

**CITY OF EL MIRAGE  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
March 17, 2010**

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Doug Doede called the meeting to order at 6:00 p.m. and led the Pledge.

**II. ROLL CALL**

Members present were Doug Doede, Brandon Forrey, Mary Koestner, Bill Morrison, and Beth Simek. Staff members present were Community Development Director George Flores, Management Assistant Sharon Antes, Senior Planner Mark Smith, and Information Tech Robin Owens.

**III. APPROVAL OF THE MINUTES – FEBRUARY 17, 2010**

Brandon Forrey made a motion for approval of the minutes with one correction to complete an unfinished sentence at the end of the item under New Business, seconded by Beth Simek. The motion passed 5 to 0.

**IV. CONTINUANCES [NONE]**

**V. NEW BUSINESS**

**1. Presentation on the Agua Fria Watercourse Master Plan**

Staff recognized Norris Nordvold, Executive Director for the Friends of the West Valley Recreation Corridor and John Hathaway, Water Planning Manager for Maricopa County Flood Control District. Mr. Nordvold began with an introduction to his organization of over 250 volunteers with a 26 member board that meets monthly. Lisa Atkins, former assistant to Rep. Bob Stump, serves as the president this year. The organization began with the vision of John F. Long for the 5000-foot wide, 42-mile stretch of the Agua Fria and New Rivers. He showed where the river had been channelized in Peoria and ball parks were now out of the floodplain. The vision began in 1988. The Friends were formed in 2001. He has been Executive Director since 2008. The County Flood Control District became involved. Each year people “Walk the Vision” along the River. Most of the cities in the West Valley have adopted the Watercourse Master Plan. He turned it over to John Hathaway to discuss the Plan.

Hathaway said the Plan was an important part of his job and he was looking forward to its implementation. He said the plan was a non-structural or soft structural flood control measure with structures covered

with sand. The District has been working a long time with the owners who asked to modify the plan to include channelization, so there are two plans, the original plan and the addendum, which were adopted simultaneously by the County Board of Supervisors which acts as the Flood Control District Board. The 500-foot wide channel goes down about 12 feet to accommodate the 10-year flood. Bank protection is buried under natural materials. A terrace or upper tier and 100-foot buffer is on either side of the channel to accommodate the 100-year flood plus the spillover from Lake Pleasant. The high flows are slower and shallower and thus do not damage parks or pavement, much like the Indian Bend Wash. The Plan makes mining economically viable and the corridor an amenity. The rest of the floodplain can then be recovered and developed to help pay for the actual construction of the Plan. They basically excavate in the shape of a channel. The Cities then have space for parks, trails, and recreation in the channel and area for redevelopment on either side controlled through zoning per the Plan. A partnership with the mining companies helps regulate mining. In the City's case the zoning requires a reclamation plan to control the mining. With a narrower channel, bridges on Olive and Peoria can be made only 600 feet. State law allows partnerships to be formed to special planning districts to help implement the plan. The area south of Grand, the old landfill site, could be eligible for an EPA Brownfields grant to clean up that area. Mine owner, contractor, and commercial developer Morrie Tanner is a few years from reclamation filling. He can put in utilities and be ready to develop. That is a model they are seeking to encourage. He showed an example at Bell Road with open space trails in the channel and recreation on the low-risk terraces. Parks can be placed in the overfill area with buildings out of the floodplain.

Nordvold said they were building partnerships with Audubon Society and working with all the cities. They did one project on Monument Hill in Avondale and another in Indian Bend Wash in Scottsdale. They are meeting with all the cities to obtain support. The concept is to one day be able to bike from Indian Bend Wash in Scottsdale to Rio Salado in Tempe and Phoenix to Tres Rios and the Agua Fria and New Rivers in the west and connect the entire Valley. This is the time to do it. They are getting low bids on projects. The law that allows creation of districts sunsets in 2015. Some are actually talking about digging and stockpiling it for later. Once each city adopts the Plan they can decide what they want in zoning.

Brandon Forrey asked how close the lowest section (10-year flood). Hathaway said it would be whatever the minimum was, at least 100 feet. Hathaway said that channelization does not make mining go away. They still have their rights, but they need to work with the City. The County is very limited. If they can show by engineering that no flooding or erosion results, they are bound by law to issue the permit.

Beth Simek asked what was meant by mining and storing the materials. Hathaway said that the Northern Parkway Project is not due until 2016 so they can have a shorter bridge and they have time to mine it and use it for construction. There are economic disadvantages to storing it and moving it again. That probably will not happen on this section. The area is owned by Cal-Portland but is leased by Cemex. They can both benefit from the project if they work with the District and cities in compliance with the plan.

Mary Koestner asked for a definition of 'non-structural'. Hathaway said a structural solution is to build a structure while a non-structural one restricts use of the floodplain. This is a 'soft' structural solution which uses a floodplain but protects the banks from erosion. Koestner asked where the water came from and whether it would be retained. Hathaway talked about required recharge areas in El Mirage and other cities which can be used for parks and recessed fields with lower lighting such as Scottsdale.

