

COUNCIL MINUTES

March 17, 1997

The City Council of the City of Mesa met in a Regular Council Meeting in the upper level of the Council Chambers, 57 East 1st Street, on March 17, 1997 at 5:45 p.m.

COUNCIL PRESENT

Mayor Wayne Brown
Pat Gilbert
John Giles
Dennis Kavanaugh
Joan Payne
Wayne Pomeroy
Jim Stapley

COUNCIL ABSENT

None

POLICE OFFICER
PRESENT

Scott Martin

OFFICERS PRESENT

C.K. Luster
Neal Beets
Barbara Jones

The invocation was given by Reverend Joe Myers, Trinity Baptist Church.

The Pledge of Allegiance was led by Aaron Dick, Troop 852.

1. Approval of minutes of previous meetings as written.

It was moved by Councilmember Stapley, seconded by Councilmember Pomeroy, that the minutes of February 19 and 28, 1997 and March 3 and 6, 1997 be approved.

Carried unanimously.

2. Conduct a public hearing on Community Development Block Grant, HOME Investment Partnerships, and Emergency Shelter Grant projects proposed for the 1997-1998 fiscal year.

Mayor Brown announced that this is the time and place for a public hearing regarding the proposed Fiscal Year 1997-1998 Community Development Block Grant (CDBG), HOME Investment Partnerships, and Emergency Shelter Grant projects.

Lyle Christensen, 441 West Pepper Place, spoke regarding assistance provided to the C.A.N.D.O. neighborhood during Fiscal Year 1996-1997 which enabled the neighborhood to complete the first phase of a streetlight upgrade project. Mr. Christensen requested funding from the 1997-1998 allocation to allow the neighborhood to complete the second phase of the project.

Bill Brando, 61 South Macdonald, expressed the opinion that the City of Mesa has not obtained the necessary public input required by the Department of Housing and Urban Development (HUD) to acquire Community Development Block Grant funds.

There being no additional citizens present wishing to speak on this issue, the Mayor declared the public hearing closed.

Mayor Brown thanked the speakers for their input.

3. Consider all consent agenda items.

At this time, all matters on the consent agenda were considered or were removed at the request of a member of the Council. All items identified in these minutes with an asterisk (*) were approved with one Council action.

It was moved by Councilmember Stapley, seconded by Councilmember Pomeroy, that the consent agenda items be approved.

Carried unanimously.

4. Consider the following liquor license applications.

*a. MARY JO WHALEN, CHAIRPERSON

Special event license application of Mary Jo Whalen, Chairperson, for Serrine Adult Day Care Auxiliary, a one-day charitable event to be held Saturday, April 19, 1997 from 6 p.m. to 10 p.m. at 3102 East Fairbrook Circle.

*b. ALAN RAY PAYNE, PAST PRESIDENT

Special event license application of Alan Ray Payne, Past President, for Gilbert Kiwanis Club, a three-day charitable event to be held Friday, March 21, 1997 and Saturday, March 22, 1997 from 9 a.m. to 5 p.m. and Sunday, March 23, 1997 from 10 a.m. to 5 p.m. at 6001 South Power Road, Williams Gateway Airport.

*c. K. LAYNE MORRILL, AGENT

Location transfer liquor store license for Smith's Food & Drug, 1245 West Main Street. This transfer is from Smitty's, NWC R.H. Johnson & Meeker Boulevards, Sun City West, to Smith's Food & Drug, 1245 West Main Street.

*d. MICHAEL LOUIS MONTI, AGENT

New restaurant license for Monti's at the Ranch, 1644 South Dobson Road. The license previously held at this location by Michael Monti, Agent, Monti's at the Ranch, will revert back to the State.

5. Consider the following contracts.

*a. One new copier for the City Clerk's Office.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Danka at \$12,874.00 plus 7.45% sales tax of \$959.11 for a total of \$13,833.11.

- *b. Six modular employee workstations for the Neighborhood and Community Assistance Office as requested by the Public Works Department.

Council is requested to authorize purchase from the State of Arizona contract with Goodman's, Inc. for a total of \$22,920.78, including materials, design services, delivery, installation, and applicable sales tax.

- *c. Two new equipment trailers for transportation of backhoes to and from job sites as requested by the Utility Construction Division.

The Purchasing Division recommends accepting the low bid by Fleming Trailers, Inc. at \$19,840.00 plus 7.05% sales tax of \$1,398.82 for a total of \$21,238.72.

