



COUNCIL MINUTES

April 17, 2006

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on April 17, 2006 at 5:45 p.m.

COUNCIL PRESENT

Mayor Keno Hawker
Rex Griswold
Kyle Jones
Tom Rawles
Janie Thom
Claudia Walters
Mike Whalen

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Barbara Jones

Invocation by Dr. of Divinity, Blaine C. Mays, Community Church of New Thought.

Pledge of Allegiance by Mitchell Hale, Troop No. 798.

Mayor's Welcome.

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.

1. Take action on all consent agenda items.

All items listed with an asterisk (*) will be considered as a group by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember or citizen requests, in which event the item will be removed from the consent agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

Citizens requested that items 9k and 10d be removed from the consent agenda.

It was moved by Vice Mayor Walters, seconded by Councilmember Whalen, that the consent agenda items, with the exception of items 9k and 10d, be approved.

Carried unanimously.

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

Minutes from the March 1 and 20 and April 3 and 13, 2006 Council meetings.

3. Conduct a public hearing prior to release of the petition for signatures for the following proposed annexation:

- 3a. **A06-09 (District 5).** Annexing land on Power Road south of University Drive (0.41 ± ac.). Initiated by Dennis Callison, the property owner.

Mayor Hawker announced that this is the time and place for a public hearing regarding annexing land on Power Road south of University Drive.

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

4. Conduct a public hearing for Minor General Plan Amendment (**GPMInor06-01**) to change the General Plan Land Use Map from Neighborhood Commercial (NC) to Medium Density Residential 6-10 dwelling units per acre (MDR 6-10) for property in the 10800 to 11000 block of East Broadway Road (south side), located at the southeast corner of Signal Butte Road and Broadway Road (12.55± ac).

Mayor Hawker announced that this is the time and place for a public hearing regarding Minor General Plan Amendment (GPMInor06-01) to change the General Plan Land Use Map from Neighborhood Commercial (NC) to Medium Density Residential 6-10 dwelling units per acre (MDR 6-10) for property in the 10800 to 11000 block of East Broadway Road (south side), located at the southeast corner of Signal Butte Road and Broadway Road (12.55± ac).

Lyle Richardson, Lazarus & Associates, representing the owner, stated that he was present to answer any questions.

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

5. Take action on the following resolution:

- 5a. **GPMInor06-01 (District 6)** The 10800 to 11000 block of East Broadway Road (south side). Located at the southeast corner of Signal Butte Road and Broadway Road (12.55± ac). Minor General Plan Amendment to change the General Plan Land Use Map from Neighborhood Commercial (NC) to Medium Density Residential 6-10 dwelling units per acre (MDR 6-10). Todec Properties, LLC, (Thomas C. Decker) owner; Lyle Richardson, Lazarus & Associates, applicant – Resolution No. 8694. **COMPANION CASE Z06-15.**

P&Z Recommendation: Approval. (Vote: 5-0-1 with Boardmembers Carpenter absent and Mizner nay).

It was moved by Councilmember Griswold, seconded by Councilmember Rawles, that Resolution No. 8694 be adopted.

Carried unanimously.

6. Take action on the following liquor license applications:

*6a. Anthology Inc.

This is a one-day charitable event to be held on Friday, April 28, 2006 from 3:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.

*6b. Anthology Inc.

This is a one-day charitable event to be held on Friday, May 5, 2006 from 12:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.

*6c. Anthology Inc.

This is a one-day charitable event to be held on Sunday, September 17, 2006 from 12:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.

*6d. Anthology Inc.

This is a one-day charitable event to be held on Sunday, December 31, 2006 from 12:00 p.m. to 12:00 a.m. at 243 S. Mesa Dr. District #4.

*6e. Sister City Association of Mesa

This is a one-day charitable event (Cinco de Mayo Celebration) to be held on Saturday, May 6, 2006 from 12:00 p.m. to 10:00 p.m. at 530 E. Main St. District #4.

*6f. Country Club Express

New Beer & Wine Store License for Country Club Express LLC, 2816 S. Country Club Dr. The Beer & Wine Store License previously held at this location by Texaco Food Mart will revert back to the State. District #3.

