

Minutes of the Work Session held August 12, 2013 at 6:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers and Council Members

Frank Scott, Vice Mayor
Stephanie Karlin
Charles Vierhout
Ken Weise

ABSENT/EXCUSED

Jim Buster
Jim McDonald

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Ken Galica, Planner II
Jennifer Fostino, Zoning Specialist
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

2) HISTORIC AVONDALE DESIGN AND DEVELOPMENT GUIDELINES (PL-12-0139)

Ken Galica explained that the Historic Avondale Design and Development Guidelines is a new document being developed to replace the Old Town Avondale Business District Guidelines (OTAB), which was adopted in 2001. OTAB only applies to Western Avenue businesses and is very prescriptive in nature. Historic Avondale is a relatively new term used to describe the broader area around Western Avenue, most of which was completely developed at least three decades ago. The area is in need of new design solutions that will enhance the character of the area, while providing additional flexibility to parcels that face many limitations that other areas of the city do not.

Mr. Galica said the boundaries of Historic Avondale are formed by the Agua Fria River on the east, Van Buren on the north, Lower Buckeye Road to the south, and the Goodyear city limits to the west. The purpose of the guidelines is to retain and enhance Historic Avondale's character through preservation, renovation and infill projects to provide revitalization and economic diversification consistent with the City's historical attributes, while addressing the current and future needs of residents and visitors. Sub areas within the document will respond to the specific needs of particular character areas, but other aspects will apply throughout the area.

Mr. Galica said the guidelines are about creating a sense of place in a way that recognizes the issues that area property owners and businesses experience. Goals include:

- Creating usable, historic themed streetscapes, which could include decorative lighting, and special programming and activities.
- Identifying measures that can be taken to enhance on-street parking, and to improve shading and aesthetics in City-owned lots to promote more use. The parking configuration on Western Avenue could be modified from diagonal to a parallel pattern, which would allow for wider sidewalks.

- Enhancing opportunities to use public art throughout the area, and encourage art walks, festivals, and other events. Improving the lighting for safety, aesthetics, and ambiance.
- A signage and wayfinding program to enhance the image of the area, which would be incorporated into the City's overall branding effort.
- Landscaping improvements adjacent to streets and sidewalks to add sidewalk shading and new pavement surfaces while delineating key entry areas into Historic Avondale that promote a sense of arrival.
- Architectural guidelines that allow for greater creativity in façade/building design and reflect the historic nature of the area. Current guidelines would be relaxed enough to still ensure a minimum level of quality, while allowing the residents and business owners in the area a greater amount of expression to create a more vibrant locale.

Mr. Galica reported that a neighborhood meeting was held in Historic Avondale recently. The attendees identified the area's weaknesses as insufficient parking, disconnected sidewalks, poor tree maintenance, low visibility and a poor sense of arrival, and the disconnect between Western Avenue and surrounding neighborhoods. The area's recognized strengths include the City's commitment to progress in the area, the small town feel, the art focus, the potential for a walkable environment, and the community's shared vision. Staff's goal for the guidelines is to address the weaknesses and build upon the strengths. Much progress has been made in the last five years, and a stronger document would ensure that progress continues.

Mr. Galica stated that the next steps are to continue to build upon the outlined concepts and continue the business outreach effort. A neighborhood meeting is scheduled for August 22nd at the Sam Garcia Library. A finished document will be presented to the Planning Commission on October 17th, and to the City Council on November 18th.

Council Member Weise said the Willo District in downtown Phoenix is recognized as one of the most successful revitalization areas in the state. Historic Avondale has that same potential with the right support. He felt the larger healthy trees along Western could remain in place by extending the sidewalks beyond them. Even ten years later, the trees at the Civic Center have yet to grow large, and big old trees make a statement in Arizona. Scottsdale Road has street lighting in downtown that really draws attention, and that same type of treatment could work on Western. He felt the City should ease the design restrictions enough to promote creativity without destroying continuity. The Western Avenue effort will go nowhere unless the surrounding areas are also revitalized. In order for the area to become vibrant again, the right types of businesses and services have to be drawn there, possibly through the use of incentives.

Council Member Karlin noted that this process has been going on for decades now, as each set of plans is eventually replaced by another. The orchid trees that were on Western were replaced, and the landscaper scalped the new trees to the point where they are weak. The street used to have parallel parking, but it was changed to diagonal. Now the plan is to revert it again. All these changes disrupt business. The City has to know when it has spent enough on the area. Western Avenue has its challenges, particularly the inconsistent sidewalks, but also has the potential for being a neighborhood where people can walk to.

