

COUNCIL MINUTES

July 15, 2002

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on July 15, 2002 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Dennis Kavanaugh
Rex Griswold
Kyle Jones
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Mike Hutchinson
Debbie Spinner
Barbara Jones

Invocation by Councilmember Kyle Jones.

Pledge of Allegiance was led by David Little, Boy Scout Troop 957.

Mayor Hawker welcomed everyone to the meeting. A videotaped presentation was aired that outlined meeting procedures and provided attendees with instructions relative to addressing the Council.

Mayor Hawker welcomed the Kaiping, China Sister City delegation to Mesa and introduced Mayor Shi Zhaoping. Mayor Hawker discussed his previous visit to Kaiping and said that he was impressed with their government administration. He stated that it is an honor to have the Kaiping delegation visit Mesa and he commented on the benefits associated with the exchange of ideas and information between Sister Cities. Mayor Hawker said that he is hopeful that Mesa will participate in International trade with its Sister Cities in the future.

1. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified with an asterisk (*) were approved with one Council action.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Walters, that the consent agenda items be approved.

Carried unanimously.

*2. Approval of minutes of previous meetings as written.

3. Consider the following liquor license applications:

*a. LARRY NICHOLS, PRESIDENT

Special Event License application of Larry Nichols, President, Arizona Model Aviators, a 2 day event to be held Friday, October 11, 2002, from 3:00 p.m. to 8:00 p.m. and Saturday, October 12, 2002 from 7:00 p.m. to 10:00 p.m., at 4636 Fighter Aces Drive, Falcon Field.

*b. MARIA A. LIPSON, AGENT

New Restaurant License for Julio's Too, 1935 S. Val Vista Drive #101. This is a new building currently under construction. No previous license at this location.

*c. MICHAEL WAYNE HENDRIX, AGENT

New Restaurant License for Old Chicago, 1656 S. Alma School Road. This is an existing building and has been vacant for the past 2 years. The Restaurant License previously held at this location by H.J. Lewkowitz, Agent, Fajitas, A Sizzlin' Celebration was not renewed for 2001 and reverted back to the State.

*d. CHRISTOPHER JOHN HALVERSON, AGENT

New Restaurant License for Sammy B's Pizza, 3655 E. Southern Avenue #B-1. This is an existing business. The Restaurant License previously held at this location by Andrea M. Ascuitta, Agent, Sammy B's Pizza will revert back to the State.

4. Consider the following contracts:

*a. Two-year renewal of the supply contract for 15kV aluminum electrical cable for warehouse inventory to be used by the Electric Utility Division.

The Purchasing Division recommends exercising the two-year renewal option with the original low bid meeting specification by Brown Wholesale for items 1, 2 & 3A at \$172,658.62, including applicable tax and based on estimated annual requirements. Brown Wholesale has agreed to renew at the same prices, terms and conditions as in the original contract.

*b. Two-year contract for landscape maintenance services for Sections III, IV and VI for medians and right-of-way areas, as requested by the Transportation Division.

The Purchasing Division recommends accepting the low bids for Sections III, IV and VI by Creative Environments Design & Landscape, Inc. at \$388,369.82 based on estimated annual requirements.

*c. Library shelving for the newly expanded East Mesa Regional Library as requested by Community Services.

The Purchasing Division recommends authorizing purchase from the Maricopa Community College contract with Arizona School Furnishings for shelving and end panels at \$104,610.82 including applicable sales tax.

- *d. One-year supply contract for tires as requested by Fleet Support Services and Fire Support Services. These tires are stored in the City warehouses.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodyear Tire & Rubber Company distributor, Wingfoot Commercial Tire, for annual purchases estimated at \$611,445.57.

- *e. 48 modular workstations and 75 patron study areas for the East Mesa Regional Library expansion project, as requested by Development Services.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodmans, Inc. at \$106,307.94 including design, installation, delivery and applicable sales tax.

- *f. Two-year supply contract for automotive brake parts as requested by Fleet Support Services.

The Purchasing Division recommends accepting the following bids:

Section I, primary contract, to be awarded to the lowest overall bidder, Hall Brake Supply, for annual purchases estimated at \$135,000.00. To ensure continuity of supply a secondary contract is recommended to the second lowest bidder to Fleet Pride for annual purchases estimated at \$15,000.00.

