass Pro Shop were placed at any of the sites, any weaknesses could be overcome.

Mr. Tippitts advised they made an assumption that it would be a Wrigley type retail center with specialty and lifestyle stores.

Mr. Tippitts continued the presentation and highlighted the Riverview site and its existing retail uses. He reported that it had primary trade areas, excellent access and the second largest 20 minute drive time area out of the three sites. He cited some of the Riverview sites' best characteristics as follows: excellent highway and freeway access; is the closest site to Sky Harbor Airport; the retail synergy; national brands already existed; people would drive a long distance to get there; visibility; and it could be seen from the 202 and surface streets. He commented that the retail competition was a weakness because of the limited retailers that could be targeted due to the abundance of retailers already in the area. He noted that the potential for additional retail was limited.

In response to a series of questions from Councilmember Kavanaugh, Mr. Kjar explained that the expansion of Tempe Marketplace could be both a strength and a weakness for Riverview in that it would create more competition for retail placement. He added that the more competition there is, the more difficult it would be to attract customers to Riverview.

Mayor Smith advised that he had seen the plans for the expansion and that it was his understanding that the expansion was for mixed use and not retail centered. He also stated that he believed the option had lapsed and that the lease had been put on hold.

Mr. Tippetts continued with the presentation and said there could be complementary retailers that could be attracted which would increase the retail synergy at the site.

Mayor Smith remarked that a very unique "Chicago centric" entertainment that was not something already in the area would create the synergy. He also noted that the addition of another national food outlet would make the site a more competitive venue.

Mr. Tippetts commented that there was an abundance of retail in around the site and that there was lease space available that could act as a weakness as it creates competition.

In response to Councilwoman Higgins questions, Mr. Tippetts advised that there are other formats that would compliment what already exist at Riverview and Tempe Marketplace. He said that additions that were not national chains would actually be a second phase of this project.

Mayor Smith commented that this was just a foundation and that their intent was not to plan Wrigleyville. He stated the opinion that the draw would not be a national chain and that it had to be unique to the area. He cited the examples of Toby Keith's at Tempe Marketplace and Matta's at Riverview. He stated that there would be some Chicago specific entities that the Cubs were working with and that it was too early for the Cubs to announce what those entities were. Mayor Smith added that the information presented was meaningful in identifying the standard weaknesses, strengths and challenges needed to imagine what type of regional draw would work for Wrigleyville.

In response to questions from Councilwoman Higgins, Mr. Tippetts explained that the amount of retail space and investment needed would go back to the uniqueness factor. He stated that if it was a unique type of shopping experience for the consumer you could add numerous space, however if it was just the usual shopping experience, then additional retail space should not be added.

Councilwoman Higgins remarked that Toby Keith's Bar and Grill was a regional draw but did not have the synergy to develop out the area as was expected.

Mr. Kjar responded that if the intent was to fill in more retail categories, it could be difficult because the area was already built out. He said that Tempe Marketplace and Riverview together were a total of 2.6 million square feet of retail space. He compared this to the Arizona Mills Mall on I-10, which he said was 1.2 million square feet of retail space. He remarked that the good news was that Wrigleyville was poised to be a phenomenal regional pull for the entire Valley. He added that if a few more businesses like Toby Keith's were pulled in where the stadium will be located then it could accomplish what they want.

Councilwoman Higgins stated her opinion that Toby Keith's was not serving as the spring board for the area that they would have hoped it would. She remarked that to indicate that a regional draw would make a center vibrant was not necessarily a reality.

Mayor Smith advised that Wrigleyville was not the Council's investment to plan and that they needed to look at what weaknesses and obstacles the Cubs would have to overcome. He stated that the reality was that they don't know how much retail space the Cubs want to put in.

He said that Wrigleyville would not be the major shopping area in the City of Mesa and that it would not be the difference that would balance the budget. He added that it was unique because it makes the complex viable and it keeps the Cubs in Mesa. Mayor Smith commented that he appreciated the information provided. He added that there was an opportunity for Wrigleyville to succeed because the Cubs would have the ability to draw on the unique amenities, brands and specialty stores that draw people to the area. He commented that if the Cubs draw on another chain store at either place then it would be just another center.

Mr. Tippitts advises that this was a very preliminary study and that tenant mix could be very tricky. He said that each site had a different strength and weaknesses for different tenants and he added that the report gave a basic foundation for retailers to look at.

Mr. Tippitts continued with the presentation and highlighted the Recker site. He said it had a fairly large 20 minute drive time because of access. He said the primary trade area is somewhat limited due to competing shopping centers. He stated that access was a strength due to excellent freeway on and off ramps. He noted that retail synergy was a weakness as there was not a lot of retail around that site. He also said that traffic counts were a weakness as there was only a 6,800 count on the surface street, however, there was over 70,000 that passed by on the 202. He added that this would be different if there were retail to pull the people off the freeway.

In response to Mayor Smith's questions, Mr. Tippitts explained the possibility of a psychological barrier that would prevent people from crossing the freeway to shop. He added that it would depend on what retail is there that would cause people to drive across the freeway to get to it.

Mr. Tippitts continued with the presentation and advised that visibility was a weakness and that retail was a strength due to the lack of competition. He added that there was a lot of opportunity as to what retailer could be attracted to this site. He noted that vacancy was also a strength in as there are not a lot of vacancies in the area.

Councilwoman Higgins commented on statements in the report concerning housing growth and said that the report did not include Mountain Bridge where 800 houses are being built. She also mentioned the housing developments at Val Vista and the 202, as well as Red Mountain and Las Sendas.

Mr. Kjar concurred with Councilwoman Higgins and stated that there was growth in that area but when developers look at growth of an area, a few thousand houses is not considered significant.

Councilwoman Higgins commented that statements in the report cited the area of the Longbow site as the northeast corner of Higley and McDowell and stated that the Longbow site was actually on the southwest corner of the 202 and Recker Road.

Mr. Tippets remarked that with the population growth from 2000 to 2015, the Recker site exceeds the other sites with respect to growth, which would provide a great opportunity for retail sales.

