

## CITY COUNCIL AGENDA

### COUNCIL CHAMBERS – 57 EAST FIRST STREET

Tuesday, July 6, 2004

5:45 P.M.

Invocation by Reverend Tom Henkes, Eternal Life Lutheran Church.

Pledge of Allegiance.

Mayor's Welcome.

1. Consider all consent agenda items.

### CONSENT AGENDA

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 so requests, in which event the item will be removed from the Consent Agenda and considered as a separate item.

- \*2. Approval of minutes of previous meetings as written.
3. Conduct a Public Hearing for the following annexations:
  - a. **A04-04 (District 6)** The east side of Power Road between Ray and Williams Field Roads. (67.7± ac.) Initiated by Grubb & Ellis (see attached list of owners).
  - b. **A04-05 (District 5)** The areas east of the northeast corner of Apache Trail and Ellsworth Road (1.5± ac.) Initiated by the property owner, W.M. Grace Development.

MESA CITY COUNCIL  
July 6, 2004  
Page 2

4. Conduct a Public Hearing and consider an amendment to the land use map for the following Minor General Plan Amendment and possible adoption of the corresponding resolution:

- a. **GPMInor04-03 (District 6)** The 7300 to 7500 block of East Southern Avenue (south side). Parcel 2 and a portion of Tract C at Superstition Springs Business Park. Located south of East Southern Avenue and west of South Sossaman Road (14.33± ac.). Proposed change to the General Plan Land Use Map from Business Park (BP) to High Density Residential (HDR 15+) 15+ dwelling units per acre. Superstition Springs Investors Limited Partnership, owner; Shelly McTee, Esq., applicant. **COMPANION CASE – Z04-45.**

5. Consider the following liquor license applications:

- \*a. NICOLE LYN ANCHIE, EXTERNAL VICE-PRESIDENT

Special Event License application for Nicole Lyn Anchie, External Vice-President, Mesa Jaycees, a one-day charitable event to be held Saturday, July 17, 2004 from 3:00 p.m. to 1:00 a.m. at 640 North Center Street. District #4.

6. Consider the following contracts:

- \*a. One-year renewal of the supply contract for large type books, as requested by the Mesa Public Library.

The Purchasing Division recommends exercising the one-year renewal with the original primary contract to Gale Groups for annual purchases estimated at \$40,000. Also, renewing the original secondary contract to Baker & Taylor for annual purchases estimated at \$5,000. The combined award is then \$45,000 based on estimated annual purchases.

- b. 3-year contract for non-emergency towing as requested by Fleet Support Services and the Police Department

The Purchasing Division recommends award to the low bidder, Diversified Towing, Inc, dba Cactus Towing for \$54,600 based on estimated annual service requirements.

MESA CITY COUNCIL  
July 6, 2004  
Page 3

- \*c. Two-year renewal of the supply contract for traffic signal controller units for warehouse inventory to be used by the Transportation Division.

The Purchasing Division recommends exercising the two-year renewal with the original bid by Econolite Control Products, Inc. at \$62,207.64 based on estimated annual requirements.

- \*d. One replacement  $\frac{3}{4}$  ton truck as requested by the Fleet Support Services Division.

The Purchasing Division recommends authorizing purchase from State of Arizona contract from Midway Chevrolet for a total of \$18,098.45.

- \*e. One replacement 4-wheel turf vehicle as requested by the Parks & Recreation Division.

The Purchasing Division recommends accepting the low bid by Simpson Norton Corp. at \$15,424.00 including applicable use tax.

- f. 20-inch Water Line; Power Road, Northridge to Thomas Road City of Mesa Project No. 01-590-001.

This project will install approximately 5,400 feet of 20-inch water line as well as pavement replacement required for the water line installation. In addition, the project will install approximately 350 feet of 18-inch sewer line in Power Road to correct a maintenance problem.

Recommend award to low bidder, Fusion Engineering, LLC, in the amount of \$778,350.00 plus an additional \$77,835.00 (10% allowance for change orders) for a total award of \$856,185.00.

- g. Range Rider Reservoir No. 3 & Range Rider Booster Pump No. 2. City of Mesa Project No. 01-580-001.

MESA CITY COUNCIL  
July 6, 2004  
Page 4

This project will construct a new 500,000-gallon concrete in-ground reservoir in the vicinity of Hawes Road, north of Thomas Road. In addition, this project will install water booster pumps at the existing reservoir on Scarlet Road, east of Hawes Road. Both parts of this project follow the water master plan and will enhance water delivery capacity and reliability in the northeast portion of Mesa.