*6g. Quiktrip #459

New Beer & Wine Store License for Quiktrip Corporation, 1141 S. Crismon Rd. No previous liquor license at this location. District #6.

*6h. Holiday Inn Hotel

New Hotel/Motel License for Bandra LLC, 1600 S. Country Club Dr. The Hotel/Motel License previously held at this location by Holiday Inn Motel will revert back to the State. District #3.

*6i. Mitchone's O Sole Mio Restaurant

New Restaurant License for Mitchone's O Sole Mio Restaurant, 4815 E. Main St. Ste 34.
No previous liquor license at this location. District #5.

7. Take action on the following contracts:

- *7a. Two-year renewal of supply contract for paint and sundry supplies for multiple City departments.

The Purchasing Division recommends exercising the renewal option with ICI Paints at \$40,000.00 annually based on estimated requirements.

- *7b. Three-year supply contract for office supplies used by all City departments.

The Purchasing Division recommends authorizing a three-year contract with Office Depot through the US Communities Government Purchasing Alliance contract for annual purchases estimated at \$880,000.00, including contingencies.

- *7c. Twelve refrigerated temperature controlled locking cabinets as requested by the Fire Department.

The Purchasing Division recommends accepting the only bid from Budd Medical & Fire Equipment for \$48,186.60, including applicable taxes to be purchased with the Fire Department's Quality of Life allocation.

- *7d. Contract award for an electronic patient care records system as requested by the Fire Department in cooperation with the Valley Emergency Medical Services Managers.

The Purchasing Division endorses the evaluation team's recommendation to accept the proposal submitted by Roam I.T., Inc.

- 7e. 2006 surface seal, City of Mesa Project No. 05-902-002 (ONLY ONE BID RECEIVED).

Each year the Transportation Division identifies roadway segments that require some measure of pavement maintenance. Pavement maintenance varies from crack sealing, fog sealing, pavement overlays, and pavement reconstruction depending on the age and condition of the asphalt. This project will fog seal over 1,075,000 square yards of street pavement Citywide.

Recommend award to the low bidder, Cactus Asphalt, in the amount of \$528,325.92 plus an additional \$52,832.59 (10% allowance for change orders) for a total award of \$581,158.51. Funding is available through Highway User Revenue Fund (HURF) funds in the Transportation Field Operations Budget.

Mayor Hawker declared a potential conflict of interest and said he would refrain from discussion/participation in this agenda item. He yielded the gavel to Vice Mayor Walters for action on this agenda item.

It was moved by Councilmember Jones, seconded by Councilmember Thom, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Thom-Walters-Whalen
NAYS – None
ABSTAIN – Hawker

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

Vice Mayor Walters yielded the gavel back to Mayor Hawker.

8. Introduction of the following ordinances and setting May 1, 2006, as the date of the public comment and Council action on these ordinances:

- *8a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

No Parking: 10-3-24 (F 9) (10:00 p.m. to 4:00 a.m. No Parking)

On Jerome Avenue from the south leg of Vineyard to Revere (north of Baseline Road and west of Country Club Drive, Council District 3).

- *8b. Amending Title 7, Chapter 2 of the Mesa City Code by adding a new section 7-2-3 requiring developers and architects to submit electronic drawings for building projects in addition to blueprints as recommended by the Fire Committee. (Single-family residences and other related residential projects are excluded from this ordinance).

Fire Committee Recommendation: Approval. (Vote 3-0).

9. Take action on the following resolutions:

- *9a. Extinguishing a Public Utilities Easement at 2207 West Kiowa Circle – Resolution No. 8689.

This easement is being extinguished to allow the construction of an addition to the owner's house.

- 9b. Setting May 22, 2006, as the Public Hearing date on the proposed final assessments for the Mesa Town Center Improvement District No. 228. The proposed final assessments for FY 2006/2007 do not include any rate increases. This district was established to provide enhanced municipal services for the Mesa Town Center – Resolution No. 8695.

Mayor Hawker and Councilmember Whalen declared potential conflicts of interest and said they would refrain from discussion/participation in this agenda item. Mayor Hawker yielded the gavel to Vice Mayor Walters for action on this agenda item.

