

COUNCIL MINUTES

June 7, 1999

The City Council of the City of Mesa met in a Regular Council Meeting in the upper level meeting room of the Council Chambers, 57 East 1st Street, on June 7, 1999 at 5:45 p.m.

COUNCIL PRESENT

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

COUNCIL ABSENT

None

POLICE OFFICER
PRESENT

Marc Therre

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

Invocation by Pastor Don Enevoldsen, Living Word Bible Church.

Pledge of Allegiance was led by Megan Casey and Sara Sullivan, Girl Scout Troop #620, Eagles Nest Neighborhood.

(Mayor Brown advised that because of his recent surgery, he is not able to serve as Chairman of the entire meeting and said that agenda item 10f, which requires a $\frac{3}{4}$ vote of the Council, will be taken out of order to allow him to cast his vote. Although items on the agenda were discussed out of order, for purposes of clarity they will remain as listed on the agenda.)

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Giles, that the minutes of May 11, 12, 13, and 17, 1999 be approved.

Carried unanimously.

2. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified in these minutes with an asterisk (*) were approved with one Council action.

It was moved by Vice Mayor Giles, seconded by Councilmember Kavanaugh, that the consent agenda items be approved.

Carried unanimously.

3. Conduct a public hearing on the proposed Fiscal Year 1999-00 budget plan.

Mayor Brown announced that this is the time and place for a public hearing on the proposed Fiscal Year 1999-00 budget plan and encouraged citizens to present their input.

There being no citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

4. Consider tentative adoption of the proposed Fiscal Year 1999-00 budget plan.

Assistant to the City Manager Bryan Raines provided a brief overview of the proposed Fiscal Year 1999-2000 budget plan. Mr. Raines stated that the Council will vote on the tentative adoption of the budget at this meeting, which will set the high limit for the budget. Mr. Raines added that the final adoption of the budget will occur on June 28, 1999. Mr. Raines advised that the 3-page budget that will be voted upon on June 28th reflects a new total budget of \$700,703,000.00, an increase of 13.4% over the previous year's budget.

Mayor Brown expressed appreciation to Mr. Raines and the members of staff for their considerable efforts in developing the proposed budget.

Councilmember Jaffa commented that his previously stated concerns regarding contingency fund balances have been addressed and said that the modified budget increases the amount of those funds by \$1.9 million. Councilmember Jaffa stressed the importance of ensuring that the City of Mesa continues to meet their financial needs and added that he would support increasing the contingency fund amount further in next year's budget.

Councilmember Hawker stated that he would vote in support of adopting the tentative budget and indicated his interest in pursuing the development of a five-year budget proposal. Councilmember Hawker noted that the current budget proposal does not take into account discussions that will occur following the adoption of the budget relative to the performing arts center and the 1/2¢ quality of life tax and how it will be appropriated if freeway fund monies are not used.

Mayor Brown concurred that funding for the arts and entertainment facility are not included in the proposed budget and said that this issue will be discussed in the near future.

Councilmember Kavanaugh spoke in support of approving the proposed budget and stated the opinion that the budget is both responsive and responsible and addresses quality of life issues.

Councilmember Pomeroy indicated that he will support approval of the tentative budget and said that appropriate adjustments have been made.

Vice Mayor Giles commented that the utility rate increase and the allocation of surplus quality of life tax monies are not included as part of the proposed budget and will be addressed separately.

It was moved by Vice Mayor Giles, seconded by Councilmember Kavanaugh, that tentative adoption of the legal three-page budget for the City of Mesa for Fiscal Year 1999-2000, in the amount of \$535,730,000 for the operating portion and \$164,973,000 for the scheduled bond capital improvements, for a total City budget appropriation of \$700,703,000, be approved.

Carried unanimously.

5. Consider the following liquor license applications:

a. RONALD D. LORENZO, AGENT (CONTINUED FROM THE MAY 17 COUNCIL MEETING)

New Beer and Wine Store License for Albertson's Express #948, 461 N. Val Vista Drive. This is a new business, no previous liquor license at this location.

*b. PARKE B. MOYER, AGENT

New Beer and Wine Store License for Texaco Food Mart, 2816 S. Country Club Drive. The Beer and Wine Store License previously held at this location by Troy Jack Lane, Agent, Country Club Towers, Inc., will revert back to the State.

*c. CLARE H. ABEL, AGENT

New Restaurant License for Chili's Grill & Bar, 1637 S. Stapley Drive. This is a new business, no previous liquor licenses at this location.

*d. CLARE H. ABEL, AGENT

New Restaurant License for Romano's Macaroni Grill, 1705 S. Stapley Drive. This is a new business, no previous liquor licenses at this location.

6. Consider the following contracts:

*a. Two-year supply contract for water & wastewater treatment chemicals, used by the CAP treatment plant and the Northwest Water Reclamation plant, (NWWRP), as requested by the Utility Operations Division.