Section II to the lowest overall bidder, Fleet Pride for annual purchases estimated at \$30,000.00. The combined award is then \$180,000.00 based on estimated annual purchases.

- *g. Additional purchase authorization for traffic signal heads, pedestrian signals & light emitting diode (LED) modules for warehouse inventory to be used by the Transportation Division.

The Purchasing Division requests authorization for additional expenditures of \$80,000.00 on the existing supply contract with Phoenix Highway Products for traffic signal heads, pedestrian signals & LED modules.

- h. Desert Sage Well #9 Equipment and Piping. City of Mesa Project No. 02-69.

This project will remove a tank and pumps from an existing well site, and will install new piping, pump, motor, chlorine facility, mechanical and electrical equipment to connect the well to the City's water system, as well as installing a new perimeter wall and landscaping. This will expand the City's water supply capabilities and system reliability in the rapidly growing Desert Sage Zone.

Recommend award to low bidder, Weber Group, LC, in the amount of \$498,431.00 plus an additional \$49,843.10 (10% allowance for change orders) for a total award of \$548,274.10.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Kavanaugh for action on this item.

It was moved by Councilmember Whalen, seconded by Councilmember Griswold, that the recommendations of staff be approved.

Upon tabulation of votes, it showed:

AYES - Griswold-Jones-Kavanaugh-Thom-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

Vice Mayor Kavanaugh declared the motion carried unanimously by those voting.

With action on this agenda item being completed, Vice Mayor Kavanaugh yielded the gavel back to Mayor Hawker.

i. 6th Street Service Center Remodel, Phase 2. City of Mesa Project No. 00-05.

This project will remodel and expand the Transportation Building to provide additional and improved space for staff, which will allow for increased operational efficiency and expansion of service. Features of the project include approximately 28,000 s.f. of new/remodeled space, expanded parking and new landscaping. The new space includes an area for the new Traffic Management Center, and a partial second floor addition for future expansion.

Recommend award to low bidder, Woods Construction Co., in the amount of \$2,344,760.00 plus an additional \$234,476.00 (10% allowance for change orders) for a total award of \$2,579,236.00.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Kavanaugh for action on this item.

It was moved by Councilmember Whalen, seconded by Councilmember Jones, that the recommendations of staff be approved.

Upon tabulation of votes, it showed:

AYES - Griswold-Jones-Kavanaugh-Thom-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

Vice Mayor Kavanaugh declared the motion carried unanimously by those voting.

With action on this agenda item being completed, Vice Mayor Kavanaugh yielded the gavel back to Mayor Hawker.

- *j. Sewer Diversion Structure Rehabilitation, Phase II. City of Mesa Project No. 00-66.1.

This project will rehabilitate three of these structures that have deteriorated to below acceptable condition. The three structures included are the Structure at Baseline and Don Carlos, the Structure on Baseline just west of Power, and the South East Water Reclamation Plant structure at the northeast corner of Baseline and the RWCD Canal. Work includes replacing access hatches and ladders, replacing gates, restoring surface coatings and repairing damaged concrete walls and slabs.

Recommend award to low bidder, Archon Inc., in the amount of \$540,500.00 plus an additional \$54,050.00 (10% allowance for change orders) for a total award of \$594,550.00.

- *k. Neighborhood Street Lighting (CDBG #8266 & #8267) Stapley Drive to Barkley Street, Broadway Road to Main Street, and Barkley Street to Williams Street, Broadway Road to Main Street. City of Mesa Project No. 01-54 & 01-55.

These projects replace existing street lighting in need of upgrading, and install new street lighting where needed to enhance the illumination and safety of these streets.

Recommend award to low bidder, CS Construction Inc., in the amount of \$443,509.93 plus an additional \$44,350.99 (10% allowance for change orders) for a total award of \$487,860.92.

- l. Arizona Museum For Youth Expansion. City of Mesa Project No. 99-22.

This project calls for a remodel and expansion of the Museum consisting of over 7,000 s.f. of new exhibit, studio and gift shop space, over 3,000 s.f. of new office space on a second floor addition, and nearly 4,000 s.f. of additional workshop and fabrication area. Other improvements include electrical, plumbing, mechanical and fire protection system upgrades to the existing museum building, and new site landscaping.

