

COUNCIL MINUTES

April 17, 1998

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 April 17, 1998 at 8:57 a.m.

COUNCIL PRESENT

Pat Gilbert
John Giles
Dennis Kavanaugh
Joan Payne
Wayne Pomeroy
Claudia Walters

COUNCIL ABSENT

Mayor Wayne Brown

COUNCIL-ELECT PRESENT

Keno Hawker

STAFF PRESENT

C.K. Luster
Lori Abbs
Vince Anderson
Pauline Backer
Wayne Balmer
Neal Beets
Denise Bleyle
Dennis Compton
Jack Friedline
John Gendron
Joe Holmwood
Lars Jarvie
Barbara Jones
Harry Kent
Wayne Korinek
Ron Krosting
Dorinda Larsen
Larry Lines
Rich Lorig

STAFF PRESENT (CONT)

Tom Mattingly
Ruth Anne Norris
Bryan Raines
Andrea Rasizer
Leon Rawlings
Tom Remes
Becky Richardson
Sharon Seekins
John Smoyer
Jan Strauss
Debbie Vickman
Mindy White
Christine Zielonka
Others

OTHERS PRESENT

Bev Hart
Others

Vice Mayor Gilbert excused Mayor Brown from the meeting.

1. Review items on the agenda for the April 20, 1998 Regular Council Meeting.

All of the items on the agenda were reviewed by Council and staff with no formal action taken. There was specific discussion relative to the following agenda items:

7. Consider the following resolutions.

- *a. Designating a portion of the redevelopment area of the City of Mesa as the Central Business District. In addition, this area is hereby determined to be in need of tax incentives to encourage private investment to undertake the construction of substantial new projects.

Vice Mayor Gilbert 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 and that agenda Item 7a will be removed from the consent agenda.

9. Write-off of utility and miscellaneous accounts.

Vice Mayor Gilbert stated that agenda Item 9 will be placed on the consent agenda.

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

- a. **Z97-97** The 1500 block of South Alma School Road (east side). Site Plan Review (1± acre). This case involves the development of an athletic shoe store. GMRI, Inc., owner; Beus, Morrill, Devitt, applicant. **CONTINUED FROM THE MARCH 16, 1998 REGULAR COUNCIL MEETING. A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST.**

Community Development Manager Wayne Balmer informed the Council that the applicant has submitted a letter requesting that this case be tabled indefinitely.

Vice Mayor Gilbert stated that agenda Item 10a will be placed on the consent agenda for the purpose of indefinitely tabling Zoning Case Z97-97.

- b. **Z98-1** The 5200-5400 blocks of East McKellips Road (south side). Rezone from M-1-DMP to R-3-DMP (25± acres). This case involves the development of a 396-unit apartment complex. Scott Homes, owner; Beus, Gilbert & Devitt, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST. THE APPLICANT IS REQUESTING THIS CASE BE CONTINUED TO THE MAY 21, 1998 REGULAR COUNCIL MEETING.**

Mr. Balmer informed Council that the applicant has requested that this case be continued to the May 21, 1998 Regular Council Meeting.

Vice Mayor Gilbert stated that agenda Item 10b will be placed on the consent agenda for the purpose of continuance to the May 21, 1998 Regular Council Meeting but noted the importance of providing citizens the opportunity to speak on the item if requested.

- c. **Z98-9** Parcel M-3 and Parcel M-2 of "Augusta Ranch". Rezone from R-3-DMP to R1-6-PAD and R-2-DMP to R-3-DMP (24± acres). This case involves development of a 95-unit cluster home project for Parcel M-3 and a density transfer for Parcel M-2. Communities southwest, owner; Coe and Van Loo Consultants, Inc., applicant.

Mr. Balmer informed Council that the applicant has addressed concerns expressed by the Planning and Zoning Board regarding potential parking difficulties within the development and proposed density levels.

Councilmember Giles requested that Planning Director Frank Mizner present an overview at the April 20, 1998 Regular Council Meeting of his recent visit to California for the purpose of touring cluster home projects.

- f. **Z98-15** The southwest corner of Stapley Drive and the Superstition Freeway. Rezone from AG to M-1 and M-1-BIZ (29± acres). This case involves development of an industrial complex with ancillary retail and hotel uses. Keystone Properties, Inc., owner; Beus, Gilbert & Devitt, applicant.

Mr. Balmer informed Council that Robert Brinton, Executive Director of the Mesa Convention and Visitors Bureau, has expressed concern relative to the large number of limited service hotels that have recently been constructed in the East Valley. Mr. Balmer stated that the applicant has indicated that the proposed project will include a three-diamond hotel but noted that details have not been provided to staff regarding the amenities.

In response to a question from Councilmember Giles, Mr. Balmer said that the developer of the hotel would be Baymont Inn.

Vice Mayor Gilbert questioned the appropriateness of the proposed product for the site and the inclusion of stipulation No. 8 within the ordinance as a condition for zoning. Vice Mayor Gilbert suggested that Council consider continuing the case to provide sufficient time for discussion.

In response to a question from Councilmember Walters, Mr. Balmer stated that the Economic Development Advisory Board was consulted regarding the development of the hotel.

- g. **Z98-16** Part of the 3700 block of East University Drive (north side). Rezone from R1-6 to R1-6-PAD (9± acres). This case involves development of a 52-unit, gated patio home project. Homes by Judi, Inc. owner/applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS CASE.**

Mr. Balmer provided a brief overview of the proposed development and noted that several neighbors have expressed concerns regarding the potential increase in traffic, proposed density levels of the development, and the proposed lot sizes.