The Purchasing Division recommends accepting the low bids meeting specification as follows:

Item 1 to Summit Research Labs at \$8,575.00; Item 2 to Chalum, Inc. at \$77,400.00; Item 3 to Norit Americas, Inc. at \$300,000.00; Item 4A and 8 to Hill Brothers Chemical Company at \$28,860.00; Item 4B and 10 to Thatcher Company at \$3,356.38; Item 5 to DPC Enterprises, L.P. at \$51,840.00; Item 6 to Pencco, Inc. at \$24,150.00; Item 7 to Polydyne, Inc. at \$7,710.00; and Item 9 to Van Waters & Rogers at \$78,000.00. The combined award is then \$579,891.38 based on estimated requirements.

*b. One replacement CCTV Camera Head as requested by the Utility Operations Division. This closed circuit camera is used to inspect underground pipelines.

The Purchasing Division recommends accepting the low bid by RS Technical Services, Inc. at \$17,500.00 plus 5% use tax of \$875.00 for a total of \$18,375.00.

- *c. Two-year supply contract for multi-jet water meters for the Materials & Supply Division inventory to be used by the Utility Service Division.

The Purchasing Division recommends accepting the low bid by Dana Kepner Company, Inc. at \$286,913.70 plus 7.0% sales tax of \$20,083.96 for a total of \$306,997.66.

- *d. Two replacement dump trucks as requested by Parks, Recreation & Cultural Programs and the Utility Construction Division.

The Purchasing Division recommends accepting the low bid by I-10 International Trucks at \$86,218.64 plus 7.0% sales tax of \$6,035.30 and \$1,810.00 extended engine and transmission warranties, for a total of \$94,063.94.

- *e. Three-year contract for repair and maintenance of police vehicles as requested by Fleet Support Services.

The Evaluation Team and the Purchasing Division recommend accepting the proposal by Hub's Auto Clinic for annual expenditures estimated at \$280,000.00.

- *f. One replacement truck mounted highway striper as requested by the Transportation Division.

The Purchasing Division recommends accepting the low bid by Morton Traffic Markings at \$256,835.00 plus 5% use tax of \$12,841.75 for a total of \$269,676.75.

- *g. Upgrade to the Automated Tape Library (ATL) as requested by the Information Services Division (ISD). This upgrade will increase the data transmission speed between the mainframe computer and the ATL.

The Purchasing Division recommends accepting the bid from Sutmyn America for an ATL upgrade at \$39,480.00 plus 7.4% sales tax for a total of \$42,401.52.

- *h. Two replacement file servers as requested by the Information Services Division (ISD). These servers will replace eleven older file servers installed at the City, improve productivity, and reduce maintenance costs.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with MicroAge Government Accounts for two file servers for a total of \$265,149.42, including applicable sales tax.

- *i. Additional Document Management Hardware and Software for Police Records Section as requested by the Information Services Division (ISD). This purchase will further enhance the Police Department's ability to provide effective document management services.

The Purchasing Division recommends awarding to the following low bidders meeting specifications:

Western Office Systems for imaging software for \$10,400.00 plus 7.0% sales tax, for a total of \$11,128.00; and

PAR Technologies for imaging hardware for \$9,542.66 plus 7.1% sales tax, for a total of \$10,220.19. The combined total award is \$21,348.19.

- j. Mesa Senior Center re-carpet and re-tiling. City of Mesa Project No. 99-35.

This project consists of replacing the carpet and tile at the Mesa Senior Center located at 247 North MacDonald Street.

Recommend award to low bidder, Tolivers, in the amount of \$76,429.08.

It was moved by Councilmember Pomeroy, seconded by Councilmember Davidson that the recommendation of staff be approved.

Mike Demke, 2317 North Winthrop, representing Flooring Services, a bidder on this project, spoke in opposition to staff's recommendation that the contract be awarded to Tolivers. In response to a request from Vice Mayor Giles, Public Works Manager Jack Friedline stated that staff has determined the licenses held by the low bidder to be appropriate and recommended approval.

Upon tabulation of votes, it showed:

AYES - Davidson-Hawker-Jaffa-Pomeroy
NAYS - Giles-Kavanaugh
ABSENT - Brown

Vice Mayor Giles declared the motion carried by majority vote by those present.

- *k. Re-carpet at various City buildings. City of Mesa Project Numbers 99-41, 99-97, 99-63, 99-106, 99-107.

These projects involve replacing carpet at numerous City buildings. Specifically: Fire Station numbers 4 and 14; the Main Library lower floor; Riverview Golf Course Pro Shop; Centennial Hall; City Prosecutor's office.

Recommend award to low bidder, Horizon Contracting and Maintenance, Inc., in the amount of \$72,228.57.

- l. 1998/1999 City of Mesa overlay project, Phase I. City of Mesa Project No. 99-56.

This project involves the installation of asphalt overlays on three collector street segments.

Recommend award to low bidder, Nesbitt Contracting Company, Inc., in the amount of \$492,892.50.

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.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Jaffa that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Jaffa-Kavanaugh-Pomeroy
NAYS - None
ABSENT - Brown
ABSTAIN - Hawker

Vice Mayor Giles declared the motion carried unanimously by those present and voting.

6.1. Introduction of the following ordinances and setting June 21, 1999 as the date for the 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.)

