

## CITY COUNCIL AGENDA

### COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, March 1, 2004, 4:45 p.m.

Invocation by Reverend Chris Carpenter, Pastor, Christ The King Catholic Church.

Pledge of Allegiance.

Mayor's Welcome.

1. Consider all consent agenda items.  
**Vice Mayor Kavanaugh moved to approve, seconded by Councilmember Griswold; motion approved 7-0.**
2. Approval of minutes of previous meetings as written.  
**Approved on consent.**
3. Conduct a Public Hearing and consider an amendment to the land use map for the following Minor General Plan Amendment:
  - a. **GPMInor04-01 (District 2):** Southwest corner of Southern Avenue and Lindsay Road (21.02± ac.). Change to the General Plan Land Use Map from Office and Medium Density Residential (MDR 4-6) 4-6 dwelling units per acre to Medium Density Residential (MDR 6-10) 6-10 dwelling units per acre. **COMPANION CASE – Z04-08. (See items 7i and 9a)**  
**There were no speakers.**
4. Conduct a public hearing on the proposed FY 04/05 CDBG/HOME/ESG programs.  
**There were nine speakers.**
5. Consider the following contracts:
  - a. Fifty-eight emergency response respirator suits as requested by the Fire Department.  
The Purchasing Division recommends accepting the low bid by Geomet Technologies, LLC at \$63,608.50 including applicable use tax. (This purchase is 100% funded by a grant fund from the U.S. Department of Justice.)  
**Approved on consent.**
  - b. Three-year supply contract for tent, table and chair rentals as requested by the Parks & Recreation Division.

MESA CITY COUNCIL  
March 1, 2004  
Page 2

The Purchasing Division recommends accepting the lowest overall bid by Arizona Rentals for estimated annual requirements of \$42,000.00.

**Approved on consent.**

- c. Training room furniture for the Transportation Building as requested by Development Services.  
The Purchasing Division recommends accepting the low bid meeting specification by Office Depot at \$10,909.92 including applicable sales tax.  
**Approved on consent.**
  
- d. Two upgrade Zumro shelters as requested by the Fire Department.  
These shelters would be set up in the event of a nuclear, biological or chemical incident and would provide decontamination to the citizens of Mesa.  
The Purchasing Division recommends accepting the only bid by Lee Bays Supply at \$68,321.64 including applicable use tax. Lee Bays Supply is the only authorized distributor in Arizona for the Zumro shelters and related parts. (This purchase is 100% funded by a grant from the U.S. Department of Justice. **(Sole Source)**)  
**Approved on consent.**
  
- e. Mesa City Plaza 8<sup>th</sup> Floor Remodel. City of Mesa Project No. 03-906-001.  
This project removes and relocates doors, walls, mechanical, electrical, and fire protection devices located in the City Attorney's office.  
Recommend award to low bidder, T.I. Specialists Inc, in the amount of \$13,250.00 plus an additional \$1,325.00 (10% allowance for change orders) for a total award of \$14,575.00.  
**Approved on consent.**
  
- f. Hardwood flooring for Gallery Exhibit Room in Southwest Museum. City of Mesa Project No. 03-912-001.  
This project provides installation of approximately 1,800 square feet of solid hardwood maple flooring in the Gallery Exhibit Room of the Mesa Southwest Museum.

MESA CITY COUNCIL  
March 1, 2004  
Page 3

Recommend award to low bidder, Arizona Hardwood Floor Inc., in the amount of \$22,928.43 plus an additional \$2,292.84 (10% allowance for change orders) for a total award of \$25,221.27.