In response to questions from Councilmember Richins, Mr. Tippetts explained that there were many contributing factors to the shrinking residential areas in the Downtown and Riverview areas. He advised that there were urban renewal projects in which shrinking residential areas are revitalized and the population growth increases.

Mayor Smith remarked that the population of Dobson Ranch is much less than it was 15 years ago. He advised that even though it is an extremely nice area, there has been a drastic reduction in population due to young people leaving home. He added that the Mesa School District has reported that the area has had the most significant drop in school age population.

Mr. Tippetts provided a statistical analysis of the Recker site which summarized household trends, income, per capita household income, and education. (See Pages 20, 21, 22, & 23 of Attachment 1).

Mr. Tippetts summarized the strengths and weaknesses of each site and said that each individual retailer could determine if a specific characteristic was either a strength or a weakness. (See Page 24 of Attachment 1)

Responding to a question from Councilwoman Higgins Mr. Kjar clarified that the information in the report with regard to the number of employees at certain businesses was derived from the City of Mesa's Economic Development Department.

Mr. Tippetts advised that the statistics on each of the sites in regards to establishments and employees came from the data vendor that provides the demographic information.

Mayor Smith advised that the Cubs were looking at the same data as the Council and would be trying to identify what specific opportunities would work best in a Wrigleyville environment. Mayor Smith thanked Mr. Tippetts and Mr. Kjar for the presentation.

4. Hear reports on meetings and/or conferences attended.

There were no reports on meetings and/or conferences attended.

5. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

September 9, 2010, 4:00 p.m. – Community & Neighborhood Services Committee

September 9, 2010, 6:00 p.m – Mayor's "Conversation with the Community"

Friday, September 10, 2010, 6:00 p.m. – Mesa Arts Center Session Kick-off Party

Mayor Smith added that the Mesa Sister Cities Association Concert will take place on Friday, September 10, 2010 at 7:00 p.m. at the Mesa Arts Center, Ikeda Theater as part of the Kick-off Party.

6. Items from citizens present.

There were no items from citizens present.

7. Convene an Executive Session.

It was moved by Vice Mayor Jones, seconded by Councilmember Richins, that the Council adjourn the Study Session at 10:09 a.m. and enter into an Executive Session.

Mayor Smith declared the motion carried unanimously by those members present.

- a. Discussion or consultation with the City Attorney in order to consider the City's position and instruct the City Attorney regarding the City's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation. (A.R.S. §38-431.03A (4)) Discussion or consultation for legal advice with the City Attorney. (A.R.S. §38-431.03A (3)) Discussion or consultation with designated representatives of the City in order to consider the City's position and instruct the City's representatives regarding negotiations for the purchase, sale, or lease of real property. (A.R.S. §38-431.03A (7))
 - 1. Waveyard
 - 2. Chicago Cubs Spring Training
 - 3. Proposed Police Substation
 - 4. Thompson Diversified LLC v. Mesa, LC2010-000656-001

8. Adjournment.

Without objection, the Executive Session adjourned at 11:50 a.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 9th day of September, 2010. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

Baa/bdw
(Attachments -2)



BROWN GROUP, INC.



MUNSON RESEARCH & CONSULTING, LLC

Retail Analysis Report

for

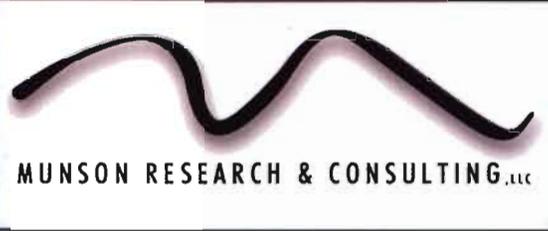


September 9, 2010

BROWN GROUP, INC.

About Brown Group, Inc

- Leader in the development of retail real estate
- Developed over 6 million square feet of shopping center projects
- 50 years in retail development
- Based on dedication, fairness, integrity



About Munson Research & Consulting, LLC

- Established in 2004
- Provides developers, retailers, and government a more comprehensive understanding of the retail site location process
- Scientific and methodical approach to identifying and qualifying potential retail development strategies
- Expertise in computer gravity modeling, geographic information systems, spatial relationship analysis, and psychographic analysis

Project Scope

- Commissioned to analyze the strengths and weaknesses of three potential sites for a Cubs sports complex with a stadium and ancillary specialty and lifestyle retail
 1. SWC E. University Dr. & N. Mesa Dr. (Downtown)
 2. NWC N. Dobson Rd. & W. 8th St. (Riverview)
 3. SWC E. Thomas Rd & N. Recker Rd. (Recker)
- NO RECOMMENDATIONS
- Individual site characteristics
- Site trade area demographics

Project Scope

- Individual Site Characteristics
 - Access
 - Retail Synergy
 - Traffic Counts
 - Visibility
 - Retail Competition
 - Vacancy