- *a. Prohibiting northbound left turns from the driveways on the south side of McDowell Road with centerlines approximately 385 feet east of Power Road and 565 feet east of Power Road; prohibiting parking between 10:00 p.m. and 4:00 a.m. on Kiowa Avenue from Power Road to Roslyn and on Roslyn from Baseline Road to Kiowa Avenue; establishing a dual speed limit of 35 mph on school days from 7:30 a.m. to 4:00 p.m. and 45 mph at all other times on Crismon Road from Southern Avenue to Diamond Avenue; and establishing a 35 mph speed limit on Sossaman Road from Ray Road to Tahoe Avenue; as recommended by the Transportation Advisory Board.

7. Consider the following resolutions:

- *a. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona State Land Department accepting the transfer of a portion of the State Land Department Central Arizona Project allocation to the City of Mesa - Resolution No. 7367.

- *b. Extinguishing a public utility easement in the Red Mountain Aviara subdivision - Resolution No. 7368.

The property has been subdivided and this easement is no longer needed.

- *c. Extinguishing a public utility easement at 2255 East Gable - Resolution No. 7369.

The utility easement is not used and is in conflict with the construction of a pool.

- *d. Vacating a portion of East Iris Street right-of-way between North 30th Street and North 32nd Street - Resolution No. 7370.

This portion of East Iris Street has been converted to a private street at the request of the adjacent property owners.

- *e. Authorizing the City Manager to execute Contract Amendment No. 79760 between the City of Phoenix and the City of Mesa for transit service on Express Route 533 - Resolution No. 7371.
- *f. Authorizing the City Manager to execute an agreement between the City of Mesa, the Phoenix Police Department, U.S. Customs and the Federal Bureau of Investigation for cooperative assistance to address crimes against children on the internet - Resolution No. 7372.
- *g. Supporting the full and permanent funding of the Federal Land and Water Fund (LWCF) - Resolution No. 7373.
- *h. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Arizona Department of Economic Security (DES) to support a portion of the operating costs for Mesa Community Action Network (MesaCAN), utility, rent, and emergency assistance payments to households in need, and the East Valley Training and Living Center (EVTTLIC) - Resolution No. 7374.
- *i. Approving and authorizing the City Manager to execute an Intergovernmental Agreement amendment between the State of Arizona through the Department of Commerce and the City of Mesa - Resolution No. 7375.
- *j. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Governor's Office of Highway Safety providing for funds to purchase an aggressive driving enforcement vehicle and speed detection device - Resolution No. 7376.
- *k. Authorizing the City Manager to execute an Intergovernmental Agreement with the State of Arizona through its Department of Public Safety to enhance law enforcement services concerning vehicle theft - Resolution No. 7377.
- *l. Authorizing the City Manager to execute an Intergovernmental Agreement with the State of Arizona through its Department of Public Safety to enhance law enforcement services concerning the criminal activities of street gangs - Resolution No. 7378.
- m. Affirming support for the location of transmission lines and receiving stations relating to electrical service in the southeast valley - Resolution No. 7379.

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.

Warren Steffey, 1439 East Ivy Glen, informed the Council that his property adjoins the site and said that no reference has been made to the fact that a transformer substation will also be built. Mr. Steffey stated the opinion that the location is inappropriate for the project. Mr. Steffey informed the Council that part of the property is being considered for a future school site and expressed the opinion that the project would constitute a safety hazard for children in the area. Mr. Steffey noted that Salt River Project has identified an alternate site for the project and urged them not to proceed as requested.

Councilmember Jaffa commented on the extensive discussion that has occurred relative to this agenda item during two Utility Committee meetings and said that a large citizens' committee has voted

unanimously in support of the project. Mr. Jaffa advised that SRP has agreed to develop a trail system to enhance the community and indicated his support for the project.

It was moved by Councilmember Jaffa, seconded by Councilmember Kavanaugh, that Resolution No. 7379 be adopted.

Upon tabulation of votes, it showed:

AYES - Giles-Hawker-Jaffa-Kavanaugh-Pomeroy

NAYS - None

ABSTAIN - Davidson

ABSENT - Brown

Vice Mayor Giles declared the motion carried unanimously by those present and voting and Resolution No. 7379 adopted.

8. Consider the recommendations from the Parks and Recreation Board:

- a. Recommend no changes be made to the golf fees for Mesa residents and seniors and that to qualify for a preferential tee time only one member of a group has to be a Mesa resident.

Councilmember Pomeroy stated that there are two recommendations in item a above and indicated that he would like to consider each separately.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that staff's recommendation that in order to qualify for a preferential tee time only one member of a group has to be a Mesa resident, be approved.

Upon tabulation of votes, it showed:

AYES - Giles-Davidson-Hawker-Jaffa-Kavanaugh-Pomeroy

NAYS - None

ABSENT - Brown

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

Councilmember Pomeroy indicated that he does not support staff's recommendation that no changes be made to the golf fees and said that he strongly supports the implementation of a \$2.00 reduction in rates for senior citizens over the age of 60.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Hawker, that the recommendation of staff be approved.

Upon tabulation of votes, it showed:

AYES - Giles-Davidson-Hawker-Jaffa-Kavanaugh

NAYS - Pomeroy

ABSENT - Brown

Vice Mayor Giles declared the motion carried by majority vote of the Council present.

- *b. Recommend action be taken to adopt the proposed three-tier registration fee structure for the junior high school sports program.