**Approved on consent.**

6. Introduction of the following ordinance and setting March 15, 2004, as the date of public hearing on this ordinance:
  - a. **Z03-58 (District 5):** Southwest corner of Recker Road and McDowell Road. (1.56 ac. ±) Site Plan Modification. This request is for the development of a Quik Trip convenience store. Quik Trip Corporation; owner/applicant. **(2 ordinances) (CONTINUED FROM THE FEBRUARY 2, 2004 AND FEBRUARY 17, 2004 CITY COUNCIL MEETINGS).**  
**Approved on consent.**
  
7. Consider the following resolutions:
  - a. Authorizing the City Manager to execute an Intergovernmental Agreement between the Arizona Department of Transportation and the City of Mesa for the design of the Smart Corridor Traffic System along Broadway Road from Center Street to Recker Road.  
**Approved on consent.**
  
  - b. Authorizing the City Manager to execute an Intergovernmental Agreement between the Arizona Department of Transportation and the City of Mesa for the construction of the Smart Corridor Traffic System along Broadway Road from Center Street to Recker Road.  
**Approved on consent.**
  
  - c. Authorizing the City Manager to execute an Intergovernmental Agreement between the Town of Gilbert and the City of Mesa for the Design and Construction of the Germann Road Sanitary Sewer Line from Menlo Park Drive to the East Maricopa County Floodway.  
**Approved on consent.**

MESA CITY COUNCIL  
March 1, 2004  
Page 4

- d. Extinguishing a Temporary Retention Easement located west of the southwest corner of Baseline Road and Crismon Road.  
This temporary retention easement is no required.  
**Approved on consent.**
  - e. Vacating Public Roadway at 7<sup>th</sup> Street, West of North Robson Street.  
This right-of-way is no longer required.  
**Approved on consent.**
  - f. Extinguishing a Gas Line and Right-of-Way Easement.  
These easements are located in Pinal County and no longer required.  
**Approved on consent.**
  - g. Extinguishing a portion of a Public Utility Easement on West Pecos Avenue.  
The portion of this easement is no longer required.  
**Approved on consent.**
  - h. Authorizing the City Manager to execute Amendment #2 of the Intergovernmental Agreement between the State of Arizona through the Department of Commerce and the City of Mesa for weatherization services.  
**Approved on consent.**
  - i. **GPMInor04-01 (District 2):** Southwest corner of Southern Avenue and Lindsay Road (21.02± ac.). Adopting an amendment to the Mesa 2025 General Plan, A Shared Vision, as depicted by the attached map for case GPMINOR04-01, and directing municipal efforts toward implementation of the goals, objectives, and policies stated within the plan.  
**Councilmember Walters moved to approve, seconded by Vice Mayor Kavanaugh; motion approved 7-0.**
  - j. Deleted.
8. Consider the following ordinance:

MESA CITY COUNCIL  
March 1, 2004  
Page 5

- a. **A03-8 (District 5):** Annexing the southeast corner of East Main Street and South Signal Butte Road. (62.2± ac.). Initiated by the property owners (See list of owners in the packet).  
**Approved on consent.**
9. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:
- a. **Z04-08 (District 2):** Southwest corner of Southern Avenue and Lindsay Road (21.02± ac.). Rezone from O-S, C-1, R1-7 to R-2 PAD. This request is for the development of a residential subdivision. Perkinson Investments, owner; Lindsay Park Townhomes, (Ted Sarhangian) L.L.C., applicant. **COMPANION CASE – GPMInor04-01.**  
P&Z Recommendation: Approval with conditions. (Vote: 7-0)
1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count)
  2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
  3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
  4. Compliance with all requirements of the Subdivision Technical Review Committee.
  5. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
  6. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
- Councilmember Walters moved to approve, seconded by Vice Mayor Kavanaugh; motion approved 7-0.**
- b. **Z03-69 (District 4):** 500 West Southern Avenue, Suite 33. West of Country Club Drive and north of Southern Avenue (3.90± ac.). Council Use Permit. This request is for the development of a pawn shop. Stuart Schneider, owner;

MESA CITY COUNCIL  
March 1, 2004  
Page 6

Mark Gonshak, applicant. **(CONTINUED FROM THE FEBRUARY 2, 2004 CITY COUNCIL MEETING).**

P&Z Recommendation: Approval with conditions. (Vote: 7-0)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Administrative review and approval of tenant space exterior building elevations and site landscaping improvements through Design Review Board Staff.
5. Super Pawn will not pawn, buy or sell any type of firearms at this location.
6. This Council Use Permit is non-transferable and terminates upon the transfer of the property to any other operator other than Super Pawn.
7. Super Pawn will not pawn, buy or sell adult material.

