

## CITY COUNCIL AGENDA

### COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, October 13, 2003

5:45 P.M.

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

Pledge of Allegiance.

Mayor's Welcome.

Recognition of the Building the Arts in Mesa's Heart Campaign.

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. **A03-8** Annexing the southeast corner of East Main Street and South Signal Butte Road (District 5) (67.2+ acres). Initiated by the property owners.

MESA CITY COUNCIL  
October 13, 2003  
Page 2

- b. **A03-9** Annexing the northeast corner of East Plymouth and North Sossaman Road. Generally located at the north and west end of Hawes and McDowell Roads (District 5) (10.6± acres). Initiated by the property owner.
  - c. **A03-11** Annexing the area south of East Hermosa Vista Drive to East McKellips Roads, and west of North Sossaman Road to the Central Arizona Project Canal (District 5) (150.2± acres). Initiated by the property owners.
4. Consider the following liquor license applications:
- \*a. JEFFREY WILLIAM BERNING, CHAIRMAN OF THE BOARD  
  
Special Event License application of Jeffrey William Berning, Chairman of the Board, Mesa Jaycees, a one-day civic event to be held Friday, October 31, 2003, from 7:00 p.m. to 11:59 p.m., at 640 N. Center Street.
  - \*b. SYE HUSSAIN KHAN, AGENT  
  
New Beer and Wine Store License for JZ Market, 2633 W. Baseline Road. This is an existing business. The Beer and Wine Store License previously held at this location by Zahir Shah Khan, Agent, JZ Food Market, will revert back to the State.
  - \*c. HECTOR MANUEL RASCON, AGENT  
  
New Beer and Wine Store License for Super Carniceria El Tarachi #3, 624 W. Broadway Road, Ste 205-206. This is an existing business. The Beer and Wine Store License previously held at this location by Javier Murrieta Gamez, Individual, Murrieta's Carniceria, will revert back to the State.
  - \*d. H. J. LEWKOWITZ, AGENT  
  
New Restaurant License for Hooters, 6730 E. Superstition Springs Blvd. This is an existing building. The Restaurant License previously held at this location by Ernest J. Schmidt, Agent, Tony Roma's went out of business in May 2003.

MESA CITY COUNCIL  
October 13, 2003  
Page 3

\*e. ROBERT HOWARD BILLANY, AGENT

New Restaurant License for Kokopelli Kafe, 5055 E. University Drive. This is an existing building. No previous liquor licenses at this location.

\*f. ERNESTO RASCON, AGENT

New Restaurant License for Restaurant Sinaloa #3, 1927 N. Gilbert Road, #6. This is an existing business. The Restaurant License previously held at this location by Hector C. Mendivil, Individual, Restaurant Manscos La Playita, will revert back to the State.

5. Consider the following contracts:

\*a. One replacement aerial lift bucket truck as requested by the Transportation Division.

The Purchasing Division recommends accepting the low bid by I-10 International at \$114,950.43 including options, sales tax and extended warranties.

\*b. 600 canisters for use with gas masks as requested by the Fire Department.

The Purchasing Division recommends exercising an additional purchase option from our previous RFB#2002191 with the original low bidder, Universal Police Supply Company, at \$11,485.55. (This purchase is 100% funded by a grant from the U.S. Dept. of Justice).

\*c. Replacement Internet Infrastructure Equipment as requested by the Information Services Division (ISD).

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with CompuCom Systems Inc. for a total of \$58,936.07.

\*d. Three-year contract for landscape maintenance services for parks and retention basins in an area designated as Zone 6, as requested by the Parks & Recreation Division.

MESA CITY COUNCIL  
October 13, 2003  
Page 4

The Purchasing Division recommends accepting the overall low bid by Basin Tree Service dba United Right-of-Way at \$270,129.00 based on estimated annual requirements.

- \*e. File Server Software Licenses as requested by Information Services.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with ASAP, for a total of \$12,298.21.