Doug Doede asked about increasing the flow with channelization. Hathaway said that when you narrow the channel it tends to speed up the water and you have to slow it back down with drops or stair-steps pushed down into the old riverbed. At existing bridges they have to widen the terrace from 500 feet to 600 feet and armor the sides. MCDOT figured that new bridges only had to be 600 feet. Existing bridges are wider.

Doede asked where the material came from to refill the old floodplain. Hathaway said they could not use spoil material but they could use clay or other inert material which is not considered land-filling.

Brandon Forrey asked about the timeframe for the project. Hathaway said the Northern Parkway project could precipitate the project in the next 10 years and the Board sees the benefit of forming the first six-mile district.

The Chair called for comments. Michael LeVault, Mayor of Youngtown and resident of 12647 West Cinnabar Avenue in Youngtown, said there was a different tone this evening than last time but talking about the same piece of property. He said we have a golden opportunity to plan for one of the last unmolested pieces of land in the River for both cities and the owners. Both cities have adopted resolutions supporting the Master Plan. The channelization is a good use of the land. He understood that it would create 140 useable acres on both sides of the River. Mining would go on for 20 to 30 years and be ugly and noxious and face furious opposition from both sides of the River because of the existing housetops. On the other hand channelization would in a short time lift the area off the floodplain and create opportunities for development. Youngtown has a parkway from Olive Avenue to Peoria Avenue. They would be amenable to a connection at Peoria that would give access to the north. The stakeholders, the two cities and the owners, would be wise to get together

on this issue. He said he and his town manager had a meeting scheduled with the El Mirage mayor and manager tomorrow to talk about the issue. Youngtown has always been amenable to channelization that would be compatible with residences. He said that covered the riverfront for him.

Kathryn French, President of the Agua Fria Homeowners Association, a subdivision just north of Olive Avenue. The Agua Fria Parkway runs along the east side of the River. She represented 783 homes with about 3000 residents. They were also in favor of the channelization project for a number of reasons provided that it moves it away from the homes and does not create dust and respiratory problems and a loss of property values. The mining permit did not come out until 2006 while most of the houses were built between 2003 and 2005, so they did not know about it. They encouraged the City of El Mirage to look into channelization.

## **2. Presentation and Discussion on General Plan Update**

George Flores said this was the second presentation on the General Plan Update and was again a high-elevation overview. He began with the vision statement that came from a one-week design charrette that all HOA presidents and residents were invited to attend as well as property owners and agency representatives including Mr. Hathaway and Mr. Nordvald. It was adopted unanimously by all who participated in the closing session. We are looking to create a sustainable community, a gateway to the Northwest, opportunities to live, work, and play, a viable community both economically and diversity of activities. This is what the residents said they wanted: parks, recreational facilities, to be able to work where they live, great schools, and to look as fine as any other city in the state.

One of the concepts that the Plan is based on is unique. [Flagstaff may be the only other plan in Arizona related to performance-based planning]. You will not see hard zoning categories but sketches of what we would like to see the city become. One of the challenges with the current zoning process is that with hard zoning you say that is a commercial zone so that is not allowed. The focus is on merging commercial with other uses for a pedestrian and tourist-friendly that allows us to work with developers. The Commission and Council will be involved in that process. It will completely revise the way we do business, but to a much more creative, advanced way of doing things recognized as the direction planners are embracing.

Flores spoke about the five proposed Area Elements. We have the Agua Fria Gateway on the east side. Our city has a river that runs through it. This could become one of the major activities and locations. We have no geographic landmarks, no mountains or lakes, but we have a river that could be used as the next Rio Salado, Town Lake, or Indian Bend Wash.

In addition to the river, we have the Downtown Central Business District north of Grand, a high-intensity area, and the Downtown Arts District in what we are referring to as the "Golden Triangle" of El Mirage Road, Thunderbird Road, and Grand Avenue. Then you have what is significant and critical to a viable community: the Neighborhoods which surround the downtown and about the river. Last, we have the Commerce/Industry Park.

The Downtown Central Business District schematic shows the density and intensity where we have the greatest freedom to work toward economic opportunities of sales tax that we do not have south of Grand Avenue. Remaining commercial corner properties are very small, but our greatest opportunity is the train yard north of Grand Avenue that eventually would move and we would look to maximize redevelopment to graphics shown.

This district merges housing and commerce and be the financial and governmental heart of the City with multimodal opportunities including walking, cars, and rail transit. Rail commuter train is a vision that is a multi-city effort beginning with Phoenix and extending to El Mirage and Surprise. This is not 30 to 40 years down the road. It would require funding, but everyone is serious about it. People are realizing that we cannot rely on cars as the only source of transportation. We have a significant number of people who live in the West Valley who work in the East Valley or downtown. Commuter train opportunities are immense and of benefit to everyone and to compliance with PM-10 requirements required by the federal government.

