

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, September 22, 2003

5:45 P.M.

Invocation by Reverend Dr. Ronald H. Patnaude, Jr., Church of the Savior.

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. Deleted.
 - b. Deleted.
 - c. Deleted.

MESA CITY COUNCIL
September 22, 2003
Page 2

4. Conduct a public hearing concerning a request from Cox Communications, Inc., to renew its license to provide cable service in the City of Mesa.

5. Consider the following liquor license applications:

*a. AL CORTE, COORDINATOR

Special Event License application of Al Corte, Coordinator, AZ Bike Week Charities, a one-day charitable event to be held Saturday, October 18, 2003, from 10:00 a.m. to 11:00 p.m., at 733 W. Main Street.

*b. ROBERT WAYNE BRINTON

Special Event License application of Robert Wayne Brinton, CEO, Mesa Convention & Visitors Bureau, a one-day civic event to be held Saturday, October 18, 2003, from 8:00 p.m. to 11:00 p.m., at 53 N. Macdonald, Mesa Southwest Museum.

*c. PHILIP J. GREEN, AGENT

Person Transfer Beer and Wine Bar License for Longbow Golf Club, 5400 E. McDowell Road. This is an existing business. This transfer is from Steven Robert Coughlin, Agent, Crown Golf Executives Inc., 5400 E. McDowell Road. This license will transfer to the applicant.

*d. H. J. LEWKOWITZ, AGENT

New Hotel-Motel License for Sheraton Mesa Hotel, 200 N. Centennial Way. This is an existing business. The Hotel-Motel License previously held at this location by Kathleen Patricia Spangenberg, Agent, Capstar Mesa Comp LLC, license will revert back to the State.

*e. SHERRY LYNN ZAWADZKI, AGENT

New Restaurant License for Hello Deli, 6144 E. Main Street, Ste D106. This is an existing building. No previous liquor licenses at this location.

MESA CITY COUNCIL
September 22, 2003
Page 3

6. Consider the following contracts:

- *a. Three-year supply contract for automotive/truck parts as requested by Fleet Support Services Division.

The Purchasing Division recommends accepting the low bid by Westpac Heavy Duty Inc. dba C. W. Carter Company at \$145,000.00 based on estimated annual requirements.

- *b. Six Motorola mobile radios for Police Department vehicles as requested by the Communications Division.

The Purchasing Division recommends authorizing purchase from State of Arizona contract with Motorola at \$14,826.24 including applicable sales tax.

- *c. Three-year supply contract for softballs and baseballs for warehouse inventory as requested by the Parks & Recreation Division.

The Purchasing Division recommends accepting the low bids as follows:

Items 1 and 2 to East Valley Sports at \$45,086.44 including applicable sale tax; and

Item 3 to Sports Supply Group, Inc. at \$3,261.52 including applicable use tax. The combined award is then \$48,347.96 based on estimated annual requirements.

- *d. Three-year supply contract for automotive hydraulic cylinders as requested by Fleet Support Services.

The Purchasing Division recommends accepting the low bid meeting specification by Heil Arizona at \$75,000.00 based on estimated annual requirements.

- *e. Fifteen workstations, three offices and a workroom for Neighborhood Outreach Services as requested by Development Services.

MESA CITY COUNCIL
September 22, 2003
Page 4

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodman's, Inc. at \$50,215.09 including design, installation, delivery and applicable sales tax.

- f. ACP Water Line Replacement, Phase 1 Apache Country Club Estates, City of Mesa Project No. 01-641-001.

This project replaces over 7,200 feet of waterline and 135 water service connections to improve water system reliability in this neighborhood which has experienced a higher than normal number of repairs due to waterline breaks.

Recommend award to low bidder, Miura Contracting, in the amount of \$432,800.00 plus an additional \$43,280.00 (10% allowance for change orders) for a total award of \$476,080.00.

- *g. Desert Wells No. 10 Wall Relocation, City of Mesa Project No. 01-834-007.

This project is being completed to remove a portion of the well site wall that will be in conflict with ADOT's upcoming construction for the US60/Loop 202 interchange, which is scheduled to begin in late 2003.

Recommend award to low bidder, W. L. Emshoff, in the amount of \$38,759.00 plus an additional \$3,875.90 (10% allowance for change orders) for a total award of \$42,634.90.

- *h. Red Mountain Multigenerational Center Soft Water Loop, City of Mesa Project No. 02-227-001.

This project will improve the dishwasher's performance and extend its' service life by installing a soft water loop line to the dishwasher.

Recommend award to low bidder, Piper Power Plumbing & Mechanical Corporation, in the amount of \$13,050.00, plus an additional \$1,305.00 (10% allowance for change orders) for a total award of \$14,355.00.

MESA CITY COUNCIL
September 22, 2003
Page 5

7. Introduction of the following ordinance and setting October 13, 2003 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.