9. Consider a notice of intention setting July 19 as the date for the public hearing to modify water, wastewater, natural gas, and solid waste utility rates and various utility rate components.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Jaffa, that the recommendation of staff be approved.

Upon tabulation of votes it showed:

AYES - Giles-Davidson-Hawker-Jaffa-Kavanaugh-Pomeroy
NAYS - None
ABSENT - Brown

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

*9.1. Deleted.

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

- *a. **Z98-116** The northeast corner of Val Vista Drive and U.S. 60. Site Plan Modification (5± acres). This case involves the development of a gas/ convenience store and mini-storage. Phillips Petroleum Company; owner, Gallagher and Kennedy, represented by Rod Jarvis - Ordinance No. 3625.

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

1. Compliance with the basic development on the site plan and elevations submitted, except as noted below.
 2. Compliance with all City development codes and regulations.
 3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
 4. 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.
 5. Compliance with all requirements of the Design Review Board.
 6. Review and approval of a Special Use Permit by the Board of Adjustment for gas pumps.
 7. Approval of convenience store portion only.
 8. Provision of cross-access to balance of property should the sale of the balance of the property to adjacent property owner not take place.
- b. **Z99-14** North and west of the northwest corner of Val Vista Drive and McKellips Road. Rezone from R1-35 to R1-35 -PAD (37.3± acres). This case involves the development of a gated, single residence subdivision. Monterey Homes, owner; Beus, Gilbert, and Devitt, applicant. Represented by Jason Morris - Ordinance No. 3633.

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

1. Compliance with the basic development as described in the project narrative and as shown on the revised site plan, preliminary plat and elevations submitted, except as noted below.
2. Compliance with the Residential Development Guidelines.
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
4. 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.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
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. Written notice be provided to future residents, and acknowledgment received that the project is within one mile of Falcon Field Airport.
8. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.
9. Compliance with letter from the applicant dated April 15, 1999 with said conditions to reflect Hermosa Groves project (Z98-80).

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.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Davidson, that Ordinance No. 3633 be adopted.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Hawker-Kavanaugh-Pomeroy
NAYS - None
ABSTAIN - Jaffa
ABSENT - Brown

Vice Mayor Giles declared the motion carried unanimously by those present and voting and Ordinance No. 3633 adopted.

- c. **Z99-21** The northeast corner of Main Street and Dobson Road. Site Plan Modification (36± acres). This case involves the development of commercial and office uses. Rising Sun, LLC. Owner; Represented by: Rubin Properties, Inc. Ralph Pew, applicant - Ordinance No. 3634.

P & Z Recommendation: Approval with conditions (vote: 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, except as noted below.
2. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report.

3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
4. 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.
5. All street improvements and perimeter landscaping to be installed with each phase of construction.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Recordation of cross-access and reciprocal parking easements.
8. Record a one-foot non-vehicular access easement along Sycamore a distance of 500 feet south from the north property line.
9. Compliance with all requirements of the Design Review Board.
10. All new pad buildings to be architecturally compatible with the center.
11. Non-conforming and/or prohibited signs shall be brought into conformance prior to the certificate of occupancy.
12. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
13. Provide screen walls as required by Code.
14. Where possible, provide Code required landscaping tracts adjacent to existing pad buildings.
15. Northernmost curb cut along Sycamore to align with Alcott Street.
16. Provide vehicular cross-access between the retail and the office parking lots.

Ralph Pew, 10 West Main Street, an attorney representing the applicant, informed the Council that his client is requesting that the site plan for the former Tri-City Mall be amended to allow the development of approximately 176,000 square feet of retail on the Main Street frontage, comprised of a major grocer, four major shops, 42,000 square feet of in-line space, and six pad site on the 36-acre parcel. Mr. Pew noted that the J.C. Penney's store will remain in place and will be turned into office space and said that the uses will be mixed, retail and office. Mr. Pew commented on the fact that discussion has occurred relative to designating the site as a future transit station site and said that although it has been determined that requiring this designation as part of the approved site plan modification is not appropriate, the applicant has expressed a willingness to work with the Transportation Department in an effort to locate a bus transfer facility on the Dobson Road side of the project.

Councilmember Kavanaugh commended Mr. Pew and the applicant on their efforts.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Pomeroy, that Ordinance No. 3634 be adopted.

Councilmember Jaffa requested that the applicant consider enhancing the landscaping that is proposed for the project in order to improve the overall aesthetics of the site.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Hawker-Jaffa-Kavanaugh-Pomeroy

NAYS - None

ABSENT - Brown

Vice Mayor Giles declared the motion carried unanimously by those present and Ordinance No. 3634 adopted..

- *d. **Z99-28** The northeast corner of Higley Road and U.S. 60. Rezone from AG and M-1 to R-2-PAD (21.3± acres). This case involves the development of a "Z"-lot single residence subdivision with 149 lots. Great Western Communities Inc., owner; W. Ralph Pew, applicant - Ordinance No. 3626.

P & Z Recommendation: Approval with conditions (vote: 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, except as noted below.
 2. Compliance with the Residential Development Guidelines.
 3. Compliance with all City development codes and regulations.
 4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, 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.
- e. **Z99-33** The northwest corner of McDowell Road and Norwalk. Rezone from M-1 to M-1-PAD (5.7± acres). This case involves the development of an office condominium project. Owner/Applicant, The Reeb Group, Ltd - Ordinance No. 3635.