Project Scope

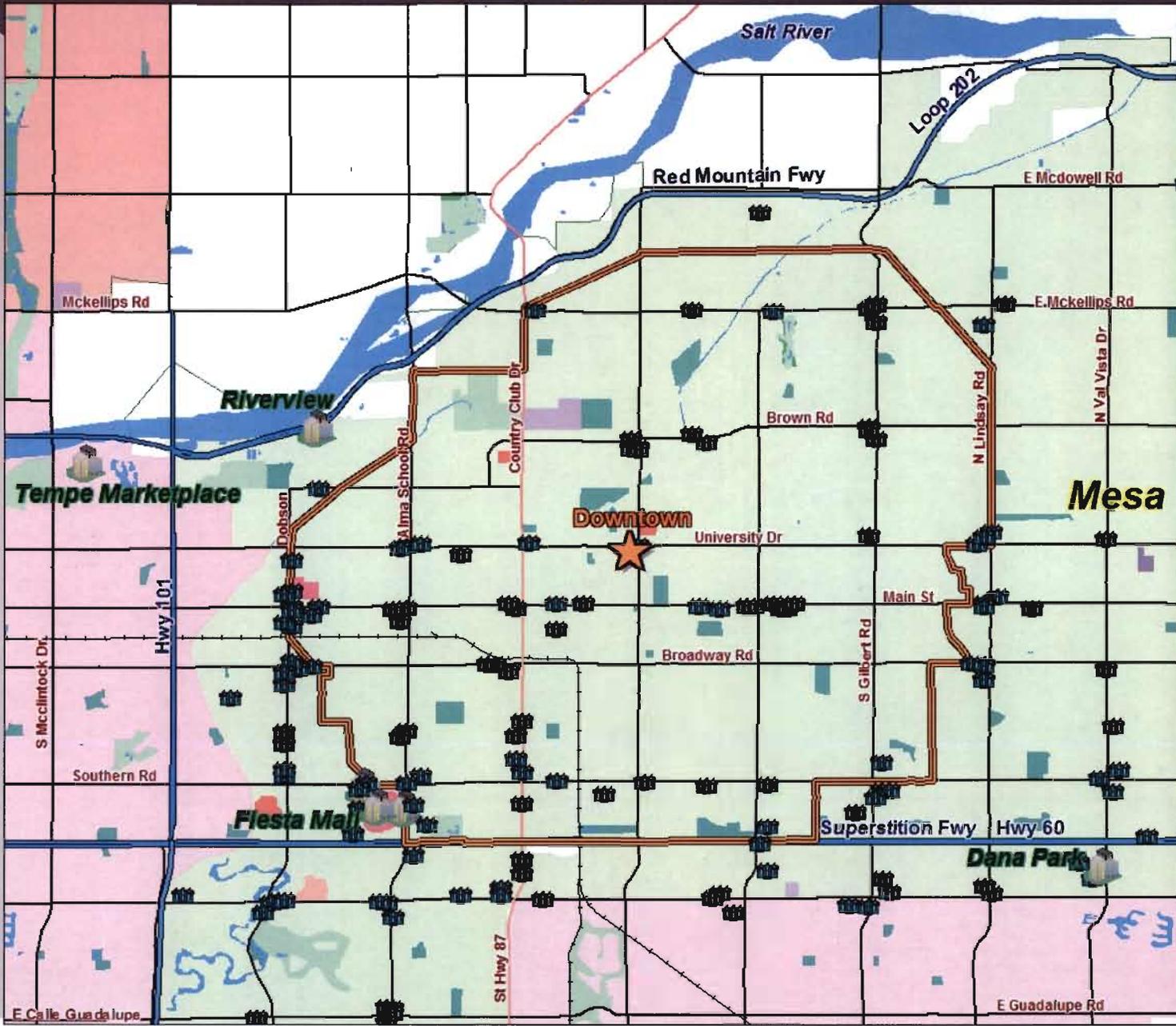
- Demographic Characteristics within primary trade area
 - Population
 - Population Growth
 - Ethnicity
 - Establishments
 - Employees
 - Age 18 - 55
 - Age - Median
 - Income - Median
 - Income - Average
 - College Degree

Basic demographic data for 1, 3, & 5 mile radius as well as 20 minute drive time area is also included.

Deliverables

- Site Assessment
- Projected Trade Area
 - Primary trade area
 - 1, 3, & 5 mile ring analysis
 - 20 minute drive time
- Demographic Profiles
 - Primary trade area
 - 1, 3, & 5 mile ring analysis
 - 20 minute drive time
- Demographic Comparisons
- Strength and Weaknesses Comparison

Downtown – SWC E. University Dr. & N. Mesa Dr.



Downtown – SWC E. University Dr. & N. Mesa Dr.



• Access - weakness

- No freeway or major highway access within 3 miles
- Potential traffic congestion during peak traffic hours
- Surface streets with lower speed limits and signalized intersections

Light rail to be completed by 2016 will likely improve access, but those impacts have not been studied in this report.

• Retail Synergy - weakness

- Fewer retailers in the area
- Few major retail brands

• Traffic Counts - strength

- 59,300 combined average daily traffic counts on major streets
- Wide streets with protected turn lanes

Downtown – SWC E. University Dr. & N. Mesa Dr.



- Visibility - weakness
 - Flat terrain
 - Stadium would likely overshadow retail component
- Retail Competition - strength
 - More opportunity for newer retailers - fewer retailers in the area
 - Few major retail brands
- Vacancy Rates - weakness
 - High number of vacancies in surrounding shopping centers
 - Vacancies could be potential competition for retail space

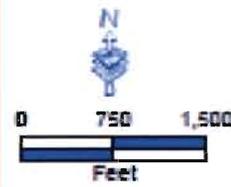
Overview – NWC N. Dobson Rd. & W. 8th St.