- *d. Two-year renewal of the Vehicle Repair and Maintenance Contract for Police vehicles as requested by Fleet Support Services.

The Purchasing Division recommends exercising the only two-year renewal option with Hub's Auto Clinic for annual expenditures estimated at \$260,000.00.

- *e. Deleted.

- *f. Thirty-six modular employee workstations for the second floor of the Mesa City Plaza building as requested by the Public Works Department. These workstations will be used by the Personnel Division and Employee Benefits Division.

Council is requested to authorize purchase from the State of Arizona contract with Goodman's, Inc. for a total of \$136,922.92, including materials, design services, delivery, installation, and applicable sales tax.

- *g. Sixty replacement Motorola 800 MHZ portable radios for use by the Special Investigations Division of the Police Department as requested by the Communications Division. Council is requested to authorize purchase from the State of Arizona contract with Motorola for a total of \$69,983.04, including a two-year extended warranty and applicable sales tax.

- *h. Annual supply contract for PE2406 gas valves for warehouse inventory to be used by the Utility Construction Division.

The Purchasing Division recommends accepting the low bids as follows:

Item 1 to Crow Company at \$12,200.00 plus 7.05% sales tax of \$860.10 for a total of \$13,060.10; and Item 2 to Kerotest Manufacturing Corporation at \$7,125.00 plus 5% use tax of \$356.25 for a total of \$7,481.25. The combined award is \$20,541.35.

- *i. Video presentation equipment for the lower level Council Chambers.

The Purchasing Division recommends accepting the complete low bid by Troxell Communications, Inc. for Items 2 through 7 at \$10,107.07 plus 7.05% sales tax of \$712.54 for a total of \$10,819.61.

- *j. Video presentation equipment for the upper level Council Chambers.

The Purchasing Division recommends accepting the low bid by Panasonic Digital Television Systems Company at \$89,500.68 plus 5% use tax of \$4,475.00 for a total of \$93,975.00.

- *k. Deleted.

- *l. Val Vista transfer station improvements.

This project will construct a new water transfer station which will provide additional capability to transfer water between the Falcon Field zone and the City zone.

Recommend award to the low bidder, Calyber Contracting, in the amount of \$334,600.00.

- *m. Dreamland Villa Phase 1 water line relocation.

This project will install new lines in Dreamland Villa 2 between North 54th Street and North 56th Street, East University Drive, and East Colby Street. The new water lines will be installed in the street and will replace existing substandard water lines that are currently within utility easements behind the houses.

Recommend award to the low bidder, J. Wise Corporation, in the amount of \$423,249.80.

- *n. Gas line replacement in Magma, Quail Run Lane - Judd Road to Roberts Road and Sierra Vista Road - Combs Road to Hash Knife Draw.

This project will install a new 6" high-pressure gas line on Sierra Vista Road between Combs Road and Hash Knife Draw and on Quail Run Lane between Judd Road and Roberts Road.

Recommend award to the low bidder, Arizona Pipeline Company, in the amount of \$149,564.00.

- *o. Twenty-four employee workstations for the Superstition Springs substation as requested by the Police Department.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Goodman's, Inc. for a total of \$113,646.73, including materials, design services, delivery, installation, and applicable sales tax.

- *p. One new copier for the Superstition Springs substation as requested by the Police Department.

The Purchasing Division recommends authorizing purchase from the State of Arizona contract with Business Equipment, Inc. at \$15,079.00 plus 7.05% sales tax of \$1,063.07 for a total of \$16,142.07.

6. Consider the following resolutions.

- *a. Setting April 21, 1997 as the date for the hearing on the annual assessments for the Mesa Town Center Improvement District - Resolution No. 7002.

- *b. Authorizing the City Manager to execute Amendment No. 1 to the intergovernmental agreement between the City of Mesa and the State of Arizona, through the Adjutant General, relating to the temporary winter shelter program - Resolution No. 7003.

- *c. Vacating the remaining public roadways and easements in Sunrise Ranch Unit One Resolution No. 7004.

The area has been redeveloped and the roadways and easements are no longer needed.

- *d. Granting an easement to Salt River Project for underground power at the Val Vista Water Treatment Plant - Resolution No. 7005.

The easement is for the new power supply from Val Vista Drive.

- *e. Extinguishing an easement for public utilities on Lot 529, Ridgeview Unit IV - Resolution No. 7006.

