

COUNCIL MINUTES

February 17, 1998

The City Council of the City of Mesa met in a Study Session in the Conference Theater of the Centennial Conference Center, 201 North Center Street, on February 17, 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
Mike Hutchinson
Barbara Jones
Harry Kent
Ellen Pence
Bryan Raines
Tom Remes
Becky Richardson

STAFF PRESENT (CONT.)

Debbie Vickman
Mindy White
Others

OTHERS PRESENT

Cynthia Donald
Bev Hart
Mark Hughes
Others

Mayor Brown excused Councilmember Payne from the meeting.

1. Review items on the agenda for the February 17, 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:

6. Consider the following resolutions.

- *g. Extinguishing an easement for public utilities located at 2926 South Revere Circle.

Easement is no longer needed.

- *h. Extinguishing an easement for public utilities located at 2540 East Jensen Circle.

Easement is no longer needed.

Public Works Manager Harry Kent requested that agenda Items 6g and 6h be deleted from the agenda due to the concerns expressed by Salt River Project (SRP).

Mayor Brown advised that agenda Items 6g and 6h would be deleted from the agenda.

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

- a. **Z97-75** The northeast corner of Southern Avenue and Signal Butte Road. Rezone from R1-9 to R1-6-PAD and C-2 (60± acres). This case involves development of a single-residence subdivision and a future retail parcel. Garry Jestadt, owner; Kaufman and Broad of AZ., Inc., applicant. **TABLED AT THE NOVEMBER 17, 1997 REGULAR COUNCIL MEETING.**
- b. **Z97-77** South and east of the southeast corner of Hawes Road and Guadalupe Road. Rezone from R1-43 to R1-6-PAD (95± acres). This case involves development of a single-residence subdivision. Woodside homes, owner; Ralph Pew, applicant. **TABLED AT THE NOVEMBER 17, 1997 REGULAR COUNCIL MEETING.**
- c. **Z97-89** The 9800 and 9900 blocks of East Southern Avenue (north side). Rezone from R1-43 to R1-6-PAD (25± acres). This case involves the development of a 166-lot subdivision. Southern & Crismon Road Property, Ltd., owner; Maracay Homes, applicant. **TABLED AT THE NOVEMBER 17, 1997 REGULAR COUNCIL MEETING.**

In response to a question posed by Mayor Brown relative to the zoning cases that were tabled at the November 17, 1997 Regular Council Meeting, Councilmember Giles stated that his concerns have been addressed by the applicants' attorneys.

Mayor Brown stated that agenda Items 8a, 8b, and 8c will be added to the consent agenda.

- d. **Z97-90** The 6600 block of East McDowell Road (south side). Rezone from R-3-PAD to R-2-PAD (9.26 acres). This case involves the development of a 72-lot subdivision. Daniel and Susan Giblin, owners; Great Western Homes, applicant. **TABLED AT THE NOVEMBER 17, 1997 REGULAR COUNCIL MEETING. THE APPLICANT HAS REQUESTED THIS CASE BE TABLED.**

Community Development Manager Wayne Balmer advised that a letter was received from Richard A. Black, an attorney representing the property owner, requesting that Council proceed with the case.

- *f. **Z98-4** The 4100 and 4200 blocks of East Broadway (north side). Rezone from AG to R1-6-PAD (35± acres). This case involves the development of retirement townhomes. Hughes Development, owner; Planning Resources, applicant.

In response to a question from Councilmember Giles, Mr. Balmer explained that the development will have an age specific requirement for marketing purposes but that it will not have age specific overlay zoning.

Cynthia Donald of Planning Resources, 1043 East Missouri Street, Phoenix, stated that the CC&Rs will contain an age restriction requirement.

In response to a question from Councilmember Giles, Mark Hughes of Hughes Development, stated that age restrictions will be based on the 80/20 rule. Mr. Hughes explained that the 80/20 rule requires that a minimum of one person must be at least 55

years old in 80 percent of the households and that a minimum of one person must be at least 40 years old in 20 percent of the households.

In response to questions from Vice Mayor Gilbert, Mr. Hughes stated that all of the Housing and Urban Development (HUD) regulations have been met. Mr. Hughes advised that the initial sale of the lots will be monitored by the builder and explained that it is anticipated that the CC&Rs will require that the homeowners be a minimum of 55 years old during secondary sales of the homes.

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

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

3. Scheduling of meetings and general information.

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

Friday, February 20, 1998, 7:30 a.m. - Study Session

Monday, February 23, 1998, 7:00 p.m. - Transportation Committee Meeting

Friday, February 27, 1998, 7:30 a.m. - Study Session

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

Mayor Brown advised that there were no prescheduled public opinion appearances.

5. Adjournment.

Without objection, the Study Session adjourned at 5:30 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 17th day of February 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