

COUNCIL MINUTES

April 27, 2000

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 27, 2000 at 7:30 a.m.

COUNCIL PRESENT

Mayor Wayne Brown
Jim Davidson
John Giles
Keno Hawker
Bill Jaffa
Dennis Kavanaugh
Pat Pomeroy

COUNCIL ABSENT

None

STAFF PRESENT

Mike Hutchinson
Don Ayers
Wayne Balmer
Neal Beets
Mary Beruman
Denise Bleyle
Jamie Brennan
Dan Brewer
Dennis Compton
Linda Crocker
Bob DeLeon
Jack Friedline
Pat Granillo
Barbara Jones
Karen Kille
Dorinda Larsen
Frank Mizner
Ellen Pence
David Plumb

STAFF PRESENT (CONT.)

Bryan Raines
Andrea Rasizer
Tom Remes
Regan Robbins
Sharon Seekins
Jenny Sheppard
Jan Strauss
Lois Underdah
Mindy White
Paul Wilson
Others

OTHERS PRESENT

Betty Beard
Lynn Kusy
Others

1. Review items on the agenda for the May 1, 2000 Regular Council meeting.

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

3. Conduct a public hearing for the following General Plan Amendments:

- a. **GP99-1** North of the northeast corner of Greenfield Road and Brown Road. Change from Neighborhood Commercial (NC) to Medium High Density Residential (5 to 15 du/ac) 8± acres. NEC Greenfield and Brown Roads, Ltd., owner; Mark Reeb, applicant (See Item Nos. 7a and 10a).

In response to Planning Director Frank Mizner's explanation regarding the correlation between agenda items 3a, 7a and 10a, Mayor Brown indicated that each agenda item will be considered on a separate basis.

5. Consider the following liquor license applications:

a. MARTIN W. BROWN, AGENT

New Beer and Wine Store License for Chevron Food Mart, 2733 N. Recker Road. This is a new building, which is currently under construction, no previous liquor licenses at this location.

Mayor Brown indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted reported 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.

6. Consider the following contracts:

g. One new and two replacement tractor backhoes with front-end loaders as requested by the Utility Construction Division and the Transportation Division.

In response to a question from Councilmember Davidson relative to a potential conflict of interest, Assistant City Attorney Joe Padilla stated his intention to research this issue and report his findings.

n. Desert Sands Water Line Relocation. City of Mesa Project No. 99-57.2.

This project is a continuing phase of a multiple-phase project to upgrade water lines in the Desert Sands area.

Councilmember Hawker 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.

o. Cemetery Expansion. City of Mesa Project No. 00-33.1.

This project is the second phase of the cemetery expansion and will install a short roadway and landscape the area south of the Country Club Drive entrance.

Councilmember Hawker 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.

p. Valencia Park Improvements. City of Mesa Project No. 00-21.

This project is for the purpose of establishing a neighborhood park in the vicinity of Greenfield Road and University Drive.

Councilmember Hawker 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.

Councilmember Davidson commented that he will not support this agenda item based on the fact that the proposed location of the park is in close proximity to an electric transmission corridor.

- q. 1998/1999 City of Mesa Roadway Reconstruction Project, Phase III. City of Mesa Project No. 99-56.2.

This project is phase three of the annual project to reconstruct various segments of roadway pavement.

Councilmember Hawker 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.

- r. Warner Road Lift Station. City of Mesa Project No. 00-90-2.

This project is the second of a two-phase project to construct a sewer lift station and force main to provide sewer service to the area shown in Exhibit "A."

In response to a question from Councilmember Jaffa relative to a potential conflict of interest, City Attorney Joe Padilla stated his intention to research the issue and report his findings.

- 6.1 Introduction of the following ordinances and setting May 15 as the date of public hearing on these ordinances:

(Note: City Council introduction of ordinances does not necessarily reflect City Council approval of these ordinances. Introduction of ordinances sets in motion the public posting and advertising process for ordinances so that the City Council can hear from concerned citizens at the public hearing.)

- *b. Relating to massage therapy; amending Section 5-12-6 of the Mesa City Code; amending Title 5, Chapter 12 of the Mesa City Code by adding a new Section 5-12-16; and providing for applicability and an effective date.

In response to questions from Councilmember Pomeroy relative to the language contained in the proposed ordinance, Mr. Padilla stated his intention to research the issue and report his findings.

- 6.2 Consider recommending that Level (3) Communications, LLC, be granted a temporary permit to place a fiber optics communication system under Broadway and Macdonald Streets at the Union Pacific Railway tracks.

Councilmember Jaffa 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.

7. Consider the following resolutions:

- *a. **GP99-1** Adopting an amendment to the General Plan that would change an 8± acre parcel from Neighborhood Commercial (NC) to Medium High Density Residential (MHDR). **THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED FOR 30 DAYS.**

Councilmember Jaffa 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.