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

1. Compliance with the basic development as shown on the preliminary plat and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
4. 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.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Compliance with all requirements of the Design Review Board.
7. 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).

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.

Mark Reeb, the applicant in this case, addressed the Council and stated that the proposal consists of a professional office-condo project on approximately six acres. Mr. Reeb noted that 17 buildings are on site, and account for approximately 61,000 square feet of office space. Mr. Reeb said that the Design Review Board has endorsed the project and urged the Council to vote in support of the proposal.

Vice Mayor Giles thanked Mr. Reeb for his input and indicated that several speaker slips have been submitted.

The following citizens expressed their opposition to the approval of this case and listed concerns relative to the lack of landscape/wall buffers between the park and residential homes, the removal of citrus trees,

separating industrial from residential development, negative impacts on property values and the aesthetics of the neighborhood, and building height limitations:

(Names are listed in speaking order.)

Ben Funk	4040 North McLellan, #8
Julee Brady	North 39th Way
Nancy Patterson	3914 East Omega Circle
Daniel McGehee	3915 East Oasis
Jeff Jarvis	3761 East Omega
Brad Reed	3759 East Palm
Marlon Mills	No address provided

Vice Mayor Giles thanked the speakers for their input.

Mr. Reeb informed the Council that the site is composed of 34 lots and only five remain including two owned by the developer which backs up to the canal. Mr. Reeb agreed that a standardized process for project such as this should be developed and indicated his willingness to work with staff.

Discussion ensued relative to concessions that the applicant has already made in response to neighbors' concerns, the importance of addressing additional concerns and acting as a "good neighbor," and the importance of developing a buffer between the residential properties and the project.

Councilmembers Kavanaugh and Pomeroy and Vice Mayor Giles, expressed concern regarding the negative impacts on the residential neighborhood across the canal.

Community Development Manager Wayne Balmer recommended that the issue of developing buffering standards be placed on the agenda of a future Study Session.

Vice Mayor Giles stated that although he appreciates the applicants' efforts to date to address the neighbors' concerns, in his opinion the buffering is inadequate. Vice Mayor Giles indicated his preference that the applicant request a continuance to allow staff an opportunity to develop adequate buffering standards. Vice Mayor Giles added that the neighbors would be invited to attend the Study Session and provide input and stressed the importance of a cooperative effort on behalf of the applicant.

Councilmember Davidson commented that the project consists of much needed office space and adds to the diversity of the neighborhood. Councilmember Davidson said that although he concurs that the landscaping buffer should be enhanced, he is in favor of this case.

It was moved by Councilmember Davidson, seconded by Councilmember Kavanaugh, that Ordinance No. 3635 be adopted.

Upon tabulation of votes, it showed

AYES - Brown-Davidson-Giles-Hawker-Kavanaugh-Pomeroy

NAYS - None

ABSTAIN - Jaffa

ABSENT - Brown

Mayor Brown declared the motion carried unanimously by those present and voting and Ordinance No. 3635 adopted.

- f. **Z99-34** The southwest corner of Hampton Avenue and Higley Road. Site Plan Modification (12.5± acres). This case involves the development of a Lowes Hardware Store. Higley Road Ltd. Partnership, owner; David Udall, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST** - Ordinance No. 3632.

P & Z Recommendation: Approval with conditions (vote: 5-1-1; Parker nay; Udall abstain).

1. Compliance with the basic development as described in the project narrative and as shown on the revised site plan and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
4. Dedicate the right-of-way required under the Mesa City Code prior to issuance of a building permit, or at the time of the City's request for dedication whichever comes first.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Review and approval of a Special Use Permit by the Board of Adjustment for the outdoor display within the Garden Center.
7. Compliance with all requirements of the Design Review Board.
8. No outdoor display other than in the garden center.
9. East of the main building, provide a driving aisle with width and turning radius to accommodate truck traffic from the loading canopy out to Hampton or Higley.
10. Redesign of west perimeter area to accommodate drainage needs while meeting Code requirements for a landscaping buffer.
11. Compliance with the letter dated April 7, 1999 from Dave Udall regarding Citizen Participation Plan and amending condition #7 in the letter to delete the phrase "weekdays".

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.

Dave Udall, an attorney representing the applicant, addressed the Council relative to this agenda item and introduced the project engineer and architect. Mr. Udall noted that the proposed project is the applicant's first venture in Arizona and added that the 53-year old Fortune 200 company has 520 stores, a majority of which are located in the eastern portion of the United States. Mr. Udall described the proposed project as a "high end Home Depot" and said that while 50% of Home Depot's business clientele consists of contractors, 50 % of Lowes Hardware Store clients are women. Mr. Udall informed the Council that Lowes is planning to open 15 to 20 stores in Arizona and are considering sites in

Chandler, Gilbert, Phoenix and Tucson. Mr. Udall noted that the company anticipates first year sales in the amount of \$50 million and commented on the amount of sales tax that will be generated by the company.