Proposed
Cubs
Stadium
Site

Riverview

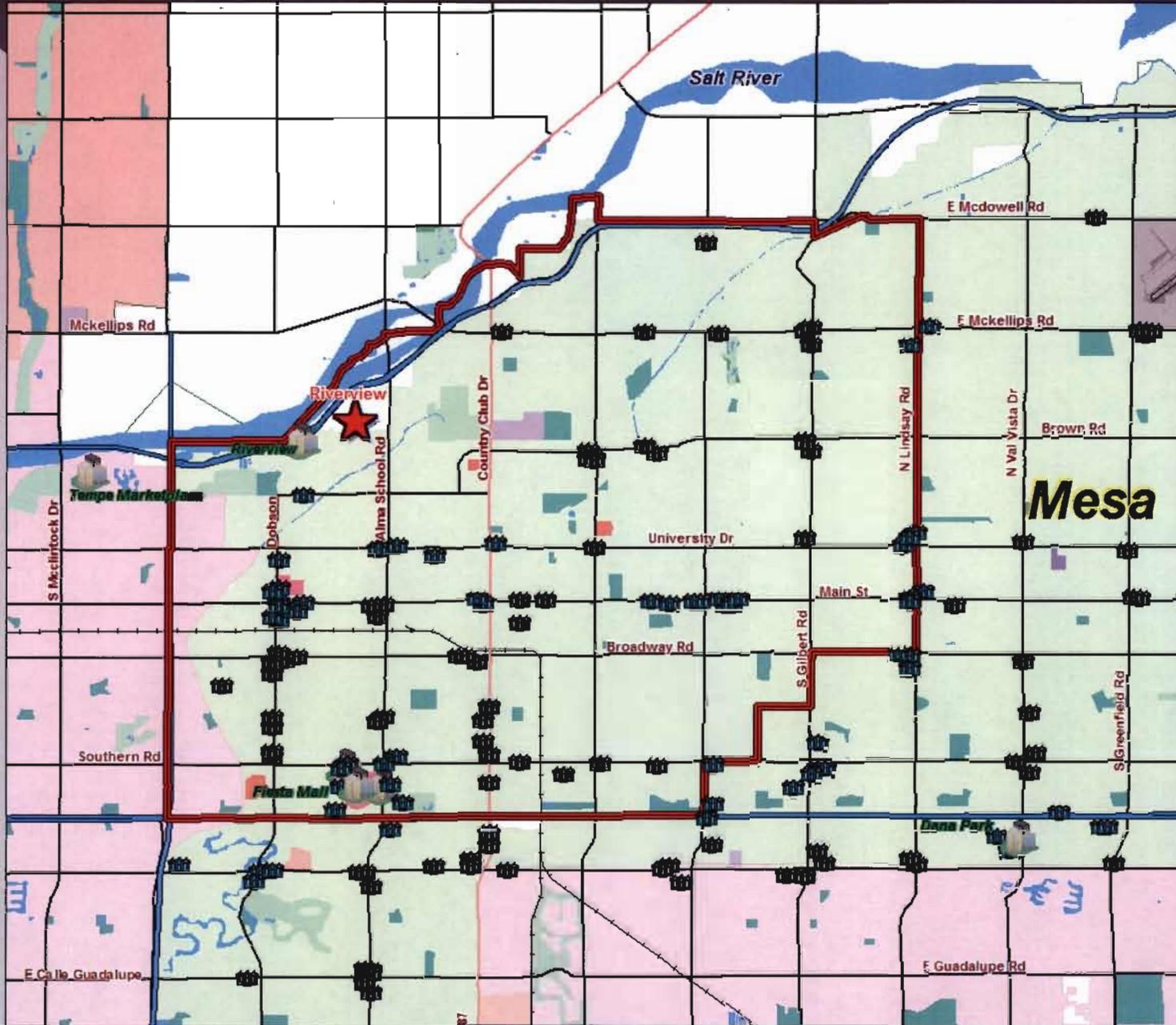
- Arterials
- - - City Boundary



Created by Mesa - AZ
Planning & GIS
Team - 09/08/10
The City of Mesa wishes to thank everyone
for helping us make this our community
safer, healthier and more
productive.

COPYRIGHT 2010, CITY OF MESA, ARIZONA

Overview - NWC N. Dobson Rd. & W. 8th St.



Overview – NWC N. Dobson Rd. & W. 8th St.



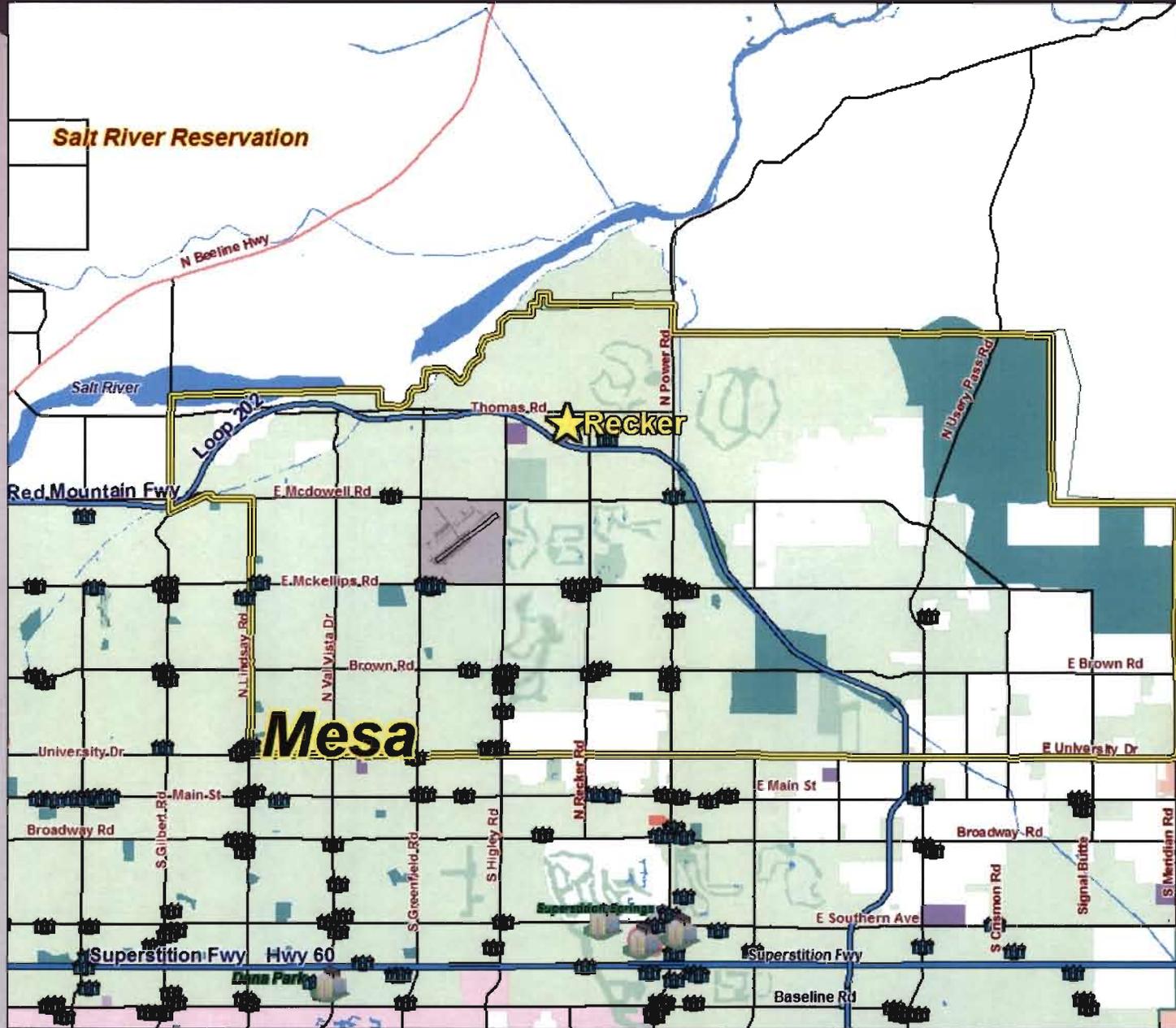
- Access - strength
 - Excellent freeway and major highway access
 - Close on / off ramps
 - Closest of the 3 sites to Sky Harbor International Airport
- Retail Synergy - strength
 - Abundance of existing retail stores
 - National name brands
- Traffic Counts - strength
 - 38,000 combined average daily traffic counts on major streets
 - Wide streets with protected turn lanes

