

**CITY COUNCIL AGENDA**  
**COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, February 2, 2004

5:45 P.M.

Invocation by President Terry D. Turk, Church of Jesus Christ of Latter-day Saints.

Pledge of Allegiance.

Mayor's Welcome.

**The Mayor recognized the Mesa Leadership Training and Development class members.**

1. Consider all consent agenda items.  
**Councilmember Griswold moved to approve, seconded by Vice Mayor Kavanaugh; 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. **GPMInor03-03 (District 6)** The 5800 block of East Southern Avenue (south side) on the east side of the Roosevelt Water Conservation District Canal. Generally located south and east of Southern Avenue and Higley Road. Change the Land Use Map from high-density residential to medium-density residential. This will allow for development of a 139 lot residential development with 7.09 du/ac. **CONTINUED FROM THE NOVEMBER 3, DECEMBER 1 AND 15, 2003, AND JANUARY 5 and 20,**

**2004 COUNCIL MEETINGS. Companion Case Z03-44.  
(See items 6b & 9a)**

**There were no speakers.**

4. Consider the following liquor license applications:
  - a. EUGENE M. FELKER, CEO & FOUNDER  
  
Special Event License application of Eugene M. Felker, CEO & Founder, All Sports Foundation, a one-day charitable event to be held Friday, February 27, 2004 from 5:00 p.m. to 10:30 p.m. at 200 N. Centennial Way. District #4.  
**(approved on consent)**
  - b. TARLOCHAN SINGH, AGENT  
  
New Beer and Wine Store License for Happy Food Mart, 6262 E. Main Street. This is an existing business. The Beer and Wine Store License currently held at this location by Ehab Francis, Agent, F&S Oil III LLC, will revert back to the State. District #5.  
**(approved on consent)**
  - c. KENT DAVID BRO, AGENT  
  
New Beer and Wine Store License for 4 Sons Food Store, 1205 W. Baseline Road. This is an existing business. The Beer and Wine Store License currently held at this location by Randy D. Nations, Agent, Chevron Stations Inc., will revert back to the State. District #3.  
**(approved on consent)**
  - d. FRANK CARDON, AGENT  
  
New Restaurant License for La Parrilla Suiza, 1622 S. Stapley Drive. This is an existing business. The Restaurant License currently held at this location by Charles Louise Seymour, Agent, TX CC Inc., will revert back to the State. District #4.  
**(approved on consent)**

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5. Consider the following contracts:
- a. Twenty-seven replacement electric golf cars for the Riverview Golf Course.  
The Purchasing Division recommends accepting the low bid by Club Car, Inc. at \$81,496.80 including applicable sales tax.  
**(approved on consent)**
  - b. One replacement forklift for use at the East Mesa Warehouse as requested by the Materials and Supply Division.  
The Purchasing Division recommends accepting the low bid by Toyota Lift of Arizona at \$25,118.20 including extended warranty and applicable sales tax.  
**(approved on consent)**
  - c. Document Management Hardware (Scanner) for the Mesa Police Department as requested by Information Services.  
The Purchasing Division recommends authorizing purchase of the hardware and first year maintenance and support from the State of Arizona contract with Transource Computers for a total of \$19,647.18. (Funds for this purchase are in the Police Department's 2002 Local Law Enforcement Block Grant).  
**(approved on consent)**
  - d. Additional purchases of natural gas pipe and fittings from the City's current supply contract.  
The Purchasing Division recommends authorizing additional purchases totaling \$70,590.82 from the existing supply contract with Performance Pipe.  
**(approved on consent)**
  - e. Twenty new workstations and four offices for the Transportation Division as requested by Development Services.  
The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodman's, Inc. at \$82,296.10 including design, installation, delivery and applicable sales tax.  
**(approved on consent)**