Discussion ensued relative to the fact that the applicant is applying for a site plan modification, the fact that the site was zoned for commercial use in 1994 and would allow the development of six in-line stores and three pads in front, the fact that the proposed use will generate one-third less traffic than the existing use, the fact that staff, the Planning and Zoning Board (5-1), and the Design Review Board (5-2) has recommended approval of the project, a recommendation that the project be "flipped" to allow the garden center to be developed on the other side of the project, and Mr. Udall's contention that in order to rotate the project 90°, the building size would have to be reduced by one-third.

Mr. Udall provided the Council with brief history relative to efforts that have been expended to work with the neighbors to address their concerns and listed the negotiated stipulations that the applicant has agreed to include in the proposed ordinance. Mr. Udall noted that stipulation number 8, "no outdoor display other than in the garden center", was not part of the agreed upon stipulations and requested that this be changed to "no outside storage."

Mr. Udall outlined the homeowners' concerns and stated the opinion that the opposition is unrealistically trying to get residential development on that site. Mr. Udall commented that the citizens' concerns regarding the proximity of the project to Brimhall Jr. High is unfounded and said that an adequate distance would exist between the two facilities. Mr. Udall also discussed signage, truck noise, and staff's willingness to post "No Truck" signs in the appropriate location.

Mayor Brown thanked Mr. Udall and stated that citizens may provide input regarding this agenda item. Mayor Brown commented that two citizens, Sally Tenney and Nancy Hoenshell, filled out slips in opposition to the project but indicated that they did not wish to speak.

The following citizens spoke in opposition to approval of Zoning Case Z99-34 and stated concerns relative to safety issues and the close proximity of the project to a school, the opinion that the project is inappropriate for the area, increases in traffic, the size of the project, truck noise, and the appearance of the project:

(Names are listed in speaking order.)

Eric Wells	1413 South St. Paul
Larry Johnson	4953 East Hilton
Sam Tenney	4955 East Holmes
Andrew de Mars	4250 North Civic Center, Scottsdale
Rebecca Hudson	(No address provided)
Robert Davies	1425 South St. Paul
Judy Smith	4846 East Holmes
Tom Smith	4846 East Holmes

Mayor Brown thanked the speakers for their input.

Discussion ensued relative to landscaping buffers, parking requirements, seasonal displays of merchandise, the importance of addressing the citizens' concerns, the significant amount of concessions granted by the applicant, proposed hours of operation and typical delivery schedules.

Mayor Brown expressed concerns relative to safety and urged Mr. Udall and the applicant to consider prohibiting trucks from traveling on Hampton. Mayor Brown commented on the possibility of re-routing the trucks, and stressed the importance of enhancing safety measures. Mr. Udall conferred with the applicant and commented that in order to accomplish Mayor Brown's suggestion, a signal light would be required to allow truck access into the parking lot.

Additional discussion ensued relative to the fact that staff will pursue the placement of a light possibly at Hampton and Higley that would allow exiting traffic to trigger the light and the Mayor's recommendation that the Council vote on this issue and that a commitment be made to the neighbors to work with the applicant in an effort to eliminate truck traffic on Hampton.

It was moved by Vice Mayor Giles that Zoning Case Z99-34 be approved and that staff continue to work with the developer in an effort to discourage truck traffic on Hampton.

Community Development Manager Wayne Balmer noted that Mr. Udall has requested, on behalf of the applicant, that stipulation number 8, "no outdoor display other than in the garden center" be deleted. Mr. Balmer said that the current ordinance contains that stipulation and added that in order to delete this item, a new ordinance would have to be reintroduced. Mayor Brown commented that the introduction could occur at an upcoming Special Council Meeting.

Mr. Udall stated that the ordinance can remain as is and indicated the applicant's intent to address the issue of a special use permit in the future.

Councilmember Davidson seconded the motion.

In response to a clarification of the motion from Mr. Udall, Mayor Brown advised that the Council is directing staff to work with the applicant in an effort to eliminate truck traffic on Hampton.

Mr. Udall stated that the project would not be feasible in truck traffic on Hampton was eliminated.

Vice Mayor Giles clarified that his motion was for staff to work with Lowes to discourage truck traffic, not to prohibit it.

It was moved by Vice Mayor Giles, seconded by Councilmember Davidson, that staff be directed to work with the developer in an effort to discourage commercial truck traffic on Hampton, through the use of traffic control devices or other means and that Ordinance No. 3632 be adopted.

Upon tabulation of votes, it showed:

AYES - Brown-Davidson-Giles-Hawker-Kavanaugh-Pomeroy
NAYS - None
ABSTAIN - Jaffa

Mayor Brown declared the motion carried unanimously by those voting and Ordinance No. 3632 adopted.

(Mayor Brown declared a short recess at 7:30 p.m. and the meeting resumed at 7:34 p.m.)

Mayor Brown yielded the gavel to Vice Mayor Giles and was excused from the remainder of the meeting.

- g. **Z99-35** 1425 South Alma School Road. Site Plan Modification (3.6± acres). This case involves the development of a commercial strip building. Owner/Applicant, Victor Olson - Ordinance No. 3636.

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

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below.
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication whichever comes first.
4. Recordation of cross-access and reciprocal parking easements.
5. Compliance with all requirements of the Design Review Board.
6. Development of Public Art project to be reviewed by staff.

