

**CITY OF EL MIRAGE
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
JANUARY 20, 2010**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Doug Doede called the meeting to order at 6:01 p.m. and led the Pledge.

II. ROLL CALL

Members present were Doug Doede, Bill Morrison, and Brandon Forrey. Staff present included Comm. Dev. Dir. George Flores, Management Asst. Sharon Antes, Sr. Planner Mark Smith, Econ. Dev. Dir. Scott Chesney, Econ. Dev. Assistant Marianne Archibald, and Info. Tech. Robin Owens.

III. APPROVAL OF THE MINUTES – DECEMBER 16, 2009

Brandon Forrey made a motion for approval of the minutes as prepared, seconded by Bill Morrison. The motion passed unanimously [3 to 0].

IV. CONTINUANCES [NONE]

V. NEW BUSINESS

1. Amendment to the El Mirage Zoning Code Sec. 154.052(B) and 154.067(C) to add “Boarding of horses; 1 acre lot minimum; not more than 2 per acre, maximum of 5 horses” conditional in R-43

Mark Smith said that this use is allowed as a conditional use in R-1 but not in R-43. Dysart Ranchettes is the only area of the City in R-43 and used to be in R-1. R-43 allows owners to have livestock but does not allow horse boarding. The use did not carry over when the area was rezoned.

Doug Doede said he had questions for the sponsor of the amendment. George Flores stated that staff sponsored the request. The person who raised the issue had other commitments and could not attend. Doede asked if there was room for trailers, parking and loading and traffic. He wondered if lots had feed storage for all weather conditions, how the neighbors feel, and waste removal, whether more horses would mean more odor and flies and waste cleanup. Flores responded that as a conditional use permit the applicant had to come to the Board and answer such questions. It would require posting and notices.

Brandon Forrey asked if there were existing codes covering those concerns. Mark Smith replied that the City Code required that an owner's livestock be confined to the property with no limit on number. The conditional use restricted the number and could be more County Health codes address odor, waste, and other sanitary conditions. Forrey said it seems an appropriate fit.

Bill Morrison made a motion to recommend approval of the proposed wording to add boarding of horses as a conditional use in R-43 districts to City Council. Flores said that staff takes this seriously. The City has a present enforcement case where a person is currently in the Maricopa County jail. The Commission could stipulate conditions like parking and the City could enforce the provisions. Brandon Forrey seconded the motion which then passed 3 to 0.

2. Amendment to the El Mirage Zoning Code to add Sec. 154.089 establishing an Artist Live/Work Overlay District I downtown.

Mark Smith told the Commission that the proposed map and wording were in their packets and turned time over to Scott Chesney for a presentation.

Scott Chesney said this was the first step in a grand plan. It was not good economic development to wait for this to happen. The City is looking for larger development in the future north of Grand Avenue, but El Mirage has an advantage over other cities in having a grid of streets downtown rather than a planned development where it is hard to get from one point to the other and the area has great visibility from the highway. One way to take advantage of that is through arts-based development. This kind of thing has been done in many areas of the country but not in Arizona. This artist relocation program allows owners to chance to buy their own home and develop unlike programs Mr. Flores was involved with where the ones who develop the district are forced out by the increasing property values they helped to create. These potential owners are not here to rent but to buy inexpensive property and provide stability for the area, very much like an industry cluster. This is a regulatory step that would allow this to occur. We have a list of a dozen individuals waiting to take advantage of this.

Chesney described the area it would apply to along the south of Grand to one lot west of El Mirage and one lot south of Thunderbird back to Grand. There are 3 clusters of activity within it. One is the City complex where they planned a Small Business Expo on Saturday. Another was near El Frio which will be very visible with the redevelopment of the intersection of Thunderbird and Grand, a target site for artist units. The third is along Grand itself. These uses need this kind of overlay. They cannot do it now. They would need a separate studio elsewhere. The redevelopment of studios, galleries, and shops would bring in new revenues and tell others that the City is open for business. What the Commission is being asked to recommend to Council is to allow this redevelopment to happen.

Bill Morrison asked how this would differ from other downtowns. Chesney said the idea was to use a small group in the smallest area possible in a short amount of time to build a critical mass. If we could get a group of artists to locate around Ventura and El Frio, that would stimulate other areas. Artists have a network second to none and word would spread.