- \*f. Three-year supply contract for 3-phase step down pad mounted transformers as requested by the Electric Distribution Division.

The Purchasing Division recommends accepting the bid with the lowest evaluated life cycle cost by Utility Products Supply at \$73,789.06 based on estimated annual purchases.

- \*g. Additional Taser Weapons as requested by the Police Department.

Recommend authorizing purchase from Taser International of Scottsdale, Arizona for a total of \$65,554.84. **(Sole Source)**

- h. City Water Zone Split, Booster Station Installation, City of Mesa Project No. 02-201-002, Council District Nos. 1 & 6.

This project, the second of two planned to remedy the low water pressure problem, will boost water pressure from within the City Zone to serve the under-pressure areas. Two Booster Stations will be installed, one in Chaparral Park and the other in the retention park at the NE corner of Val Vista and Pueblo.

Recommend award to low bidder, Citywide Contracting, LLC, in the amount of \$1,237,500.00 plus an additional \$123,750.00 (10% allowance for change orders) for a total award of \$1,361,250.00.

MESA CITY COUNCIL  
October 13, 2003  
Page 5

- \*i. Desert Sage Well No. 14, Drilling Phase, City of Mesa  
Project No. 01-592-001, Council District No. 6.

This project will drill a new well near Cheshire and Broadway along the CAP Canal to expand the City's water supply capabilities and system reliability in the southeast portion of the Desert Sage Zone.

Recommend award to low bidder, Weber Group, LC, in the amount of \$415,345.00 plus an additional \$41,534.50 (10% allowance for change orders) for a total award of \$456,879.50.

- \*j. Dobson Ranch Golf Course Fence Replacement, Phases 8 & 9, City of Mesa Project No. 01-39, Council District No. 3.

This project is a continuation of a series of projects to replace the existing fence with a new combination block and wrought iron fence, which will enhance the aesthetics for the golf course and the residents, and will also eliminate the maintenance problem of the old fence.

Recommend award to low bidder, AFC Contracting, Inc., in the amount of \$356,020.20, plus an additional \$35,602.02 (10% allowance for change orders) for a total award of \$391,622.22.

- k. Pecos and Sossaman Road Improvements, City of Mesa  
Project No. 00-116, City Council District No. 6.

This project will construct approximately 21,000 feet of two-lane roadway, extending Pecos Road between Power and Ellsworth Roads, and Sossaman Road from the UPRR tracks near Germann Road up to match into the Sossaman Road extension currently under construction. Other features of the project include sewer line, water line, miscellaneous storm drain features, E-streets components, vaults and manholes.

MESA CITY COUNCIL  
October 13, 2003  
Page 6

Recommend award to low bidder, Archon, Inc., in the amount of \$4,923,683.50, plus an additional \$492,368.35 (10% allowance for change orders) for a total award of \$5,416,051.85.

6. Introduction of the following ordinances and setting October 27, 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. Amending various sections of the Mesa City Code regarding the following traffic modifications:

Prohibiting Left Turns From Driveways: 10-3-15

On the east side of Greenfield Road from the driveway with centerline approximately 550 feet south of Hackamore Street.

No Parking: 10-3-24 (D) (Full Time No Parking)

On the west side of Drew Street from Main Street to a point 503 feet south of Main Street.

No Parking: 10-3-24 (F1) (No Parking, School Days, 8:00 am – 4:00 pm)

On the west side of 26<sup>th</sup> Street from a point 275 feet south of Hope Street to a point 525 feet south of Hope Street and on the west side from Highland Street to a point 135 feet north of Highland Street.

- \*b. Relating to the City's organizational structure; amending Chapter 9, Title 3 of the Mesa City Code replacing the Management Services Department designation by establishing a Financial Services Department and the office and duties of the Financial Services Manager; and making other conforming changes to the Mesa City Code.

MESA CITY COUNCIL  
October 13, 2003  
Page 7

7. Consider the following resolutions:

- \*a. Extinguishing a 3-foot wide Public Utility Easement on Lot 20, Mesa Commerce Center at 4751 East Indigo Street.