Riverview - NWC N. Dobson Rd. & W. 8th St.



- Visibility - strength
 - Excellent from Hwy 202
 - Somewhat limited from surface streets
- Retail Competition - weakness
 - Abundance of retailers - more competition
 - Fewer potential retailers as many are already in the Riverview Shopping Center
- Vacancy Rates - weakness
 - Significant vacancies in Riverview Shopping Center and Tempe Marketplace
 - Added competition for lease space

Recker - SWC E. Thomas Rd. & N. Recker Rd.



Recker – SWC E. Thomas Rd. & N. Recker Rd.



- Access - strength
 - Excellent freeway access to Loop 202
 - Close on / off ramps
- Retail Synergy - weakness
 - Very few retailers in immediate area
- Traffic Counts - weakness
 - 6,800 combined average daily traffic counts on major streets
 - There is opportunity as there are over 70,000 cars that pass by on Hwy 202

Recker - SWC E. Thomas Rd. & N. Recker Rd.



- Visibility - weakness
 - Hwy 202 is below grade at this location
- Retail Competition - strength
 - Lack of competition
 - Opportunity for new retailers
- Vacancy Rates - strength
 - Very few vacancies in the area

Primary Trade Area Demographics



| Population | Downtown | Riverview | Recker |
|---------------------|-----------------|------------------|---------------|
| 1990 | 131,510 | 157,789 | 46,358 |
| 2000 | 152,324 | 185,654 | 80,952 |
| 2010 | 146,476 | 178,810 | 97,999 |
| 2015 | 144,853 | 177,524 | 105,947 |
| Growth Trend | | | |
| 1990-2000 | 15.83 | 17.66 | 74.62 |
| 2000-2015 | -4.9 | -4.38 | 30.88 |
| | -0.33 | -0.29 | 2.06 |
| Ethnicity | | | |
| White | 46.52% | 47.16% | 81.00% |
| Black | 3.57% | 3.84% | 1.80% |
| Asian | 1.51% | 1.96% | 1.65% |
| Other | 4.82% | 5.56% | 2.21% |
| Hispanic | 43.58% | 41.47% | 13.34% |
| Sex | | | |
| Male | 50.90% | 50.81% | 48.60% |
| Female | 49.10% | 49.19% | 51.40% |

Primary Trade Area Demographics



| Households | Downtown | Riverview | Recker |
|-------------------------------------|-----------------|------------------|---------------|
| 1990 | 47,786 | 59,782 | 16,490 |
| 2000 | 52,675 | 66,516 | 28,816 |
| 2010 | 50,272 | 63,709 | 34,821 |
| 2015 | 49,674 | 63,237 | 37,583 |
| Growth Trend | | | |
| 1990-2000 | 10.23 | 11.26 | 74.75 |
| 2000-2015 | -5.7 | -4.93 | 30.42 |
| 2010 Family Household Status | | | |
| Married | 46.32% | 44.08% | 67.28% |
| Male House Holder | 6.63% | 6.41% | 3.30% |
| Female House Holder | 13.36% | 13.02% | 8.09% |
| One Person | 25.10% | 26.67% | 16.73% |
| Non-Family | 8.59% | 9.81% | 4.59% |

Primary Trade Area Demographics



| 2000 Income Summary | Downtown | Riverview | Recker |
|--|-----------------|------------------|---------------|
| Median | \$39,779 | \$39,727 | \$56,266 |
| Average | \$46,150 | \$46,096 | \$66,080 |
| Per Capita | \$16,189 | \$16,709 | \$23,652 |
| | | | |
| 2009 Income Summary | | | |
| Median | \$50,211 | \$50,174 | \$73,759 |
| Average | \$58,353 | \$58,426 | \$86,395 |
| Per Capita | \$20,265 | \$21,047 | \$30,804 |
| | | | |
| 2009 Annual Income by Household | | | |
| Under 25 | 21.41% | 21.56% | 11.85% |
| 25 to 50 | 30.57% | 30.83% | 20.57% |
| 50 to 75 | 22.89% | 22.75% | 22.28% |
| 75 to 100 | 12.01% | 11.66% | 16.17% |
| 100 to 125 | 6.32% | 6.23% | 10.59% |
| 125 to 150 | 3.07% | 3.12% | 6.71% |
| 150 to 175 | 1.48% | 1.46% | 4.08% |
| Over 175 | 2.25% | 2.39% | 7.75% |

Primary Trade Area Demographics



2010 Educational Attainment - Age 25+

| | Downtown | Riverview | Recker |
|--------------------|-----------------|------------------|---------------|
| Population Age 25+ | 89,598 | 110,306 | 63,303 |
| Under 9 | 10.35% | 9.54% | 2.29% |
| 9 to 12 | 12.70% | 12.03% | 7.88% |
| High School | 25.27% | 25.17% | 23.71% |
| Some College | 27.39% | 27.44% | 30.95% |
| College | 24.29% | 25.83% | 35.16% |