There is nothing at the gateways to draw people's attention onto Western Avenue. There have been many good revitalization ideas over the years, but many problems remain.

Council Member Vierhout said good street lighting really helps attract attention and makes people feel safer. He would like to find a way to widen the sidewalks without removing the big trees. He inquired whether sidewalk widening would impact the street events held on Western Avenue. Mr. Galica responded that the traffic lanes would remain the same width. The diagonal parking would be replaced by parallel parking, which would result in four to five feet more for sidewalks. Council Member Vierhout inquired about current paint color restrictions. Mr. Galica explained that currently any proposal to change a building's paint scheme requires city approval.

Vice Mayor Scott noted that four of the current City Council members will be seated for at least three years, which means that a reasonable plan has a good chance of succeeding within that time frame if the funding is available. He feels that Western Avenue's biggest problem is parking. If shading will make the City lot more attractive, then it should be done. If parking were made available near each entrance to Western Avenue, the street would become walkable. The color code changes are a good idea. The plan is a good step in the right direction because it addresses some longstanding issues that have hindered redevelopment. It is not the City's job to drive business to Western Avenue, but the City can and has put money and effort into improving the street so that businesses can succeed there. No revitalization effort can succeed without substantial investment.

Mayor Lopez Rogers said cities all across the U.S. struggle with their main streets and older areas. Small businesses are a resilient piece of Avondale, so it is crucial that the City maintain and support them however possible. The Hill Street project has improved the area tremendously and more similar projects should be pursued. People were ecstatic when Western was lit up for Christmas, and lighting can make a big difference. Mayor Rogers indicated she favors bright colors and an Old Town San Diego look would set Avondale apart from other cities in Arizona. While the revitalization effort has gone on for a long time, the current City Council has a clear vision for its future, and that includes the future of Western Avenue. It is important that the interests of the local community are incorporated into the plan.

Council Member Weise noted that Tolleson is revitalizing Van Buren, which will have an impact on Historic Avondale. The City does not owe businesses anything more than police and fire, low taxes, and reliable services. Western Avenue has improved dramatically over the past 18 years. The City has put a lot of money into it, but the returns have been slow in coming compared to other City projects. The plan puts Avondale on the right path without spending too much money.

Council Member Karlin said public art is a big draw, and attention-grabbing works of art could sit at the entrances to Western Avenue to pique people's interest in exploring the street. Catlin Court was a challenging area until Glendale found a way to draw people there with antique shops. Western Avenue has the potential; it just needs to find a draw. She wants to see the street succeed, but the City has to be able to recognize when enough investment is enough.

Vice Mayor Scott said the City Council should consider offering businesses on Western Avenue a limited time frame within which they could build or remodel free from City fees. The Central Avenue project will help Western Avenue as well. Mayor Lopez Rogers noted that Western Avenue is busy on Friday and Saturday nights, which indicates that something is happening there that people enjoy.

3) PROPOSED TEXT AMENDMENT – ZONING ORDINANCE UPDATE (PL-12-0226)

Charlie McClendon, City Manager, said staff completely rewrote the Rezoning Ordinance over a three-year period, and it has been in effect for 18 months now. Jennifer Fostino, Development Services, said nearly every section was revised in the 2011 update, and some new ones were created. Periodic amendments are required to stay abreast with changing industry standards and because new ways are found to make the document more practical and efficient. With adoption of General Plan 2030, additional amendments are needed to help meet the document's new vision and policies.

Ms. Fostino highlighted some of the proposed changes:

- Section 1 adds numerous definitions to help clarify the City's intent with specific uses.
- Section 2 creates a new Suburban Residential zoning district (R1-10) to fill a gap between R1-8 and R1-15. This will help get larger lots within the Medium Density Residential land use designation.
- Section 3 changes Cigar Bars, Tobacco Lounges, and Smoke Shops from being permitted outright in C-1 and C-3, to requiring a Conditional Use Permit. These uses will be removed from the Old Town Avondale Business District land use matrix. All references to OTAB will be changed to Historic Avondale Design and Development Guidelines
- Section 5 proposes a new overlay district called the Historic Avondale Infill Overlay
- Section 7 proposes minor changes to the design requirements for non-residential districts to include the removal of underground utility lines and adds the requirement to internalize all downspouts.
- Section 8 adds preschools to the parking matrix.
- Section 9 no longer requires permits for neighborhood and community event signs, seasonal sale signs, and traffic directional signs, and initiates a City-sponsored program for wayfinding signs.
- Section 12 changes plant sizes, quantities, and locations along streets medians, parking areas and single and multi-family developments, to provide better shade and lower reflective heat.