This easement is no longer required.

- \*b. Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the Mesa Unified School District #4 for the funding of the Safe Schools Program. (Funding is received from the Arizona State Department of Education).

- \*c. Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and the East Valley Institute of Technology for funding for The Safe Schools Program. (Funding is received from the Arizona State Department of Education).

- \*d. Approving the Assessment Diagram Map for the McDowell and Recker Road Scalloped Street Assessment Project #01-005.

This project installed street improvements along portions of East McDowell Road from Higley to Power Road and along Recker Road from McDowell Road to Preston Street.

A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- \*e. Fixing November 17, 2003 as the Public Hearing for the proposed final assessments for the McDowell and Recker Road Scalloped Street Assessment Project #01-005.

This project installed street improvements along portions of East McDowell Road from Higley to Power Road and along Recker Road from East McDowell Road to Preston Street.

A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

MESA CITY COUNCIL  
October 13, 2003  
Page 8

- \*f. Approving the Assessment Diagram Map for the Thomas and Recker Road Scalloped Street Assessment Project #00-086.

This project installed street improvements along portions of East Thomas Road from North 56<sup>th</sup> Street to Recker Road and along Recker Road from Thomas Road to Preston Street.

A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- \*g. Fixing November 17, 2003 as the Public Hearing for the proposed final assessments for the Thomas and Recker Road Scalloped Street Assessment Project #00-086.

This project installed street improvements along portions of East Thomas Road from North 56<sup>th</sup> Street to Recker Road and along Recker Road from Thomas Road to Preston Street.

A portion of the project costs will be assessed to the adjacent property owners under the Scalloped Street Assessment laws.

- \*h. Approving and authorizing the City Manager to execute a Development Agreement for City Share Reimbursement between Centres Main L.L.C. and the City of Mesa for regional improvements that are being constructed in conjunction with the development of an Eckerd Drug Store, located at 25 South Val Vista Drive.

- \*i. Approving and authorizing the City Manager to execute a Development Agreement for City Share reimbursement between Weingarten/Monvis L.L.C. and the City of Mesa for regional improvements that are being constructed in conjunction with the development of a commercial development known as Monte Vista Village Center Shops, located at 9101 East Baseline Road.

MESA CITY COUNCIL  
October 13, 2003  
Page 9

- \*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 pay overtime to officers for education and enforcement of safety belt use. (Federal funding received from the Governor's Office of Highway Safety).
  - \*k. Approving and Authorizing the City Manager to execute an Intergovernmental Agreement between the City of Mesa and The Salt River Pima-Maricopa Indian Community for making contributions to Mesa Public Schools.
  - \*l. Certifying to the State Treasurer the amount collected above baseline court collections.
8. Consider the following recommendations from the General Development Committee:
- \*a. Approving adding up to six feet of enhanced landscaping improvements where possible, behind both the new and existing 6-foot sidewalks along Mesa's light rail corridor from Roosevelt to Dobson Road.
  - \*b. Approving changing the public notification signs for zoning public hearings to 4' by 4'.
9. Consider the following recommendations from the Transportation Committee:
- \*a. Proceeding with several traffic interchange enhancements and deferring most of the associated arterial widening projects until a dedicated transportation funding source is secured.
- 9.1. Consider the following recommendation from the Police Committee:
- a. Forming an ad hoc committee to begin a citizen review process for evaluating options for civilian oversight of selected police activities.