Transit-oriented development can thrive off of this rail line. At the rail stops, you can have park-and-ride facilities and residences. As Phoenix, Mesa, and Tempe are finding, people are moving to locations adjacent to a transportation mode that is cost effective and convenient. You see more high-end condos and commercial development. There is no reason we could not have that here. We need to achieve it to capture opportunities that have bypassed the City in the past because we did not grab them.

Urban mixed-use development could have commercial, residential, office, and even research labs. This intense development is what we could have north of Grand Avenue. Commuter rail could occur north of Grand Avenue. Grand is currently moving to 6 lanes and heavier landscaping. The City has given the state money to install it. This is our boulevard, our front door, and we have not taken care of it in the past. We need to make it a grand boulevard. The ditch could be buried. The frontage road could be widened and donated to the City if we agree to maintain it. A key part of the plan is the rail line. It could carry more traffic than Grand Avenue. We need to grasp every opportunity we can to create sales tax opportunities. Sales tax is what cities live off of. Without it we cannot

provide the services people demand. Without sales tax, any community in Arizona would die. We need to maximize those sales tax opportunities.

In the Downtown Arts District referred to as the “Golden Triangle”, our intent is not to clear and tear but to convert the residences into artist’s studios and also some of the best restaurant districts are in downtown areas. Go to old town Tucson, Albuquerque, and San Diego where they took residential units and converted them. Some say it will never happen here, but it could over time. This is where the planning in every major city started at. It may not happen in our lifetime, but we need to start on these visions now no different than the Agua Fria Master Plan that we talked about earlier and take steps so that years from now people will recognize our far-sightedness and enjoy our hard work.

Flores showed examples of arts districts including Roosevelt Row in Phoenix where artists live on top with commercial operations below. This is the area for First Fridays, an event that draws 15,000 to 20,000 people from the metropolitan area. It is so successful they now have other days. The area was no different than a lot of areas in downtown El Mirage. He showed what Grand Avenue could be like with pedestrian traffic and entertainment plus an example from the Arts District in downtown Yuma.

The Agua Fria Gateway has high-end development focused on recreation and entertainment. It is open to redevelopment. He showed the Oasis Project as an example of someone coming to the City because they saw the potential for the area. Imagine bike and pedestrian ways with adjacent development. He showed an example of multipurpose development.

The Neighborhoods are critical to the viability of any community to strengthen it and to provide the opportunity to live here. The Downtown and Agua Fria Gateway would have higher-end housing we do not have now, but we need a full array of housing. We do not have executive level housing. We now have a thousand units going into or out of foreclosure. The problem exists and will continue for some time. Those units are the future of our housing. The City is nearly built out for typical residential development, but some of these areas do not have recreational facilities.

The Commerce and Industry Park would be a restricted area where we can develop some things but have to be careful because of regulations. Solar industries and high-tech agriculture would be allowed in this area. The area near the river would have opportunities for commercial areas.

The other elements such as Economic Development, Land Use, and Urban Design are tools to make this plan a reality. Administration and Implementation address who would be responsible to implement that plan. The Cost of Development Element has vehicles to make this plan occur.

The General Plan serves as a roadmap. As with any other journey, you can decide to change the journey. It does not restrict you. People ask how we will pay for this. If you do not have the money you cannot do it. But if you are going to do it, this is a guide now and in the future.

Flores went over a tentative schedule including either another meeting or individual sessions to answer Commission and council member concerns followed by hearings of the Commission and Council and the public vote.

Flores concluded that the document is over 600 pages long. Every time he looks at it he discovers something he had not seen before. He is impressed with the quality and the backbone it is founded on. The Plan complies with all state and local requirements and an excellent document.

Mary Koestner asked when it is submitted to the citizens if it was for approval of the plan or funding or both. Flores said there was no funding of the Plan. The Plan would be submitted for approval. If they do not approve it, we continue to follow the existing plan.

Doug Doede said the Plan was sent to other agencies in the Valley and state and asked if we had any feedback. Flores said we did. Some made positions or statements and others said what they preferred to see. He thought it was important for this body to see what they were proposing.

Brandon Forrey asked why the Gateway did not extend along the entire river. Flores said it actually did. He said they needed to understand that the colors fade and blend. They are not hard-lined. Wherever they are they will meet all federal, state, and local regulations.

#### **COMMENTS FROM COMMISSION MEMBERS**

Mary Koestner asked if when the Chair began the meeting he could include a request for people to turn off their cell phones and devices. The Chair said he could do that.

#### **VII. ADJOURNMENT**

There being no other business, the meeting adjourned at 7:35 p.m.

\_\_\_\_\_  
Mark L. Smith, Senior Planner

\_\_\_\_\_  
Doug Doede, Commission Chair

\_\_\_\_\_  
George Flores, CD Director

\_\_\_\_\_  
Rick Flaaen, City Attorney