

COUNCIL MINUTES

October 18, 1996

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on October 18, 1996 at 7:30 a.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Joan Payne
Jim Stapley

COUNCIL ABSENT

None

STAFF PRESENT

C.K. Luster
Don Ayers
Pauline Backer
Wayne Balmer
Cindy Barris
Neal Beets
Dan Brewer
Fred Conway
Mark Coon
Kim Fallbeck
Joe Holmwood
Mike Hutchinson
Barbara Jones
Harry Kent
Wayne Korinek
Ron Krosting
Larry Lines
Rich Lorig
Sandy Mason
Frank Mizner
Keith Nath
Ruth Anne Norris
John Oliver
Ellen Pence
Bryan Raines
Tom Remes
Sharon Seekins

STAFF PRESENT (CONT.)

Jenny Sheppard
Doug Tessendorf
Mindy White
Ralph Wisz
Others

OTHERS PRESENT

Randy Booze
Theresa Carmichael
John DeShetler
Cliff Harris
Dan Nowicki
Phil Ryan
Tom Verploegen
Lillian Wilkinson
Others

(Due to the resignation of Councilmember Jensen, only six Councilmembers were present at the meeting.)

(Items on the agenda were discussed out of order, but for purposes of clarity will remain as listed on the agenda.)

1. Hear a first quarter status report from the Mesa Town Center Corporation.

Theresa Carmichael, President of the Mesa Town Center Corporation (MTCC), 58 West Main Street, presented a first quarter (FY1996-97) status report for MTCC. Ms. Carmichael identified the chairmen and summarized the functions/goals of four major committees recently approved by the MTCC Board: a) Executive, b) Promotion, c) Business Development, and d) Public Space Management. Ms. Carmichael expressed appreciation for the involvement of the Board of Directors, Council, and City staff in MTCC activities.

Mayor Brown thanked Ms. Carmichael for the update.

2. Consider a concept report on landscaping of Country Club Drive from Broadway to McKellips.

Public Works Manager Harry Kent introduced Deputy City Engineer Keith Nath and Phil Ryan, Ryan and Associates, 1351 North Alma School Road, Chandler, a consultant hired to develop a plan to enhance the streetscape along Country Club Drive from Broadway Road to McKellips Road.

Mr. Nath spoke briefly concerning anticipated improvements, noting the fragmented appearance of the existing streetscape following the recent widening of Country Club Drive.

Mr. Ryan referred to schematics and presented details contained in the Concept Design Report prepared by his firm. Mr. Ryan provided an assessment of the current streetscape, commenting that the visual character varies greatly from property to property. Mr. Ryan outlined key elements of the design plan and stated that easements or additional right-of-way may be necessary to complete the project.

Mr. Ryan delineated three proposed components of construction: a) general streetscape (roadway edge), b) intersections, and c) hardscape (existing pavement surfaces). Mr. Ryan identified trees/shrubs to be utilized relative to each component, commenting that date palms are suggested for major intersections. Mr. Ryan indicated that the components could be implemented individually as stand-alone projects but said that all three components are recommended to achieve a successful design.

Mr. Nath reported that total construction costs are estimated at \$1.965 million (excluding potential costs for easements/additional right-of-way) and that annual maintenance costs are estimated at \$67,000.

Discussion ensued concerning the use of date palms to "soften" the appearance of intersections, anticipated incorporation of bus stops into the design plan, and the potential for: incremental construction (if determined necessary), an improved entrance sign to the City near McDowell Road, and uniformity between this project and the McKellips Road landscaping plan.

(Councilmember Payne momentarily left the meeting at 7:52 a.m.)

Council commended staff and Mr. Ryan for the proposal.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Stapley, to approve the landscaping of Country Club Drive from Broadway Road to McKellips Road as proposed, with the stipulation that changes may be made by Council in the future if deemed appropriate.

A tabulation of votes showed:

AYES - Brown-Gilbert-Giles-Kavanaugh-Stapley
NAYS - None
ABSENT - Payne

Mayor Brown declared the motion carried unanimously by those present.

(Councilmember Payne returned to the meeting at 7:55 a.m.)

3. Acknowledge receipt of minutes of meetings of various boards and committees.

- a. Adjustment Board meeting held October 1, 1996.
- b. Design Review Board meeting held October 2, 1996.
- c. Museum and Cultural Advisory Board meeting held September 24, 1996.
- d. Parks and Recreation Board meeting held October 10, 1996.
- e. Utility Committee meeting held October 2, 1996.

It was moved by Councilmember Stapley, seconded by Councilmember Giles, to acknowledge the receipt of minutes of meetings of various boards and committees.

Carried unanimously.

4. Appointments to boards and committees.

Mayor Brown recommended the following appointments to boards and committees:

MUSEUM AND CULTURAL ADVISORY BOARD

Carmen de Novais - term ending June 30, 1998
Mary Olive Mott - term ending June 30, 1997

It was moved by Councilmember Stapley, seconded by Councilmember Kavanaugh, that the Council concur with the Mayor's recommendations and the appointments be confirmed.

Carried unanimously.

5. Hear reports on meetings and/or conferences attend.

There were no reports at this time on meetings and/or conferences attended.

