

COUNCIL MINUTES

January 20, 1998

The City Council of the City of Mesa met in a Study Session in Palo Verde Room 1 of the Centennial Conference Center, 201 North Center Street, on January 20, 1998 at 5:15 p.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Wayne Pomeroy
Claudia Walters

COUNCIL ABSENT

Joan Payne

STAFF PRESENT

C.K. Luster
Wayne Balmer
Neal Beets
Denise Bleyle
Tim Dougherty
Jack Friedline
John Geier
John Gendron
Gerry Gerber
Mike Hutchinson
Lars Jarvie
Barbara Jones
Harry Kent
Wayne Korinek
Dorinda Larsen
Rich Lorig
Greg Marek
Jeff Martin
Ellen Pence

STAFF PRESENT (CONT.)

Bryan Raines
Andrea Rasizer
Becky Richardson
Sharon Seekins
Jenny Sheppard
David Spaur
Mindy White
Ralph Wisz
Others

OTHERS PRESENT

Ralph Pew
Bev Tittle-Baker
Tom Verploegen
Lillian Wilkinson
Stephanie Wright
Others

1. Review items on the agenda for the January 20, 1998 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.

d. GEORGE S. VUDRAG, AGENT

New restaurant license for Score's Sports Bar & Grill, 1159 East Main Street. This is an existing business, no previous liquor licenses at this location.

In response to a question from Vice Mayor Gilbert, Tax and Licensing Administrator Larry Lines informed Council that the applicant has requested that this case be continued to the February 2, 1998 Regular Council Meeting.

Mayor Brown stated that Item 4d will be placed on the consent agenda for the purpose of continuance to the February 2, 1998 Regular Council Meeting.

8. Consider the following ordinances.

- b. Amending Sections 11-1-6, 11-5-3, and 11-8-4 pertaining to the definition and permitted locations of recovery homes and supervised living facilities as recommended by the Planning and Zoning Board and the Downtown Development Committee.

Community Development Manager Wayne Balmer reviewed the definition of "group homes" and stated that it is recommended that the term "halfway house" be modified to encompass recovery homes/supervised living facilities and that such homes be required to locate a minimum of 1,200 feet apart. Mr. Balmer provided a list of recovery homes currently located in the City of Mesa and explained that seven homes are located within the Mesa Town Center. Mr. Balmer said that it is recommended that new homes not be permitted to locate within the Mesa Town Center given the current overabundance of recovery homes in the area. Mr. Balmer emphasized that homes currently located within the Town Center would be grandfathered under the proposed amendment. Mr. Balmer stressed that the modifications do not impact homes assisting disabled individuals.

Councilmember Kavanaugh expressed concern relative to a potential violation of the Americans with Disabilities Act.

In response to questions from Councilmember Kavanaugh, City Attorney Neal Beets stated the opinion that the proposed ordinance is in conformance with the federal Fair Housing Act. Mr. Beets noted that operators providing assistance to disabled individuals would need to request the proper classification. Mr. Beets stressed that homes assisting disabled individuals would be permitted to locate throughout the City, if properly classified.

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

- b. **Z97-80** The southeast corner of Stapley Drive and the Superstition Freeway. Rezone from AG to M-1 with a Council Use Permit (37± acres). This case involves development of a movie theater complex with pad buildings. Globe Corporation, owner; Vestar Development Company, applicant. **CONTINUED FROM THE NOVEMBER 17, 1997 AND DECEMBER 15, 1997 REGULAR COUNCIL MEETINGS.**

Mr. Balmer provided a copy of a letter to Council from Ralph Pew, attorney for the applicant, and noted that the applicant has agreed to provide vehicular traffic from the theater to Baseline Road. Mr. Balmer noted that an acceptable access plan to Baseline Road will be required prior to issuance of a building permit.

- d. **Z97-100** 747 East Southern Avenue. Site plan modification (2.5± acres). This case involves a proposal to modify previous stipulated land uses, to allow automotive repair. LCJ Properties, owner; Kelly Mulleneaux, applicant.

In response to a question from Councilmember Giles, Mr. Balmer explained that neighborhood opposition has been withdrawn relative to concerns that the applicant would not complete the exterior maintenance and landscaping of the facility in conformance with City Code requirements. Mr. Balmer stated that staff recommends approval of the request.

11. Consider the following subdivision plat.

- *a. "TARA VISTA" - The 6200 & 6300 blocks of East Hermosa Vista Drive (north side); 18 R1-6 single-residence lots (6.60 acres). Ron C. France, developer; AGRA Infrastructure, Inc., engineer.

At the request of Councilmember Giles, Mayor Brown stated that Item 11a would be removed from the consent agenda.

2. Discuss and consider an agreement with Grossfeld/Severns, Inc., for a ballot measure(s) feasibility study.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that an agreement with Grossfeld/Severns, Inc., for a ballot measure(s) feasibility study be approved.

Vice Mayor Gilbert noted the importance of obtaining a feasibility study and urged Council to continue to utilize consultants when determining the needs and concerns of citizens.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Kavanaugh-Pomeroy-Walters
NAYS - None
ABSENT - Payne

Mayor Brown declared the motion carried unanimously by those present.

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

- a. Design Review Board meeting held January 7, 1998.

It was moved by Councilmember Giles, seconded by Vice Mayor Gilbert, that receipt of the above listed minutes be acknowledged.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Kavanaugh-Pomeroy-Walters

NAYS - None
ABSENT - Payne

Mayor Brown declared the motion carried unanimously by those present.

4. Hear reports on meetings and/or conferences attended.

Mayor Brown stated that there were no reports on meetings and/or conferences attended.

5. Scheduling of meetings and general information.

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

Friday, January 23, 1998, 7:30 a.m. - Study Session

Friday, January 23, 1998, Utility Committee (immediately following the Study Session)

Tuesday, January 27, 1998, 7:30 a.m. - Breakfast with the Dobson Ranch Board of Directors

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

a. Hear from Stephanie Wright regarding a housing code ordinance.

Stephanie Wright, 535 North Orange Street, representing Citizens for Neighborhood Preservation, explained that more than 2,000 signatures were gathered through a petition process in support of a housing code initiative but noted that sufficient signatures were not obtained in time to place the initiative on the May 19, 1998 ballot. Ms. Wright requested that Council consider placing the housing code initiative on the May 19, 1998 General Election ballot. Ms. Wright stated that the proposal would provide maintenance requirements for the exterior of buildings and address the number of occupants that may live at a residence.

Mayor Brown thanked Ms. Wright for her comments and stated that the request for Council to consider adding a housing code proposal to the May 19, 1998 General Election ballot will be discussed at a future Council Meeting.

7. Adjournment.

Without objection, the Study Session adjourned at 5:48 p.m.

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 20th day of January 1998. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1998

BARBARA JONES, CITY CLERK