

REVISED

Formal Meeting Agenda



Tempe City Council December 1, 2005

Harry E. Mitchell Government Center
Tempe City Hall - City Council Chambers
31 East Fifth Street
7:30 p.m.

1. INVOCATION - Vice Mayor Mitchell
2. PLEDGE OF ALLEGIANCE
3. MINUTES - Councilmember Goronkin
 - A. Approval of Council Meeting Minutes
 - B. Acceptance of Board & Commission Meeting Minutes
 1. Apache Boulevard Project Area Committee – October 10, 2005 [20051201apac01.pdf](#)
 2. Aviation Commission – October 11, 2005 [20051201tavco01.pdf](#)
 3. Building Code Advisory Board – July 12 & November 7, 2005 [20051201bcab01.pdf](#)
[20051201bcab02.pdf](#)
 4. Committee for Youth, Families & Community – October 17, 2005
[20051201yfc01.pdf](#)
 5. Community Special Events Task Force – November 8, 2005 [20051201setf01.pdf](#)
 6. Design Review Board – October 5, 2005 [20051201drb01.pdf](#)
 7. Golf Committee – September 7, 2005 [20051201prmr01.pdf](#)
 8. Hearing Officer – November 1, 2005 [20051201ho01.pdf](#)
 9. Historic Preservation Commission – October 13, 2005 [20051201hpc01.pdf](#)
 10. Mayor's Youth Advisory Commission – November 1, 2005 [20051201myac01.pdf](#)
 11. Municipal Arts Commission – October 18, 2005 [20051201mac01.pdf](#)
 12. Parks & Recreation Board – September 13, October 11 & 18, 2005
[20051201prmr02.pdf](#) [20051201prmr03.pdf](#) [20051201prmr04.pdf](#)
 13. Plumbing & Mechanical Code Advisory Board – October 24, 2005
[20051201pmca01.pdf](#)
 14. Redevelopment Review Commission – September 20, 2005 [20051201rrc01.pdf](#)
 15. Tempe Police Public Safety Personnel Retirement Board – October 6, 2005
4. REPORTS AND ANNOUNCEMENTS

- A. Mayor's Announcements
 - **Introduction of Sister Cities Teachers from China**

- B. Manager's Announcements

5. **AGENDA**

All items listed on the agenda will be considered as a group and will be enacted with one motion by the City Council unless an item is removed for separate consideration. Members of the public may remove public hearing items for separate consideration. Public hearing items are designated by an asterisk (*). Councilmembers may remove any item for separate consideration.

Agenda items scheduled for Introduction/First Public Hearing will be heard, but will not be voted upon at this meeting. Items scheduled for Second Public Hearing/Final Adoption will be voted upon tonight.

q-j indicates quasi-judicial items. The City Council sits as a quasi-judicial body when hearing variances. In this situation, the City Council must conduct itself as a court, not as a legislative body. Pre-meeting contact with the City Council on quasi-judicial matters is prohibited. Any materials or conversations concerning the item shall only be presented to the City Council at the scheduled public hearing.

A. Miscellaneous Items

- 16. Request approval of the Report of Claims Paid to be Filed for Audit for the weeks of September 4, 11, 18 & 25, and October 2, 2005.

COMMENTS: A copy of the detailed claims report may be obtained by contacting the City Clerk's Office.

- 17. Request approval of Title V Incentive Grant funds administered through the Governor's Office for Children, Youth and Families.

COMMENTS: Federal funding for local delinquency prevention. Award totals \$74,560.
DOCUMENT NAME: [20051201csjt01.pdf](#) **COMMUNITY SERVICE ADM (0701-01)**

- 18. Request approval of an amendment to the Intergovernmental Agreement between the Maricopa County Library District and the City of Tempe for the reciprocal borrowing program.

COMMENTS: The City of Tempe will receive approximately \$126, 297 in revenue for FY 2005/06, increasing to \$149,495 for FY 2006/07.

DOCUMENT NAME: [20051201cstm01.pdf](#) **LIBRARY ADM (0704-01)**

- 19. Request approval of a Subdivision Plat and a Horizontal Regime (Condominium Plat) for 525 TOWN LAKE at 520 West 1st Street.