MESA CITY COUNCIL  
October 13, 2003  
Page 10

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

- a. **Z03-12** – (District 5) The 4400 block of East McLellan Road (south side), south to East Hannibal, generally located north and east of Greenfield and Brown Roads (2.02 ac±). Rezone from R-3 to R-3 P.A.D. This case involves the development of an apartment complex. John Bellerose, owner/applicant.  $\frac{3}{4}$  **VOTE REQUIRED. CONTINUE TO NOVEMBER 17 COUNCIL MEETING.**

P&Z Recommendation: Denial (Vote: 7-0)

- \*b. **Z03-26**– (District 6) North and east of the northeast corner of Crismon Road and Southern Avenue (18.9 ac. ±) Site Plan Modification. This case involves the development of an apartment complex. Glenn Walling, Coyote Landing Limited Partnership, owner; Denise Burton, Broadbent and Associates, Inc., applicant. **CONTINUED FROM THE SEPTEMBER 8, 2003 COUNCIL MEETING. REFER BACK TO THE PLANNING AND ZONING BOARD.**

- \*c. **Z03-32** – (District 6) The northwest corner of Sossaman Road and US 60 (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.

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

1. Compliance with the basic development as described in the project narrative and as shown on the conceptual site plan and preliminary plat submitted, (without guarantee of lot yield, building count, lot coverage) except as noted below.
2. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans for M-1 uses, except for vehicle dealerships designed in substantial

MESA CITY COUNCIL  
October 13, 2003  
Page 11

- conformance with the conceptual site plan.
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 for deceleration lane along Sossaman Road 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. All street improvements and off-site landscaping along Sossaman Road and Hampton Avenue frontages to be installed in the first phase of construction. All street improvements and off-site landscaping along the Internal Loop Road to be installed upon development. All on-site improvements to be installed on remainder of parcels upon parcel development.
7. Compliance with all requirements of the Subdivision Technical Review Committee.
8. Compliance with all requirements of the Design Review Board including foundation base requirements, permanent canopy design, parking area landscaping, screening, and building design.
9. The zoning case does not grant approval of any signs. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan is required.
10. 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).
11. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.
12. Provide landscaped setbacks along the Internal Loop Road, measured from right-of-way line, as follows for vehicle dealerships only:

- A. Building setback – 35-feet along street frontage.
  - B. Special display parking – 12-feet along street frontage.
  - C. General display parking – 12-feet along street frontage.
  - D. Customer, employee, and service parking – 20-feet along street frontage. Final layout and design to be reviewed and approved by the Design Review Board.
13. Provide landscaped setbacks along East Hampton Avenue, measured from back of curb, as follows for vehicle dealerships only:
- A. Building setback – 50-feet along street frontage.
  - B. Special display parking – 17-feet along street frontage.
  - C. General display parking – 25-foot average with a minimum of 20-feet along E. Hampton Road. Final layout and design to be reviewed and approved by the Design Review Board.
  - D. Customer, employee, and service parking – 35-feet along street frontage.
14. Provide landscaped setbacks along South Sossaman Road, measured from back of curb, as follows for vehicle dealerships only:
- A. Building setback – 65-feet along street frontage.
  - B. Special display parking – 32-feet along street frontage.
  - C. General display parking – 40-foot average with a minimum of 35-feet along S. Sossaman Road. Final layout and design to be reviewed and approved by the Design Review Board.
  - D. Customer, employee, and service parking – 50-feet along street frontage.
15. Along the length of the deceleration lane required on South Sossaman Road, provide landscaped setbacks measured from back of curb, as follows for vehicle dealerships only:

MESA CITY COUNCIL  
October 13, 2003  
Page 13

- A. Building setback – measured from back of curb, maintain setback established in Condition of Approval #14.
  - B. Special display parking – 20-foot minimum along street frontage.
  - C. General display parking – 23-foot minimum along street frontage.
  - D. Customer, employee, and service parking – 38-foot along street frontage. Final layout and design to be reviewed and approved by the Design Review Board.
16. Provide landscaped setbacks measured from P.A.D. D.M.P. perimeter property line (along ADOT retention basin and/or drainage tract) as follows for vehicle dealerships only:
- A. General or special display parking where a 6-foot high (minimum) screen wall is not provided – 10-feet,
  - B. Customer and/or employee parking without a 6-foot high (minimum) screen wall – 10-foot,
  - C. General or special display parking where a 6-foot high (minimum) screen wall is provided – 2-feet and provide 8-foot by 8-foot clear landscape islands every 10 stalls unless otherwise approved by the Design Review Board.
  - D. Service area parking – provided 8-foot by 8-foot clear landscape islands every 10 stalls unless otherwise approved by the Design Review Board.
17. Provide landscaped setbacks at street corners for vehicle dealerships as follows:
- A. Building setback – 35-feet,
  - B. Special display parking setback – 5-feet from sight visibility line.
  - C. All other parking setback – 20-foot average with a minimum 10-foot setback. Final layout and design to be reviewed and approved by Design Review Board.
18. Provide on-lot building setbacks for vehicle dealerships a minimum of 15-foot separation. Building