It was moved by Councilmember Griswold, seconded by Councilmember Thom, that Resolution No. 8695 be adopted.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Rawles-Thom-Walters
NAYS – None
ABSTAIN – Hawker-Whalen

Vice Mayor Walters declared the motion carried unanimously by those voting and Resolution No. 8695 adopted.

Vice Mayor Walters yielded the gavel back to Mayor Hawker.

*9c. Authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona, Division of Emergency Management (ADEM), and the City of Mesa to receive Federal Department of Homeland Security (DHS), Office of Grants & Training reimbursement grants from ADEM in the amount of approximately \$1,058,842—Resolution No. 8690.

9d. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2006-2007 funding for nonprofit organization projects through the Community Development Block Grant (CDBG) program – Resolution No. 8696.

Councilmember Rawles stated the opinion that a greater percentage of the funds should be allocated directly to the private sector and that a lesser percentage should be directed to fund the City's administrative expenses.

Vice Mayor Walters noted that revised information is included in the Council packet that reflects her request that the Child Crisis Center's proposed construction project be identified as the first alternative for contingency funding subject to availability, and that additional funding is allocated to the West Mesa Community Development Corporation (CDC). She stated that a motion to adopt the resolution would include these changes.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that Resolution No. 8696 be adopted.

Councilmember Whalen expressed the opinion that non-profit organizations deliver services more efficiently and effectively than the City, and that a greater portion of CDBG funds should be directed to these organizations.

Vice Mayor Walters noted that the City's model of delivering services through non-profit organizations is unique when compared to other cities of a similar size. She explained that other cities typically provide services through in-house operations.

In response to a comment from Councilmember Rawles, Community Revitalization Director Kit Kelly clarified that the spreadsheet would be updated to reflect the fact that the Child Crisis Center would be the first "alternative" project subject to funding availability.

Vice Mayor Walters confirmed that her motion designates the Child Crisis Center as the first "alternative" project.

Mayor Hawker expressed support for the motion, and he stated the opinion that CDBG funds should be utilized to maximize cost recovery of staff administrative expenses related to these programs.

Vice Mayor Walters said that the City should attempt to reduce administrative costs in an effort to operate more efficiently.

Councilmember Rawles suggested that the Council examine the efficiency and effectiveness of the effort.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Rawles-Walters-Whalen
NAYS – Thom

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8696 adopted.

9e. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2006-2007 funding for City department projects through the Community Development Block Grant (CDBG) program – Resolution No. 8697.

Councilmember Rawles stated the opinion that the City's administrative costs are excessive, and therefore he would not support this agenda item.

It was moved by Vice Mayor Walters, seconded by Councilmember Whalen, that Resolution No. 8697 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Thom-Walters-Whalen
NAYS – Rawles

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8697 adopted.

9f. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2006-2007 funding for nonprofit organization projects through the HOME Investment Partnerships (HOME) Program – Resolution No. 8698.

Councilmember Thom commented that this program enables the City to purchase properties that are eventually deeded to non-profit agencies, and she stated opposition to this agenda item.

It was moved by Councilmember Jones, seconded by Vice Mayor Walters, that Resolution No. 8698 be adopted.

Councilmember Griswold noted that HOME is a successful program that has received national recognition, and he expressed support for this agenda item.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Rawles-Walters-Whalen
NAYS – Thom

Mayor Hawker declared the motion carried by a majority vote and Resolution No. 8698 adopted.

*9g. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2006-2007 funding for City of Mesa Department projects through the HOME Investment Partnership (HOME) Program – Resolution No. 8691.

9h. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2006/2007 funding through the Emergency Shelter Grant (ESG) program – Resolution No. 8699.

Councilmember Whalen declared a potential conflict of interest and said he would refrain from discussion/participation in this agenda item.

It was moved by Councilmember Thom, seconded by Vice Mayor Walters, that Resolution No. 8699 be adopted.

Upon tabulation of votes, it showed:

AYES – Hawker-Griswold-Jones-Rawles-Thom-Walters
NAYS – None
ABSTAIN – Whalen

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 8699 adopted.

