

## **CITY COUNCIL AGENDA**

### **COUNCIL CHAMBERS – 57 EAST FIRST STREET**

Monday, June 6, 2005

5:45 P.M.

Invocation by President Terry D. Turk, The Church of Jesus Christ of Latter-Day Saints.

Pledge of Allegiance.

Mayor's Welcome.

Recognition of outgoing Board and Committee Members.

Presentation of a plaque to Barry Landon of Southwest Ambulance for his work with the Sister City Association of Mesa.

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.

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3. Conduct a public hearing on the Power Road Scalloped Street Assessment Project #00-43.1. This project installed street improvements along North Power Road from East Adobe Road to McKellips Road. (See item 10e).
4. Conduct a public hearing and consider an amendment to the land use map for the following Minor General Plan Amendment and possible adoption of the corresponding resolution:
  - 4a. **GPMInor05-02 (District 6)** The 8400 block of East Broadway Road (south side). Located south of Broadway Road and west of Ellsworth Road at the southeast corner of Broadway and Hawes Roads (9.5 ac). Minor General Plan Amendment to change the General Plan Land Use Map from Neighborhood Commercial (NC) to Medium Density Residential 6-10 dwelling units per acre (MDR 6-10). Mount Baldy Limited Partnership, owner; Christopher Lindahl, applicant.  
  
P&Z Recommendation: Approval. (Vote: 4-1-1-1(Saemisch abstaining, Mizner voting nay, Esparza absent))
5. Conduct a public hearing on the proposed Fiscal Year 2005-06 Budget Plan.
6. Consider tentative adoption of the proposed Fiscal Year 2005-06 Budget Plan.
7. Consider the following liquor license applications:
  - \*7a. KIT A. MCCORMICK, CHAIRPERSON  
  
Special Event License application for Kit A. McCormick, Chairperson, Fountain of the Sun, a one-day charitable event to be held on Saturday, November, 26, 2005 from 5:00 P.M. to 11:00 P.M. at 8001 E. Broadway Road. District #6.

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\*7b. KIT A. MCCORMICK, CHAIRPERSON

Special Event License application for Kit A. McCormick, Chairperson, Fountain of the Sun, a one-day charitable event to be held on Saturday, January 7, 2006 from 5:00 P.M. to 11:00 P.M. at 8001 E. Broadway Road. District #6.

\*7c. KIT A. MCCORMICK, CHAIRPERSON

Special Event License application for Kit A. McCormick, Chairperson, Fountain of the Sun, a one-day charitable event to be held on Saturday, November, 18, 2006 from 5:00 P.M. to 11:00 P.M. at 8001 E. Broadway Road. District #6.

\*7d. PETER A. ELIAS, AGENT

New Hotel Motel License for Holiday Inn Hotel, 1600 South Country Club Drive. This is an existing business. The license previously held at this location by Patricia Martin, Agent, Sunstone Hotel Properties, Inc. of Colorado, will revert back to the State. District #3.

8. Consider the following contracts:

\*8a. Additional Purchase of BioRobot for the Crime Laboratory DNA/Serology Unit as requested by the Police Department. (Contract 2004186) (Sole Source)

The Purchasing Division recommends authorizing an additional purchase option with the original bidder, Qiagen, Inc., at \$30,660.96, including applicable sales tax.

\*8b. Three-year supply contract for Fire Protective Clothing as requested by the Fire Department. (Contract 2005113)

The Purchasing Division recommends accepting the low bid meeting specification, including advanced cleaning and inspection service, by United Fire Equipment, at \$327,986.81, based on estimated annual requirements.

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- \*8c. Second and Final One-year Renewal Option of the Supply Contracts for Printed and Audio Library Books as requested by the Mesa Public Library. (Contract 2002143)

The Purchasing Division recommends exercising the one-year renewal as follows:

Baker and Taylor, Inc. – Primary supplier for audio and printed books, for annual purchases estimated at \$770,000.00.

Recorded Books – Secondary supplier for audio books only, for annual purchases estimated at \$33,000.00.

The combined award is then \$803,000.00 based on estimated annual purchases.

Both vendors have agreed to renew at the same discounted prices provided two years ago.

- \*8d. Second and Final One-year Renewal Option of the Supply Contracts for Children's Prebound Books and Mass-market Paperback Books, as requested by the Mesa Public Library. (Contract 2002141)

The Purchasing Division recommends exercising the one-year renewal as a dual award:

Book Wholesalers, Inc. for annual purchases estimated at \$33,000.00

Permabound for annual purchases estimated at \$33,000.00.

The combined award is then \$66,000.00 based on estimated annual purchases.

Book Wholesalers, Inc. and Permabound both agreed to renew at the same discount structure, terms and conditions as in their original proposal.

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- \*8e. Second and Final One-year Renewal Option of the Supply Contract for Library Reference Books, as requested by the Mesa Public Library. (Contract 2002139)

The Purchasing Division recommends exercising a one-year renewal with Thomson Gale, formerly Gale Group, for annual purchases estimated at \$38,500.00, including contingencies. Also, exercising a one-year renewal with Ingram Library Services, as a secondary contract, for annual purchases estimated at \$13,750.00, including contingencies. The combined award is then \$52,250.00.

- \*8f. Computer Hardware, as requested by the Information Services Division. (State Contract #AD990005-005)

The Purchasing Division recommends authorizing purchase from the State of Arizona contracts with CLH International, Inc. for a total of \$27,559.01, including applicable sales tax.

The six notebooks purchased will be used in the Street Light Repair section of the Transportation Division.

- \*8g. Additional Purchase of three Control and Relay Panels as requested by the Utilities Department Electric Division. (Contract 2004184)

The Purchasing Division recommends authorizing an additional purchase option with the original bidder, Electrical Power Products, at \$66,671.81, including extended warranty and applicable sales tax.

This equipment will be used to complete the Fraser Substation upgrade.

- \*8h. Four Replacement Vehicles as requested by the Water Utility Division Water Supply, Gas Utility Division Gas Distribution, and the Transportation Division Field Operations. (State Contract AD 040004)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$83,892.10.

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- \*8i. 4" Coated Steel Gas Pipe as requested by the Gas Utility Division Gas Distribution. (Contract 2005139)

The Purchasing Division recommends accepting the low bid by Wilson Supply, at \$45,549.30. This purchase is exempt from sales/use tax.

- \*8j. Three-year Contract for Landscape Maintenance Services for Sections I, II and V for Medians and Right-of-way Areas, as requested by the Transportation Division Field Operations. (Contracts 2005132, 2005133, 2005134) Districts 1, 2, 3 & 4

The Purchasing Division recommends accepting the following low bids:

Bowen's Horticulture Services, Inc. for Sections I and II, at \$461,057.29  
The Groundskeeper for Section V, at \$152,366.00

The combined award is then \$613,423.29, based on estimated annual requirements.

- 8k. Three-year Supply Contract for Chip Seal Aggregate for Low Volume Roads as requested by Transportation Division Field Operations. (Contract 2005136)

The Purchasing Division recommends accepting the low bid by Mesa Materials at \$110,914.41, based on estimated annual requirements.

- \*8l. Three-year Supply Contract for Intelligent Transportation Systems (ITS) Field Network Equipment as requested by the Transportation Division Traffic Engineering.

The Purchasing Division recommends accepting the following low bids meeting specification:

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Bid# 2005135:

GDI Communications \$36,421.44, including applicable taxes  
RuggedCom, Inc. \$170,385.60, including applicable taxes

Arizona State Contract:

Copperstate Technologies (T0459A0083) \$38,591.70,  
including applicable taxes.

Transource Computers (AD99005-006) \$60,241.97,  
including applicable taxes.

The combined award is then \$305,640.71 including  
applicable taxes.

- 8m. Sound Monitor System as requested by the Community  
Services Department Mesa Arts Center (Contract 2005126)

The Purchasing Division recommends accepting the low bid  
submitted by Ken's Pro Sound at \$218,945.91, including  
applicable taxes.

- 8n. Sunshine Acres Force Main Renovations, City of Mesa  
Project No. 02-413-002.

This project will install two new sewer force mains from a  
new lift station to the City gravity sewer just north of  
McDowell Road on Higley Road. .

Recommend award to low bidder B&F Contracting, Inc., in  
the amount of \$146,160.00 plus an additional \$14,616.00  
(10% allowance for change orders) for a total award of  
\$160,776.00.

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- \*8o. East Mesa Sewer Interceptor – Phase III, Germann Road to Williams Field Road, City of Mesa Project No. 01-671-002.

This project will construct a section of the wastewater line known as the East Mesa Interceptor (EMI) from Germann Road to Williams Field Road along the East Maricopa Floodway. Improvements include the installation of 13,400 lineal feet of 66-inch gravity sewer line.

Recommend award to low bidder Achen-Gardner Engineering, LLC, in the amount of \$7,898,925.00 plus an additional \$789,892.50 (10% allowance for change orders) for a total award of \$8,688,817.50.

- 8p. East Mesa Sewer Interceptor – Phase VI, Ellsworth Road, Elliot Road to Baseline Road, City of Mesa Project No. 01-671-005.

This project will construct a section of the wastewater line known as the East Mesa Interceptor (EMI) from Baseline Road south along Ellsworth Road to Elliot Road, then west from Ellsworth Road along Elliot Road to the San Tan Freeway. Improvements include the installation of 4,700 lineal feet of 42-inch and 8,000 lineal feet of 36-inch gravity sewer line.

Additionally, this project installs approximately 7,875 lineal feet of E-Streets conduit and vault infrastructure in support of the East Mesa Loop. The cost of \$260,650.00 will be funded with General Fund. Lease-purchase financing being handled by the Financial Services Division.

Recommend award to low bidder T&T Construction, Inc., in the amount of \$2,978,800.00 plus an additional \$297,880.00 (10% allowance for change orders) for a total award of \$3,276,680.00.

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8q. Downtown Parking Lots, City of Mesa Project #04-912-001.

This project will install asphalt pavement in the vacant lots at the northwest corner of Serrine Street and 1<sup>st</sup> Avenue, and slurry seal the vacant lots on the southeast corner of Drew Street and 1<sup>st</sup> Avenue and the southeast corner of MacDonald Street and 1<sup>st</sup> Avenue.

Recommend award to low bidder Visus, Inc., in the amount of \$447,850.00 plus an additional \$44,785.00 (10% allowance for change orders) for a total award of \$492,635.00.

8r. Downtown Parking Lot Lighting, City of Mesa Project No. 04-912-002.

This project will improve lighting conditions at the municipal parking lots. Improvements include upgrading existing equipment and the installation of new pole-mounted light fixtures and surface-mounted lighting in canopies.

Recommend award to low bidder Kimbrell Electric, Inc., in the amount of \$184,813.71 plus an additional \$18,481.37 (10% allowance for change orders) for a total award of \$203,295.08.

\*8s. Serrine Parking Garage Lighting, City of Mesa Project No. 04-912-003.

This project will improve lighting conditions in the Serrine Parking Garage and the new parking lot on the northwest corner of Serrine Street and 1<sup>st</sup> Avenue.

Recommend award to low bidder AV Electric Company, Inc., in the amount of \$189,888.20 plus an additional \$18,988.82 (10% allowance for change orders) for a total award of \$208,877.02.

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- \*8t. Municipal Building Remodel, City of Mesa Project No. 02-415-002.

This project will allow the Building Safety and Financial Services Divisions to expand their operations into the space where Planning vacated and make other necessary improvements.

Recommend award to low bidder, SDB, Inc., in the amount of \$2,241,332.52 plus an additional \$224,133.25 (10% allowance for change orders) for a total award of \$2,465,465.77.

- \*8u. Baseline Interceptor Siphon Sewage Lift Station Equipping, City of Mesa Project No. 03-083-002.

This project will install a new duplex pumping system in an existing wet well including associated piping valves, electrical controls, and other work as needed to enable flow in the 54-inch sewer line to be diverted and pumped into the 33-inch sewer line thus utilizing the City's capacity.

Recommend award to low bidder, Highland Engineering, LLC, in the amount of \$471,750.00 plus an additional \$47,175.00 (10% allowance for change orders) for a total award of \$518,925.00.

9. Introduction of the following ordinances and setting June 20, 2005, as the date of public hearing on these ordinances:

- \*9a. Modifying rates for the following utility services:

1. Water
2. Wastewater
3. Natural Gas
4. Solid Waste - Residential

- \*9b. Amending Title II, Chapter 2 of the Mesa City Code by revising Housing and Human Services Advisory Board to Human Services Advisory Board, adding meetings section and amending all references to Housing Services.

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- \*9c. Creating a Housing Advisory Board, providing for the appointment of members thereon and defining the powers and duties of the Board; amending the Mesa City Code by adding to Title II a new Chapter 24; establishing an effective date.
- \*9d. Amending Title II, Chapter 23 of the Mesa City Code; Mesa Housing Services Governing Board by revising Housing and Human Services Advisory Board to the Housing Advisory Board.
- 9e. Amending Title 6, Chapter 15, Sections 3 (E), 6 (A), and 20 (B) of the Mesa City Code; pertaining to alarm business duties, alarm user permit requirements, and false alarms; penalty assessments and permit revocation.
- \*9f. **Z05-59** (District 5) 5646 East Main Street, Suite 5. Located west of Recker Road and north of Main Street (13,000 s.f.). Council Use Permit. This request is to allow the development of a charter school within a commercial zoning district.  
  
P & Z Recommendation: Approval. (Vote 4-0-3 (Saemisch, Esparza, and Carpenter absent))
- \*9g. Amending Title 1 Chapter 12 Section 1-12-5 of the Mesa City Code relating to waiver of fees, and adding a new Section 1-12-9 relating to a Court Capital Construction Fee.

10. Consider the following resolutions:

- \*10a. Authorizing the City Manager to execute an Agreement between the City of Mesa and the Arizona Automobile Theft Authority to acquire funds to purchase equipment for proactive auto theft investigation.
- \*10b. Authorizing the City Manager to execute an Agreement between the City of Mesa and The Arizona Automobile Theft Authority to acquire funds to purchase equipment and fund overtime for auto theft prevention and education in the City of Mesa.

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- \*10c. Authorizing the City Manager to execute an agreement between the City of Mesa and the Arizona Automobile Theft Authority to acquire funds to purchase equipment and fund overtime for proactive auto theft investigation in the City of Mesa.
- \*10d. Authorizing the City Manager to execute an Intergovernmental Agreement with Maricopa County and other participating jurisdictions for continued participation in the Maricopa HOME Consortium.
- 10e. Approving the final assessments for the Power Road Scalloped Street Assessment Project #00-043.1.  
  
This project installed street improvements along North Power Road from East Adobe Road to East McKellips Road.
- \*10f. Approving and authorizing the City Manager to execute a City Share Reimbursement Agreement for the reimbursement of regional offsite improvements that are being required by Mesa, in conjunction with the proposed commercial development known as QuikTrip #404, located at 9229 East University Drive.
- \*10g. Approving and authorizing the City Manager to execute a City Share Reimbursement Agreement for the reimbursement of regional offsite improvements that are being required by Mesa, in conjunction with the proposed commercial development known as Arizona Footwear, located at 1611 East Main Street.
- \*10h. Approving and authorizing the City Manager to execute a City Share Reimbursement Agreement for the reimbursement of regional offsite improvements that are being required by Mesa, in conjunction with the proposed commercial development known as Shell Commercial Building, located at 1152 East Broadway Road.

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- \*10i. Approving and authorizing the City Manager to execute an agreement between the State of Arizona Department of Transportation and the City of Mesa for landscape enhancements and maintenance along the Red Mountain Freeway, from Higley Road to Power Road (ADOT JPA 02-026).
  - \*10j. Authorizing the City Manager to execute an agreement between the Arizona Department of Public Safety and the City of Mesa for the purpose of obtaining criminal background information on massage licensee applicants.
  - \*10k. Moved to Item #9g.
  - \*10l. Modifying Parks and Recreation Division fees.
  - 10m. Modifying the Library fees.
  - \*10n. Modifying the Commercial Facilities Division fees.
  - \*10o. Approving and authorizing the City Manager to execute a preannexation agreement between GBGM 240 Limited Partnership and the City of Mesa for the area known as Nova Vista.
  - \*10p. Approving and authorizing the City Manager to execute an Intergovernmental Agreement between the State of Arizona through the Department of Commerce and the City of Mesa to support the provision of weatherization services provided through Mesa Community Action Network.
  - \*10q. Approving and authorizing the expenditure of funds for embedded track for the Valley light rail transit project.
11. Consider a resolution and ordinance modifying utility deposit fees.
12. Consider the following ordinance:
- \*12a. Amending various sections of the Mesa City Code regarding the following traffic modifications:

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

On the north side of Hope Street from Lindsay Road to the east leg of Hale Street (west of Lindsay Road and north of Brown Road, Council District 1).

On the east side of Parkcrest from Broadway Road to a point 222 feet south of Broadway Road (east of Greenfield Road and south of Broadway Road, Council District 6).

No Parking: 10-3-24 (F7) (No Parking between 8:00 am and 5:00 pm, Monday – Friday)

On the south side of Hackamore Street from Gilbert Road to a point 284 feet east of Gilbert Road and on the north side of Hackamore Street from Gilbert Road to a point 251 feet east of Gilbert Road (east of Gilbert Road and north of Brown Road, Council District 1).

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

- \*13a. **Z05-41 (District 1)** The 1700 block of North Lindsay Road (west side) Located south of McKellips Road and west of Lindsay Road (1.07 ac). Rezone O-S to C-2 and Site Plan Modification. This request is to allow inline retail. Russ Watson, Sterling Realty Group, owner; Sean Lake, Pew & Lake, P.L.C.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations as submitted.
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. Compliance with all requirements of the Subdivision Technical Review Committee.

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5. Compliance with all requirements of the Design Review Board.

- \*13b. **Z05-42 (District 1)** The 2700 block of East McKellips Road (south side) Located south of McKellips Road and west of Lindsay Road (11.92 ac). Site Plan Modification. This request is to allow Wal-Mart Neighborhood Market and inline retail. Russ Watson, Sterling Realty Group, owner; Sean Lake, Pew & Lake, P.L.C.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat and elevations as submitted.
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. Compliance with all requirements of the Subdivision Technical Review Committee.
5. Compliance with all requirements of the Design Review Board.

- \*13c. **Z05-43 (District 1)** The 800 block of South Greenfield Road (west side). Located north of Southern and west of Greenfield Road (1.8 ac). Rezone from O-S to R1-35. This request is to allow two single residential lots. Ross N. Farnsworth, owner; Tim Nielson, applicant.

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

1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.

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2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Compliance with all requirements of the Subdivision Regulations.

\*13d. **Z05-44 (District 6)** 14403 and 14435 South Power Road. Located south of Ray Road and east of Power Road (5± ac). Rezone from R1-43 to C-2 and M-1. This request is to establish commercial and industrial zoning districts. Jesse & Ann Udall, Dwight & Jori Udall, owners; Wayne Balmer, City of Mesa, applicant.

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

1. Site Plan Review by the Planning and Zoning Board and City Council of future development plans.
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. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City.
5. 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.
6. Construct a 6-foot masonry screening fence, at the 98' point from the center of Power Road. This distance aligns with the existing masonry screening wall of the neighboring parcel directly north. This screening wall would run from the inside of the north entry gate to the inside of the south entry gate. This would amount to approximately 362' of screening fence.

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7. Continue using the existing automatic entry gate at the north end of parcel 304-37-017 and erect an entry gate at the south end of parcel 304-37-018, and continue the existing fence of the north entry gate to the south entry gate.
8. Installation of limited paving off of Power Road to accommodate entrance and exit on Power Road.
9. Clean up the west side of the screening wall and relocation of materials to the east side of the screening wall.

\*13e. **Z05-48 (District 6)** 14207 South Power Road.  
Located south of Ray Road and east of Power Road (4± ac).  
Rezone from R1-43 to C-2. This request is to establish a commercial zoning district. John Gaines Trust ETAL (Ricky Fowler), owners; Wayne Balmer, City of Mesa, applicant.

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

1. Site Plan Review by the Planning and Zoning Board and City Council of future development plans.
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. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City.
5. 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.

\*13f. **Z05-49 (District 6)** 14247 South Power Road.  
Located south of Ray Road and east of Power Road (2.74± ac). Rezone from R1-43 to C-2. This request is to establish a commercial zoning district. Mark L. & Vicki L. Talbot, owners; Wayne Balmer, City of Mesa, applicant.

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

1. Site Plan Review by the Planning and Zoning Board and City Council of future development plans.
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. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City.
5. 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.

\*13g. **Z05-50 (District 6)** 14223 South Power Road.  
Located south of Ray Road and east of Power Road (1.3 ac). Rezone from R1-43 to C-2. This request is to establish a commercial zoning district. Southwest Auto Care, LLC (Mike Cahill), owner; Wayne Balmer, City of Mesa, applicant.

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

1. Site Plan Review by the Planning and Zoning Board and City Council of future development plans.
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. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City.
5. 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.

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- \*13h. **Z05-51 (District 6)** 14215 South Power Road. Located south of Ray Road and east of Power Road (0.78 ac). Rezone from R1-43 to C-2. This request is to establish a commercial zoning district. Joseph Kestner, owner; Wayne Balmer, City of Mesa, applicant.

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

1. Site Plan Review by the Planning and Zoning Board and City Council of future development plans.
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. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City.
5. 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.

- \*13i. **Z05-52 (District 6)** The 14000 block of South Power Road. Located at the southeast corner of Ray Road and Power Road (4± ac). Rezone from R1-43 to C-2. This request is to establish a commercial zoning district. Robert & Julie Galvin, owners; Wayne Balmer, City of Mesa, applicant.

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

1. Site Plan Review by the Planning and Zoning Board and City Council of future development plans.
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.).

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4. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City.
5. 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.

- \*13j. **Z05-45 (District 6)** The 1100 block of South Ellsworth Road (west side). Located north of Southern Avenue and west of Ellsworth Road (3.37 ac). Rezone from Maricopa County Rural 43 and C-2 to City of Mesa R1-43 and C-2. This case is to establish City zoning on recently annexed property. City of Mesa (northern parcel), Cynthia Taylor Trust (southern parcel), owners; City of Mesa Real Estate Division, applicant.

P&Z Recommendation: Approval. (Vote: 6-0 with Esparza absent)

1. Review and approval by the Planning and Zoning Board, Design Review Board and City Council of future development plans.
2. Compliance with all City development codes and regulations.

- \*13k. **Z05-46 (District 6)** The 3800 block of South Mountain Road (west side). Located south of Elliot Road and east of Signal Butte Road (14.86 ac). Rezone from Maricopa County R1-8 PD to City of Mesa PF. This case is to establish City zoning on recently annexed property. Gilbert Unified School District, owner; G. Keith Vaughan, Planning and Development Director, Gilbert Public Schools, applicant.

P&Z Recommendation: Approval. (Vote: 6-0 with Esparza absent)

1. Compliance with all City development codes and regulations.

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14. Consider the following subdivision plat:
  - \*14a. "RIVER WALK APARTMENTS" (District 6) – 5500 block of East Broadway Road (south side) located south of Broadway Road and east of Higley Road. 6 R-2 PAD four-plex buildings (2.0287 ac) John Bellerose, owner; Allen Consulting Engineers, Inc., engineer.
15. Items from citizens present. (Maximum of three speakers for three minutes per speaker).