MESA CITY COUNCIL  
October 13, 2003  
Page 14

separation on adjoining lots to be per City of Mesa Zoning Ordinance requirements.

19. Provide 12-inch minimum screening of general display parking areas for vehicle dealerships only.
20. Provide landscaped setbacks within vehicle dealerships only as follows:
  - A. Side yard landscape setback – for a distance of 40-feet from the front ROW line. (Trees & shrubs per Code & Design Review Board).
    - 0-feet – auto service building adjacent to same
    - 10-feet – auto service building or display adjacent to retail uses
    - 10-feet – display adjacent to display or service or adjacent to a wall which is 6-feet high or higher.
21. Provide revised Design Guidelines and P.A.D. project narrative prior to the introduction of the Ordinance to the City of Mesa City Council.
22. Photometric study to be reviewed and approved by Design Review Board.

- \*d. **Z03-34** – (District 6) 3200 block of South Signal Butte Road (east side) generally located north and east of Elliot Road and Signal Butte Road (42.6 ac. ±). 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.

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

1. Compliance with all City development codes and regulations.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.

MESA CITY COUNCIL  
October 13, 2003  
Page 15

- \*e. **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.

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

1. Compliance with all City development codes and regulations.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
4. Site Plan Review and approval of future development plans for parcel 218-56-563A (subject site).

- \*f. **Z03-36** – (District 6) North of the northwest corner of Sunview and Baseline Road generally located north and west of Baseline and Recker Roads (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.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan and elevations submitted, (without guarantee of lot coverage) except as noted below.
2. Compliance with all requirements of the Design Review Board, including landscaping, pedestrian connections, patient drop-off areas and elevations.
3. All pad buildings, landscaping, elevations, signage, site lighting and pedestrian links to conform to the

MESA CITY COUNCIL  
October 13, 2003  
Page 16

- approved Design Guidelines for the Arizona Health and Technology Park.
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.).
  6. All street improvements and landscaping to be installed in the first phase of construction.
  7. Prior to building permit approval for the administration building identified in Phase II, the applicant must provide evidence of conformance with Fire Code requirements or an alternative approved by the Fire Marshall.
  8. Buildings used for the sale of medical supplies in conjunction with a medical office or clinic cannot be identified from a public street by signage, display, building orientation or other visual means per Section 11-6-2-A-3 of the Zoning Ordinance.
  9. Compliance with the Comprehensive Sign Plan approved by the Board of Adjustment (ZA01-41).

\*g. **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.

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

1. 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. View fencing shall be constructed, in lieu of a solid masonry wall, around the designated play areas adjacent to the day care center. Final fence design to be approved by the Design Review Board.

MESA CITY COUNCIL  
October 13, 2003  
Page 17

4. All landscaping throughout the development, including perimeter landscaping, shall conform to the Desert Uplands Development Standards native plant palette.
5. All street improvements and perimeter landscaping to be installed in the first phase of construction.
6. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the variance(s) outlined in the staff report.
7. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
8. Compliance with all requirements of the Subdivision Technical Review Committee.
9. Compliance with all City development codes and regulations.
10. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
11. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
12. Written notice be provided to future tenants, and acknowledgment received that the project is within two miles of the Falcon Field Airport.

