

Minutes Neighborhood Advisory Commission August 3, 2011

Minutes of the Neighborhood Advisory Commission (NAC) held on August 3, 2011, 5:35–6:55 p.m., at City Hall, 31 E. 5th Street, 3rd Floor Conference Room, Tempe, Arizona.

(MEMBERS) Present: Karen Adams, Nancy Buell, Maureen Decindis, Ann Lynn DiDomenico, Pete DeMott, Gary Johnson, Britney Scott Kaufmann, Ira King, Angela Lopez, Josephine McNamara, Leonard Montenegro, Joe Pospicil, John Sanborn, Scott Smas, Bill Wagner

(MEMBERS) Excused Absences: Joochul Kim, Robert Miller, Michael Pickett, Lisa Roach, Michael Wasko

(MEMBERS) Unexcused Absences: None.

City Staff Present: Elizabeth Thomas, Neighborhood Services Specialist, Ryan Levesque, Senior Planner, Community Development, 480-858-2393 or ryan_levesque@tempe.gov; Maryhelen Giustizia, 480-350-8151 or maryhelen_giustizia@tempe.gov

Agenda Item 1 – Call to Order

Vice Chair McNamara called the meeting to order at 5:35 p.m.

Agenda Item 2 – Public Comment

None.

Agenda Item 3 – Consideration of Minutes: June 11, 2011

Commissioner Buell noted she had made the suggestion at the June retreat to rename the Neighbor of the Year Awards the Neighborhood Awards to better reflect the numerous awards and to better encompass the Residential Beautification Awards. This name change was agreed to by the commission members at the June retreat. She requested that the June 11 minutes be amended to reflect that.

Commissioner Pospicil made a motion to accept the minutes with the change noted above. Commissioner King seconded the motion and it passed with two abstentions due to absence from the June meeting.

Agenda Item 4 – Proposed Zoning and Development Code Amendments

- **Community Gardens Zoning Ordinance Amendment**

At the May 4, 2011 NAC meeting, Shauna Warner reviewed the draft amendment to the Zoning Code pertaining to Community Gardens on private property (inclusive of commercial, industrial and residential districts). After significant discussion, the Commission recommended support of the draft regulations recognizing that they support the Zoning and Development Code as a

whole, with a unanimous vote. Members requested to be kept updated, specifically to receive feedback on questions they had posed and areas of concern they had identified along with their suggested changes.

The minutes from the May Neighborhood Advisory Commission meeting were part of the packet materials for consideration by the Development Review Commission (DRC) at their June 14, 2011 meeting. Ryan Levesque, Senior Planner, Community Development, noted that as a result of public input, including the input provided by the NAC, some responsive changes to the ordinance amendment were made.

DRC recommended approval of a code text amendment directing staff to create a new subsection for approval criteria specific to community garden requests to include the following:

- Potential size of the community garden;
- Days and hours of the operation, which includes any retailing;
- Access and parking; and
- Determination of products sold on-site

The next step will be a second and final public hearing to adopt an ordinance for a Code Text Amendment for Community Gardens at the August 18, 2011 City Council meeting. Ryan added that Community Gardens on city property (i.e. parks) has come up more often since the Escalante Community Garden was initiated and piloted but there are some special considerations in these proposals for community gardens on city property and there is not an established process in place for these types of projects yet.

▪ **Temporary Use Parking**

Ryan explained that the Transportation Overlay District (TOD) currently has a prohibited use section. The initial intent of this was to encourage the use of alternative modes. Ryan explained that due to the economic downturn, there were some properties where existing buildings were demolished in anticipation of new buildings that did not occur and these sites remain undeveloped. This code text amendment may provide for an aesthetically pleasing site for a limited timeframe without the owners having to make substantial permanent improvements.

The proposed new provisions to the Zoning and Development Code for temporary use parking would allow for a temporary parking facility (5 year window, anything beyond that would be subject to a hearing before the City Council) with modified standards and time limits, subject to a review process. These modified standards could include limited asphalt paved surface and placement of boxed trees to provide alternate means of reducing heat gain. Ryan emphasized that property owners would not be able to apply for a temporary use parking lot within 1 year of property demolition.

Some commissioners expressed concern that if parking lots become cheaper and easier to set up, those parking lots could undercut the price for parking in existing lots. Ryan stated that is why a five year window was established with continued parking use beyond that at these sites necessitating a hearing before the City Council. The need to consider existing parking lots that are in close proximity to these temporary use parking sites was also mentioned.