- *b. **GP00-2** Adopting an amendment to the General Plan that would change a 20± acre parcel from High Density Residential (HDR) to Community Commercial (CC).

Mayor Brown stated that agenda items a and b will be removed from the consent agenda.

- d. Authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation for certain utility work and roadway enhancements to be included within the construction of the Red Mountain Freeway from Country Club Drive to Gilbert Road.

Councilmember Davidson 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.

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

- *a. **Z00-14** The 1200 and 1300 blocks of North Greenfield Road east side. (Rezone from C-2 to R1-6-PAD 8 acres). This case involves the development of a Z-lot single residential subdivision. Mark Reeb, owner/applicant. **THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED FOR 30 DAYS.**
- *b. **Z00-16** North and east of the northeast corner of Power and McKellips Roads. Rezone from R1-35 and R1-35 (conceptual C-2) to C-2 (20± acres). This case involves the development of a Target Store, retail shops and pad buildings. Norman Saba, owner; Bruce Utterback, applicant.

Mayor Brown stated that agenda items a & b will be removed from the consent agenda.

- *e. **Z00-22** The 8000-9100 blocks of East McKellips (both sides) – between Hermosa Vista Drive and McLellan Roads). Rezone from R1-35-DMP (conceptual residential, office and commercial) to R1-35 (760± acres). This case involves the modification to conceptual approval of residential densities and land uses. State of Arizona, owner; represented by: Arizona State Land Department; City of Mesa, applicant.

THE APPLICANT HAS REQUESTED THIS CASE BE CONTINUED FOR 60 DAYS.

Mayor Brown and Councilmembers Pomeroy, Davidson and Kavanaugh expressed support for the continuation of this case.

- f. **Z00-23** The northeast corner of Mountain Road and Warner Road (alignment). Rezone from County Rural - 43, R1-7-R.U.P.D. and R1-6-R.U.P.D. to R1-43 and R1-7 (153± acres). This case involves the establishment of City zoning on recently annexed properties. Various, owner; City of Mesa, applicant.

Councilmember Davidson stated that he opposes the approval of this case based on the site's close proximity to the power line transmission corridor.

In response to a question from Councilmember Jaffa relative to a potential conflict of interest, Mr. Padilla stated his intention to research this issue and report his findings.

2. Discuss and consider refinements to the project narrative, design guidelines and site plan for the Dana Park Village Square Project located at Baseline and Val Vista.

Paul Gilbert, an attorney representing the applicant, provided the Council with a brief synopsis of the developer's proposed refinements relative to the design guidelines. Mr. Gilbert advised that the developer has endeavored to acquire input from neighborhood residents in an effort to create an aesthetically pleasing development that addresses the neighbors' concerns. Mr. Gilbert also noted that as a result of the neighborhood meetings, an advisory committee was formed and said the developer continues to confer with this group. Mr. Gilbert added that many of the proposed uses that the developer has incorporated have been at the specific request of the neighborhood committee, including the development of a Cracker Barrel Restaurant.

Mr. Gilbert stated that confusion has emanated from the fact that the Santa Barbara architecture and also a number of high-quality restaurants have been designated in the core of the development as opposed to the periphery of the project.

Mr. Gilbert referred to an overhead projection of the site plan and outlined the refinements proposed by the developer including: 1) a number of the perimeter parcels have been combined, thereby reducing the number from 16 to 12. This modification will allow for multi-tenant buildings and provide the developer with greater control relative to the architecture. The square footage of the periphery lots will also be reduced. 2) the entry locations will be restricted so that no lot will have direct access onto Baseline or Val Vista Roads. 3) the stamp concrete will be replaced by pavers as a source of paving material. The developer proposes to include the pavers as an enhancement to the two main entryways. The addition of the pavers will encourage the consumers to enter the project at the location of the traffic signals. 4) the proposed citrus trees will be replaced by bougainvillea and the number of date trees will be increased. 5) the waterfalls will be replaced by water features that are consistent with the City's water conservation policies and 6) the height of the light poles will be increased by five feet, which will permit the developer to reduce the number of fixtures needed.

Mr. Gilbert emphasized that the park will be constructed in the first phase of the development and it will provide shade structures, playground equipment and exercise trails, all of which will serve as a buffer to the neighborhood.

In response to a question from Councilmember Jaffa relative to signage, Mr. Gilbert noted that whenever possible, the developer will combine perimeter parcels, which will allow for greater emphasis on an overall architectural theme that will compliment the entire project. Mr. Gilbert added that regarding the separate perimeter sites, the developer is required to defer to the national brand signage, color palette and architectural style.

Councilmember Jaffa stated that he is willing to proceed with the proposed refinements, but stressed the fact that if the developer focuses on attracting high-end projects, it will provide a unique and innovative opportunity for the City of Mesa.

Councilmember Davidson expressed appreciation to staff and Mr. Gilbert for their efforts relative to this project. Councilmember Davidson emphasized that he is in favor of the proposed changes to the development and envisions a project that will attract citizens from Mesa and the surrounding communities.