**Councilmember Jones moved to approve, seconded by Councilmember Griswold; motion approved 6-1 with Vice Mayor Kavanaugh voting against.**

- c. **Z03-70 (District 2):** 4150 East Main Street. East of Val Vista Drive and north of Main Street (15.95± ac.). Site Plan Modification. This request is for the development of an apartment complex. Roberto Ruiz, owner; Sean Lake, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 6-0, Saemisch abstaining)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).

MESA CITY COUNCIL  
March 1, 2004  
Page 7

4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

**Approved on consent.**

- d. **Z04-02 (District 5):** Northwest corner of Recker Road and Loop 202 Freeway (24.78± ac.). Rezone from R1-90 and AG to M-1. This request is to bring zoning into conformance with Mesa 2025 General Plan. City of Mesa, owner; Wayne Balmer, Project Manager WGAA, applicant.  
P&Z Recommendation: Approval with conditions. (Vote: 6-0, Saemisch abstaining)
1. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
  2. Compliance with all City development codes and regulations.
- Councilmember Walters moved to approve, seconded by Vice Mayor Kavanaugh; motion approved 5-2 with Councilmembers Griswold and Whalen voting against.**
- e. **Z04-04 (District 5):** 4750 East Main Street. Located north of Main Street and east of Greenfield Road. (7.03± ac.). Rezone from C-2 to C-3. This request is to allow storage of pre-manufactured home inventory product for Cal-Am Homes. Norton S. Karno, owner; Cory Sukert, Cal-Am Properties, applicant.  
P&Z Recommendation: Approval with conditions. (Vote: 6-0, Saemisch abstaining)
1. Compliance with the basic development as described in the project narrative and as shown on the site plan, landscape plan and elevations submitted (without guarantee of lot coverage).
  2. Compliance with all City development codes and regulations.

MESA CITY COUNCIL  
March 1, 2004  
Page 8

3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

**Councilmember Walters moved to approve, seconded by Councilmember Jones; motion approved 6-0 with Councilmember Whalen abstaining.**

- f. **Z04-06 (District 6):** Southeast corner of Ellsworth Road and Portobello Avenue. Located south of Guadalupe Road and east of Ellsworth Road (4.18± ac.). Rezone from R-4 PAD-DMP to O-S PAD-DMP. This request is for the development of office buildings. Marvin Jacobs, owner; Marshall Reynolds – Rencor Development, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 6-0, Saemisch abstaining)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Compliance with all requirements of the Design Review Board.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).

MESA CITY COUNCIL  
March 1, 2004  
Page 9

8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

**Approved on consent.**

- g. **Z04-07 (District 6):** 5524 East Baseline Road. Located east of Higley Road and north of Baseline Road (2.34± ac.). Site Plan Modification. This request is for the expansion of an existing office building. Lynn Urry, owner; Greg Hitchens, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 6-0, Saemisch abstaining)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and landscaping to be installed in the first phase of construction.
6. Compliance with all requirements of the Design Review Board.
7. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance outlined in the staff report.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

**Approved on consent.**

- h. **Z04-09 (District 6):** The 7500 block of East Hampton Avenue (north side). Located south of Southern Avenue and west of Sossaman Road (4.1± ac.). Rezone from AG-DMP

MESA CITY COUNCIL  
March 1, 2004  
Page 10

(conceptual M-1) to M-1-DMP. This request is for the development of an auto repair building. Superstition Springs Investors Limited Partnership (Neal Kurn, President), owner; Brian Johns, Associated Architects, applicant.

P&Z Recommendation: Approval with conditions. (Vote: 6-0, Saemisch abstaining)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage).
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Dedicate right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
5. Ensure that pedestrian circulation layout includes directness, safety, and continuity of routes throughout the site and from the street to all building entrances.
6. Compliance with all requirements of the Subdivision Regulations.
7. Compliance with all requirements of the Design Review Board.

**Councilmember Walters moved to approve, seconded by Councilmember Jones; motion approved 6-0 with Councilmember Whalen abstaining.**

10. Items from citizens present. (Maximum of three speakers for three minutes per speaker).  
**There were no speakers.**