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.

Councilmember Kavanaugh stated that he had requested that this case be removed from the Consent Agenda and commented that the applicant has done a good job and will produce a superior project. Councilmember Kavanaugh advised that regardless of the above, he will not vote in support of the approval of this case based on a philosophical issue, namely the Fiesta Quadrant in terms of what was designated in the proposal. Councilmember Kavanaugh commended the applicant on his efforts.

Discussion ensued relative to development of a public art project and the fact that the applicant has indicated a willingness to pursue such a project and will work with the Mesa Arts Center.

Councilmember Hawker indicated that he would not support approval of this case based on stipulation number 6, the development of the public art project, and spoke in opposition to setting a precedent in this area.

It was moved by Councilmember Pomeroy, seconded by Councilmember Davidson, that Ordinance No. 3636 be adopted.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Kavanaugh-Pomeroy

NAYS - Hawker

ABSTAIN - Jaffa

ABSENT - Brown

Vice Mayor Giles declared the motion carried by majority vote by those present and voting and Ordinance No. 3636 adopted.

- h. **Z99-36** 3020 East Main Street. Site Plan Modification (13.2± acres). This case involves the expansion of "Trailer Village". National Mobile Development Corporation, owner; represented by: James Beach - Ordinance No. 3637.

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

1. Compliance with the basic development as described in the project narrative and as shown on the revised site plan, preliminary plat and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, or at the time of the City's request for dedication whichever comes first.
4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
5. Compliance with letter dated April 9, 1999 from National Mobil Development Company, which is included in the zoning case file.

Councilmember Jaffa expressed concern relative to whether the development of a recreational vehicle park is the best use for this parcel of land.

Mr. Balmer responded to Councilmember Jaffa's comments and noted that the parcel consists of a narrow strip, is extremely shallow and is currently being used as an RV storage yard. Mr. Balmer noted that the applicant is proposing to eliminate the storage area and greatly enhance landscaping.

It was moved by Councilmember Pomeroy, seconded by Councilmember Kavanaugh, that Ordinance No. 3637 be adopted.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Hawker-Jaffa-Kavanaugh-Pomeroy
NAYS - None
ABSENT - Brown

Vice Mayor Giles declared the motion carried unanimously by those present and Ordinance No. 3637 adopted.

- *i. **Z99-37** 646 West University Drive. Rezone from R-2 to C-1 (0.3± acre). This case involves the development of an antique/gift store. Jeanne Wright, owner/applicant - Ordinance No. 3627.

P & Z Recommendation: Approval with conditions (vote: 6-0-1; Parker abstain).

1. Compliance with the basic development as shown on the site plan, and elevations submitted, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
4. 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.
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 variance(s) outlined in the staff report.

- *j. **Z99-38** Part of the 1500 block of North Val Vista Drive (east side). Rezone from AG to R1-35 (2.5± acres). This case involves the development of one single residence home. Dimple Turner, owner; D & M Contracting, Inc., applicant - Ordinance No. 3628.

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

1. Compliance with the basic development as shown on the site plan, except as noted below.
2. Compliance with all City development codes and regulations.
3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
4. 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.
5. Retention of citrus around the perimeter of the lot.
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. Noise attenuation measures be incorporated into the design and construction of the home to achieve a noise level reduction of 25 db.
8. At least 2 rows of citrus be retained outside perimeter wall adjacent to Val Vista Road.

- *k. **Z99-39** The 8500 block of East Medina (north side). Rezone from AG to R1-6-PAD (22.4 acres). This case involves the development of a 116 lot single residence subdivision. Brian Burett, owner; Kaufman & Broad, applicant - Ordinance No. 3629.

P & Z Recommendation: Approval with conditions (vote: 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, except as noted below.
2. Compliance with the Residential Development Guidelines.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, 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. 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).
8. Written notice be provided to future residents, and acknowledgment received that the project is within three miles of Williams Gateway Airport.
9. Noise attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction of 25 db.
10. Model #893 be deleted.
11. Lots 53-63 as shown on preliminary plat shall be one-story only.

1. **Z99-40** The northeast corner of Power Road and Guadalupe Road. Rezone from R1-7 (conceptual C-2) to C-2 (1.5± acres). This case involves the development of a convenience store with gas pumps. Keith Saunders, owner; RFA, Inc., represented by Jake Willard.

P & Z Recommendation: Approval with conditions (vote: 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, except as noted below.
2. Compliance with all City development codes and regulations.
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit or at the time of the City's request for dedication whichever comes first.
4. Compliance with letter dated 30 March 1999 from Jake Willard, applicant, to Tom Albright, City of Mesa, which is included in the zoning case file.
5. Compliance with all requirements of the Design Review Board.
6. Review and approval of a Special Use Permit by the Board of Adjustment for gas pumps, car wash and comprehensive sign plan.
7. Written notice be provided to future tenants, and acknowledgment received that the project is within 5 miles of Williams Gateway Airport.
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 (prior to the issuance of a building permit).

Beverly Selvage, 2627 South Hibiscus, noted that the applicant is proposing to develop a gas station that will sell liquor and cigarettes and expressed concerns regarding the project's proximity to a neighboring school and traffic safety hazards. Ms. Selvage spoke in strong opposition to the approval of this case.