Recommend award to low bidder, Chaparral Construction, Inc., in the amount of \$2,600,900.00, plus an additional \$260,090.00 (10% allowance for change orders) for a total award of \$2,860,990.00.

Mayor Hawker declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

Mayor Hawker yielded the gavel to Vice Mayor Kavanaugh for action on this item.

It was moved by Councilmember Whalen, seconded by Councilmember Walters, that the recommendations of staff be approved.

Councilmember Walters voiced appreciation to Vice Mayor Kavanaugh and members of the Arizona Museum for Youth Friends Board for their efforts and commitment to raise funds for this project.

Vice Mayor Kavanaugh voiced appreciation to staff for their work to date on this project and for the contributions from the Friends Board for this project, including consultant funding and the group's commitment to raise \$400,000 to outfit the new "ArtVille" gallery, which is designed for young children. He added that this gallery will be one of only a few art museums for children in the country.

Upon tabulation of votes, it showed:

AYES - Griswold-Jones-Kavanaugh-Thom-Walters-Whalen
NAYS - None
ABSTAIN - Hawker

Vice Mayor Kavanaugh declared the motion carried unanimously by those voting.

With action on this agenda item being completed, Vice Mayor Kavanaugh yielded the gavel back to Mayor Hawker.

5. Introduction of the following ordinances and setting August 5, 2002 as the date of public hearing on these ordinances:

- *a. Prohibiting parking from 10:00 pm to 4:00 am on the west side of Morris Circle from a point 647 feet north of 8th Avenue to a point 820 feet north of 8th Avenue, and on the east side of Morris Circle from a point 500 feet north of 8th Avenue to a point 735 feet north of 8th Avenue; prohibiting parking from 8:00 am to 4:00 pm on school days on the east side of 26th Street from Fairfield Street to a point 140 feet south of Fairfield Street, on Fairfield Street from 26th Street to York, on Fairfield Circle from York to a point 405 feet east of York, and on York from Elmwood Street to Fountain Street; prohibiting parking on the west side of Los Alamos from Southern Avenue to a point 1,067 feet north of Southern Avenue, on the east side of 40th Street from Quenton Drive to a point 210 feet south of Quenton Drive, on the west side of 40th Street from Quenton Drive to a point 180 feet south of Quenton Drive, on the north side of Quenton Drive from 40th Street to a point 60 feet east of 40th Street, on Cheshire from Southern Avenue to Hampton Avenue, and on Hampton Avenue from a point 1,326 feet west of Crismon Road to Cheshire; establishing a speed limit of 30mph on Hampton Avenue from Crismon Road to Cheshire; reducing the speed limit from 45 mph to 40 mph on Gilbert Road from McDowell Road to the west leg of Lockwood Street; reducing the speed limit from 50 mph to 45 mph on McDowell Road from 26th Street to Greenfield Road and on McDowell Road from Higley Road to Power Road; and prohibiting left turns from driveways on the south side of University Drive from Longmore to a point 130 feet west of Longmore as recommended by the Transportation Advisory Board.
- *b. **Z02-13** The southeast corner of Val Vista Road and McKellips Road. Rezone from R1-35 to O-S (1.15 ac). This case involves the development of an office building.

- *c. Amending Sections 11-1-6, 11-13-2, 11-18-4, and 11-18-6 of the Zoning Ordinance; creating a definition of "Infill Property"; establishing a Development Incentive Permit (DIP) process; authorizing the Zoning Administrator to hear and decide requests for DIP's; and setting a fee for such requests.
- *d. Amending Sections 11-1-3, 11-1-6, 11-13-2, 11-18-4 and 11-18-6 of the Zoning Ordinance regarding expansion of nonconforming uses, buildings, structures, and sites; establishing a Substantial Conformance Improvement Permit (SCIP) process; authorizing the Zoning Administrator to hear and decide requests for SCIP's; and setting a fee for such requests.
- *e. Amending Section 11-4-3 of the Zoning Ordinance to permit the keeping of livestock in numbers exceeding the number permitted, and on parcels less than one acre, subject to a special use permit; and amending Section 6-4-20 of the Police Regulations to allow the keeping of livestock on properties less than one acre as a result of the acquisition of public right of way.