The easement is no longer needed.

- *f. Approving and authorizing the City Manager to execute an amended Groundwater Savings Facility Storage and Recovery Agreement between the Roosevelt Water Conservation District and the City of Mesa - Resolution No. 7007.

- g. Authorizing the issuance and sale of \$94,730,000 principal amount of City of Mesa, Arizona, Utility System Revenue Bonds, Series 1997 - Resolution No. 7011.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Stapley, that Resolution No. 7011 be adopted.

Carried unanimously.

- h. Authorizing the issuance and sale of \$24,000,000 aggregate principal amount of City of Mesa, Arizona, General Obligation Bonds, Series 1997 - Resolution No. 7012.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Giles, that Resolution No. 7012 be adopted.

Carried unanimously.

- *i. Ratifying the Picacho Reservoir lease agreement with Pinal County - Resolution No. 7008.

7. Consider the following recommendations from the Utility Committee.

- a. Approve providing water and sewer service to the northeast corner of University Drive and 83rd Street (Lots 5 and 6 of the Floyd Homes subdivision), subject to the stipulations listed in the staff report.

It was moved by Councilmember Pomeroy, seconded by Councilmember Stapley, that this matter be continued to the April 7, 1997 Regular Council Meeting.

Carried unanimously.

- b. Approve providing water service to the northeast corner of North 83rd Place and East Billings Street, subject to the stipulations listed in the staff report.

Brad Homer, 1116 East Greenway, a development consultant representing the property owner, stated that the subject property is located in a County island within the Mesa City limits. Mr. Homer noted the property owner's intention to install a water line and develop affordable housing consistent with the surrounding neighborhood. Mr. Homer advised that the applicant is agreeable to the stipulations outlined by staff and the Utility Committee, with the exception of the installation of storm water retention improvements and a dry sewer system. Mr. Homer indicated that the proposed development is not a subdivision and stated the opinion that the applicant should not be obligated to conform to subdivision requirements. Mr. Homer commented that a dry sewer system represents an unrealistic economic cost and expressed concern as to whether the dry sewer line will meet future City standards should the property be annexed. Mr. Homer noted benefits to the City provided by the proposed development.

Public Works Director Harry Kent informed the Council that staff does not perceive the installation of storm water retention improvements to be an incumbrance on the development and said that the property owner will not be required to install a large retention basin. Mr. Kent stated that problems are not anticipated matching future sewer mains from the south and west with the proposed dry sewer line and added that a dry sewer line compatible with current City standards will also be acceptable in the future. Mr. Kent expressed concern relative to the cost to the City to install a sewer line in the future if the developer is not required to install a dry sewer line at this time.

In response to a question from Vice Mayor Gilbert, Mr. Kent advised that if the property was located within the City limits, the applicant would be required to develop a complete subdivision that would likely include a wet sewer.

Discussion ensued relative to the future installation of sewer lines, the distance of existing sewer lines from the subject property, the appropriateness of requiring a dry sewer when surrounding properties are served by septic systems, the cost-benefit of installing a dry sewer, and the installation of paving comparable to the surrounding area.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that the request for water service to the northeast corner of North 83rd Place and East Billings Street be approved, subject to the stipulations listed in the staff report and recommended by the Utility Committee.

Vice Mayor Gilbert spoke regarding the difficulties of requesting property owners to pay a special assessment fee to connect into a sewer line. Vice Mayor Gilbert stated the opinion that a sewer will be necessary in the future and indicated opposition to placing the cost of the sewer line with the City.

Councilmember Stapley expressed the opinion that requiring the applicant to provide a dry sewer line for an area surrounded by mobile homes that are not linked to the City's sewer system is not equitable to the developer. Councilmember Stapley noted opposition to the motion.

Councilmember Giles concurred with Vice Mayor Gilbert regarding the unfairness of placing the burden on the City to pay for the installation of a sewer line in the future but spoke in favor of a motion that would not include Stipulation #5, the installation of storm water retention improvements.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Kavanaugh
NAYS - Giles-Payne-Pomeroy-Stapley
ABSENT - None

Mayor Brown declared the motion failed.

It was moved by Councilmember Giles, seconded by Vice Mayor Gilbert, that the request for water service to the northeast corner of North 83rd Place and East Billings Street be approved, subject to the stipulations listed in the staff report and recommended by the Utility Committee, with the exception of Stipulation #5, the installation of storm water retention improvements.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Kavanaugh
NAYS - Payne-Pomeroy-Stapley
ABSENT - None

Mayor Brown declared the motion carried by majority vote.