9i. Adopting revisions to the Freeway Landmark Monument Guidelines and affirming support for the appropriate placement of freeway identification signage – Resolution No. 8700.

Mayor Hawker stated that he has consistently opposed all freeway monument signs, and therefore he would not support this agenda item.

It was moved by Councilmember Griswold, seconded by Vice Mayor Walters, that Resolution No. 8700 be adopted.

Councilmember Rawles said he would vote in opposition to this item, and he expressed the opinion that the revisions were an attempt by government to micromanage the issue.

Councilmember Griswold stated the opinion that the freeway monument signs enable Mesa to compete with other Valley cities, and he expressed support for the revisions.

Mayor Hawker called for the vote.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Thom-Walters-Whalen
NAYS – Hawker-Rawles

Mayor Hawker declared the motion carried by majority vote and Resolution No. 8700 adopted.

- *9j. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission to secure grant funds to purchase scientific equipment and supplies for the Firearms Unit of the Police Department – Resolution No. 8692.
- 9k. Approving and authorizing the City Manager to execute an agreement authorizing the transfer of control of Cable America Corporation through its wholly owned subsidiary Cable Arizona Corporation to CoxCom, Inc. and terminating the cable television license granted to Cable America Corporation – Resolution No. 8701.

Ivan D. Johnson, Vice President of Cox Communications, stated that in an effort to avoid the appearance of impropriety or misunderstanding regarding the transfer of control of Cable America to Cox Communications, Cox is withdrawing their offer to donate equipment to Channel 11 and the City's Public Safety operation.

Allen Van Horn, 4121 East Pueblo Avenue, stated that he is a Cable America customer who does not want to contract with Cox Communications. He expressed concern that Cox Communications would have a monopoly in the City of Mesa.

Vice Mayor Walters explained that Cable America is a private enterprise that has decided to sell their operation to Cox Communications, and she stated the opinion that Cox Communications has substantially improved their service in recent years.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that Resolution No. 8701 be adopted.

Councilmember Rawles said that he was initially troubled by the perceived linkage between Cox Communication's offer to donate equipment and the Council's consideration of this agenda item. He added that although the City would benefit from the equipment, he appreciates the fact that Cox has withdrawn their offer to make the donation.

Discussion ensued relative to the fact that the transaction is between a willing buyer and a willing seller; that the transaction should be finalized in late May or early June; that customers would be notified on a phased basis; and that the rates charged by Cox are within one dollar of the rates charged by Cable America.

Mayor Hawker called for the vote.

Carried unanimously.

- *9l. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Flood Control District of Maricopa County for discharges of reclaimed water from the Greenfield Water Reclamation Plant – Resolution No. 8693.

10. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- 10a. **Z06-15 (District 6)** The 10800 to 11000 block of East Broadway Road (south side). Located at the southeast corner of Signal Butte Road and Broadway Road (12.55± ac). Rezone from C-2 and R1-7 to R1-6-PAD and Site Plan Modification. This request will allow for the development of a single residence subdivision. Todec Properties, LLC, (Thomas C. Decker) owner; Lyle Richardson, Lazarus & Associates, applicant – Ordinance No. 4539. COMPANION CASE GPMInor06-01. *(Held two neighborhood meetings, notified property owners and interested neighbors.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent).

It was moved by Councilmember Rawles, seconded by Councilmember Griswold, that Ordinance No. 4539 be adopted.

Carried unanimously.

- *10b. **Z06-17 (District 6)** The 8400 and 8500 blocks of East Southern Avenue (north side). Located at the northeast corner of South Hawes Road and East Southern Avenue (2.8± ac). Rezone from AG and R-4 to C-1 and Site Plan Review. This request will allow for the development of a retail building. Crescent Run Limited Partnership (Patricia L. Koslow), owner; Jessica Sarkissian, applicant – Ordinance No. 4533. *(Held two neighborhood meetings, notified property owners, neighbors, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent).

- *10c. **Z06-18 (District 4)** 410 South Nevada Way (west side). Located west and south of the southwest corner of South Stapley Drive and East Broadway Road (0.15± ac). Rezone from C-1 to R1-6. This request will allow for the development of a single residence.