Strength & Weaknesses



| | Downtown | Riverview | Recker |
|---------------------------|-----------------|------------------|-----------------|
| Access | Weakness | Strength | Strength |
| Retail Synergy | Weakness | Strength | Weakness |
| Traffic Counts | 59,300 | 38,000 | 6,800 |
| Visibility | Weakness | Strength | Weakness |
| Retail Competition | Strength | Weakness | Strength |
| Vacancy Rates | Weakness | Weakness | Strength |
| | | | |
| Population | 146,476 | 178,810 | 97,999 |
| Population Growth | -0.33% | -0.29% | 2.06% |
| Ethnicity % | 53.48% | 52.83% | 19.00% |
| Establishments | 2,162 | 2,782 | 1,259 |
| Employees | 32,915 | 43,320 | 24,444 |
| Age - 18 - 55 | 52.39% | 52.43% | 46.98% |
| Age - Median | 27.59 | 27.97 | 34.46 |
| Income - Median | \$50,211 | \$50,174 | \$73,759 |
| Income - Average | \$58,353 | \$58,426 | \$86,395 |
| College Degree | 24.29% | 25.83% | 35.16% |



Zoning Ordinance Update

Report on Land Use Changes Relative to the Present Zoning Ordinance

Presentation to
City Council Study Session
September 9, 2010

Land Use - Impact - Form

Balanced Emphasis Leads to More Predictable Results

| | | | |
|--------------------------|---------------------------------|------------------------------------|----------------------------------|
| Current Ordinance | Land Use | Impact | Form |
| | Activities, Use, Res Density | Spacing, Buffering, Orientation | Aesthetics, Bulk, Site Design |
| Proposed Update | Land Use | Impact | Form |

Study Session Schedule

City Council

Scheduled Discussion of Changes

9/2: Revisions to Development Standards

*9/9: Revisions to Land Uses and Districts
(comparing Update & Present Zoning Code)*

*9/16: Revisions to Administration &
Processing*

Revisions: Single Residence

1. Acc. Living Quarters: Delete req that ALQ “Shall Not be Leased or Rented”
2. Commercial Uses: Allow Retail Stores, restaurants, & Offices in Single Residence Districts w/ Special Use Permit
 - a. Max Floor Area: 1500 sf - not counting Res.
 - b. Req’d to Front on both Arterial & Local Streets
3. Add RSL District Options

Revisions: Multiple Residence

1. Provisions for small commercial uses
(as described for Single Res. Districts)
2. Density Increases, return to pre-1988 levels:
 - a. RM-2: From 12 to 15 du/ac
 - b. RM-3: From 17 to 20 du/ac
 - c. RM-4: From 25 to 30 du/ac
 - d. New RM-5: Max 43 du/ac
3. Urban Designator Options
 - 50' max height, Urban style setbacks

Revisions: Commercial

1. “By-right” Option for Multiple Residence Uses for mixed use-style projects
2. Allow Commercial Plant Nurseries in LC District by Special Use Permit
3. Allow Research & Development Uses in GC and MX districts
4. Allow Personal Services & Small Retail in OC
5. Allow Small Restaurants (< 1,500 sf) as Accessory in OC Districts
6. Allow Farmer’s Markets in LC w/ Temp Use Permit

Revisions: Commercial

Splitting Up Comm. Recreation Classification

a. “Bars”: Council U.P. in LC, By-right in GC

b. Small Scale Comm. Recreation (Indoors)

- Bowling alleys and Billiard/Pool Halls*
 < 50,000 sqft - “by right”, > 50,000 sqft - SUP
- *Pool halls w/ Rest liq license: by right in LC.
- *Pool halls w/ Bar liq license: CUP in LC district,
 By right use in GC
- Small Scale: Arcades, Card Rooms, Dance Studios

c. Large Scale Comm Recreation (Outdoors)

- Stadia, Arenas, Mini-golf, driving range: GC district

Revisions: Employment/Industrial

- **Recycling:** Smaller Scale - Less Strict – Allow “Can/Bottle Buyback” as indoor Activity in Commercial Districts, Outdoor “buy back” in LC w/ SUP, Major recycling in HI or CUP in GI
- **Add Specific Airport Activities:**
 - Aircraft Maintenance, Refueling, Terminal Parking Lots
- **Clarify Plant Nurseries allowed w/ SUP**
- **Added HI District, Remove CUP Option in GC for High Impact Industrial Uses**

TMX vs. Form-Based Code

- Staff is presently evaluating the idea of removing the TMX district from the Zoning Code Update – Final Draft.
- Basic concern relates to two different zoning approaches being used to tackle the same issue: Transit Oriented Development. The result may be differing development patterns, or competing development rules, at same rail station.

TMX District vs Form Based Code

TMX

- Primarily Narrative
- Fewer Illustrations
- Land Use Based Organization & Priority
- Site Plan designed to Meet Code
- Two Levels or Degrees of Scale
- Initially More Familiar
- Addresses Sites as Individual Parts

FBC

- Primarily Illustrations & Tables
- Narrative Fills in Gaps
- Predictability in Physical Forms
- Six Levels (Transects)
- Regulating Plan:
 - Fits Context of Site,
 - Organizes Area to Work as Whole

TMX District: Typical Format

| Table 11-9-3: Development Standards – TMX Districts | | | |
|--|---|------------------------|--|
| Standard | TMX-1 | TMX-2 | Additional Regulations |
| Building Form and Location Standards: | | | |
| Minimum Floor Area Ratio (FAR) | 0.6 | 0.4 | Exceptions may be granted with a Council Use Permit. |
| Minimum Number of Stories | 3 | 2 | Exceptions may be granted with a Council Use Permit. |
| Maximum Number of Stories | 6 | 5 | Greater heights allowed with a Council Use Permit. |
| Building Height Stepback Adjacent to RS District | Building height shall not exceed a 45-degree plane inclined inward from a point located 12 feet above the district boundary line. | | |
| Minimum Building Setbacks (ft) | | | |
| Front | 0 | 0 | |
| Street Side of Corner Lot | 0 | 0 | |
| Interior Side | No setback required. However, if a setback is provided, it shall be at least 5 feet in depth. | | 15 ft setback required if adjacent to an DR-1, DR-2, R3, RSL or RM-2 district. |
| Rear | 15 | 15 | |
| Maximum Building Setbacks (ft), front and street side of corner lot | | | |
| With outdoor seating area between building and street | 15 | 16 | |
| Without outdoor seating area between building and street | 8 | 8 | |
| Parking Structures | 8 | 8 | |
| Minimum building frontage (% of lot width) | 75%: Section 11-9-3(A) | 65%: Section 11-9-3(A) | Exceptions may be granted with a Council Use Permit. |
| Building main entrance orientation | Section 11-9-3(B) | | |

G. **Improvement of Street-Facing Setbacks.** Where a front or street-facing side setback is provided, it must be landscaped and/or hard surfaced for use by pedestrians. If hard surfaced, the setback area on each lot must contain at least 2 pedestrian amenities, such as benches and/or other design elements (ex.: public art, shade structure, planters, and kiosks). Scale of the amenities shall be appropriate for the size of the open area. Residential buildings are exempt from this requirement.