COMMENTS: (Pulte Homes, Inc., owner) (CC050082) **#SBD 2005. 122, #SHR-2005.105** for a Subdivision Plat and Horizontal Regime for a 67-unit residential

condominium development on 3.3 net acres.

DOCUMENT NAME: [20051201dssl06.pdf](#) PLANNED DEVELOPMENT (0406)

- *20. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor license for Munchies Kitchen, LLC, dba Munchies Kitchen, 414 S. Mill Avenue, #115.

COMMENTS: Catherine McCall, Agent.

DOCUMENT NAME: [20051201LIQ1.pdf](#) LIQ LIC (0210-02)

- *21. This is a public hearing to recommend the approval of a Series 12 Restaurant Liquor license for Mony Life Insurance Company, dba Aunt Chilada's, 2021 W. Baseline Road.

COMMENTS: Paul Gray, Agent.

DOCUMENT NAME: [20051201LIQ2.pdf](#) LIQ LIC (0210-02)

B. Award of Bids/Contracts

22. Request award of a Job Order Construction contract to Sun Eagle Corporation, plus a \$45,000 change order contingency, for Salt River Streambed Scour Remediation.

COMMENTS: Subject to execution of the final written contract. Total amount for this contract shall not exceed \$576,574.

DOCUMENT NAME: [20051201PWMG03.pdf](#) RIO SALADO MASTER PLAN (0112-07-03) PROJECT NO. 6502231

23. Request to award a one-year contract with three (3) one-year renewal options to Creative Communications Sales and Rentals, Inc., for the purchase of Motorola communications equipment, systems, parts, add-on equipment, repairs, and services.

COMMENTS: Subject to execution of final written contract. Total cost for this contract shall not exceed \$700,000 during the initial contract period.

DOCUMENT NAME: [20051201fst02.pdf](#) PURCHASES (1004-01) IFB #06-071

24. Request approval of a one-year contract renewal with T.A. Caid for modular traffic signal poles.

COMMENTS: Total amount not to exceed \$400,000.

DOCUMENT NAME: [20051201fslq01.pdf](#) PURCHASES (1004-01) #T05-073-01

25. Request approval of a one-year contract renewal with Summit Electric Supply for street light poles and luminaries.

COMMENTS: Total amount not to exceed \$180,000.

DOCUMENT NAME: [20051201fslq03.pdf](#) PURCHASES (1004-01) T05-019RB-01

26. Request approval of one-year contract renewals with Emerling's Office Interiors, Goodmans Interior Structures, and Facilitec, Inc., for systems furniture, freestanding furniture and related support.

COMMENTS: Total cost for this contract shall not exceed \$300,000 during the contract period.

DOCUMENT NAME: [20051201fsts06.pdf](#) **PURCHASES (1004-01)** T05-026-01, 02, 03

27. Request approval of a one-year contract renewal with Chalum, Inc., for liquid aluminum sulfate for water treatment.

COMMENTS: Total amount of the contract not to exceed \$500,000.

DOCUMENT NAME: [20051201fsdl07.pdf](#) **PURCHASES (1004-01)** T05-041-01

28. Request approval to utilize a one-year City of Chandler contract with General Security Services Corporation for a home arrest program.

COMMENTS: To electronically monitor DUI offenders

DOCUMENT NAME: [20051201fsdl04.pdf](#) **PURCHASES (1004-01)** #MG6-915-2210)

29. Request approval to utilize a one-year City of Glendale contract with Arizona Bus Sales for a twenty-passenger bus.

COMMENTS: Total cost of this contract shall not exceed \$72,353.92 during the initial contract period.

DOCUMENT NAME: [20051201fsdl05.pdf](#) **PURCHASES (1004-01)** #04-15

C. Ordinances and Items for Introduction/First Hearing - These items will have two public hearings before final Council action.