Bradley MacLay, owner/applicant – Ordinance No. 4534. *(Notified property owners and delivered fliers to residences and businesses.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent).

- 10d. **Z06-19 (District 6)** 3635 East Inverness Avenue (south side). Located north and east of the northeast corner of South Val Vista Drive and East Baseline Road (1.13± ac). Rezone from C-2 to C-2 PAD and Site Plan Modification. This request will allow for the development of medical/office buildings. DFFM Yukon, LLC, (Francis J. Marotta) owner; Francis J. Marotta, MarCor Commercial Real Estate Services – Ordinance No. 4540. *(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent).

Roger Alan Jones, 3719 East Inverness Avenue, expressed the opinion that the project is not an appropriate use of the property.

Planning Director John Wesley stated that the site plan consists of two buildings with a 20-foot setback. He advised that both City staff and the Planning and Zoning Board recommend approval.

In reply to a question from Vice Mayor Walters, Mr. Jones said that a 25-foot wall is located four inches from his property. He said that one larger building at the south end would be a better alternative to the two buildings that are planned.

Francis J. Marotta, the owner, advised that the proposed project consists of two low-profile professional office buildings. He expressed the opinion that the project is an appropriate use for the property and the neighborhood, and he explained that the City requested a cross-access easement at the southwest corner of the property, which repositioned the location of a building.

In response to comments by Councilmember Whalen, Mr. Marotta stated for the record that he would upgrade the desert landscaping to 36” box trees in order to mitigate the impact of the building on Mr. Jones’ property.

Councilmember Whalen noted that due to the fact that Mr. Jones is indicating that he does want the 36” trees installed as a buffer, Mr. Marotta would not be held to that requirement. He added that the property was zoned for commercial activity at the time the adjacent residential lot was purchased, and therefore he would support the motion.

It was moved by Councilmember Thom, seconded by Councilmember Rawles, that Ordinance No. 4540 be adopted.

Carried unanimously.

- *10e. **Z06-20 (District 6)** The 7600 and 7700 blocks of East Elliot Road (north side). Located at the northeast corner of Sossaman and Elliot Roads (17.7± ac.). Rezone from AG to C-2. This request is to rezone property for future development. SLPR, LLC, an Arizona Limited Liability Corporation (Patrick E. Sovereign), owner; Lindsay Schube, Beus Gilbert, PLLC, applicant – Ordinance No. 4535. *(Notified property owners, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent).

- *10f. **Z06-21 (District 6)** The 2700 to 3000 blocks of South Sossaman Road (west side). Located at the northwest corner of Sossaman and Guadalupe (5.2± ac). Rezone from R1-7 to C-2 and Site Plan Review. This request will allow for the development of a daycare building and retail shops. Chris Huss, owner; Kevin D Kerpan, applicant – Ordinance No. 4536. *(Held a neighborhood meeting, notified property owners, registered neighborhoods, homeowners associations and schools affected by the proposed development.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent).

- *10g. **Z06-22 (District 3)** The 1000 to 1200 blocks of West Grove Avenue (north side). Located south of Southern Avenue and east of Alma School Road (4.9± ac). Rezone from C-2-DMP to C-2-BIZ-CUP and Modification of the Fiesta Quadrant Development Master Plan and Site Plan Review. This request will allow the development of a mixed-use high-rise condominium project with first floor retail. TR Alma Partners, LLC; Thomas Roszak, owner/applicant – Ordinance No. 4537. *(Held a neighborhood meeting, notified property owners, neighbors, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Carpenter absent and Saemisch abstaining).

- 10h. **Z06-23 (District 1)** The 900 and 1000 blocks of North Dobson Road (west side). Located at the southwest corner of US 202 and Dobson Road. (32.3 ac). Site Plan Review. Specific location of the private drive through the future Riverview automall site. KRS Acquisitions Corp c/o Mike Withey, owner; Withey, Anderson & Morris c/o Mike Withey, applicant – Ordinance No. 4541. *(Notified property owners, neighbors, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Carpenter absent and Saemisch abstaining).