- *i. **Z98-18** 8601 East Southern Avenue (south of approved development). Rezone from AG to C-3 (3± acres). This case involves expansion of an approved mini-storage/RV storage facility. Ronald Johnson, owner/applicant.

In response to a question from Councilmember Giles, Mr. Balmer provided an overview of the proposed location and its surroundings and expressed the opinion that the location would be suitable for the development of a mini-storage/RV storage facility.

(Councilmember Giles was excused from the meeting at 9:14 a.m.)

2. Hear and consider a report on the proposed particulate pollution control ordinance.

Environmental Programs Director Christine Zielonka informed the Council that the air pollution levels in the Maricopa County area exceed Federal health standards for particulate matter. Ms. Zielonka stated that major sources contributing to the particulate problem include earth-moving activities, tracking of dirt onto public streets, traffic on unpaved roads and shoulders, and wind-blown dirt from vacant lots. Ms. Zielonka explained that Maricopa County has developed Rule 310 which addresses these types of pollutant sources but noted that the Rule has not been adequately enforced. Ms. Zielonka advised that approximately one year ago Council requested that staff develop a local dust control ordinance equivalent to County Rule 310. Ms. Zielonka informed the Council that the proposed ordinance would not require contractors to prepare or submit additional documents other than a copy of County Earth Moving Permits and Dust Control Plans prior to issuance of a building permit. Ms. Zielonka briefly reviewed conditions that may result in exemptions to the ordinance and enforcement provisions.

Councilmember Payne requested that Item 6a, currently on the consent agenda for the April 20, 1998 Regular Council Meeting relating to the City Code amendment to control particulate pollution, be removed from the consent agenda.

In response to questions from Vice Mayor Gilbert, Ms. Zielonka explained that the proposed ordinance was developed through the assistance of City staff, industry advocates, and public input. Ms. Zielonka noted that the proposed ordinance is very stringent and will assist the City in meeting Federal measures by 2006. Ms. Zielonka indicated that neighboring communities have expressed interest in the proposed ordinance. Ms. Zielonka advised that vacant parcels will also be brought into compliance by the owner of the property. Ms. Zielonka informed the Council that the first step in initiating the ordinance will be to educate the public regarding particulate pollution control.

Vice Mayor Gilbert thanked Ms. Zielonka for the presentation.

(Councilmember Pomeroy was excused from the meeting at 9:30 a.m.)

3. Hear and consider a report pertaining to an extension of the City's landfill agreement with the Salt River Pima-Maricopa Indian Community (SRPMIC).

Solid Waste and Facilities Director Jack Friedline informed the Council that in October of 1993 the City of Mesa entered into a Solid Waste Disposal Agreement with the Salt River Pima-Maricopa Indian Community (SRPMIC). Mr. Friedline noted that the agreement requires that the City and the SRPMIC confer in four years relative to the life expectancy of the Salt River Landfill with the intent of extending the agreement. Mr. Friedline explained that the SRPMIC has successfully diverted solid waste from the landfill, increasing the life expectancy of the landfill. Mr. Friedline stated that the proposed agreement would extend the term of the original agreement to December 31, 2008 and will include a green waste tipping fee.

Vice Mayor Gilbert recommended that a formal vote by the Council relative to this agenda item be conducted at the April 20, 1998 Regular Council Meeting.

In response to a question from Councilmember Walters, Mr. Friedline explained that staff continuously educates the public regarding recycling programs through the use of quality assurance inspectors, brochures delivered to new water users, advertising, and attending science fairs conducted at the local schools. Mr. Friedline noted that an eight-minute video regarding the City's recycling program is currently airing on the City's cable channel.

Vice Mayor Gilbert thanked Mr. Friedline for the presentation and reiterated that a formal vote by Council would be conducted at the April 20, 1998 Regular Council Meeting.

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

- a. Economic Development Advisory Board meeting held March 26, 1998
- b. Housing and Human Services Advisory Board meeting held March 26, 1998
- c. Board of Adjustment meeting held April 7, 1998
- d. Library Advisory Board meeting held April 7, 1998
- e. Transportation Committee meeting held April 7, 1998
- f. Parks and Recreation Board meeting held April 9, 1998

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that receipt of the above listed minutes be acknowledged.

Upon tabulation of votes, it showed:

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

Vice Mayor Gilbert declared the motion carried unanimously by those present.

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

Councilmember Walters noted that she recently attended a presentation at Crismon Elementary School honoring the school's physical education teacher, Jim Roberts. Councilmember Walters stated that Mr. Roberts received the 1998 National Physical Education Teacher of the Year award and the Southwest District Elementary School Physical Educator of the Year award.

6. Scheduling of meetings and general information.

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

Monday, April 20, 1998, 5:45 p.m. - Regular Council Meeting

Friday, April 24, 1998, 7:30 a.m. - Study Session

Councilmember Payne requested that a report concerning speed limits on Val Vista Drive and the photo radar enforcement in this area be provided to Council at the April 24, 1998 Study Session.

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

Vice Mayor Gilbert advised that there were no prescheduled public opinion appearances.

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

Vice Mayor Gilbert advised that there were no items from citizens present.

9. Adjournment.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Walters, that the Study Session adjourn at 9:40 a.m.

Carried unanimously.

PAT GILBERT, VICE 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 17th day of April 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