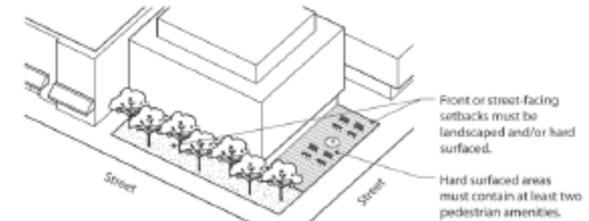


FIGURE 11-9-3.G: STREET-FACING SETBACKS

Truck Docks, Loading, and Service Areas. Truck docks, loading, and service areas shall be located at the side of buildings or in the rear of the site and screened so as not to be visible from public streets. Where a building abuts an R district, the preferred location of these facilities shall be a side that does not share a boundary with the R district.

FBC: Typical Format

15

BUILDING CONFIGURATION

- Building height shall be measured in number of stories, excluding Attics and raised basements.
- Stories may not exceed 14 feet in height from finished floor to finished floor, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 20 ft.
- Height shall be measured to the main or roof deck as specified on Table 9.
- Expression Lines shall be as shown on Table 9.

SETBACKS - PRINCIPAL SIDES

- The Facades and Elevations of Principal Buildings shall be setback from the Lot lines as shown.
- Facades shall be built along the Principal Facade to the minimums specified with in the table.

SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be determined from the Lot lines as shown.

PARKING PLACEMENT

- Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17a).
- Covered parking shall be provided within the third Layer as shown in the diagram (see Table 17a).
- Trash containers shall be stored within the third Layer.

1. BUILDING FUNCTION (see Table 12)

| | |
|-------------|----------|
| Residential | open use |
| Lodging | open use |
| Office | open use |
| Retail | open use |

2. BUILDING CONFIGURATION (see Table 9)

| | |
|--------------------|------------------------|
| Principal Building | 15 stories max, 2 min. |
| Outbuilding | 7 stories max. |

3. LOT OCCUPATION (see Table 16)

| | |
|--------------|------------------------|
| Lot Width | 10 ft min, 100 ft max. |
| Lot Coverage | 80% max. |

4. BUILDING DISPOSITION (see Table 9)

| | |
|-----------|---------------|
| Edgeward | not permitted |
| Sideward | permitted |
| Rearward | permitted |
| Courtyard | permitted |

5. SETBACKS - PRINCIPAL BUILDING (see Table 14g)

| | |
|-------------------------------|-----------------------|
| 10 ft Front Setback Principal | 2 ft min, 12 ft max. |
| 10 ft Side Setback Secondary | 2 ft min, 12 ft max. |
| 10 ft Side Setback | 10 ft min, 24 ft max. |
| 10 ft Rear Setback | 10 ft min* |
| Frontage Building | 80% set at setback |

6. SETBACKS - OUTBUILDING (see Table 14h)

| | |
|---------------------|------------------------------|
| 10 ft Front Setback | 10 ft min, from rear prop. |
| 10 ft Side Setback | 10 ft min, at 2 ft at corner |
| 10 ft Rear Setback | 10 ft max. |

7. PRIVATE FRONTAGES (see Table 7)

| | |
|--------------------|---------------|
| Common Lawn | not permitted |
| Porch & Placa | not permitted |
| Terrace or L.C. | permitted |
| Forecourt | permitted |
| Stair | permitted |
| Shopfront & Awning | permitted |
| Galley | permitted |
| Acade | permitted |

* Refer to Summary Table 11

PARKING PROVISIONS
 (See Table 16 & Table 17)

* 10 ft from center line of alley
 * 10 ft setbacks for any facade shown from shown, up to the maximum. Refer to metrics for exact minimums and maximums

TABLE 9: Building Disposition. This table approximates the location of the structure relative to the boundaries of each individual Lot, establishing basic building types for each Transect Zone.

| | | |
|--|--|-------------------------|
| <p>a. Edgeward: Specific Types - single family houses, cottages, villa, estate houses, urban villa. A building that occupies the center of its Lot with setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed backbuilding and/or Outbuilding.</p> | | <p>T2 T3 T4</p> |
| <p>b. Sideward: Specific Types - Character single houses, double house, zero lot line houses, town. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climate orientation in response to the sun or the breeze. If a Sideward House abuts a neighboring Sideward House, the type is known as a town or double House. Energy costs, and sometimes noise, are reduced by sharing a party wall in this Disposition.</p> | | <p>T4 T5</p> |
| <p>c. Rearward: Specific Types - Townhouses, Rowhouse, Live-Work unit, loft building, Apartment House, Mixed Use Block, Flex Building, perimeter Block. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.</p> | | <p>T4 T5 T6</p> |
| <p>d. Courtyard: Specific Types - patio House. A building that occupies the boundaries of its Lot while internally defining one or more private patios. This is the most urban of types, as its ability to shield the private realm from all sides while strongly defining the public Thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, Lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.</p> | | <p>T5 T6</p> |
| <p>e. Specialized: A building that is not subject to categorization. Buildings dedicated to manufacturing and transportation are often distorted by the trajectories of machinery. Civic buildings, which may express the expressions of Institutions, may be included.</p> | | <p>SD</p> |

Duany Plater-Zyberk and Company Smart Code V 9.2

T5

T5

(see Table 1)