- *a. **Z03-32** (District 6) The southwest corner of Sossaman Road and Hampton Avenue (36 ac. ±). Rezone from AG (Conceptual M-1 and PEP) DMP to M-1-PAD-DMP. This case involves the development of a mixture of industrial uses including auto dealerships. DMB Superstition Springs Investors, owner; Karrin Kunasek Taylor, Esq. (Biskind, Hunt, & Taylor, P.L.C.), applicant.
- *b. **Z03-34** (District 6) 3200 block of South Signal Butte Road (east side) (42.6 ac. ±) (Signal Butte between Guadalupe and Elliott). Rezone from R1-43 to Public Facilities (PF). This rezoning will facilitate conformance with the Mesa 2025 General Plan. Salt River Project, owner; City of Mesa, applicant.
- *c. **Z03-35** (District 6) Southwest corner of Pecos Road and Signal Butte Road (320 ac. ±) Rezone from R1-43 to M-2. This rezoning will facilitate conformance with the Mesa 2025 General Plan. Arizona State Land Department, owner; City of Mesa, applicant.
- *d. **Z03-36** (District 6) North of the northwest corner of Sunview and Baseline Road (17.05 ac. ±) Site Plan Review. This request is for the development of offices and ancillary retail uses. Mesa Arizona Real Estate Investment, owner; Tim Rasnake, Archicon, applicant.
- *e. **Z03-37** (District 5) Southwest corner of Power Road and McDowell Road (17.59 ac. ±) Rezone from OS to C-2 and Site Plan Modification. This request is for the development of a commercial shopping center. Tom Allen, Trustee, owner; Irwin Pasternack, applicant.

MESA CITY COUNCIL
September 22, 2003
Page 6

- *f. **Z03-39** (District 6) The 11300 block to the 11500 block of East Warner Road (south side) and the 4500 block to the 5000 block of South Meridian Drive (west side) (Warner Road between South Meridian Road and South Mountain Road) and the 4500 block to the 5000 block of South Mountain Road (east side). (198 ac ±). Rezone from R1-9 and R1-35 to R1-6 PAD – DMP, R1-6 DMP, R1-7 DMP, and R1-9 DMP. This case involves the development of the Gila River Springs development master plan. Gila River Ranches, LLC, owner; Sean Lake, Pew & Lake PLC, applicant.
- *g. **Z03-40** (District 5) Northwest corner of 93rd Street and McLellan Road. (2 ac. ±) Rezone from Maricopa County Rural-43 to City of Mesa R1-43. This case involves the establishment of City zoning on recently annexed property. Owners, various; City of Mesa, applicant.
- *h. **Z03-41** (District 6) Southeast corner of Broadway Road and the Roosevelt Water Conservation District Canal (55th Street). (11.7 ac. ±) Rezone from Maricopa County Rural-43 to City of Mesa R1-43. This case involves the establishment of City zoning on recently annexed property. Owners, various; City of Mesa, applicant.
- *i. **Z03-42** (District 5) The 8600-8700 block of East Culver Street (north side) (5 ac. ±) (between Hawes & Ellsworth and McDowell & McKellips). Rezone from Maricopa County R1-35 to City of Mesa R1-35. This case involves the establishment of City zoning on recently annexed property. Owners, various; City of Mesa, applicant.
- *j. **Z03-43** (District 5) The northeast corner of Greenfield Road and McLellan Road, Tract “A” Mesa Commerce Center (8.6 ac ±). Rezone from M-1 to M-1 PAD. This case involves the development of offices and warehouses. Mesa Land Partners, LLC, owners; UTAZ Development Corporation, applicant.

MESA CITY COUNCIL
September 22, 2003
Page 7

8. Consider the following resolutions:

- a. Extinguishing a portion of a 20-foot Public Utility Easement on Lot 1 of the Mesa Auto Center located at 460 East Auto Center Drive.

This portion of the easement is no longer required.

- *b. Approving and adopting procedures for the auction of firearms disposed of by the Mesa Police Department as approved in Ordinance #4060.

- *c. Approving the Assessment Diagram Map for the Power Road Scalloped Street Assessment Project #00-043.

This project installed street improvements along North Power Road from Delmon to McDowell Road. A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- *d. Fixing October 27, 2003, as the Public Hearing for the proposed final assessments for the Power Road Scalloped Street Assessment Project #00-043.

This project installed street improvements along North Power Road from Delmon to McDowell Road. A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- *e. Approving and Authorizing the City Manager to execute an Intergovernmental Agreement between the Arizona Department of Transportation and the City of Mesa for aesthetic enhancements to the pedestrian overpass bridge along the Superstition Freeway (US 60) and Dobson Road.

- *f. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the Town of Gilbert and the City of Mesa for utility services on the southeast corner of Baseline Road and Country Club Drive.

MESA CITY COUNCIL
September 22, 2003
Page 8

- *g. Authorizing the City Manager to execute Amendment #1 of the Intergovernmental Agreement between the State of Arizona through the Department of Commerce and the City of Mesa, to increase funding to \$73,798 to allow Mesa Community Action Network (MesaCAN) to provide weatherization services for low-income households in the Mesa service area.
 - *h. Modifying fees and charges for the Computer Information Literacy Training Program offered by the City of Mesa Library.
 - i. Approving and authorizing the City Manager to execute the City of Mesa Arizona Nonexclusive 2003 Cable Television Renewal License with Cox Communications, Inc.
9. Consider the following ordinances:
- *a. Amending Sections 11-1-6 and 11-13-2 of the Zoning Ordinance regarding "Special Events".
 - *b. Amending Sections 11-6-2 and 11-13-2 of the Zoning Ordinance regarding "Vehicle Display Platforms".
 - *c. **A03-1** Annexing the intersection of Ellsworth Road and University Drive. (District 5) (58.2± acres). Initiated by the property owners.
 - *d. **CZO3-004TC** 450 North Center (Council District 4). Rezone from C-2 to TCB-1, JS&G Family Limited Partnership, owner; Steven Mastroni, applicant/owner.