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- f. Police Department Electrical and Mechanical Yard Improvements, 130 North Robson. City of Mesa Project No. 03-902-001.  
This project will re-set and level the foundation pads for the switchgear and cooling tower, and will re-grade the site and install a catch basin and storm drain pipe in order to improve drainage.  
Recommend award to low bidder, Five-Points Excavating, in the amount of \$21,640.00 plus an additional \$2,164.00 (10% allowance for change orders) for a total award of \$23,804.00.  
**(approved on consent)**
- g. Neighborhood Street Lighting (CDBG #8387), Broadway Rd to 8<sup>th</sup> St, and Extension Rd to Country Club Dr. City of Mesa Project No. 01-335-002.  
This project replaces existing street lighting in need of upgrading, and installs new street lighting where needed to enhance the illumination and safety of these streets.  
Recommend award to low bidder, Doublejack, Inc., in the amount of \$165,043.50 plus an additional \$16,504.35 (10% allowance for change orders) for a total award of \$181,547.85.  
**(approved on consent)**
- h. Power Road Improvements, Adobe to McKellips. City of Mesa Project No. 00-43.1.  
This project will improve Power Road to 3 lanes plus a bicycle lane in each direction, and add raised landscaped median, storm drain, street lighting, water and traffic signal modifications between Adobe Drive and McKellips Road.  
This project is the second of two projects to complete improvements in the Power Road Corridor between Adobe Road and the Future Red Mountain Freeway.  
Recommend award to low bidder, Haydon Building Corporation, in the amount of \$4,807,833.32 plus an additional \$480,783.33 (10% allowance for change orders) for a total award of \$5,288,616.65.  
**Councilmember Walters moved to approve, seconded by Councilmember Thom; motion approved 6-0 with**

**Mayor Hawker abstaining due to potential conflict of interest.**

- 5.1. Introduction of the following ordinances and setting February 17, 2004, as the date of public hearing on this ordinance:
  - a. Amending Sections 11-19-5 and 11-19-8 of the Zoning Ordinance regarding "Vehicle Signs".  
**(approved on consent)**
  
6. Consider the following resolutions:
  - a. Authorizing the City Manager to execute an amendment to an Intergovernmental Agreement between the State of Arizona through the Department of Economic Security and the City of Mesa to increase funding from \$652,382.00 to \$682,118.00 to support a portion of the operating costs for Mesa Community Action Network.  
**(approved on consent)**
  
  - b. **GPMInor03-03 (District 6)** – The 5800 block of East Southern Avenue (south side) on the east side of the Roosevelt Water Conservation District Canal. Generally located south and east of Southern Avenue and Higley Road. Adopting an amendment to the Mesa 2025 General Plan, A Shared Vision, as depicted by the attached map for case GPMINOR03-03, and directing municipal efforts toward implementation of the goals, objectives, and policies stated within the plan  
**Councilmember Thom moved to approve, seconded by Councilmember Jones; motion approved 7-0.**
  
7. Consider the following ordinance:
  - a. Deleted.
  
8. Consider the following recommendations from the Utility Committee:
  - a. Approving staff's recommendation to provide utility services outside of Mesa's corporate limits for the northeast corner of Broadway and Ellsworth Roads.  
**(approved on consent)**

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- b. Approving staff's recommendation to establish utility rates for Williams Gateway Airport North General Aviation Fire Protection Area by combining a one-time connection fee with monthly demand charges.  
**(approved on consent)**
  - c. Approving staff's recommendation to not sell long-term water storage credits.  
**(approved on consent)**
9. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:
- a. **Z03-44 (District 6)** The 5800 block of East Southern Avenue (south side). South of the Salt River Project sub-station on the west side of the Roosevelt Water Conservation District Canal (20± ac. ±) Generally located south and east of Southern Avenue and Higley Road. Rezone from R-3 to R1-6 PAD. This request is for the development of a residential subdivision. Harris Bank, N.A., owner; Chris Clonts, KB Homes, applicant. **Companion Case GPMInor03-03.**  
P&Z Recommendation: Approval with conditions.  
(Vote: Passed 6-0, Esparza absent)
    - 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) 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. Street improvements and landscaping to be installed in the first phase of construction.
    - 5. Compliance with all requirements of the Subdivision Technical Review Committee.
    - 6. Recordation of cross-access easement over Tract F of the Stonegate Estates subdivision plat between the Stonegate Estates Board of Directors, on behalf of Stonegate Estates, and the property owner, Harris Bank, N.A., prior to recordation of the final plat.