Recommend award to low bidder, SDB, Inc. in the amount of \$1,336,470.00 plus an additional \$133,647.00 (10% allowance for change orders) for a total award of \$1,470,117.00.

7. Introduction of the following ordinance and setting July 12, 2004 as the date of public hearing on this ordinance:
  - \*a. Pertaining to the Subdivision Regulation of the Mesa City Code; Amending Title 9, Chapter 6, Section 1 and Section 5 regarding various amendments to the Desert Uplands Development Standards and providing penalties for the violation thereof.
  - \*b. Amending Title 4, Chapter 9, Section 1 of the Mesa City Code, to provide the City Manager or his designee the authority to provide a percentage fee refund or credit against total permit charges if the City's Plan Review Performance Goals are not achieved.
  - \*c. Amending Title 4, Chapter 9, Section 2 of the Mesa City Code to provide the City Manager or his designee the authority to waive or reduce fees in certain circumstances that are set forth in the schedule of fees and charges.
  - \*d. Amending Title 5, Chapter 17, of the Mesa City Code, relating to development impact fees.
  - \*e. Amending Title 5, Chapter 17, Table 1, of the Mesa City Code, relating to water development impact fees.
  - \*f. Amending Title 5, Chapter 17, Table 2, of the Mesa City Code, relating to wastewater development impact fees.
  - \*g. Amending Title 5, Chapter 17, Table 3, of the Mesa City Code, relating to park development impact fees.

MESA CITY COUNCIL  
July 6, 2004  
Page 5

- \*h. Amending Title 5, Chapter 17, Table 5, of the Mesa City Code, relating to library development impact fees.
  - \*i. Amending Title 5, Chapter 17, of the Mesa City Code, relating to general government facilities development impact fees.
  - \*j. Amending Title 5, Chapter 17, of the Mesa City Code, relating to stormwater drainage systems development impact fees.
8. Consider the following resolutions:
- \*a. Section IV-L of the Mesa Commercial Communication Tower Guidelines (Resolution 7042) is proposed to be amended to allow alternative design wireless communication facilities to be placed within public parks and recreation centers. This section would be replaced by a new policy, entitled "Wireless Communications Design and Placement Guidelines for Parks and Recreation Facilities".
  - b. 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 Services (MYPS).
  - \*c. Authorizing the City Manager to renew an Intergovernmental Agreement with the Superior Court of Arizona, Maricopa County, concerning jurors in Mesa City Court.
  - d. Adopting the City of Mesa Housing Master Plan.
9. Consider the following ordinances:
- \*a. Relating to City purchase of tangible personal property; adding a new Chapter 21 to Title 1 of the Mesa City Code.
  - \*b. Amending Title 2, Chapter 21 of the Mesa City Code modifying the creation, membership and duties of the Economic Development Advisory Board.

MESA CITY COUNCIL  
July 6, 2004  
Page 6

- 9.1. Consider the following items concerning the conversion of alley solid waste collection service to curbside service:
- a. Approving staff's proposal to continue the conversion of alley solid waste collection service to curbside service and that staff be directed to conduct outreach to multi-family locations in order to determine the most efficient and effective method of solid waste collection as recommended by the Utility Committee.
  - b. Continuing curbside collection in those areas previously converted from alley collection.
- 9.2. Write-off of utility and miscellaneous accounts in the amount of \$392,639.00.
10. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinance:
- a. **Z04-45 (District 6)** The 7300 to 7500 block of East Southern Avenue (south side). Parcel 2 and a portion of Tract C at Superstition Springs Business Park. Located south of East Southern Avenue and west of South Sossaman Road (14.33± ac.). Rezone from M-1-PAD-DMP & PEP-PAD-DMP to C-2-CUP-BIZ-DMP and R-4 DMP, site plan review, and modification to the Superstition Springs DMP. This request is to allow for a mixed-use residential/commercial development. Superstition Springs Investors Limited Partnership, owner; Shelly McTee, Esq., applicant.  
**COMPANION CASE – GPMInor04-03. A LEGAL PROTEST FILED. ¾ VOTE REQUIRED.**
- 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 site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage).
  2. Compliance with the Residential Development Guidelines.
  3. Compliance with all requirements of the Design Review Board.
  4. Compliance with all City development codes and regulations.