Councilmember Kavanaugh said that he is in support of the developer's proposed clarifications and refinements and added that the changes will provide more specific expectations in regard to the direction with which this project should proceed. Councilmember Kavanaugh added that the developer has garnered respect relative to numerous construction endeavors in the United States and Canada and is renown for producing quality projects.

Councilmember Pomeroy concurred with the opinions of Councilmember Kavanaugh. Councilmember Pomeroy further noted that due to the fact the core area is slated to be the "showcase" of the development, he is less concerned with perimeter development than he is the core area of the project. Councilmember Pomeroy stressed, however, the importance of requiring applicant to maintain premier design standards within the perimeter in order to attract high-end projects into the core.

In response to concerns expressed by Councilmember Hawker, Mr. Gilbert advised that the developer is committed to complete the entire project and noted that if there are more design changes implemented which differ from what is originally proposed, the developer will be required to return to the City Council and to the Planning & Zoning Board to solicit approval for the changes.

Vice Mayor Giles concurred with the opinions of the other Councilmembers and expressed confidence in the project which was endorsed by the neighborhood advisory committee. Vice Mayor Giles also recommended that the developer provide assurance to the Council of his financial ability to proceed with the development of the core area.

In response to a question from Vice Mayor Giles, Mr. Mizner advised that a number of members on the Design Review Board are registered architects.

Mayor Brown expressed appreciation to Mr. Gilbert for his presentation.

3. Hear and consider recommendations from the Housing Revitalization Roundtable.

Human Services Coordinator Karen Kurtz presented a brief overview of the above agenda item. Ms. Kurtz stated that the Housing Revitalization Roundtable is a project which was initiated by City Manager Mike Hutchinson approximately one year ago in an effort to bring together City staff, citizens and community non-profit organizations to explore the issue of the preservation and the

revitalization of existing housing stock in Mesa. Ms. Kurtz added that upon formation of the Roundtable, subcommittees were organized to focus on specific areas, including resource issues, neighborhood-based planning, research, enforcement, and rewards, recognition and education.

Mr. Hutchinson informed the Council that funds are allocated in the proposed FY 2000/01 budget to provide the Housing Revitalization Roundtable an opportunity to accomplish the proposed recommendations.

Mayor Brown expressed appreciation to Mr. Hutchinson for his efforts in the formation of the Roundtable and stressed the fact that housing diversification is a major asset to the City of Mesa.

Vice Mayor Giles and Councilmembers Pomeroy and Davidson spoke in support of the preservation and the revitalization of Mesa's aging neighborhoods.

Councilmember Kavanaugh stated his approval of the proposed redevelopment efforts in the central and western parts of the City and also stated the opinion that the proposal will provide opportunities for developers to become involved with infill projects as well as neighborhood upgrades.

Councilmember Jaffa expressed the opinion that neighborhood revitalization is an important issue for the City and encouraged staff to consider various incentives and fee abatements.

Mayor Brown thanked Ms. Kurtz for her presentation.

4. Hear a presentation regarding Mesa and Regional Labor Market Appraisals.

Due to time constraints, this item was continued to a future Study Session.

5. Acknowledge receipt of minutes of various boards and committees.

- a. Adjustment Board meeting held April 11.
- b. Design Review Board meeting held April 5.
- c. Fire Committee meeting held April 6.
- d. Historic Preservation Committee meeting held April 13.
- e. Housing and Human Services Advisory Board meeting held March 28.
- f. Human Relations Advisory Board meetings held March 29 and March 31.
- g. Police Committee meetings held April 13 and April 20.

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

Carried unanimously.

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

Due to time constraints, this item was continued to a future Study Session.

7. Scheduling of meetings and general information.

City Manager Mike Hutchinson stated that the meeting schedule is as follows:

Monday, May 1, 2000, 4:00 p.m. – General Development Committee Meeting

Monday, May 1, 2000 - Study Session (Immediately following the General Development Committee Meeting)

Monday, May 1, 2000, 5:45 p.m. – City Council Meeting

Thursday, May 4, 2000, 9:00 a.m. – Utility Committee Meeting

Tuesday, May 9, 2000, 8:00 a.m. – Budget Review Meeting

Wednesday, May 10, 2000, 8:00 a.m. – Budget Review Meeting

Thursday, May 11, 2000, 7:30 a.m. – Study Session

Thursday, May 11, 2000, 8:00 a.m. – Budget Review Meeting

Friday, May 12, 2000, 8:00 a.m. – Budget Review Meeting

8. Prescheduled public opinion appearances.

There were no prescheduled public opinion appearances.

9. Items from citizens present.

There were no items from citizens present.

10. Adjournment.

Without objection, the Study Session adjourned at 9:33 a.m.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

Study Session
April 27, 2000
Page 9

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 27^h day of April, 2000. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 2000

BARBARA JONES, CITY CLERK