- c. Approve providing water service to 7625 East Oasis Street, subject to the stipulations listed in the staff report.

Conway Ryan, 1311 West Chandler Boulevard, Suite 120, Chandler, property owner, provided Council with a map indicating water service on parcels adjacent to the subject property. Mr. Ryan stated the opinion that staffs recommendations regarding the placement of a 6" water line would not benefit the lots to the northeast of the subject property. Mr. Ryan requested approval to place a meter and run a water line easterly on Oasis Street from Sossaman Road. Mr. Ryan noted that the stipulations as outlined by staff and the Utility Committee are acceptable, with the exception of the installation of a 6" water line. Mr. Ryan expressed the opinion that a 6" water line represents an unnecessary financial burden and that a 2" water line is sufficient.

In response to a question from Mayor Brown, Mr. Kent explained that the future development of the area has not yet been determined. Mr. Kent noted City standards relative to required frontage.

Discussion ensued concerning future annexation, utility and access easements, and ingress and egress to the property.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Giles, that the request to provide water service to 7625 East Oasis Street be approved, subject to the stipulations listed in the staff report and recommended by the Utility Committee.

Mayor Brown indicated support of the applicant's position and noted opposition to the motion.

Upon tabulation of votes, it showed:

AYES - Gilbert-Giles-Pomeroy
NAYS - Brown-Kavanaugh-Payne-Stapley
ABSENT - None

Mayor Brown declared the motion failed.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Payne, that the request for water service to 7625 East Oasis Street be approved, subject to the stipulations listed in the staff report and recommended by the Utility Committee, with the exception of Stipulation #1, the extension of 450 linear feet of 6" water line.

In response to a question from Mr. Kent, Councilmember Kavanaugh clarified that the motion will allow the owner of the property to install a 2" private water line versus staff's recommendation for a 6" public water line.

AYES - Brown-Giles-Kavanaugh-Payne-Stapley
NAYS - Gilbert-Pomeroy
ABSENT - None

Mayor Brown declared the motion carried by majority vote.

8. Consider the following recommendations from the Library Advisory Board.

- *a. Approve increasing the Library's daily fine for overdue library media materials from 7¢ to 10¢ a day.

9. Consider the following recommendations from the Museum and Cultural Advisory Board.

- *a. Approve adopting a group rate increase at the Mesa Southwest Museum from \$1.00 per student to \$2.00 per student.

10. Consider the following utility resolutions and ordinances.

- *a. Establishing a rate schedule for water utility services for the area previously known as Williams Air Force Base as recommended by the Utility Committee - Resolution No. 7009, Ordinance No. 3302.
- *b. Establishing a rate schedule for wastewater utility services for the area previously known as Williams Air Force Base as recommended by the Utility Committee - Resolution No. 7010, Ordinance No. 3303.

11. Consider the following ordinances.

- *a. Prohibiting parking on the east side of Cherry Street from University Drive to a point fifty feet (50') north of University Drive and on the west side of Cherry Street from University Drive to a point one hundred forty-five feet (145') north of University Drive; prohibiting parking between 8 a.m. and 4 p.m. on school days on Winthrop Circle from Fountain Street to a point four hundred fifty feet (450') north of Fountain Street; and reducing the speed limit from 35 mph to 30 mph on Lehi Road from Center Street to Gilbert Road as recommended by the Traffic Safety Committee - Ordinance No. 3304.
- b. Amending Sections 4-4-3, 4-4-31, and 4-4-34 of the Sign Ordinance regarding sign maintenance and visual appearance - Ordinance No. 3306.

It was moved by Vice Mayor Gilbert, seconded by Councilmember Kavanaugh, that Ordinance No. 3306 be adopted.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Kavanaugh-Pomeroy-Stapley
NAYS - Payne
ABSENT - None

Mayor Brown declared the motion carried by majority vote.

- c. Amending Section 8-6-3 of the Public Nuisance Code regarding sign maintenance and visual appearance - Ordinance No. 3307.

It was moved by Councilmember Pomeroy, seconded by Councilmember Stapley, that Ordinance No. 3307 be approved.

Upon tabulation of votes, it showed:

AYES - Brown- Gilbert-Giles-Kavanaugh-Pomeroy-Stapley
NAYS - Payne
ABSENT - None

Mayor Brown declared the motion carried by majority vote.