MESA CITY COUNCIL  
July 6, 2004  
Page 7

5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
6. 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.
7. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.

\*b **Z03-64 (District 3)** Northwest corner of Sycamore and Main Street (14.46 ac.). Rezone from C-2 and C-3 to C-2 BIZ and C-3 BIZ and Site Plan Modification. This request is for the development of a bus/light rail transfer lot and park-and-ride facility to serve the Mesa light rail station and to reserve a site for future Transit Oriented Development (TOD). Judith A. Klein, Rising Sun, LLC., owner; Jeff Martin, City of Mesa, applicant. **CONTINUED FROM THE MAY 3, 2004, MAY 17, 2004, AND JUNE 7, 2004 CITY COUNCIL MEETINGS. THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED TO THE AUGUST 16, 2004 CITY COUNCIL MEETING.**

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0, Saemisch abstaining).

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted.
1. All street improvements and perimeter landscaping to be installed in the first phase of construction.
2. 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.
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. Compliance with all requirements of the Design Review Board.

MESA CITY COUNCIL  
July 6, 2004  
Page 8

6. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
7. Transit oriented development is encouraged for the 3.67 acre lot.

- \*c. **Z04-32 (District 6)** Northwest corner of Baseline Road and East Valley Auto Drive. Located north and west of Baseline Road and Greenfield Road (4.04± ac). Rezone from AG to M-1 and M-1 PAD. This case involves the development of an office building. Michael Reidy, owner and applicant.

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 site plan and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. 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.
4. Compliance with all requirements of the Subdivision Technical Review Committee.
5. Compliance with all requirements of the Design Review Board.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
7. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

- \*d. **Z04-35 (District 1)** 2158 North Gilbert Road. Located north of Gilbert Road and west of McKellips Road (3.13± ac.). Rezone from O-S to O-S PAD and site plan review. This request is for the development of office condominiums. Ron Buchholz, owner; Jason Allen, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 5-2 (Saemisch and Esparza, nay).

MESA CITY COUNCIL  
July 6, 2004  
Page 9

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. 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.
4. Compliance with all requirements of the Subdivision Technical Review Committee.
5. Compliance with all requirements of the Design Review Board.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
7. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

- \*e. **Z04-36 (District 2)** The 4200 and 4300 block of East University Drive (north side) and the 400 block of North Greenfield Road (east side). Located on the northwest corner of University Drive and Greenfield Road (6.06± ac.). Site Plan Modification. This request is for the development of medical office buildings and a self-storage facility. Kambiz Zonorroch, owner; Dave Lindquist, applicant.

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 site plan submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all Subdivision Regulations.
5. All street improvements and landscaping to be installed in the first phase of construction.

MESA CITY COUNCIL  
July 6, 2004  
Page 10

6. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field 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).
7. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

\*f. **Z04-37 (District 5)** Parcel 39 at Las Sendas. Located south of Thomas Road and east of Power Road (10.10± ac.). Rezone from R1-90 DMP (Conceptual R-2 PAD) to R1-7 PAD DMP, site plan review, and modification of the Las Sendas Development Master Plan. This request is for the development of a single residence subdivision. Robert N. Proehl, Sonoran Desert Holdings LLC, owner and applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0-1, Carpenter abstaining).

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).
2. Compliance with the Residential Development Guidelines.
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. Compliance with all requirements of the Subdivision Technical Review Committee.
7. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
9. The southern tier of lots (Lots 1-5) are to be one story housing product only.
10. Written notice to be given to future residents that this subdivision is within two (2) miles of Falcon Field Airport.

MESA CITY COUNCIL  
July 6, 2004  
Page 11

11. Written notice to be given to future residents that this subdivision will be in close proximity to the future Loop 202 Red Mountain Freeway.
12. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan.
13. Compliance with Ordinance #3694 requiring a grading permit.

- \*g. **Z04-38 (District 5)** Parcel 20 and 21 at Las Sendas. Located north of Thomas Road and east of Hawes Road (71.71± ac.). Rezone from R1-90 DMP to R1-90 PAD-DMP, site plan review, and modification of the Las Sendas Development Master Plan. This request is for the development of a single residence subdivision. Sonoran Desert Holdings, LLC – Jeff Blandford, manager, owner; Bob Proehl, Sonoran Desert Holdings, LLC, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0-1, Carpenter abstaining).