Ms. Fostino said that the Historic Avondale Infill Overlay will supersede all regulations and standards of the underlying zoning district, but that they will otherwise remain in full effect. At last year's retreat, City Council recognized the need to allow for creative flexibility in development standards, while retaining the historic character and small town feel of Historic Avondale. The Historic Avondale Infill Overlay was crafted to do just that. The development community can utilize this option by going through the rezoning process. The purpose of the district is to help promote and facilitate development and redevelopment on vacant, underutilized, and abandoned properties. It gives developers a way to address

incompatible development standards while maintaining the character of the surrounding area. It aims to encourage a creative, artistic and pedestrian-oriented atmosphere. Applicants will need to meet certain findings, and establish a development plan at the time of the overlay rezoning process. They will be processed in the same manner as all other zoning cases, and submit to a public notice and hearing process.

Ms. Fostino said staff met with businesses on Western Avenue to discuss the overlay district and the design guidelines, and spoke with neighborhood residents. A neighborhood meeting is scheduled on August 22nd at the Sam Garcia Library. The Planning Commission will review the overlay district on October 17th, and City Council will take action on November 18th.

Council Member Vierhout asked whether grandfathered smoke shops would have to reapply if ownership changes. Andrew McGuire, City Attorney, explained that legal non-conforming uses stay with the land until the use is changed, not necessarily the owner. Council Member Weise said the overlay district offers the flexibility to help businesses and landowners. Mayor Lopez Rogers said she is comfortable with the proposed Historic Avondale Infill Overlay District.

4) ADJOURNMENT

Meeting adjourned into executive session at 6:57 p.m.



Mayor Lopez Rogers



Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Special Meeting of the Council of the City of Avondale held on the 12th day of August 2013. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk

Minutes of the Regular Meeting held August 12, 2013 at 7:00 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Lopez Rogers
and Council Members

Frank Scott, Vice Mayor
Jim Buster
Stephanie Karlin
Jim McDonald
Charles Vierhout
Ken Weise

ABSENT/EXCUSED

Jim Buster
Jim McDonald

ALSO PRESENT

Charlie McClendon, City Manager
David Fitzhugh, Assistant City Manager
Rogene Hill, Assistant City Manager
Tracy Stevens, Acting Development Services Director
Rob Lloyd, Chief Information Officer
Cheryl Covert, Economic Development Specialist
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

Carmen Martinez, City Clerk, read a statement of participation regarding public appearances.

2 SCHEDULED PUBLIC APPEARANCES

a. Banner Estrella Medical Center Expansion

Deb Krmpotic, CEO of Banner Estrella Medical Center reviewed the major components of the renovation which includes two garage structures and a patient tower. One of the garage structure has already opened and the patient tower is expected to open in March 2014. She listed the various services that will be offered at the new tower. Cost of the expansion is \$162 million.

3 UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes per person. Please state your name.)

4 CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. APPROVAL OF MINUTES

1. Special Meeting of July 15, 2013
2. Regular Meeting of July 15, 2013

b. CDBG REPAYMENT AUTHORIZATION

A request to (i) authorize an amount not to exceed \$220,338 for the repayment of federal funds awarded under the CDBG grant, (ii) ratify an expenditure of \$107,438 for partial payment, (iii) authorize the transfer of up to \$220,338 from the contingency fund and (iv) authorize staff to execute all the necessary documents.

c. SALE AND PURCHASE AGREEMENT - LBCMT 2007-C3 OFFICE 125, LLC

A Sale and Purchase Agreement with LBCMT 2007-C3 Office 125, LLC for the acquisition of a property located at 125 S. Avondale Boulevard in the amount of \$2,775,000, authorize the use and transfer of contingency funds and authorize the Mayor or City Manager and City Clerk to execute all the necessary documents.

d. FINAL PLAT – HILL TRACT ESTATES REPLAT (PL-13-0003)