6. Consider the following resolutions:

- *a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona through the Department of Economic Security and the City of Mesa – Resolution No. 7876

This resolution will extend the current Intergovernmental Agreement with the Arizona Department of Economic Security. These funds support a portion of the operating costs for Mesa Community Action Network (MesaCAN) including the case management program, the work assistance program, the asset development program, and the utility assistance program.

- *b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona through the Department of Economic Security and the City of Mesa – Resolution No. 7877.

These funds support a portion of the operating costs for Mesa Community Action Network (Mesa CAN), East Valley Men's Center, transitional housing services.

- c. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and Mesa Unified School District #4 to support operational costs of Mesa Youth Placement Service (MYPS) – Resolution No. 7879.

Councilmember Walters declared a potential conflict of interest and refrained from discussion/participation in this agenda item.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Jones, that Resolution No. 7879 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Griswold-Jones-Kavanaugh-Thom-Whalen
NAYS - None
ABSTAIN - Walters

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 7879 adopted.

- *d. Approving and authorizing the City Manager to execute a Development Agreement between Pulte Home Corporation and the City of Mesa for the development of the Apache Junction Reservoir 3 and Pump Station at the Estates at Boulder Mountain Highlands Unit I – Resolution No. 7878.

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

- a. **Z02-17** The 3000 to 3100 block of S. Hawes Road (east side). Rezone from R1-43 to R-2 PAD (11.2 acres). This case involves the development of a residential subdivision. Marlene Reiswig and Hossein Sattari, owner; Ross Farnsworth Jr., applicant; represented by: Gary Stapley – Ordinance No. 4003.
CONTINUED FROM THE JUNE 3, 2002 COUNCIL MEETING.

P&Z Recommendation: Approval with Conditions (Vote: Passed 6-0)

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 the Residential Development Guidelines except as modified herewith.
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. 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.
6. All street improvements and perimeter landscaping to be installed in the first phase of construction.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Full compliance with all current Code requirements except as outlined in the staff report.
9. Lots 12-24 abutting Eastridge subdivision lots shall have one-story building product.

10. Compliance with letter dated April 9, 2002 from Gary Stapley to Frank Mizner, which is included in the zoning case file.
11. Compliance with letter dated April 2, 2002 from Casey Denny to Jo Ferguson, which is included in the zoning case file.
12. 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).
13. Written notice be provided to future residents, and acknowledgment received that the project is within one mile of future San Tan Freeway right-of-way.
14. Written notice be provided to future residents, and acknowledgment received that the project is within three miles of Williams Gateway Airport.
15. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.
16. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
17. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

Ralph Pew, 10 W. Main Street, attorney for the applicant, addressed the Council and stated that the applicant is requesting that this 11-acre parcel located on South Hawes Road north of the Salt River Project transmission lines, be rezoned from R1-43 to R-2 PAD. Mr. Pew stated that this request is supported by the following reasons: 1) the proposed rezoning/project that provides for eight units per acre is in compliance with the City's General Plan, which outlines a target density for this parcel of 7-10 units per acre; 2) after working with the applicant at length on this project, staff recommends approval of this project with conditions that the applicant is agreeable to; and 3) this application received unanimous approval of the P & Z Board.

Mr. Pew referred to and commented on artist renderings on display in the Council Chambers that depicted the twin-homes project the applicant proposes to develop on this parcel. Mr. Pew stated that the project is designed with 20 ft. front-yard setbacks, two car garages, standard width public streets that provide on-street parking, and additional parking at the amenities area of the subdivision. Mr. Pew advised that this project will include a swimming pool, ramada, basketball court, barbecue areas and picnic benches. He further advised that the proposed project homes will range in size from approximately 1100 sq. ft. (subsequently clarified as 1310 sq. ft) to 1850 sq. ft. and that the homes in the existing, adjacent Eastridge subdivision range in size from 1500 sq. ft. to 2200 sq. ft. Mr. Pew stated that the Gilbert Public School District serves this area and that the School District does not object to the proposed project. He also commented on the power line south of the parcel and said that there will be a distance of approximately 75 ft. from the wires to the back of the homes, which is consistent with the adjacent Eastridge subdivision.