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 or lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan and compliance with Ordinance #3694 requiring a grading permit.
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. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
8. Written notice be provided to future residents, and acknowledgment received that the project is within three (4) miles of Falcon Field Airport.

MESA CITY COUNCIL  
July 6, 2004  
Page 12

9. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
10. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

\*h. **Z04-39 (District 5)** Parcel 41 at Las Sendas. Located south of Thomas Road and east of Power Road (12.70± ac.). Rezone from R-2 PAD DMP to R1-7 PAD-DMP, site plan review, and modification of the Las Sendas Development Master Plan. This request is for the development of a single residence subdivision. Robert N. Proehl, Sonoran Desert Holdings LLC, owner and applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0-1, Carpenter abstaining).

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).
2. Compliance with the Residential Development Guidelines.
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. Compliance with all requirements of the Subdivision Technical Review Committee.
7. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
9. Written notice to be given to future residents that this subdivision is within two (2) miles of Falcon Field Airport.
10. Written notice to be given to future residents that this subdivision will be in close proximity to the future Loop 202 Red Mountain Freeway.

MESA CITY COUNCIL  
July 6, 2004  
Page 13

11. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan.
12. Compliance with Ordinance #3694 requiring a grading permit.

\*i. **Z04-40 (District 5)** Parcels 24 and 25 at Las Sendas. Located east of Power Road and north of Thomas Road. (9.24± ac.). Rezone from R1-90 DMP (conceptual C-1 and R-3) to R1-7 PAD-DMP, site plan review, and modification of the Las Sendas Development Master Plan. This request is for the development of a single residence subdivision. Sonoran Desert Holdings, LLC – Jeff Blandford, manager, owner; Bob Proehl, Sonoran Desert Holdings, LLC, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0-1, Carpenter abstaining).

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 or lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Any new product designed for this subdivision or modifications to the elevations as shown must be submitted for administrative review and approval by the Planning Director.
4. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan and compliance with Ordinance #3694 requiring a grading permit.
5. Compliance with all City development codes and regulations.
6. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
7. 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.
8. All street improvements and perimeter landscaping to be installed in the first phase of construction.
9. Compliance with all requirements of the Subdivision Technical Review Committee.
10. Written notice be provided to future residents, and acknowledgment received that the project is within one (1) mile of the Red Mountain (Loop 202) Freeway.

MESA CITY COUNCIL  
July 6, 2004  
Page 14

11. Written notice be provided to future residents, and acknowledgment received that the project is within four (4) miles of Falcon Field Airport.
12. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
13. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

\*j. **Z04-41 (District 5)** Parcel 23 at Las Sendas. Located east of Power Road and north of Thomas Road. (14.8± ac.). Rezone from R1-90 DMP (conceptual R-2 PAD) to R1-7 PAD-DMP, site plan review, and modification of the Las Sendas Development Master Plan. This request is for the development of a single residence subdivision. Sonoran Desert Holdings, LLC – Jeff Blandford, manager, owner; Bob Proehl, Sonoran Desert Holdings, LLC, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0-1, Carpenter abstaining).

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 or lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Any new product designed for this subdivision or modifications to the elevations as shown must be submitted for administrative review and approval by the Planning Director.
4. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan and compliance with Ordinance #3694 requiring a grading permit.
5. Compliance with all City development codes and regulations.
6. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
7. 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.
8. All street improvements and perimeter landscaping to be installed in the first phase of construction.

MESA CITY COUNCIL  
July 6, 2004  
Page 15

9. Compliance with all requirements of the Subdivision Technical Review Committee.
10. Written notice be provided to future residents, and acknowledgment received that the project is within one (1) mile of the Red Mountain (Loop 202) Freeway.
11. Written notice be provided to future residents, and acknowledgment received that the project is within three (3) miles of Falcon Field Airport.
12. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
13. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

- \*k. **Z04-42 (District 5)** Parcel 22 at Las Sendas. Located east of Power Road and north of Thomas Road (12.6± ac.). Rezone from R1-90 DMP (conceptual R-2 PAD) to R1-7 PAD-DMP, site plan review, and modification of the Las Sendas Development Master Plan. This request is for the development of a single residence subdivision. Sonoran Desert Holdings, LLC – Jeff Blandford, manager, owner; Bob Proehl, Sonoran Desert Holdings, LLC, applicant.

P&Z Recommendation: Approval with conditions (Vote: Passed 6-0-1, Carpenter abstaining).