- \*h. **Z03-38** – (District 6) The 3800 block of South Power Road (eastside) and the 6900 block of East Elliot Road (southside) (20.63 ac.±). Site Plan Review. This case involves development of an apartment complex. Farnham Reality, Inc., owner; Sean Lake, Pew & Lake, PLC, applicant. **CONTINUE TO NOVEMBER 17 COUNCIL MEETING.**

P&Z Recommendation: Denial (Vote: 5-2 Carpenter, Esparza voting nay)

- \*i. **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) 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-

MESA CITY COUNCIL  
October 13, 2003  
Page 18

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.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) 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 Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
5. Dedicate the right-of-way required under the Mesa City Code at the time of application for a building permit, at the time of recordation of the subdivision plat, or at the time of the City's request for dedication whichever comes first.
6. Compliance with all requirements of the Subdivision Technical Review Committee.
7. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
8. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
9. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
10. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

MESA CITY COUNCIL  
October 13, 2003  
Page 19

11. Rear yard setbacks in lots backing up to an arterial street shall be at least 30-feet (30') in depth.

\*j. **Z03-40** – (District 5) Northwest corner of 93<sup>rd</sup> Street and McLellan Road generally located south and east of McKellips and Ellsworth Roads (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.

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

1. Compliance with all City development codes and regulations.

\*k. **Z03-41** – (District 6) Southeast corner of Broadway Road and the Roosevelt Water Conservation District Canal generally located south and east of Broadway and Higley. (55<sup>th</sup> 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.

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

1. Compliance with all City development codes and regulations.

\*l. **Z03-42** – (District 5) The 8600-8700 block of East Culver Street (north side) generally located east of Hawes Road, south of McDowell Road (5 ac. ±). 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.

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

1. Compliance with all City development codes and regulations.

MESA CITY COUNCIL  
October 13, 2003  
Page 20

- m. **Z03-43** – (District 5) The northeast corner of Greenfield Road and McLellan Road, Tract “A” Mesa Commerce Center generally located south and east of McKellips and Greenfield Roads (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.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations submitted, (without guarantee of lot yield, building count, lot coverage) 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. Compliance with all requirements of the Subdivision Technical Review Committee.
6. Compliance with all requirements of the Design Review Board including design of pedestrian connections, storage yards and surrounding walls.
7. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
8. 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).

MESA CITY COUNCIL  
October 13, 2003  
Page 21

9. Outdoor storage limited to height of wall.
  10. Revised narrative presented prior to City Council regarding restriction to objectionable uses.
11. Consider the following subdivision plats:
- \*a. "COUNTRY MART-BASELINE/LINDSAY", – (District 2) – 1900 block of South Lindsay Road (west side) generally located north and west of Baseline and Lindsay Roads. 1 C-2 commercial lot (5.67 ac) Wal-mart Stores, Inc., a Delaware Corporation, owner; Kimley-Horn & Associates, Inc., engineer.
  - \*b. "WHITE DOVE ESTATES AMENDED", – (District 5) – 3800 block of East Huber Street (south side) generally located north and east of Brown and Val Vista Roads. 3 R1-35 PAD single residence lots (6.70 ac) Richard A. Ganley and Amy S. Ganley, Eric Donnelly and Karen Donnelly, Morris G. France III and Deanna France, owners; Ace Engineering, Inc., engineer.
  - \*c. "ARBOR MEDICAL CENTER MAP OF DEDICATION", – (District 5) – 6242 East Arbor Avenue (east side) generally located south and east of Main and Recker. Arbor Medical Center, LLC, owner; Brooks Engineers & Surveyors Inc., engineer.
  - \*d. "MESQUITE CANYON PLAZA", – (District 6) – 2800 block of South Ellsworth Road (west side) generally located south and east of Guadalupe and Ellsworth Roads. 8 C-2 commercial lots (14.99 ac) Evergreen-Ellsworth & Guadalupe, L.L.C., an Arizona Limited Liability Company and Southern Devco, L.L.C., a Washington Limited Liability Company, owners; Hunter Engineering, P.C., engineer.
12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).