

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, December 18, 2006
5:45 P.M.

Invocation by Reverend Shelly Moe, Celebration of Life Presbyterian Church.

Pledge of Allegiance.

Mayor's Welcome.

CITIZEN PARTICIPATION

All citizens are permitted and encouraged to speak on agenda items. If you are interested in speaking on an agenda item, please fill out a blue card in the back of the room and give it to the City Clerk. When the Council considers the item, you will be called to the podium to provide your comments.

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 or citizen requests, in which event the item will be removed from the Consent Agenda and considered as a separate item. If a citizen wants an item removed from the consent agenda, a blue card must be completed and given to the City Clerk prior to the Council's vote on the consent agenda.

1. Take action on all consent agenda items.
- *2. Approval of minutes of previous meetings as written.

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3. Conduct a public hearing and take action on an amendment to the land use map for the following Major General Plan Amendment:

3a. Public Hearing on General Plan Amendment
GPMajor06-01 (District 6) (See Item 3b) (Continued from the December 4th Council Meeting).

3b. Take action on the following resolution:

GPMajor06-01 (District 6) Proposed General Plan Land Use Amendment: From Medium Density Residential (4-6 du/ac), Community Commercial, Light Industrial, Mixed Use Employment and Mixed Use Residential (30% at 15+ du/ac) to Medium Density Residential (4-6 du/ac), Mixed Use Employment, Regional Commercial, Community Commercial, Business Park and Light Industrial for approximately 1699 ± acres just east of the Williams Gateway Airport generally bounded by Ellsworth Road to the west, Signal Butte Road to the east, Ray Road alignment to the north and Pecos Road to the south. The proposed amendment includes realignment of the Ellsworth Road as identified in the exhibits submitted by the applicant. Pacific Proving LLC, (Andrew Cohn) owner; Paul E. Gilbert, Beus Gilbert PLLC, applicant. ***(Notified property owners, registered neighborhood associations and interested parties.) (Continued from the December 4th Council meeting).***

P&Z Recommendation: Denial. (Vote: 5-0 with Boardmembers Finter and Salas absent.)

4. Conduct a public hearing and take action on an amendment to the land use map for the following Minor General Plan Amendment:

4a. Public Hearing on General Plan Amendment
GPMInor06-05 (District 6) (See item 4b).

4b. Take action on the following resolution:

GPMInor06-05 (District 6) The 1000 to 1100 block of South Higley Road (east side). Located north of Southern Avenue on the east side of Higley Road (2.44± ac). Minor General Plan Amendment to change the General Plan Land Use Map

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from Medium Density Residential 4-6 dwelling units per acre (MDR 4-6) to High Density Residential 10-15 dwelling units per acre (HDR 10-15). Ross N. Farnsworth, Jr., RSB Partners LLC, owner; Jeff Welker, Welker Development Resources LLC, applicant. **COMPANION CASE Z06-79 (Agenda Item 10d).**

P&Z Recommendation: Approval. (Vote: 4-1 with Boardmembers Mizner nay, Finter and Salas absent.

5. Conduct a public hearing and take action on a resolution approving the Falcon Field Sub-Area Plan:
 - 5a. Conduct a public hearing on the Falcon Field Sub-Area Plan. **(See Item 5b). Continue to January 8, 2007 Council meeting.**
 - 5b. Take action on the following resolution:

Adopting the Falcon Field Sub-Area Plan, generally located in the north central portion of the City of Mesa. It is identified by its aviation driven focus, historic significance, and close proximity to the Salt River, which represents the City's corporate limits. The Red Mountain Freeway passes through the Falcon Field Sub-Area. **Continue to January 8, 2007 Council meeting.**
6. Take action on the following liquor license applications:
 - *6a. Chevron

New Beer & Wine Store License for Chevron, 1155 S. Higley Road, Sandhu & Sons Investment LLC -- Applicant, Gurwail S. Sandhu -- Agent. The Beer & Wine Store license previously held at this location by Toor Facility #206490 LLC, issued 02/20/2004, will revert back to the State. District #6.
 - *6b. DJ's Beer & Wine

New Beer & Wine Store License for DJ's Beer & Wine, 7310 E. Main Street, DJ's Beer & Wine LLC -- Applicant, James Joseph Mazur -- Agent. This is an existing business with no previous liquor license at this location. District #5.

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*6c. EJ's Steakhouse

New Restaurant License for EJ's Steakhouse, 5609 E. McKellips Road, E.J. Holding Company, Inc. -- Applicant, H.J. Lewkowitz -- Agent. This is new construction with no previous liquor license at this location. District #5.

7. Take action on the following contracts:

- *7a. Two (2) One-Ton Cargo Vans for the Regional Rapid Response Team as requested by the Mesa Police Department. (Fully Grant Funded UASI Federal Homeland Security Program)

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$89,207.80, including applicable sales tax.

- *7b. One Full-Size SUV for the Hazardous Device Team as requested by the Mesa Police Department. (Fully Grant Funded UASI Federal Homeland Security Program)

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Midway Chevrolet at \$46,683.27, including applicable sales tax.

- *7c. Two Explosive Device Protection Search Suits for the Hazardous Device Team as requested by the Mesa Police Department. (Fully Grant Funded State Homeland Security Grant Program) **(Sole Source)**

The Procurement Department recommends accepting the sole source bid from Med-Eng Systems, Inc. at \$27,012.48, including applicable use tax.

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- *7d. Replacement Chemical Protective Suits & Hazardous Materials Boots as Requested by the Mesa Fire Department. (Fully Grant Funded UASI Federal Homeland Security Program)

The Procurement Services Department recommends authorizing purchase from the lowest responsive bidder, Lee Bays Supply at \$39,993.32.

- *7e. Three-year Service Contract for Irrigation Well Inspection, Maintenance and Repair for the Pinal Water Farms as requested by the Real Estate Department. **(Single Proposal Received for Each Group)**

The Procurement Services Department recommends authorizing a three-year contract to Coolidge Engine & Pump, LLC at \$80,000 and John Hoover Well Service at \$20,000. The combined award is \$100,000 annually, based on estimated requirements.

- *7f. Ratification of the Purchase of Seventeen (17) Transformers as requested by the Utilities Department, Electric Division.

The Procurement Services Department recommends ratifying purchase from Salt River Project (SRP) at \$25,369.09, including applicable sales tax.

- *7g. Two-year Renewal of the Contract for Landscape Maintenance Services for Parks and Retention Basins, in an Area Designated as Zone 7, as requested by the Parks, Recreation & Commercial Facilities Department.

The Procurement Services Department recommends exercising the two-year renewal option with Artistic Land Management, Inc. at \$299,704.41 annually, based on estimated requirements.

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- *7h. Two-year Renewal of Supply Contract for Water Meters for the Utilities Department, Water Division.

The Procurement Services Department recommends authorizing a two-year renewal to Dana Kepner Company, Inc. at \$725,701.79, based on estimated annual requirements.

- *7i. Purchase and Installation of Furniture for the Transportation Building Expansion Project as requested by the Transportation Department. (HURF Funded).

The Procurement Services Department recommends authorizing purchase from the State of Arizona contract with Goodmans at \$68,837.99, including design, installation, delivery and applicable sales tax.

- *7j. Lead Based Paint Stabilization Contract for Escobedo Housing Complex. **Deleted.**

- 8. Introduction of the following ordinances and setting January 8, 2007, as the date of the public hearing on these ordinances:

- *8a. Amending Title 7, Chapter 2 of the Mesa City Code adding a Fire Safety Operational Permit to collect the fees associated with the Fire Department's Inspection Program.

- *8b. Amending Title 10, Chapter 3 of the Mesa City Code to establish a thirty-day vehicle impound administrative fee of \$150.00 as recommended by the Audit and Finance Committee.

- 9. Take action on the following resolutions:

- *9a. Approving and authorizing the City Manager to execute an agreement with the City of Phoenix for Mesa's portion of the Motorola 7.x upgrade of the 800 MHz radio system.

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- *9b. **GPMInor06-08 (District 5)** Request amendment of the General Plan Land Use Map from Low Density Residential (0-1) to High Density Residential (10-15) for 9.3 acres +/- of land identified as parcel 10 in the proposed Stonebridge Mountain DMP. Jeff Blandford, Pinnacle Ridge Holdings LLC, owner; Paul Dugas, applicant. **COMPANION CASES Z06-86 and GPMInor06-09. (Public Hearing held November 20, 2006)**

P&Z Recommendation: Approval. (Vote: 3-1 with Boardmembers Carpenter nay, Esparza, Finter and Salas absent.

- *9c. **GPMInor06-09 (District 5).** Request amendment of the General Plan Land Use Map from Low Density Residential (1-2) to High Density Residential (10-15) for 9.4 acres +/- of land identified as parcel 14 in the proposed Stonebridge Mountain DMP. Jeff Blandford, Pinnacle Ridge Holdings LLC, owner; Paul Dugas, applicant. **COMPANION CASES Z06-86 and GPMInor06-08. (Public Hearing held November 20, 2006)**

P&Z Recommendation: Approval. (Vote: 3-1 with Boardmembers Carpenter nay, Esparza, Finter and Salas absent.

- *9d. Amending the previous request to the Federal Aviation Administration (FAA) to change the land use designation from aeronautical to non-aeronautical for the Falcon Field Airport property 'Citrus Groves' located west of Greenfield Road. This resolution requests that the FAA change the land use designation to non-aeronautical use for the property located north of McKellips Road only.

- *9e. Approving and authorizing the City Manager to execute an agreement between the Governor's Office of Highway Safety and the City of Mesa to accept \$60,000 in grants funds for the DUI Task Force.

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- 9f. Authorize the use of eminent domain to acquire property and property rights for the Power Road Improvement Project.

In order to meet construction schedule, Immediate Possession is necessary for the remaining 18 properties.

- 9g. Approving and authorizing the City Manager to execute an agreement with the Governor's Office of Children, Youth & Families to secure grant funds in the amount of \$19,326 for program services offered to at-risk youth and families residing in the City of Mesa.

- *9h. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Criminal Justice Commission for grant funds in the amount of \$26,211 to provide training for the Forensic Service Section of the Police Department.

- *9i. Approving and authorizing the City Manager to execute an agreement between the City of Mesa and Mesa Public Schools to administer a grant of \$115,000 to provide services to at-risk youth.

10. Discuss, receive public comment, and take action on the ordinances introduced at a prior Council meeting. Any citizen that wants to provide comment should submit a blue card to the Clerk before the item is voted on. If a citizen wants to comment on an item listed with an asterisk (*), a blue card must be given to the Clerk before Council votes on the consent agenda.

- *10a. **A06-19 (District 5)** Annexing land located at the Northwest corner of Ellsworth Road and Southern Avenue (3.17 ± ac.). Initiated by Lisa Luther, representing the property owner.

- *10b. Amending the fee structure in Section 11-18-8 of the Mesa City Code to provide separate fees for rezoning, rezoning with site plan review, site plan review or modification.

P&Z Recommendation: Approval of Fee Structure. (Vote: 6-0 with Boardmember Adams absent.)

DDC Recommendation: Approval (Vote: 6-0 with Boardmembers Jarvis, Close and Riekema absent.)

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- *10c. **Z06-78 (District 1)** The 2300 block of North Harris Drive (east side) and the 1600 block of East Hermosa Vista Drive (south side). Located north of McKellips Road and west of Gilbert Road (6.2± acres). Rezone from R1-43 to R1-43-PAD and Site Plan Review. This request will allow the development of a single-residential subdivision. Gary Stapley, NGB Development LLC, owner; Jeff Welker, Welker Development Resources LLC, applicant. ***(Held three neighborhood meetings, notified property owners, interested parties, registered neighborhoods, homeowners associations and Mesa Public Schools.)***

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

- 10d. **Z06-79 (District 6)** The 1000 to 1100 block of South Higley Road (east side). Located north of Southern Avenue on the east side of Higley Road (2.44± acres). Rezone from R1-7 (conceptual C-2) to R-2-BIZ and Site Plan Review. This request will allow the development of a townhome subdivision. Ross N. Farnsworth, Jr., RSB Partners LLC, owner; Jeff Welker, Welker Development Resources LLC, applicant. ***(Held two neighborhood meetings, notified property owners, interested parties, registered neighborhoods and homeowners associations.)***
COMPANION CASE GPMINOR06-05 (Agenda Items 4a and 4b).

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

- *10e. **Z06-84 (District 5)** The 2500 to 3400 blocks of East Lehi Road (south side, south to the canal, except for 150' west of the mid-section line) and the 3100 to 3400 blocks of East Thomas Road (south side, south to 150' north of the ¼ section line). Located west of Val Vista Drive and south of Thomas Road (283± acres). Rezone from R1-43 to R1-9 PAD, R1-15 PAD and C-2 and the establishment of the Lehi Crossing Development Master Plan. This case will allow for the development of a residential master planned community. Rob Ryan, William Lyon Homes and others (Kristen, Robert, Robert Jr. and Jeffrey Clark; Walton Shreeve, Richard Winslow, Marjorie Winslow, Rodney Engle, Janelle Yancey),

owners; Paul Gilbert, Beus Gilbert PLLC, applicant.
(Notified property owners, interested parties, registered neighborhoods and homeowners associations.)

P&Z Recommendation: Approval with conditions. (Vote: 3-1 with Boardmember Langkilde nay and Boardmembers Esparza, Finter and Salas absent.)

- 10f. **Z06-86 (District 5)** The 8400 to 9200 blocks of East McKellips Road (north to Hermosa Vista Drive) and the 8200 to 9200 blocks of East McKellips Road (south to McLellan Road) (717 ac.±). Amend a part of the original Development Master Plan (ordinance conditions and conceptual districts), rezone from R1-35 DMP (conceptual R1-6, R1-9, R-2, R-3, C-2, and O-S) to R1-15 PAD, and establish the Stonebridge Development Master Plan. Allow development of the Stonebridge Mountain DMP. Jeff Blandford, Pinnacle Ridge Holdings LLC, owner; Paul Dugas, applicant. ***(Held thirteen neighborhood meetings, notified property owners, interested parties, registered neighborhoods and homeowners associations.)***
COMPANION CASES GPMInor06-08 and GPMInor06-09. (Agenda Items 9b and 9c) CONTINUED FROM THE NOVEMBER 20, 2006 MEETING.

Two Ordinances have been introduced:

- i. Applicant Requested Ordinance introduced on December 4, 2006. This ordinance responds to continued input the applicant has received from the surrounding community and contains the DMP proposal as the applicant would like to have it approved. If this ordinance is approved, Item 10f(ii) is not approved and requires no action.
- ii. P & Z Board version introduced on November 6, 2006.

P&Z Recommendation: Approval with conditions. (Vote: 4-0 with Boardmembers Finter, Salas and Esparza absent)

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- *10g. **Z06-89 (District 6)** The 4400 to 4500 blocks of South Mountain Road (east side). Located south of Warner Road and west of Meridian Road (5.27± ac). Rezone from R1-43 to C-2 and Site Plan Review. This request will allow for the development of a commercial development. Heritage Development, Inc., Brad Weekes, President, owner; Ralph Pew, Pew & Lake, PLC, applicant. ***(Held a neighborhood meeting, notified property owners, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

- 10h. **Z06-90 (District 5)** The 1400 to 1500 blocks of North Alta Mesa Drive (west side). Located north of Brown Road and east of Higley Road (7.06± ac.). Rezone from R-4 DMP and a portion of the C-2 DMP to R-2 PAD DMP and Site Plan Modification. This request will allow for the development of a residential townhome subdivision and modify the site plan for an existing clubhouse. Steve Dallas, Alta Mesa Clubhouse President, John W. Perkinson, Perkinson Investment Corporation, owner; Randolph L. Carter, Dreamcatchers Planning and Design, applicant. ***(Held a neighborhood meeting, notified property owners, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with conditions. (Vote: 5-0-1 with Boardmember Salas abstaining due to a potential conflict of interest and Boardmember Adams absent.)

- *10i. **Z06-91 (District 3)** The 2000-2400 block of West Broadway Road (north side). Located north of Broadway Road and west of Dobson Road (52.62 ac. ±). Site Plan Modification, PAD modification and a Council Use Permit. This request will allow modification to an existing Business Park and will allow an increase in the allowable retail square footage. Broadway 101 Venture, LLC, David Krumwiede, owner; Manjula Vaz, Gammage & Burnam, applicant. ***(Held a neighborhood meeting, notified property owners.)***

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

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- *10j. **Z06-92 (District 6)** The 5500 to 5600 blocks of East Inverness Avenue (north side). Located east of Higley Road and north of Baseline Road (17.2 ac.). Site Plan Review and Modification. This request will allow for the expansion of an existing UPS Distribution Facility. United Parcel Service, owner; Keith Green, applicant. ***(Held a neighborhood meeting, notified property owners, registered neighborhoods and homeowners associations.)***

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

- *10k. **Z06-93 (District 6)** 8924 East Germann Road. Located west of Ellsworth Road and north of Germann Road (48.69 acres). Amendment of Ordinance #4470. This case will amend the conditions of approval of an existing ordinance for the site. Brent Payne, Gateway Airport Property Investors LP, owner; Ralph Pew, Pew & Lake PLC, applicant. ***(Held a neighborhood meeting, notified property owners, and registered neighborhoods.)***

P&Z Recommendation: Approval with conditions. (Vote: 6-0 with Boardmember Adams absent.)

11. Take action on the following subdivision plats:

- *11a. "SUNLAND SPRINGS VILLAGE GOLF CONDOMINIUMS UNIT THREE" (**District 6**) 2400 block of South Wattlewood extending east and south to the approximate alignment of East Nell Avenue, then east to South Copperwood. Located north and west of Guadalupe Road and Meridian Drive. 176 R-2 PAD DMP condominium units (23.16 ac) Transnation Title Insurance Company, Henry D. Ledema, assistant secretary, trustee.
- *11b. "COLTS NECK MEDICAL OFFICE BUILDING" (**District 5**) 3500 block of East McDowell Road (south side) located south and west of McDowell Road and Val Vista Drive. 5 O-S PAD office condominium units (1.17 ac) Colts Neck Holdings, LLP, Raymond Nitti, manager, owner.

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- *11c. “TESORO AT GREENFIELD, A CONDOMINIUM” (**District 6**) 4300 block of East Southern Avenue (south side) and the 1300 block of South Greenfield Road (west side) located south and west of Southern Avenue and Greenfield Road. 336 R-3 PAD condominium units (24.28 ac) D.R. Horton, Inc., John A. Mariconda, Vice President, owner.
 - 11d. “SANCTUARY ON CENTER” (**District 1**) 100 block of West McKellips Road (south side) located south and west of McKellips Road and Center Street. 50 R-3 PAD townhome lots (3.75 ac) Ross Farnsworth, Jr., developer/owner.
 - *11e. “BAYWOOD MEDICAL CENTER” (**District 5**) 130 South 63rd Street (west side) located south and east of Main Street and Recker Road. 5 C-2 PAD office condominium units (0.28 ac) Baywood Medical Center, LLC, Rencor Development, LLC, Marshall C. Reynolds, manager, owner.
 - *11f. “BASELINE CROSSING OFFICE” (**District 6**) 8400 block of East Baseline Road (south side) located south and east of Baseline Road and Hawes Road. 18 O-S PAD office condominium units (4.86 ac) Castelain Development Group, LLC, J. Chris Arnold, manager, owner.
- 11.1 Hear a presentation, discuss and provide direction on whether to move forward in negotiating a Development Agreement with Waveyard Development, LLC and obtaining a third party financial analysis.
 - 12. Items from citizens present. (Maximum of three speakers for three minutes per speaker).