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 or lot coverage).
2. Compliance with the Residential Development Guidelines.
3. Any new product designed for this subdivision or modifications to the elevations as shown must be submitted for administrative review and approval by the Planning Director.
4. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan and compliance with Ordinance #3694 requiring a grading permit.
5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).

MESA CITY COUNCIL  
July 6, 2004  
Page 16

6. 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.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
9. Written notice be provided to future residents, and acknowledgment received that the project is within one (1) mile of the Red Mountain (Loop 202) Freeway.
10. Written notice be provided to future residents, and acknowledgment received that the project is within three (4) miles of Falcon Field Airport.
11. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
12. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

- \*I. **Z04-44 (District 3)** Northeast corner of Alma School Road and Guadalupe Road (1.55± ac.). Site Plan Modification. This request involves the development of a Walgreen's. Hugh Bancroft III, owner; Kristjan Sigurdson, K&I Architects, applicant.

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 site plan and elevations submitted.
2. Compliance with all current Code requirements, unless modified through appropriate review and approval of a Substantial Conformance Improvement Permit (SCIP), as outlined above in this staff report.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all City of Mesa requirements for combining parcels and boundary line adjustments, as necessary to create the proposed configuration. Provide documentation of recordation of new parcels with application for building permit.

MESA CITY COUNCIL  
July 6, 2004  
Page 17

5. Recordation of an ingress/egress easement from the driveway on Alma School Road to the driveway on Guadalupe Road to allow City of Mesa representatives to have access to the north and east exterior of the City sewer lift station facility. Provide documentation of recorded easement with application for building permits.
6. Recordation of cross-access easement between the new parcel to be created for the drugstore and abutting parcels within the existing commercial center to the north, currently indicated as APN's 302-87-812, 302-87-817A, and 302-04-002E.
7. Compliance with all requirements of the Design Review Board.
8. Non-conforming and/or prohibited signs shall be brought into conformance prior to the issuance of a building permit.

- \*m. **Z04-46 (District 5)** Located south and east of Signal Butte and Main Street (67.2± ac.). Rezone from Maricopa County C-2, C-3, C-3 P.D. R-2 R.U.P.D., and R-5 to City of Mesa C-2, C-3, R1-6 P.A.D. and R-4. This request involves the establishment of city zoning on recently annexed property. Various owners (See attached list); City of Mesa, applicant.

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

1. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
2. Compliance with all City development codes and regulations.

- \*n. **Z04-47 (District 6)** 1955 South Val Vista Drive. Located north and east of East Baseline Road and South Val Vista Drive (7.4± ac.). Rezone from C-2 to C-2-PAD. This request is to allow individual sale of office suites. Christopher W. Warren, SB&W Development –Mesa LLC, owner; Brian Moore, BCMA Architecture, applicant.

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 site plan, preliminary plat and elevations submitted and previously approved, Z03-10.
2. Compliance with all City development codes and regulations.

3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Compliance with all requirements of the Design Review Board.

\*o. **Z04-48 (District 6)**                      The 3900 and 3800 block of South Power Road (east side). Located south and east of Elliot and Power Roads (13.8± ac.). Rezone from M-1 to PEP PAD, M-1 PAD and M-1 and Site Plan Review. This request involves the development of a commercial, office and light industrial development. Franklin D. Richards Jr., owner; Dean Sulzer, applicant.

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 site plan and preliminary plat submitted except as noted below.
2. Compliance with all requirements of the Design Review Board.
3. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
4. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans for Phase Three.
5. All future developments for Phase Three must provide screened outdoor storage along the west property line adjacent to Phase Two.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. 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.
8. 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).
9. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

MESA CITY COUNCIL  
July 6, 2004  
Page 19

11. Consider the following subdivision plats:
  - \*a. “AZ HEALTH & TECH PARK BUILDINGS G, H, & I”, – (Council District 6) – 5800 block of East Still Circle (south side) located north and west of Baseline Road and Recker Road. 3 PEP PAD office lots (9.16 ac) Kirksville College of Osteopathic Medicine, a Missouri Non-Profit Corporation, owner; Survey Innovation Group, Inc., engineer.
  - \*b. “CRISMON CREEK VILLAGE”, – (Council District 6) – 1600 block of South Crismon Road (east side) located north and east of Baseline Road and Crismon Road. 275 R-2 PAD patio homes (43.82 ac) K. Hovnanian Great Western Homes, LLC, Scott Smith, President, owner; M2 Group, Inc., engineer.
12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).