**Vice Mayor Kavanaugh moved to approve, second by Councilmember Thom; motion approved 7-0.**

- b. **Z03-12 (District 5)** The 4400 block of East McLellan Road (south side, south to Hannibal St.). (1.70 ac±). North and east of Greenfield and Brown Roads. Rezone from R-3 to R-3 P.A.D. and Site Plan Modification. This case involves the development of an apartment complex. John Bellerose, owner; Randy Carter, Dreamcatchers Planning & Design, applicant. **3/4 VOTE REQUIRED.**

P&Z Recommendation: Approval with conditions. (Vote: Passed 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, lot coverage) except as noted below.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Compliance with all requirements of the Subdivision Technical Review Committee.
4. Full compliance with all current Zoning Ordinance requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
5. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field 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).
6. Written notice be provided to future residents, and acknowledgment received that the project is within two miles of Falcon Field Airport.
7. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.

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8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
9. As shown on the site plan, the lot fronting East Hannibal Street is to be a single residence building.  
**Councilmember Walters moved to continue, second by Vice Mayor Kavanaugh; motion approved 7-0.**

- c. **Z03-29 (District 4)** 651 East Main Street (2.16 ac. ±). South and east of Main Street and Mesa Dr. Rezone from R-2 to C-2 and Site Plan Review. This case involves the development of a hotel. Ramesh Patel, owner; Ralph Pew, applicant.

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

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) except as noted below.
2. Compliance with all requirements of the Design Review Board, including landscaping, pedestrian connections and elevations.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Compliance with all conditions of a Development Incentive Permit.
6. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans for the southern parcel.

**(approved on consent)**

- d. **Z03-49 (District 6)** The 7600 block to the 8100 block of East Paloma Avenue (south side) and the 8000 block to the 8100 block of East Elliot Road (north side) and the 3200 block to the 3600 block of South 80<sup>th</sup> Street (east side) and the 3200 block to the 3400 block of South 80<sup>th</sup> Street (west side). North and east of Sossaman Road and Elliot Road.

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(97± ac.) Rezone from R1-43 to M-1 and C-1. This request is to bring City zoning into conformance with the General Plan. Multiple owners, Wayne Balmer, City of Mesa, applicant.

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

1. Compliance with all City development codes and regulations.
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. Site Plan Review and approval of future development plans through the Planning and Zoning Board and City Council.

**Councilmember Thom moved to approve, second by Councilmember Walters; motion approved 7-0.**

- e. **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. **THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE FEBRUARY 17, 2004 CITY COUNCIL MEETING.**

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

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 requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).

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3. 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.
4. Compliance with all requirements of the Design Review Board.
5. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance outlined in the staff report.
6. Review and approval of a Special Use Permit by the Board of Adjustment for gas pumps.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport which will be prepared and recorded by the City prior to the issuance of a building permit.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
9. Finished floor elevation not to exceed 2-foot variation in height measured from lowest point of the centerline of alley along the west property line.  
**(approved on consent to continue to Feb. 17 meeting)**

- f. **Z03-65 (District 2)**                      345 South Shouse Street.  
Located north of Broadway Road and west of Gilbert Road (1.15 ac.). Rezone from C-2 to R-3. This request is for the development of a 12-unit, three-story apartment complex. Mark Gunning, Ron Bailly, owners; Dan Brock, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan 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. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building

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permit or at the time of the City's request for dedication whichever comes first.

**(approved on consent)**

- g. Deleted.
- h. **Z03-68 (District 1)** Southwest corner of University Drive and Stapley Drive (2.46 ac.). Rezone from R-4 to C-2. This request is for the development of a retail pharmacy. Phillip Anderson, owner; Rick Froeb, applicant.

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

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) except as noted below.
2. Compliance with all City development codes and regulations not reviewed and approved through the Development Incentive Permit.
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 Design Review Board.
6. Review and approval of a Development Incentive Permit by the Board of Adjustment.
7. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

**(approved on consent)**

- i. **Z03-69 (District 3)** 500 West Southern Avenue, Suite 33. West of Country Club Drive and north of Southern Avenue (tenant space within a 3.90 ac. development site). Council Use Permit. This request is for the development of a

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pawn shop. Stuart Schneider, owner; Mark Gonshak, applicant.

P&Z Recommendation: Approval with conditions. (Vote: Passed 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.

**Mayor Hawker moved to continue with two stipulations, second by Councilmember Walters; motion approved 7-0.**

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