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

- *a. **Z96-111** The 1900 block of North Stapley Drive (west side). Site plan modification (3.6 acres). This case involves the development of a Sonic drive-thru restaurant and commercial retail center. McStapley LLC, owner; Ralph Pew, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST.**

P & Z Recommendation: Denial (vote 4-3).

(This item was added to the consent agenda for the purpose of referring the matter back to the Planning and Zoning Board per the applicant's request.)

- b. **Z96-113** 2217 West Ella. Requesting a Council Use Permit. This case involves a proposed halfway house. Richard & Linda Beauvais, owner/applicants. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST.**

P & Z Recommendation: Denial (vote 4-3).

Richard Beauvais, 2217 West Ella, requested that the case be tabled due to the untimely death of Zach Taylor, the proposed halfway house operator.

It was moved by Councilmember Kavanaugh, seconded by Vice Mayor Gilbert, that Zoning Case Z96-113 be tabled as requested by the applicant.

Carried unanimously.

- c. **Z97-3** The southeast corner of 40th Street and Brown Road. Rezone from AG to R1-15 PAD (60± acres). This case involves the development of a single-residence subdivision. Harvey Wood, owner; Hancock Communities, Inc., applicant. **THIS CASE WAS CONTINUED FROM THE FEBRUARY 18, 1997 REGULAR COUNCIL MEETING. A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST** - Ordinance No. 3308.

P & Z Recommendation: Approval with conditions (vote 4-2).

1. Compliance with the basic development as shown on the preliminary plat, project narrative, site plan, and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedication of the right-of-way required under the Mesa City Code 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 letter dated January 14, 1997 which is included in the zoning case file;
7. 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;
8. Written notice to be provided to future residents and acknowledgment received that this project is within two miles of Falcon Field Airport and including a statement that additional information pertaining to aircraft operations and airport development may be obtained by contacting the Airport Administration office;
9. Noise-attenuation measures to be incorporated into the design and construction of the homes to achieve a noise level reduction to 65 Ldn; and
10. Retain a minimum of five citrus trees on each lot.

Councilmember Pomeroy indicated that he had a potential conflict of interest in connection with the matter now under discussion which he wanted recorded in the minutes of the meeting, and because of such conflict of interest, he would refrain from voting upon or otherwise participating in any manner in connection with same.

Councilmember Kavanaugh commended the applicant for effectively addressing the concerns of the surrounding neighborhoods.

It was moved by Councilmember Kavanaugh, seconded by Councilmember Stapley, that Ordinance No. 3308, governing Zoning Case 97-3, be approved.

Upon tabulation of votes, it showed:

AYES - Brown-Gilbert-Giles-Kavanaugh-Payne-Stapley
NAYS - None
ABSENT - None
ABSTAIN - Pomeroy

Mayor Brown declared the motion carried unanimously by those voting.

- *d. **Z97-7** 2345 West 8th Street. Modification of an ordinance and site plan review (19± acres). This case involves the development of approximately 320 apartments. Pavlo Enterprises, LLC, owner; Evans Withycombe Residential, L.P., applicant. **THE APPLICANT HAS REQUESTED THAT THIS CASE BE WITHDRAWN.**

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

1. Compliance with the basic development as shown on the site plan, project narrative, and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedication of 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; and

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

- *e. **Z97-8** The southwest corner of Val Vista Drive and Southern Avenue. Site plan review (3± acres). This case involves the development of an Osco drugstore and a pad building. Beverly Goebel and W. Curtis Dana, owner; Diversified Realty Services, applicant - Ordinance No. 3305.

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

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below;
2. Review and approval of the pad building by the Design Review Board prior to construction;
3. Compliance with all City development codes and regulations;
4. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
5. Dedication of 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 perimeter landscaping to be installed in the first phase of construction;
7. Recordation of cross-access easements; and
8. Compliance with all requirements of the Design Review Board.

- *f. **Z97-9** The 700 block of North Center Street (west side). Rezone from R-4 to R-3-PAD (1± acre). This case involves the development of a 16-unit multiple-residence project. Edward Probyn James, owner/applicant. **THE APPLICANT HAS REQUESTED THAT THIS CASE BE CONTINUED TO THE APRIL 21, 1997 REGULAR COUNCIL MEETING.**

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

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedication of 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 Subdivision Technical Review Committee; and
5. Compliance with all requirements of the Design Review Board.