Mayor Hawker and Councilmember Rawles declared potential conflicts of interest on agenda items 10h and 10i and said they would refrain from discussion/participation in these agenda items. Mayor Hawker yielded the gavel to Vice Mayor Walters for action on these agenda items.

Councilmember Whalen noted that Bass Pro Shop announced that their groundbreaking ceremony will occur on May 12th.

It was moved by Councilmember Jones, seconded by Councilmember Whalen, that Ordinance No. 4541 be adopted.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Thom-Walters-Whalen
NAYS – None
ABSTAIN – Hawker-Rawles

Vice Mayor Walters declared the motion carried unanimously by those voting and Ordinance No. 4541 adopted.

- 10i. **Z06-24 (District 1)** The 1000 and 1100 blocks of North Alma School Road (west side). Located at the southwest corner of US202 and Alma School Road. (47.96 ac). Site Plan Review. Specific location of private drive extending from Bass Pro Drive east to Alma School. KRS Acquisitions Corp c/o Mike Withey, owner; Withey, Anderson & Morris c/o Mike Withey, applicant – Ordinance No. 4542. *(Notified property owners, neighbors, registered neighborhoods and homeowners associations.)*

P&Z Recommendation: Approval with Conditions. (Vote: 5-0-1 with Boardmembers Carpenter absent and Saemisch abstaining).

It was moved by Councilmember Jones, seconded by Councilmember Whalen, that Ordinance No. 4542 be adopted.

Upon tabulation of votes, it showed:

AYES – Griswold-Jones-Thom-Walters-Whalen
NAYS – None
ABSTAIN – Hawker-Rawles

Vice Mayor Walters declared the motion carried unanimously by those voting and Ordinance No. 4542 adopted.

Vice Mayor Walters yielded the gavel back to Mayor Hawker.

- *10j. **Z06-26 (District 1)** The 100 block of West McKellips Road (south side). Southwest corner of Center and McKellips Road. (3.73 acres). Rezone from C-2 to R-3 PAD and Site Plan Modification. This request will allow for the development of a townhome subdivision. Ross Farnsworth, RSB Partners LLC, owner; Jeff Welker, Welker Development Resources LLC, applicant – Ordinance No. 4538. *(Held two neighborhood meetings, notified property owners, registered neighborhoods, homeowners associations and schools affected by the proposed development.)*

P&Z Recommendation: Approval with Conditions. (Vote: 6-0 with Boardmember Carpenter absent).

11. Consider and take action regarding the following subdivision plats:

- *11a. "NOVA VISTA UNIT B" (**District 6**) – 3600-4000 blocks of South Signal Butte Road (east side) located south and east of Elliot Road and Signal Butte Road. 128 R1-6 PAD DMP single residence lots (32.39 ac). Standard Pacific of Arizona, Inc., Bruce Schroeder, owner.
- *11b. "NOVA VISTA UNIT C" (**District 6**) – 3800-4200 blocks of South Mountain Road (west side) located south and west of Elliot Road and Mountain Road. 129 R1-9 PAD DMP single residence lots (41.24 ac). Standard Pacific of Arizona, Inc., Bruce Schroeder, owner.
- *11c. "NOVA VISTA UNIT D" (**District 6**) – 3600-3900 blocks of South Mountain Road (west side) located south and west of Elliot Road and Mountain Road. 135 R1-9 PAD DMP single residence lots (67.02 ac). Porchlight Land & Cattle, LLC, Scott Peterson, owner.
- *11d. "PIERPONT BUSINESS COURT" (**District 6**) – 4700-4800 block of East Baseline Road (north side) located north and west of Baseline Road and Higley Road. 158 PEP PAD office condominium units (5.92 ac). Pierpont Commerce Partners, LLC, Franklin D. Richards, III, owner.
- *11e. "MAP OF DEDICATION FOR THE GARDENS AT SUPERSTITION SPRINGS" (**District 6**) – 7200 block of East Baseline Road (south side) located south and east of Baseline Road and Power Road. GSS Partners, LLC, Grant A. Tayrien, owner.

12. Items from citizens present.

There were no items from citizens present.

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 6:43 p.m.

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 17th day of April 2006. I further certify that the meeting was duly called and held and that a quorum was present.

BARBARA JONES, CITY CLERK

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