Tom Pielach, 8529 Portobello Circle, addressed the Council and voiced opposition to the proposed project. He voiced the opinion that the proposed project homes, including 2-story plans, would be significantly closer to the power lines than existing homes in the area. He stated opposition to the small lot sizes and said that the proposed subdivision will have inadequate parking space due to the small lot sizes. Mr. Pielach also claimed that this project would result in the abandonment of a road adjacent to the power lines.

Elaine Morris, 3008 S. Joslyn, addressed the Council and said that she is opposed to the development of a high-density housing project on this parcel. She said that the homes in the Eastridge subdivision are significantly larger than the proposed project and that she purchased a home in the Eastridge subdivision because it is a low-density area. She stated the opinion that there will be a significant number of investor-owned, renter-occupied units in the proposed project because of the low home prices, which will result in reduced maintenance levels and transiency. She added the opinion that the proposed project would reduce the value of homes in the Eastridge development. She also stated that there would be less neighborhood opposition if the proposed project was designed as a gated or a senior (55+) community.

Kristina Malmin, 3016 S. Joslyn, addressed the Council and voiced opposition to the proposed high-density project. She stated that the proposed project homes are much smaller than the Eastridge homes, which range in size from 1800 sq. ft to 3000+ sq. ft. She voiced concerns regarding impacts to local schools and said that she would not be opposed to the project if it was a senior community. She also stated the opinion that the applicant/builder has not been cooperative with the neighbors.

Roberta Wells, 8550 E. Portobello Circle, addressed the Council and voiced opposition to the proposed project and rezoning. She said that she is concerned that the proposed project will reduce the value of her home in the Eastridge subdivision.

Mayor Hawker stated that the following persons indicated opposition to this project but did not wish to address the Council:

Jeff Pielach
Liz Horn
Linda Iavarone
Melissa Pont
Jessica Milburn
Ken MacGregor

Mr. Pew further discussed the front setbacks and parking spaces designed into the project. He also commented on the project's amenities and elevation designs and voiced the opinion that the proposed project will be an enhancement over what currently exists on the parcel.

Planning Director Frank Mizner reported that he is not aware of right-of-way dedicated for a road/street adjacent to the power line and that the applicant is not requesting that right-of-way be vacated. He further reported that each unit in the subdivision will have a double garage, driveway and on street parking, plus common parking at the amenities area. He discussed the proposed setbacks and reported that the applicant has requested a variation from standard setback requirements to incorporate a 20 ft. rear setback to the livable area and a 15 ft. setback to a patio. Mr. Mizner explained that although homes in the Eastridge subdivision have deeper rear setbacks, Eastridge was approved with smaller setbacks than what was built.

Mr. Mizner provided a brief overview concerning the history of this parcel and said that the proposed project is within the range of both the 1996 and recently approved General Plans. He reported that the General Plan for this area, including the Eastridge subdivision, calls for Medium High Density residential, 6-15 units per acre, although Eastridge is less than this target

range. He further explained that when this parcel was zoned, there was discussion that this area might be developed for churches or higher density residential to balance the lower density Eastridge development. He reiterated that staff and the P & Z Board recommend approval of this case.

In response to a question from Mayor Hawker concerning staff's previous indication that this case would require a super-majority (3/4) vote of the Council to approve, Mr. Mizner stated that prior to today, when one of the property owners on the eastern boundary of this project withdrew his opposition, sufficient opposition existed along this boundary to qualify as a legal protest. He noted that the remaining opposition along the eastern boundary is now less than 20%, which eliminates the legal protest element of this case.

Discussion ensued regarding the fact that the City's General Plan is available to the public and provides land use designations and target densities outlined for future development of vacant parcels, and the fact that this information is a valuable, available tool for prospective home buyers to utilize when considering the purchase of property.

Additional discussion ensued regarding the fact that although staff did not receive written opposition to this project from homeowners west of Hawes Road, the P & Z Board hearing minutes indicate verbal opposition from residents west of Hawes Road; the fact that when the Eastridge subdivision was approved with densities below the target density of the General Plan, one of the arguments supporting the lower density was that future development of the adjacent parcel could be at a higher density to balance the density outlined by the General Plan; the fact that the San Tan Freeway alignment is located on the eastern border of the Eastridge subdivision; and the fact that public streets within the proposed project will be standard width (approximately 34 feet curb to curb) and maintained by the City.

In response to a request from Councilmember Walters, Mr. Pew described the elevations of the proposed twin-home products and referred to artist renderings displayed in the Council Chambers. Mr. Pew also described the various project amenities, including the pool, cabana and basketball court and said that they will be located at the entrance to the project on Hawes Road and will not abut the Eastridge subdivision.

In response to various questions from Councilmember Whalen, Gary Stapley of Farnsworth Holdings, Inc. (applicant) said that home prices will be in the approximate range of \$100 per square foot, that the common wall of the twin homes represents the lot line, and that homeowners will own the land associated with their homes. He also clarified that the smallest unit of the floorplans offered will be 1310 sq. ft.

Councilmember Thom stated that she supports the application to rezone this property because it is a relatively small parcel (11.2 acres), the San Tan Freeway will be located nearby, and the setbacks appear to be adequate.

It was moved by Councilmember Thom, seconded by Councilmember Walters, that Ordinance No. 4003 be adopted.

Councilmember Walters voiced support for the motion and said that the General Plan land use designation and target density has been in place for a significant period of time. She stated the

opinion that the twin-homes housing product proposed by the applicant is a quality product with sufficient setbacks that will not be detrimental to the immediate neighbors.

Vice Mayor Kavanaugh stated support for the motion and commented on the history associated with this parcel. He advised that he served on the Council in 1996 when the existing General Plan was approved by the Council and in 1998 when the Council had specific discussions concerning the fact that a higher density product would be appropriate for this parcel as a transition to the lower density adjacent development. He added that he also served on the Council in 1999 when the Council rejected a proposed mini-storage project for this parcel. He commented on the variety of housing stock that exists within the City and voiced the opinion that it is possible for well designed, properly located multi-family housing projects to co-exist with more expensive single family homes without detrimental impacts.

Councilmember Jones commented on the City's historical residential growth and encroachment on rural areas. He said that although he is sympathetic regarding the concerns of neighbors, he supports the motion because the proposed rezoning is consistent with the City's General Plan and the project is well designed.

Mayor Hawker declared the motion carried unanimously and Ordinance No. 4003 adopted.

- *b. **Z02-21** 1350 South Longmore (1+/- acre). Council Use Permit. This case involves the development of a charter school. Randy Ness, owner; Linda Proctor-Downing, applicant – Ordinance No. 4001.

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 plans submitted.
2. Compliance with all City development codes and regulations.

- *c. **Z02-22** The southeast corner of Southern Avenue and Val Vista Drive (1+/- acre). Council Use Permit. This case involves the development of a charter school. M C Strauss Trust, represented by Mike Eubank, owner; Rauf Moosavi, applicant – Ordinance No. 4002.

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 plans submitted.
2. Compliance with all City development codes and regulations.

8. Consider the following subdivision plats:

- *a. "VVPP OFFICE CONDOMINIUM", – (Council District 6) – 3850 East Baseline Road (north side) 4 O-S PAD office condominium units (0.19 acre) V-2 Properties, L.C., an Arizona Limited Liability Company, owner; HEC Engineering, L.L.C., engineer.

- *b. "VILLAGES OF EASTRIDGE", – (Council District 6) – 10200-10800 blocks of East Baseline Road (south side) 12 residential parcels (309 acres) Crismon & Baseline, LLC, developer; CMX Group Inc., engineer.
- *c. "CONDOMINIUM PLAT FOR MESA OFFICE SUITES", – (Council District 3) – 1830 South Alma School Road (west side) 7 C-1 PAD office condominium buildings (11.15 acres) Alma Mesa Office Park, L.L.C., developer; JMA Engineering Corporation, engineer.

9. Election items.

Mayor Hawker advised that the Multipurpose Facility referendum issue will be on the September 10, 2002 election ballot and that the City's updated General Plan will be on the November 5, 2002 election ballot.

10. Items from citizens present.

There were no items from citizens present.

11. Adjournment.

It was moved by Vice Mayor Kavanaugh, seconded by Councilmember Whalen, that the Regular Council Meeting adjourn at 6:50 p.m.

Carried unanimously.

KENO HAWKER, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 15th day of July 2002. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

pjt