▪ **Downtown Alternate Parking Standards**

Ryan noted that Community Development staff is doing research analysis and case studies of similar college towns to explore downtown alternate parking standards for the area bounded by Rio Salado to University, and the railroad tracks to College Avenue. Half of downtown has rights to Transportation Overlay District parking reductions. Other sites have reduced parking based on a past approved Parking Area Development (PAD) overlay. The parking in this area is inconsistent with the remainder of the city. The goal is to look at downtown parking as a

collective whole and to propose alternative parking standards which will encompass commercial, hotel and residential parking scenarios. Proposed provisions for Downtown will require that Developments submit an employee parking management plan and that 10% of a Development's required parking be designated as general use.

Some concern was expressed that the hotel parking will be insufficient with these proposed reductions, particularly when a conference is being held. Conference attendees may rent vehicles to get around the Valley and to visit other AZ sites such as the Grand Canyon and Sedona. The hotel and conference parking could then further bleed out into general parking lots and the neighborhoods.

Agenda Item 5 – Solid Waste Code Revisions Update

Mary Helen Giustizia explained that staff first began reviewing the Solid Waste ordinance in 2009. It had not been updated or revised in many years. Due to budget considerations, some of the desired changes had to be delayed. However, there were some important areas that were prioritized and recommended changes were made by staff and subsequently adopted by the City Council. These include provisions for illegal dumping, abatement by City staff of illegally dumped materials, and recovery of costs associated with abatement. Violators can be residents, property owners or businesses.

Mary Helen noted that residents who have alleys seem to have a love, hate relationship with them. The one-time monthly uncontained trash pick-up schedule is provided on the Solid Waste website for the convenience of residents. This also makes it accessible for some landscapers who take advantage and engage in illegal dumping activities. Solid Waste Inspectors have had some success tracking where trash originated from through witness accounts including license plate numbers and/or signage on vehicles and finding envelopes with residential addresses that match the trash location. She added that if the offender can't be identified, Solid Waste cleans up the mess. Inspectors also can place illegal dumping signs on either ends of alleys and can provide them for residents to apply as well.

Some commissioners questioned why if a Tempe resident hires a landscaping company to work on their property, the clippings can't be placed in their alley for pick up or why the landscaper can't be given some type of free voucher for taking these clippings to the landfill. They added that this might be more cost effective than using Inspectors to track violators. Mary Helen offered that there are tipping fees at the landfill of approximately \$25.00 per ton and pursuant to City Ordinance, contractors who provide this type of service to residents for pay are required by law to remove the materials and dispose of them. These fees are considered to be part of the cost of doing business for landscaping companies and contractors. Much of the trash dumped may not even be from Tempe residents but from jobs in other neighboring cities. She added that the amount paid by Tempe residents for containers, weekly trash pick-up and monthly uncontained trash pick-up, ability to dump at the landfill once monthly is subsidized by the city but the intent is not to subsidize businesses.

Because recycling provides revenue that helps to keep the costs of refuse down. It's important that the contents of recycling containers be kept free from trash which contaminates the entire truck load. Ongoing education for residents is provided through the mobile ERIC (Education Recycling Information Center). By first teaching young people about the importance of recycling and how to properly recycle, entire families are impacted and encouraged to participate. Commissioners offered big kudos to the Solid Waste team and praised their excellent customer service.

Agenda Item 6 – Graffiti

Mary Helen stated that graffiti is contained in the Solid Waste Code but the actual responsibility falls under the Streets Department. Solid Waste Inspectors carry a kit which includes spray paint

and illegal dumping signs that they use to cover small areas of graffiti as needed in alley areas and to post signs at the entrance to alleys to try to prevent illegal dumping. However, for larger graffiti problems, residents are encouraged to call the graffiti hotline at 480-350-8384, or to go to the City's website at www.tempe.gov/graffiti to report graffiti using the online form, the goal being to remove the graffiti in a timely manner. Private businesses are alerted to the existence of graffiti and directed to clean it up within 10 days.

Commissioners requested to have a representative from the Streets Department come to a future meeting to discuss the current process for how graffiti is being handled in Tempe and to address why it seems to be increasing. Commissioner Lopez requested to hear more about if and how graffiti is removed from petroglyphs as well as any measures that are being taken to prevent vandalism. Commissioner Decindis mentioned the City of Mesa having an app connected to a GPS system which allows photos of graffiti and its location to be sent in by residents.

Agenda Item 7 – Discussion of Survey Results

Tabled due to time considerations.

Agenda Item 8 – Overview of Open Meetings Law and Review of Committee Structure, Membership and Goals

Tabled due to time considerations.

Agenda Item 9 – Proposed Agenda Items for September 7, 2011 Meeting

- Discussion of Survey Results -Citizen Satisfaction Survey and Neighborhood Advisory Commission Survey
- Tempe Streetcar Update
- Graffiti
- Committee Structure, Membership and Goals, Committee Reports

Agenda Item 10 – Adjournment

Meeting was adjourned at 6:55 p.m.

Prepared by: Elizabeth Thomas, Neighborhood Services Specialist