A request to approve the replat of the Hill Tract Estates subdivision to reconfigure three existing parcels into six new parcels, dedicate right-of-way for Hill Drive, 3rd Drive, and 4th Drive, and dedicate easements for drainage, utilities, and access related to the City's Legacy Avondale housing development and authorize the Mayor or City Manager and City Clerk to execute all the necessary documents.

e. ORDINANCE 1523-813 - AUTHORIZING THE SALE OF LEGACY AVONDALE HOMES

An ordinance authorizing the City Manager to accept offers on the Legacy Avondale properties consisting of a total of six new homes on the 300 block of Hill Drive and authorize the Mayor or City Manager and City Clerk to execute all the necessary documents.

f. ORDINANCE 1522-813 - DEDICATION OF DRAINAGE EASEMENT TO ELLIOT HOMES, INC.

An ordinance dedicating a drainage easement to Elliot Homes, Inc. (future conveyance to the Avalon Estates HOA) to accommodate the conveyance of off-site historical flows, and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents.

Council Member Weise moved to approve the consent agenda as presented including Ordinances 1523-813 and 1522-813. Vice Mayor Scott seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Excused
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Buster	Excused

Motion carried 5-0.

5 PUBLIC HEARING - FREEWAY CORRIDOR SPECIFIC PLAN UPDATE (PL-11-0080)

A public hearing related to the City-initiated amendment to the Freeway Corridor Specific Plan and recommendation to continue the item to the September 16, 2013 City Council Meeting. The continuance is necessary to allow the Planning Commission at their request to continue the review of the application at the August 15, 2013 Planning Commission Meeting.

City Manager Charlie McClendon indicated that the Planning Commission has requested additional time to review this item. The recommendation is for this item to be continued to September 16th.

Mayor Rogers opened the public hearing. There being no requests to speak, Mayor Rogers closed the public hearing.

Council Member Weise moved to continue this item until September 16, 2013. Vice Mayor Scott seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Excused
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Buster	Excused

Motion carried 5-0.

6 PUBLIC HEARING - RESOLUTION 3129-813 - CENTURYLINK CABLE LICENSE APPLICATION AND WAIVER REQUESTS

A public hearing and resolution approving Qwest Broadband Services, Inc. dba CenturyLink's cable license application, including their waiver requests.

City Manager Charlie McClendon introduced Chief Information Officer Rob Lloyd and Cheryl Culvert to present this item.

Rob Lloyd reviewed the particulars of this item as more specifically described in the council report.

Council Member Weise he was originally concerned about the waivers as they relate specifically to Historic Avondale, he asked Mr. Lloyd if he was comfortable with the language in the waiver. Mr. Lloyd indicated that he believes the language represents a fair balance and allows Council to award the incentives based on progress made. Council Member Weise indicated that he believes competition is good for everyone and thinks it is important for all residents have the opportunity to have these services.

In response to a question from Council Member Vierhout, Mr. Lloyd indicated that this agreement is exclusively for cable television. He added that while it is likely that services will be bundled, internet and data services will be governed by a telecommunications agreement that will be negotiated separately.

Mayor Rogers opened the public hearing. There being no requests to speak, Mayor Rogers closed the public hearing.

Mayor Rogers suggested that CenturyLink become a community partner and consider donating computers to CareFirst. Mr. Lloyd commented that statute limits such activities, but there may be opportunities for some similar activities as part of a marketing agreement.

Ken McMahan on behalf of CenturyLink commented that his company understands the need for both residential and commercial consumers to have high speed internet but there are challenges due to infrastructure. He indicated that CenturyLink is open to conducting a feasibility study in the future to understand the demands, costs and benefits and possibly discuss a marketing agreement. He added that there is a program in place to assist economically challenged households and would be willing to work with the city to market and expand that program.

Council Member Weise moved to adopt Resolution 3129-813 to approve the CenturyLink's cable license application, including their waiver requests and schedule a second public hearing on September 9, 2013. Vice Mayor Scott seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member Vierhout	Aye
Council Member McDonald	Excused
Council Member Weise	Aye
Mayor Rogers	Aye
Vice Mayor Scott	Aye
Council Member Karlin	Aye
Council Member Buster	Excused

Motion carried 5-0.

7 ADJOURNMENT

There being no further business before the Council, Council Member Weise moved to adjourn the meeting; Vice Mayor Scott seconded the motion. All ayes.

Meeting adjourned at 7:33 p.m.


Marie Lopez Rogers



Carmen Martinez, CMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 12th day of August 2013. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk