

CITY COUNCIL AGENDA

COUNCIL CHAMBERS – 57 EAST FIRST STREET

Monday, April 4, 2005

5:45 P.M.

Invocation by Reverend Paul A. Whitlock, Desert Heritage Church U.C.C.

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. Consider the findings and recommendation of the Judicial Advisory Board to reappoint Magistrate Karl C. Eppich for a four-year term beginning July 1, 2005 and ending June 30, 2009.
3. Consider the findings and recommendation of the Judicial Advisory Board to reappoint Magistrate Victor M. Ortiz for a four-year term beginning July 1, 2005 and ending June 30, 2009.
 - 3.1. Swearing in of reappointed City Magistrates.

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- *4. Approval of minutes of previous meetings as written.
5. 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:
 - 5a. **GPMInor05-01** (District 5) 5702 East Main Street. Located south and west of Main Street and Recker Road (8.3 ac.). Minor General Plan Amendment to change existing land use designation from Community Commercial and High Density Residential 10-15 (10-15 du/ac) to Medium Density Residential 6-10 (6-10 du/ac). Dan Mikalacki, owner/applicant. **COMPANION CASE Z05-04**
6. Consider the following liquor license applications:
 - *6a. NANCY NEFF, DIRECTOR PUBLIC RELATIONS

Special Event License Application for Nancy Neff, Director Public Relations, Banner Desert Medical Center, a one-day charitable event to be held on Saturday, April 9, 2005, from 6:00 P.M. to 10:00 P.M. at 1400 S. Dobson Road. District #2.
 - *6b. CHRIS MATTHEW CARPENTER, PASTOR

Special Event License Application for Chris Matthew Carpenter, Pastor, Christ the King Catholic Church, a one-day religious event to be held on Saturday, April 16, 2005, from 5:30 P.M. to 10:00 P.M. at 1551 E. Dana Avenue. District #4.
 - *6c. DAVID GERARD CISIEWSKI, AGENT

New Beer & Wine Store License for QuikTrip #410, 2445 E. McKellips Road. This is new construction. No previous liquor licenses at this location. District #1.

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7. Consider the following contracts:

- *7a. One-year renewal of the supply contract for Office Supplies used by all City departments.

The Purchasing Division recommends exercising a one-year renewal of the contract with Office Depot through the US Communities Government Purchasing Alliance for annual purchases estimated at \$950,000.00.

- *7b. Additional purchase of HazMat Material Shelter Replacement Parts as requested by the Fire Department. (Contract 2005103) **SOLE SOURCE**

The Purchasing Division recommends a dollar limit increase to the contract for HazMat Material Shelter Replacement Parts to Lee Bays Supply in the amount of \$57,255.74. **SOLE SOURCE**

- *7c. Sixteen new workstations and one service counter for the Fleet Support Services Division as requested by Development Services. (State Contract #AD010202-002)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodmans at \$70,579.70, including design, installation, delivery and applicable sales tax.

- *7d. Three-year supply contract for street sweeper brooms as requested by Fleet Support Services. (Contract 2005117)

The Purchasing Division recommends accepting the low bid by West Coast Equipment Inc. at \$60,479.25 based on estimated annual requirements.

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- *7e. Five trucks as requested by the Police Department, Environmental Management Division Solid Waste Services, and the Utilities Department Electric Division. (State Contract AD 040004)

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Five Star Ford at \$102,079.24.

- 7f. East Mesa Sewer Interceptor – Phase IV, City of Mesa
Project No. 01-671-003.

This project will construct the initial phase of the wastewater line known as the East Mesa Interceptor (EMI), from Williams Field Road to Elliot Road along the East Maricopa Floodway. Improvements include the installation of 5,850 lineal feet of 66-inch and 10,450 lineal feet of 54-inch gravity sewer line.

Recommend award to low bidder, Achen-Gardner Engineering, LLC, in the amount of \$6,190,765.88 plus an additional \$619,076.59 (10% allowance for change orders) for a total award of \$6,809,842.47

- 7g. FY 2005 Residential Street Rehabilitations, City of Mesa
Project No. 01-841-007.

This project will rehabilitate and overlay over 129,400 square yards of residential street pavement. Improvements will also include the construction of 165 sidewalk ramps along the improved streets.

Recommend award to low bidder, Nesbitt Contracting Company, in the amount of \$1,044,555.00 plus an additional \$104,455.50 (10% allowance for change orders) for a total award of \$1,149,010.50.

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- *7h. Downtown Street Lighting – 1st Avenue (MacDonald to Hibbert) and Center Street (1st Avenue to 2nd Avenue), City of Mesa Project No. 03-061-001.

This project will improve street lighting in this downtown area by improving the existing lighting system and installing additional streetlights and electrical equipment.

Recommend award to low bidder, Han Mar Energy, Inc., in the amount of \$206,792.00 plus an additional \$20,679.20 (10% allowance for change orders) for a total award of \$227,471.20.

- 7i. 2004/2005 Utility Locating and Potholing by Vacuum Extraction, City of Mesa Project No. 04-917-001.

This project will perform non-destructive location and potholing of underground utilities in order to identify and avoid conflict during design and construction. This project is an annual contract for the current year, with City option to extend for up to one additional year.

Recommend award to low bidder, Concast Corporation, as the primary contractor, in the amount of \$313,300.00 plus an additional \$31,330.00 (10% allowance for change orders) for a total award of \$ 344,630.00.

Recommend award to the second low bidder HMS Conco, Inc., as the secondary contractor, in the amount of \$157,875.00, plus an additional \$15,787.50 (10% allowance for change orders) for a total award of \$173,662.50.

The total award for both contracts is \$518,292.50.

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- 7j. Police Firearms Range Impound Lot Improvements, City of Mesa Project No. 02-222-001.

This project will expand the facility's impound lot to provide additional handling capability and improve operations; install improvements for a new target system to be installed by the Police Department; and improve security around the facility by installing new fencing, key pad accessible gates, and privacy screening on the fencing to minimize public visibility.

Recommend award to low bidder, Comcast Corporation, in the amount of \$139,015.85 plus an additional \$13,901.59 (10% allowance for change orders) for a total award of \$152,917.44.

- 7k. 2004 Arterial Street Improvements – Greenfield Road (Broadway Road to Main Street) and Broadway Road (Oakland Street to Maricopa Floodway Bridge), City of Mesa Project No. 01-841-006.

This Project will reconstruct over 77,000 square yards of asphalt pavement and install approximately 2,200 lineal feet of storm drain piping and associated drainage structures. Improvements will also include the installation of conduit and pull boxes for traffic signals and other minor street improvements.

Recommend award to low bidder, Nesbitt Contracting Company, in the amount of \$1,955,543.30 plus an additional \$195,554.33 (10% allowance for change orders) for a total award of \$2,151,097.63.

8. Introduction of the following ordinances and setting April 18, 2005, as the date of public hearing on these ordinances:

*8a. **A04-17 (District 6)** Annexing the SWC of Ellsworth Road and E. Florian Ave. (3.37±acres). Initiated by the property owners (list of property owners attached).

- 8b. Amending Title 5, Chapter 17, Table 5, of the Mesa City Code relating to Cultural Facility Development Impact Fees.

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- *9. Consider approving the FY 2005-2009 Strategic Plan, which describes how the City of Mesa will pursue goals for assisted housing needs and non-housing community development programs eligible under the Housing and Urban Development's federal programs.
- 10. Deleted.
- 11. Consider the following resolutions:
 - *11a. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the Town of Queen Creek and the City of Mesa to identify and define the responsibilities of Queen Creek and Mesa for the design, construction, ownership, operation and maintenance, and cost of the East Mesa Sewer Interceptor.
 - 11b. Approving and authorizing the City Manager to execute an Intergovernmental Agreement (IGA) between the Regional Public Transit Authority (RPTA) and the City of Mesa to develop, design, and construct a 24,000 gallon diesel fueling facility at the East Mesa Transit Operations and Maintenance Facility.
 - *11c. Authorizing the City Manager to enter into an Intergovernmental Agreement between the City of Mesa and the Pima County Sheriff's Department for High Intensity Drug Trafficking Area Task Force (HIDTA) overtime funds.
 - *11d. Authorizing the City Manager to enter into an Intergovernmental Agreement between the City of Mesa and the Maricopa County Sheriff's Office to participate in the Maricopa County High Intensity Drug Trafficking Area Task Force (HIDTA) Met Lab Task Force.
 - *11e. Authorizing the City Manager to enter into a Grant Agreement between the City of Mesa and the Arizona Criminal Justice Commission for the purpose of providing enhanced forensic crime laboratory services.

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- 11f. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2005-2006 funding for nonprofit organization projects through the Community Development Block Grant (CDBG) program.
- 11g. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2005-2006 funding for City department projects through the Community Development Block grant (CDBG) program.
- 11h. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2005-2006 funding for nonprofit organization projects through the HOME Investment Partnerships (HOME) program.
- 11i. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) through the Maricopa HOME Consortium for FY 2005-2006 funding for City of Mesa Department projects through the HOME Investment Partnership (HOME) Program.
- 11j. Approving and authorizing the City Manager or his designated representative to proceed with an application to the Department of Housing and Urban Development (HUD) for FY 2005-2006 funding through the Emergency Shelter Grant (ESG) program.
- *11k. Approving the submittal of a grant application for Proposition 202 funds from the Gila River Indian Community.

This application is from the National Center for American Indian Enterprise Development and is to provide business development assistance to Native American entrepreneurs and tribal enterprises.

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- *11l. Moved to Item #8b.
 - *11m. Granting the sale of City property located at 1156 West Main Street, and reserving a public utility and facilities easement.
 - *11n. Approving and authorizing the City Manager to execute an Amended and Restated Agreement No. 5242 with the City of Phoenix for the construction, operation and maintenance of the Val Vista Water Treatment Plant and Val Vista Transmission Line.
 - *11o. Approving and authorizing the City Manager or his designated representative to execute an Intergovernmental Agreement between the City of Mesa and the City of Apache Junction for training of Apache Junction recruits by the Mesa Police Department Academy.
12. Consider the following the ordinances:
- *12a. Amending various sections of the Mesa City Code regarding the following traffic modifications:
 - Prohibiting Left Turns From Driveways: 10-3-15 (B)
 - The east side of Center Street from driveway with centerline approximately 100 feet north of 1st Street (Town Center Area, Council District 4).
 - Designating One-Way Streets, Alleys, and Driveways 10-3-16
 - The driveway on the east side of Center Street with centerline approximately 100 feet north of 1st Street (Town Center Area, Council District 4).
 - The driveway on the east side of Center Street with centerline approximately 337 feet north of 1st Street (Town Center Area, Council District 4).

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

On the east side of Center Street from Main Street to a point 152 feet south of Main Street (Town Center Area, Council District 4).

On the north side of Jerome Avenue from Extension Road to a point 157 feet east of Extension Road (west of Country Club Drive and north of Baseline Road, Council District 3).

On Juanita Avenue from Greenfield Road to Valley Auto Drive (west of Greenfield Road and north of Baseline Road, Council District 6).

Remove the prohibition from Valley Auto Drive between Greenfield Road and a point approximately 525 feet north of Juanita Avenue (west of Greenfield Road and north of Baseline Road, Council District 6) (Valley Auto Drive has been abandoned in this area in conjunction with the Super Wal-Mart development).

- 12.1. Consider the following recommendation from the Transportation Committee:
 - *12.1a. Approving staff's proposal for Alternative 1 which includes initiation of approximately \$2.5 million in design for the first year (FY 05/06) of capital street projects, in anticipation of a dedicated local funding source for right-of-way acquisition and construction for future transportation projects and transit service resulting from the passage of Proposition 400 on November 2, 2004.

13. Consider the following cases from the Planning and Zoning Board and possible adoption of the corresponding ordinances:
 - 13a. **Z05-04 (District 5)** 5702 East Main Street. Located south and west of Main Street and Recker Road (8.3 ac.). Rezone from C-2 to R-2 PAD and site plan review. This request is for the development of a town home development. Dan Mikalacki, owner/applicant. **COMPANION CASE GPMInor05-01**

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P&Z Recommendation: Approval with Conditions. (Vote: Passed 6-0-1, Boardmember Finter abstaining)

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 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. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report or on the site plan.
7. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

- *13b. **Z05-03 (District 1)** The 1300 block of East McKellips Road (south side). Located south and east of McKellips Road and Stapley Drive (8.7 ac.). Rezone from O-S to C-1 PAD and site plan review. This request is for the development of a medical office building and a restaurant. Nupetco Association (Albert Petty), owner; Paul Devers, Jr. – Cawley Architects, applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 7-0)

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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 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. All street improvements and perimeter landscaping to be installed in the first phase of construction.
5. Compliance with all requirements of the Subdivision Technical Review Committee.
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. Review and approval of a Special Use Permit by the Board of Adjustment for outdoor seating associated with a restaurant.
9. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

*13c. **Z05-15 (District 6)** 8320 E. Germann Road. Located on the northwest corner of Germann and Hawes Roads (6.93 ac.). Rezone from AG to M-1 and site plan review. This request is to allow for the operation of a Chas Roberts Air Conditioning business. Christopher Derken, owner; Michelle Dahlke, Pew & Lake, PLC, applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 7-0)

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1. Compliance with the basic development as described in the project narrative and as shown on the site plan submitted, except as noted below.
2. Recordation of a Lot split to match the area being rezoned to M-1.
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 lot split, 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 Design Review Staff.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (prior to the issuance of a building permit).
8. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

- 13d. **Z05-16 (District 6)** The 2500 – 2700 block of South Signal Butte Road (east side). Located south and east of Baseline Road and Signal Butte Road (20± ac.). Rezone from R-2 PAD-DMP, R1-6 DMP, and AG to R1-6 PAD-DMP and R1-6 DMP and Site Plan Review and expansion of the Sunland Springs Village Development Master Plan. This request is for the development of a residential community and accessory RV storage. Craig Ahlstrom, owner; Tim Nielsen, applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 7-0)

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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 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. Full compliance with all current Code requirements, unless modified through appropriate review and approval of the modifications outlined in the staff report.
7. Owner granting an Avigation Easement and Release to the City, pertaining to Williams Gateway Airport, which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit).
8. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
9. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

*13e. **Z05-18 (District 5)** The 5600 block of East McKellips Road (south side). Located south of McKellips Road and east of Higley Road (3.24 ac.). Site Plan Review. This case is to allow development of two retail/restaurant buildings. Mark Gibbons, Property Reserve Arizona LLC, owner; Bill McDermott, LEADS, Inc., applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 7-0)

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1. Compliance with the basic development as described in the project narrative and as shown on the site plan 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 Design Review Board.
5. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Field Airport, which will be prepared and recorded with the City prior to the issuance of a building permit.

*13f. **Z05-19 (District 5)** The 5600 block of East McKellips Road (south side). Located south of McKellips Road and east of Higley Road (10.52 ac.). Site Plan Review. This case is to allow development of an assisted living facility. Mark Gibbons, Property Reserve Arizona, LLC, owner; Neal Pascoe, Beus Gilbert, 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 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.
6. Owner granting an Avigation Easement and Release to the City, pertaining to Falcon Filed Airport Which will be prepared and recorded by the City prior to the issuance of a building permit.

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- *13g. **Z05-21 (District 5)** The 200 block of North Power Road (west side). Located north of Main Street and west of Power Road (0.6 ac.). Rezone from R1-9 to O-S and Site Plan Review. This case is to allow for the development of an office building. Gene Gin, owner; Shawn M. Clow, 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 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. Compliance with all requirements of the Design Review Board.
5. Review and approval of a Development Incentive Permit (D.I.P.) by the Board of Adjustment.

- 13h. **Z05-23 (District 4)** 851 E. Main Street. Located south and west of Main Street and Stapley Road (1± ac.). Council Use Permit. This request is to allow a day labor business. Ron Walters, owner; David Naja (Able Body Labor), applicant.

P&Z Recommendation: Denial. (Vote: Passed 6-1, Boardmember Carpenter voting nay)

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- *13i. **Z05-24 (District 6)** The 6200 block of South Mountain Road (west side). Located south and west of Williams Field Road and Mountain Road (25± ac.). Rezone from AG to M-2. This request is to bring zoning into conformance with the Mesa 2025 General Plan. G M 50 LLC; El Dorado Holdings, Admin. Agent Debra Bricker, owner; Dasia Equities, LLC, James Cullumber, applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 7-0)

1. Review and approval by the Planning and Zoning Board, Design Review Board, and City Council of future development plans.
2. Compliance with all requirements of the Development Services Department (Engineering, Traffic Engineering, Solid Waste and Facilities, etc.).
3. Compliance with all City development codes and regulations.
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.

- 13j. **Z05-25 (District 6)** The 1600 to 1900 block of South Signal Butte Road (both sides). Located on the northeast and northwest corners of Signal Butte and Baseline Roads (91 ac.). Rezone from R1-43 to C-2 DMP and C-2 to C-2 DMP and Site Plan Review. This request is to allow for a regional commercial center. John Perkinson, Bojer Land/Signal Butte Limited Partnership, owner; Elizabeth Gaston, Diversified Partners, 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 submitted, except as noted below.
2. Compliance with all requirements of the Design Review Board.

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3. All pad buildings to be architecturally compatible with the center.
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, or at the time of the City's request for dedication whichever comes first.
6. All street improvements and street frontage landscaping to be installed in the first phase of construction.
7. Recordation of cross-access easements between all lots proposed in the subdivision plat.
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. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.
10. Review and approval of a Special Use Permit by the Board of Adjustment for the Car Wash and Gas Station.
11. Compliance with all requirements of the Subdivision Technical Review Committee.
12. Retention basins to be 6:1 slopes maximum when adjacent to public rights-of-way or pedestrian walkways.

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- *13k. **Z05-26 (District 5)** The 7800 block of East University (south side). Located south of University Drive and east of Sossaman Road. (23.5 ac.). Rezone from R1-43 to R1-6 PAD and preliminary plat. This case is to allow for development of a single-family residential subdivision. Tom Couey, owner; Michelle Dahlke, Pew and 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 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 the Residential Development Guidelines.

- *13l. **Z05-27 (District 5)** The 1900 block of North Higley (west side). Located west of Higley Road and south of McKellips Road (8.87 ac.). Rezone from M-1 to M-1 PAD, M-2-PAD and Site Plan Review. This case is to allow for development of an office/industrial/commercial center. Corey Smith, DCSJ Ltd., owner/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 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.).

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4. Compliance with all requirements of the Subdivision Technical Review Committee.
5. Compliance with all requirements of the Design Review Board.
6. Owner granting an Avigation Easement and Release to the City pertaining to Falcon Field Airport which will be prepared and recorded by the City (concurrently with the recordation of the final subdivision map, prior to the issuance of a building permit.

*13m. **Z05-28 (District 6)** The northeast corner of Ray Road and South Mountain Road. (73.54 ac.) District 6. This case involves the establishment of City zoning on recently annexed property. Rezone from County R1-35 to City of Mesa R1-35. This case involves the establishment of City zoning on recently annexed property. John Poulsen, President of Providence Homes, Inc., owner/applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 7-0)

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.

*13n. **Z05-30(a) (District 5)** Parcel 2 at Las Sendas. Located north of Thomas Road and east of Power Road (39± ac.). Rezone from R1-90 DMP to R1-15 PAD-DMP and modification of the Las Sendas Development Master Plan. This request is for the development of a single residence subdivision. Roger Steill, CRM Holding LLC, owner; Gary King, Early, Curley & Lagarde, P.C., applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 6-0-1, Boardmember Carpenter abstaining)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat, (without guarantee of lot yield, building count, lot coverage).

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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. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
8. Written notice to be given to future residents that this subdivision is within two (2) miles of Falcon Field Airport.
9. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan.
10. Compliance with Ordinance #3694 requiring a grading permit.

*13o. **Z05-30(b) (District 5)** Parcel 7 at Las Sendas. Located north of Thomas Road and east of Power Road (6± ac.). Rezone from C-2 DMP to R1-35 PAD-DMP and modification of the Las Sendas Development Master Plan. This case is for the development of a single residence subdivision. Roger Steill, CRM Holding LLC, owner; Gary King, Early, Curley & Lagarde, P.C., applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 6-0-1, Boardmember Carpenter abstaining)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with the Residential Development Guidelines.

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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. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
8. Written notice to be given to future residents that this subdivision is within two (2) miles of Falcon Field Airport.
9. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan.
10. Compliance with Ordinance #3694 requiring a grading permit.

*13p. **Z05-30(c) (District 5)** Parcel 46 at Las Sendas. Located east of Power Road and south of McDowell Road (22± ac.). Rezone from R1-90, R1-35, R1-90 DMP, and R1-35 DMP to R1-7 PAD-DMP and modification to the Las Sendas Development Master Plan. This case is for the development of a single residence subdivision. Roger Steill, CRM Holding LLC, owner; Gary King, Early, Curley & Lagarde, P.C., applicant.

P&Z Recommendation: Approval with Conditions. (Vote: Passed 6-0-1, Boardmember Carpenter abstaining)

1. Compliance with the basic development as described in the project narrative and as shown on the site plan, preliminary plat, (without guarantee of lot yield, building count, lot coverage).
2. Compliance with the Residential Development Guidelines.

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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. View fences on residential lots shall comply with the City of Mesa pool fence barrier regulations.
 8. Written notice to be given to future residents that this subdivision is within two (2) miles of Falcon Field Airport.
 9. Compliance with Native Plant Preservation Ordinance #3693 requiring submittal of a Native Plant Preservation Plan.
 10. Compliance with Ordinance #3694 requiring a grading permit.
14. Consider the following subdivision plats:
- *14a. "LINDSAY PARK TOWNHOMES", – (Council District 2) – 2400-2800 blocks of East Southern Avenue (south side) located south and west of Southern Avenue and Lindsay Road. 165 R-2 PAD townhome units (21.02 ac) Lindsay Park Townhomes, LLC, Rodney L. Morris, President, owner; Landmark Engineering, engineer.
 - *14b. "ZAHARA PROFESSIONAL OFFICES", – (Council District 5) – 3600 block of North Power Road (west side) located north and west of Thomas Road and Power Road. 36 C-2 PAD DMP office condominium units (6.20 ac) SPB Commercial, L.L.C., Philip Gelb, President, owner; Gervasio & Associates, Inc., engineer.

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- *14c. "BROADWAY 101 COMMERCE PARK", – (Council District 3) – 2200 block of West Broadway Road (north side) 9 M-1 PAD industrial lots (71.77 ac) Broadway 101 Venture, LLC., Stephen M. Steppe, President, owner; Norman Engineering, Inc., engineer.
- 15. Items from citizens present. (Maximum of three speakers for three minutes per speaker).