Downtown Development Committee recommendation;
Approval (7-0)
 - *e. Amending various sections of the Mesa City Code regarding the following traffic modifications:
No Parking: 10-3-24 (D) (Full Time No Parking)

On Virginia Street from a point 250 feet east of Olympic to a point 220 feet east of Platina (Remove Prohibition) as recommended by the Transportation Advisory Board.

MESA CITY COUNCIL
September 22, 2003
Page 9

- f. Amending Section 4-1-1 (R) of the Mesa City Code relating to providing a no-step entry at all new model home complexes as recommended by the General Development Committee.
 - *g. Amending Sections 11-19-5 and 11-19-8 creating a definition of, and establishing provisions regarding the regulation of electronic message displays.
 - h. Amending Title 9, Chapter 7 of the Mesa City Code pertaining to Community Antenna Television Systems.
 - i. Deleted.
 - j. Repealing Title 6, Chapter 15 of the Mesa City Code and amending Title 6 by adding a new Chapter 15 pertaining to alarm systems as recommended by the Police Committee.
 - *k. Relating to building regulations; amending Title IV of the Mesa City Code by adding thereto a new Chapter 13, rehabilitation Code, adopting by reference the North Carolina Rehabilitation Pilot Code, amending certain provisions in the North Carolina Rehabilitation Pilot Code and setting penalties for violations as recommended by the General Development Committee.
- *10. Consider an ordinance and resolution amending Title 4, Chapter 9 of the Mesa City Code, relating to an administrative program to exempt certain industrial facilities with 24-hour supervision from the normal plan review and inspection process, and modifying the schedule of fees and charges for the Development Services Department, Building Safety Division, as recommended by the General Development Committee.
11. Consider recommendations for Supplemental Health Insurance Programs for 2004

MESA CITY COUNCIL
September 22, 2003
Page 10

12. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding Ordinances:

- *a. **Z03-29** 651 East Main Street (Council District 4) (2.16 ac. ±) Rezone from R-2 to C-2. This case involves the development of a hotel. Ramesh Patel, owner; Ralph Pew, Pew & Lake, PLC, applicant. $\frac{3}{4}$ **VOTE REQUIRED. REFER BACK TO PLANNING & ZONING BOARD.**

P&Z Recommendation: Denial (Vote 5-0).

- *b. **Z03-30** 5404 East Southern Avenue (Council District 6) (1.19 ac. ±) Rezone from R1-7 to OS PAD. This case involves the development of an office. Allan Bulman, owner; Don Cramer, AIA, applicant.

P&Z Recommendation: Approval with conditions. (Vote: passed 5-0)

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 coverage) except as noted below.
2. Compliance with all requirements of the Design Review Board, including landscaping, pedestrian connections and elevations.
3. Parking shall be calculated at 1 space per 200 square feet of G.F.A.
4. Compliance with all City development codes and regulations.
5. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).

- *c. **Z03-31** 7255 East Hampton Avenue (Council District 6) (3.14 ac). Rezone from M-1 to M-1-PAD. This case involves the development of industrial offices. Sunridge Properties, Inc., owner; Les Partch, Partch & Assoc. Architecture, applicant.

P&Z Recommendation: Approval with conditions. (Vote: passed 5-0)

MESA CITY COUNCIL
September 22, 2003
Page 11

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) except as noted below.
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. 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 in the first phase of construction.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Compliance with all requirements of the Design Review Board.
8. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
9. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

*d. **Z03-33** The 1000 – 1100 block of West Southern Avenue, south side (Council District 3) (2.04 ac). Rezone from C-2 (Conceptual BIZ) DMP to C-2 BIZ DMP and Site Plan Modification. This case involves the development of a bank. Keith Earnest, owner; Scott Prickett, applicant.

P&Z Recommendation: Approval with conditions. (Vote: passed 5-0)

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

MESA CITY COUNCIL
September 22, 2003
Page 12

- yield, building count, lot coverage) except as noted below.
2. Review and approval by the Design Review Board and Development Services Department including Solid Waste Division of future development plans should there be a change of use, other than a bank and offices.
 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 Design Review Board.
 7. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
 8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
 9. Provide additional foundation base landscaping (landscaped parking island/pedestrian walk equal to the width of two parking spaces) along the southern portion of the National Bank of Arizona building. Design to be reviewed and approved by the Design Review Board.
 10. Eliminate all retaining walls and screen walls within the retention basin(s) along Southern Avenue or as approved by the Design Review Board.
13. Items from citizens present. (Maximum of three speakers for three minutes per speaker).