Forrey asked if the City was trying to bring in a large employer to help with redevelopment. Chesney said yes, but those would be north of Grand so as not to overwhelm the smaller businesses. The bad news is no one will be building large businesses for five years. The good news is El Mirage will be in a position to take advantage of that with the Artist District and improvements on Grand and commuter rail. Forrey noted that Grand was not a freeway but traffic volumes are high. If the plan was to have bigger uses on the north and low density on the south, the City may want to plan for better connections. Chesney said it was intentional. We want people to recognize they are downtown and slow down. There could be a few at mid-rise clusters. Forrey asked about improvements. Chesney said in addition to physical improvements required by other departments, artists would be signing development agreements that would require at least one piece of artwork. As to who would be considered an artist, there would be a board who would review applications to ensure bona fide artists.

Doede asked what happens until there is a board. Chesney said the Commission and Council would be involved. Doede asked if any would be remodeling. Chesney said remodeling may start with a bulldozer instead of a hammer. Some units are 500 square feet. Artists are creative at using the space and grants may be available to add additional area. It will not be like a typical development with only a few models that are all alike. Bill Morrison said that was what you want. He was involved in an artist colony in Florida, and they only need the space for their easel. He thought it was a great concept. He would like to see the whole south side developed for artists with office buildings on the other side. Doede said that restaurants and shops could be on both sides. Morrison said it would not detract. Chesney said the City had one disadvantage with the railroad liking where they are at, but they are supportive. All of that could be on either side. The owner-occupied properties would build stability that other areas lacked. Morrison said there was a development in Vancouver that looks like a warehouse district but it is now where people make glass art. Doede said we do not have that look, but we could have potters and glassblowers that must be accommodated. Chesney said Roosevelt Row is a great example of that. He showed some possible changes along Grand. What we are doing is attracting attention to other than residences.

Forrey asked about condemnation. Chesney said it would be counter-productive. In his experience, acquisition by the City was not required. In future as prices rise, a not-for-profit organization may be used to acquire properties while they are easier to acquire.

Doede asked if there were any incentives. Chesney said the mixed use possible did not exist elsewhere. There is also existing funding that could be directed for this purpose. The third was owner versus rental property. Council could consider other incentives, but state law made it difficult.

Doede asked once the area is established if art fairs would cause traffic problems. Some of the streets are narrow. Chesney said there was some advantage to traffic calming, but they would coordinate with police and fire. As an example, Saturday's Expo will have 60 businesses showing off what they do.

Regarding the boundary, Doede suggested extending it to the southeast. Some of the businesses could benefit from the district. Chesney said he had no objection but he could not have it redrawn tonight. Staff said it was possible to extend it. Doede said it would be advantageous to include it. The City Attorney suggested voting to recommend the code amendment first and then to recommend extending the boundary map as suggested.

Brandon Forrey made a motion to recommend approval of the proposed addition to the code establishing the Artist Live/Work Overlay District. Bill Morrison seconded the motion which then passed 3 to 0. Doug Doede then moved to recommend extending the proposed district boundary south and east to the intersection of the frontage road of Grand Avenue with Thunderbird Road and including the lots south of Thunderbird Road. Bill Morrison seconded that motion, which then passed on a unanimous vote.

VI. COMMENTS FROM COMMISSION MEMBERS

Adam Super told the Commission that the Commission Review Board would meet Thursday evening to review applications and recommend appointments to the Council at their regular meeting next month and bring the Commission up to full membership for the next Commission meeting.

George Flores told the Commission that staff planned to bring the General Plan Update to the Commission next month for discussion during the 60-day review period and then bring the comments and draft for hearings the following month for recommendation to City Council and a vote in August. He said it was an exciting time to be part of the organization. The Plan may not come to pass in our lifetime but in our children's lifetime. Doug Doede praised the Plan Update and said his hat was off to the planners.

VII. ADJOURNMENT

There being no other business, the meeting adjourned at about 7:01 p.m.

Mark L. Smith, Senior Planner

Doug Doede, Commission Chair

George Flores, CD Director

Rick Flaaen, City Attorney