- *g. **Z97-10** North of the northwest corner of 40th Street and Brown Road. Rezone from AG to R1-15-PAD (5± acres). This case involves the development of an 8-lot gated subdivision. Joe Farnsworth, owner/applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST. THE APPLICANT HAS REQUESTED THAT THIS CASE BE WITHDRAWN.**

P & Z Recommendation: Approval with conditions (vote 4-3).

1. Compliance with the basic development as shown on the preliminary plat submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedication of the right-of-way required under the Mesa City Code 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 Subdivision Technical Review Committee;
5. 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);
6. Written notice be provided to future residents and acknowledgment received that this project is within one mile of Falcon Field Airport and including a statement that additional information pertaining to aircraft operations and airport development may be obtained by contacting the Falcon Field Airport administration office;
7. Noise-attenuation measures be incorporated into the design and construction of the homes to achieve a noise level reduction to 65 Ldn; and
8. Retain one row of citrus on each side of the 40th Street wall.

- *h. **Z97-11** The southeast corner of Greenfield Road and Adobe Road. Rezone from AG to R1-15-PAD (18± acres). This case involves a single-residence subdivision with 31 lots. Robert Turville, Robert Middleton and James Mast, owners; Stephen C. Earl, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST.**

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

1. Compliance with the basic development as shown on the plat submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedication of 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 Subdivision Technical Review Committee;
5. Compliance with the project narrative submitted;
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);
7. Written notice be provided to future residents and acknowledgment received that this project is within two miles of Falcon Field Airport and including a statement that additional information pertaining to aircraft operations and airport development may be obtained by contacting the Falcon Field Airport administration office;
8. One-story homes only to be built along Adobe Road and Greenfield Road; and
9. The C.C. & R's will match those of the subdivision across Adobe to the north of the site.

(This item was added to the consent agenda for the purpose of continuance to the April 21, 1997 Regular Council Meeting, with introduction scheduled for the April 7, 1997 Regular Council Meeting).

- *i. **Z97-12** South of the southeast corner of Greenfield Road and Adobe Road. Rezone from AG to R1-9 and R1-7 with a PAD overlay (50± acres). This case involves a single residence subdivision with 148 lots. Robert Turville, Robert Middleton and James Mast, owners; Stephen C. Earl, applicant. **A 3/4 VOTE IS REQUIRED TO APPROVE THIS REQUEST.**

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

1. Compliance with the basic development as shown on the site plan and elevations submitted, except as noted below;
2. Compliance with all requirements of the Public Works Department (Engineering and Traffic Engineering, etc.);
3. Dedication of 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 Subdivision Technical Review Committee;
5. One-story homes only to be built along Greenfield Road;
6. Coordinate with the Parks Department in providing certain amenities at the City park site within the project;
7. 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);
8. Written notice be provided to future residents and acknowledgment received that this project is within two miles of Falcon Field Airport and including a statement that additional information pertaining to aircraft operations and airport development may be obtained by contacting the Falcon Field Airport administration office; and
9. Compliance with the project narrative submitted.

(This item was added to the consent agenda for the purpose of continuance to the April 21, 1997 Regular Council Meeting, with introduction scheduled for the April 7, 1997 Regular Council Meeting.)

13. Consider the following subdivision plats.

- *a. "SUPERSTITION SPRINGS PARCEL 8 UNIT 1"-The 6300 block of East Superstition Springs Boulevard (north side); two C-2-BIZ-DMP commercial lots (6.01 acres). Superstition Springs Limited Partnership & LaQuinta Inns, Inc., developers; Wood/Patel Associates, engineers.
- *b. "SOSSAMAN ESTATES"-The 2900 through 3000 blocks of South Sossaman Road (east side); 229 R1-6 PAD single-residence lots (64.04 acres). Greystone Homes, Inc., developer; David Evans & Associates, Inc., engineer.

14. Adjournment.

It was moved by Councilmember Stapley, seconded by Councilmember Pomeroy, that the Regular Council Meeting adjourn at 6:50 p.m.

Carried unanimously.

WAYNE BROWN, MAYOR

ATTEST:

BARBARA JONES, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Council Meeting of the City Council of Mesa, Arizona, held on the 17th day of March 1997. I further certify that a meeting was duly called and held and that a quorum was present.

Dated this 11th day of April 1997

BARBARA JONES, CITY CLERK