1. BUILDING FUNCTION (see Table 10 & Table 12)

| | |
|-------------|-----------|
| Residential | permitted |
| Lodging | permitted |
| Office | permitted |
| Retail | permitted |

2. BUILDING CONFIGURATION (see Table 9)

| | |
|--------------------|----------------------|
| Principal Building | 3 stories max, 2 min |
| Outbuilding | 2 stories max |

3. LOT OCCUPATION (see Table 14)

| | |
|--------------|--------------------|
| Lot Width | 33 feet 130 ft max |
| Lot Coverage | 60% max |

4. BUILDING DISPOSITION (see Table 8)

| | |
|----------|---------------|
| Edge-on | not permitted |
| Side-on | permitted |
| Front-on | permitted |
| Overhead | permitted |

g. SETBACKS - PRINCIPAL BUILDING (see Table 14g)

| | |
|--------------------------------|---------------------|
| g.1) Front Setback (Principal) | 2 ft min, 12 ft max |
| g.2) Front Setback (Secondary) | 2 ft min, 12 ft max |
| g.3) Side Setback | 0 ft min, 24 ft max |
| g.4) Rear Setback | 3 ft min* |
| Frontage Bulb-out | 10% min of setback |

h. SETBACKS - OUTBUILDING (see Table 14h)

| | |
|--------------------|---------------------------------|
| h.1) Front Setback | 10 ft max, 10 ft min near prop. |
| h.2) Side Setback | 0 ft min, or 2 ft at corner |
| h.3) Rear Setback | 3 ft min |

i. PERMITE FRONTAGES (see Table 7)

| | |
|--------------------|---------------|
| Common Lawn | not permitted |
| Porch & Paces | not permitted |
| Terrace or L.C. | permitted |
| Front-on | permitted |
| Side-on | permitted |
| Shopfront & Awning | permitted |
| Gallery | permitted |
| Acade | permitted |

Refer to Secondary Table 11

PARKING PROVISIONS
 See Table 10 & Table 11

*or 15 ft from center line of alley
"ft" stands for any Stories above those shown, up to the maximum. Refer to metrics for exact setbacks and thresholds

BUILDING CONFIGURATION

- Building height shall be measured in number of Stories, excluding Attics and related basements.
- Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 20 ft.
- Height shall be measured to the eave or roof deck as specified on Table 8.
- Expressive Lines shall be as shown on Table 8.

SETBACKS - PRINCIPAL BLDG

- The Facades and Elevations of Principal Buildings shall be setback from the Lot lines as shown.
- Facades shall be built along the Principal Frontage to the minimum specified width in the table.

SETBACKS - OUTBUILDING

- The Elevations of the Outbuilding shall be setback from the Lot lines as shown.

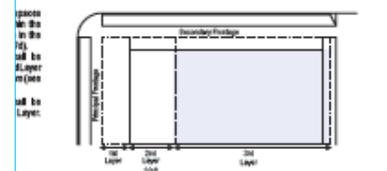
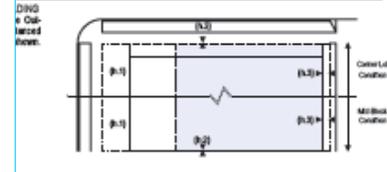
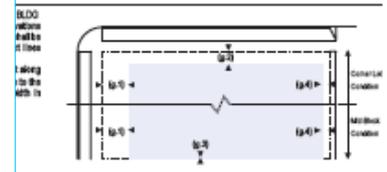
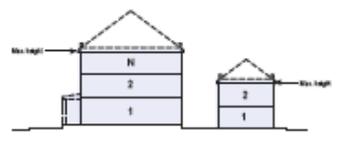
PARKING PLACEMENT

- Uncovered parking spaces may be provided within the third Layer as shown in the diagram (see Table 17a).
- Covered parking shall be provided within the first Layer as shown in the diagram (see Table 17a).
- Trash enclosures shall be placed within the third Layer.

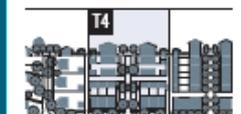
T3

BUILDING CONFIGURATION

- Building height shall be measured in number of Stories, excluding Attics and related basements.
- Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 20 ft.

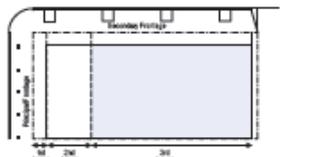
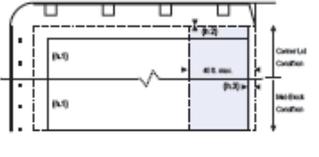
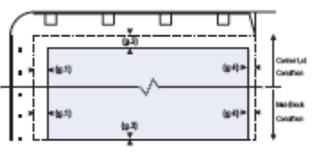
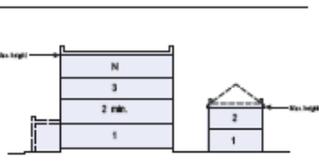


T4

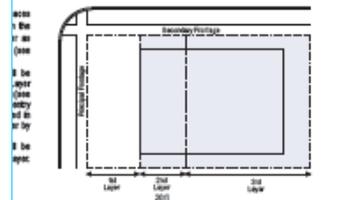
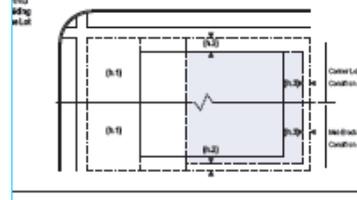
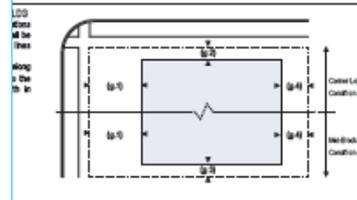
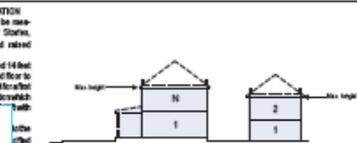


BUILDING CONFIGURATION

- Building height shall be measured in number of Stories, excluding Attics and related basements.
- Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor Commercial function which must be a minimum of 11 ft with a maximum of 20 ft.



T3



Does the Council Concur with these Revisions?

Questions?

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