Ardell York, 2625 South Honeysuckle, concurred with the previous speaker's remarks and stated the opinion that the sale of liquor and cigarettes should not occur anywhere in the vicinity of schools.

Jake Willard, 7900 East Princess, Scottsdale, an attorney representing the applicant, stated the opinion that the liquor license has already been approved by the State and said that the applicant met all of the required guidelines.

In response to a question from Councilmember Kavanaugh, Mr. Balmer indicated that he would confirm State's issuance of the license and confirm that all requirements have been met.

It was moved by Councilmember Davidson, seconded by Councilmember Jaffa, that Zoning Case Z99-40 be continued to the June 21, 1999 Regular Council Meeting to allow additional time to research this proposal.

Councilmember Pomeroy recommended that representatives from the Gilbert School District be invited to attend the meeting and provide input.

Upon tabulation of votes, it showed:

AYES - Giles-Davidson-Hawker-Jaffa-Kavanaugh-Pomeroy
NAYS - None
ABSENT - Brown

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

- m. **Z99-41** The 2000 and 2100 blocks of North Stapley Drive (both sides). Rezone from R1-43 and C-2 to R1-9-PAD and Site Plan Review (30± acres). This case involves the development of a single residential gated community and future retail - Ordinance No. 3638.

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

1. Compliance with the basic development as described in the project narrative and as shown on the revised site plan (for both the residential and commercial), preliminary plat and elevations submitted, except as noted below.
2. Compliance with the Residential Development Guidelines.
3. Compliance with all requirements of the Subdivision Technical Review Committee.
4. Compliance with all City development codes and regulations.
5. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, 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. Compliance with all requirements of the Design Review Board.
8. Review and approval of a Special Use Permit by the Board of Adjustment for gas pumps.
9. Compliance with letter dated 23 March 1999 from Jim Passey to Tom Albright which is included in the zoning case file.
10. Approval of 60 residential lots only.
11. Lots 43 through 46 would be restricted to single story.
12. Non-conforming an/or prohibited signs shall be brought into conformance prior to the issuance of a building permit.

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.

It was moved by Councilmember Davidson, seconded by Councilmember Kavanaugh, that Ordinance No. 3638 be adopted.

Upon tabulation of votes, it showed:

AYES - Davidson-Giles-Hawker-Kavanaugh-Pomeroy
NAYS - None
ABSTAIN - Jaffa
ABSENT - Brown

Vice Mayor Giles declared the motion carried unanimously by those present and voting and Ordinance No. 3638 adopted.

- *n. **Z99-42** Parcel 2 of the "East Valley Auto Mall". Site Plan Review (2.78± acres). This case involves the development of an office/warehouse facility for Cable America. Jerry C. Blout, owner; J. Joseph Diemer, applicant - Ordinance No. 3630.

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

1. Compliance with the basic development as shown on the site plan, and elevations submitted, except as noted below.
 2. Compliance with all City development codes and regulations.
 3. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.).
 4. Compliance with all requirements of the Design Review Board.
- *o. **Z99-44** The northeast corner of Greenfield Road and Baseline Road. Rezone from M-1-PAD to C-2-PAD and modification of an approved commercial/industrial master plan (47+ acres). This case involves the development of a commercial and industrial complex. Dan Reeb, owner; Robert Kubicek Architects, applicant - Ordinance No. 3631.

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

1. Compliance with the basic development as shown on the site plan, preliminary plat and elevations submitted, except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of the C-2 area.
3. Compliance with all City development codes and regulations.
4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, 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. Compliance with all requirements of the Design Review Board for the industrial buildings presented.
8. Review and approval by the Design Review Board of the project's design guidelines as related to common landscaping, screen walls, etc.
9. Review and approval by the Design Review Board for all of the interior industrial lots.
10. Removal of the PAD overlay for the C-2 portion of the request.
11. Consider the following subdivision plats:

11. Consider the following subdivision plats:

- *a. "STAPLEY SQUARE" – The 1200 block of East University Drive (north side) 4 C-2 commercial lots (9.08 acres) Barclay Holdings IX, L.L.C., developer; David Evans and Associates, engineer.
- *b. "MAP OF DEDICATION FOR AUGUSTA RANCH CRISMON ROAD AND GUADALUPE ROAD" - The 2000-2800 blocks of South Crismon Road (west side) and the 9800-10000 blocks of East Guadalupe Road (north side). A.R. Development, L.L.C., developer; DEI Professional Services, L.L.C., engineer.
- *c. "INVERNESS COMMONS UNIT II" - The 5300-5500 blocks of East Baseline Road (north side). 3 R-3 multiple residential lots, 3 C-1 commercial lots and 6 M-1 industrial lots (109.8 acres). Langley Superstition Business Park Limited Partnership, owner; Giffels Associates, Inc., engineer.

12. Items from citizens present. (Maximum of three speakers for three minutes per speaker.)

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

13. Adjournment.

Without objection, the Regular Council Meeting adjourned at 9:53 p.m.

Carried unanimously.

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 Regular Council Meeting of the City Council of Mesa, Arizona, held on the 7th day of June 1999. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____ 1999

BARBARA JONES, CITY CLERK