6. Scheduling of meetings and general information.

City Manager Charles Luster advised that the meeting schedule is as follows:

Monday, October 21, 1996, 5:30 p.m. - Regular Council Meeting

Friday, October 25, 1996, 7:30 a.m. - Study Session

7. Review items on the agenda for the October 21, 1996 Regular Council Meeting.

All of the agenda items were reviewed among the Council and staff, with no formal action taken. There was particular discussion with regard to the following agenda items:

4. Consider the following liquor license applications:

k. RUBEN MAGALLANES, AGENT

New restaurant license for Los Arcos Mexican Food, 2155 West Broadway Road. The license previously held at this location by Ruben Magallanes, Etal, Los Arcos Restaurant & Sports Bar, will revert back to the State.

City Manager Charles Luster advised that additional information pertaining to this application has been distributed to Council. Mr. Luster noted staff's recommendation for denial of the case.

6. Consider the following contracts:

h. Annual supply contract for automotive oils and greases as requested by Fleet Support Services. This is a consolidated cooperative bid with Mesa Schools.

Mayor Brown indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

9. Consider the following resolutions:

*e. Authorizing the use of eminent domain to acquire a property located at 130 East Main Street.

This property is needed for the redevelopment of Site 14.

Mayor Brown requested that this item be removed from the consent agenda.

Mayor Brown indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Mr. Luster provided background information pertaining to staff's request for authorization to use eminent domain to acquire title to the Sun Valley Motel and A-1 Trailer Park.

10. Consider the following ordinance:

- *a. Granting a nonexclusive license to Metricom, Inc. to install a wireless digital communications radio network with Mesa's street right-of-way with connections to existing streetlight poles.

Mr. Luster advised that the vendor will be present at the October 21, 1996 Council meetings and will display a sample of the fixtures proposed to be utilized.

12. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:

- c. Z96-39 The northeast corner of McKellips Road and Harris Drive. Rezone from AG to R1-9. This case involves the development of a conventional 108-lot residential subdivision. Barney Trust, Hansen Trust, Jarvis Trust, Brown, & Harper's Nursery, owners; Metropolitan Land Co., applicant.

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

Community Development Manager Wayne Balmer noted that a protest petition has been filed and that the applicant has therefore requested that the case be continued to the November 4, 1996 Regular Council Meeting to allow further discussion with neighbors.

- d. Z96-58 The 9600 and 9700 blocks of East Baseline road (north side). Rezone from R1-43 to R1-9 and R1-6 (52+/- acres). This case involves the development of a 193-lot conventional subdivision. Mesa 50 LC, owner; Gerry La Fountain, applicant.

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

Mr. Balmer stated that the applicant has amended the project plan and has requested that this matter be referred back to the Planning and Zoning Board.

- n. Z96-77 The 3200 and 3300 blocks of East McDowell Road (north side). Rezone from R1-35 to AG (18+/- acres). This case involves the development of a wholesale plant nursery. Roosevelt Water Conservation District, owner; Desierto Verde, Inc., applicant.
A 3/4 VOTE IS REQUIRED TO APPROVE THE APPLICANT'S REQUEST.

P&Z Recommendation: Denial (vote 4-3).

Mr. Balmer reported that the applicant has requested that this case be withdrawn.

- *r. Z96-81 The 7400 block of East Saddleback Street - Parcel 14 of "Las Sendas" (14.54 acres). Rezone from R1-90-DMP (Conceptual R1-7-PAD) to R1-9-PAD-DMP. This case involves the development of a 34-lot single-residence subdivision. C.R.M. Holdings, L.L.C., owner; Sonoran Land Group, applicant.

P&Z Recommendation: Approval with conditions (vote 6-1).

In response to questions from Councilmember Kavanaugh, Mr. Balmer spoke regarding the proposed reduction in residential capacity in an effort to preserve natural vegetation. Mr. Balmer outlined concerns expressed by Planning and Zoning Boardmember Shipley relative to density and diversity of housing.

- u. Z96-84 The 2200 block of North Val Vista Drive (west side). Rezone from R1-35 to R1-35-PAD (19.8 acres). This case involves the development of a single-family residence subdivision. Avalon Grove L.L.C., owner; Todd Tucker, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THE APPLICANT'S REQUEST.**

P&Z Recommendation: Approval with conditions (vote 5-2).

Mr. Balmer commented that the applicant has had discussions with neighbors and that it is anticipated that the protest petition will be withdrawn.

- v. Z96-85 The northwest corner of Pueblo Avenue and Crismon Road. Rezone from R1-43 to R1-6-PAD (17.15 acres). This case involves the development of a single residence subdivision. Noretta Williams Trust, owner; Metropolitan Land Co., applicant.

P&Z Recommendation: Approval with conditions (vote 4-3).

Mr. Balmer outlined concerns expressed by Planning and Zoning Boardmembers pertaining to proposed home sizes, location, and amenities.

8. Prescheduled public opinion appearances (maximum of three speakers for five minutes per speaker).

There were no prescheduled public opinion appearances.

9. Items from citizens present (maximum of three speakers for five minutes per speaker).

There were no items from citizens present at this time.

10. Adjournment.

It was moved by Councilmember Stapley, seconded by Vice Mayor Gilbert, that the Study Session adjourn at 8:21 a.m.

Carried unanimously.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 18th day of October 1996. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of November 1996

BARBARA JONES, CITY CLERK