- *30. This is the **introduction and first public hearing** for an ordinance authorizing the Mayor to enter into a lease agreement with Hayden Ferry Lakeside, LLC, for temporary parking within Rio Salado Park. **The second hearing is set for December 15, 2005.**

COMMENTS: Establishes temporary parking for a period of three (3) months with renewal up to two (2) additional one-month periods for the temporary use of parking within Rio Salado to accommodate up to 70 vehicles in the north bank parking lots.

DOCUMENT NAME: [20051201rsny01.pdf](#) **RIO SALADO MASTER PLAN (0112-07-03)** ORDINANCE NO. 2005.96

- *31. This is the **introduction and first public hearing** for a General Plan 2030 Projected Land Use map amendment, a zoning map amendment from General Industrial to R1-4 (Single Family Residential) and a Preliminary and Final Subdivision Plat for TEMPE VILLAGE at 9160 S. Hardy Drive. **The second public hearing is set for December 15, 2005.**

COMMENTS: (Norm Schrock, Woodside Homes, property owner) (CC050092)

Resolution No. 2005.64 #GEP-2005.05 for a General Plan 2030 Projected Land Use map amendment for approximately 18 acres from Mixed-Use to Residential with a Density map amendment from Medium Density (up to 15 dwelling units/acre) to Low to Moderate Density (up to 9 du/ac) with an actual density of 6 du/ac, and for 3.17 acres from Mixed-Use to Private Open Space, with a Density designation of zero, located at 9160 S. Hardy Drive.

#ORD 2005.78 #ZON-2005.20 for a zoning map amendment from GID, General Industrial to R1-4, Single Family Residential on 21.08 gross acres.

#SBD-2005.109 for a Preliminary and Final Subdivision Plat, consisting of 120 lots and 7 tracts on 21.08 gross acres.

DOCUMENT NAME: [20051201dsdk04.pdf](#) **PLANNED DEVELOPMENT (0406)
LAND USE GENERAL PLAN (0401-01)**

- *32. This is the **introduction and first public hearing** for a General Plan amendment, a zoning map amendment, and a Planned Area Development Overlay for UNIVERSITY OF ADVANCING TECHNOLOGY STUDENT HOUSING at 2625 West Baseline Road. The **second public hearing is scheduled for December 15, 2005.**

COMMENTS: (Dorado Capital Investments LLC, property owner) (CC050076) for an existing school to add a new 65,900 s.f. building for a student housing complex, consisting of 131 dwelling units, on 5.7 net acres, including the following:

Resolution No. 2005.54 #GEP-2005.04 for a General Plan Amendment from a Projected Residential Density of None to Medium-High Density (up to 25 du/ac) on 5.7 acres;

Ordinance No. 2005.74 #ZON-2005.18 for a Zoning Map Amendment from GID, General Industrial District and AG, Agricultural to MU-3, Mixed-Use Medium-High Density on 5.7 acres; and

#SPD-2005.91 for a Planned Area Development Overlay for an existing school (48,251 s.f.) and a proposed student housing complex (65,900 s.f.), totaling 114,151 s.f. in building area.

DOCUMENT NAME: [20051201dsrl02.pdf](#) **PLANNED DEVELOPMENT (0406)**

D. Ordinances and Items for Second Hearing/Final Adoption

- *33. This is the **second public hearing** for an ordinance repealing Chapters 8 and 31 of the Tempe City Code, and adopting new Building Codes and Building Regulations.

DOCUMENT NAME: [20051201dsmw01.pdf](#) **TCC CH 8 CITY CODE (0503-8)
ORDINANCE NO. 2005.89**

- *34. This is the **second public hearing** for an ordinance to abandon ten feet of excess public right-of-way on the south side of east University Drive east of Smith Road.

COMMENTS: A public utility easement will be retained over the area to accommodate existing and future utilities.

DOCUMENT NAME: [20051201PWMG01.pdf](#) **ABANDONMENT (0901)
ORDINANCE NO. 2005.85**

- *35. This is the **second public hearing** for an ordinance granting easements to Salt River Project for electric facilities, appurtenances and communication devices in conjunction with the Light Rail Transit project.

DOCUMENT NAME: [20051201PWMG02.pdf](#) GRANT OF EASEMENTS
(0904-02) ORDINANCE NO. 2005.86

- *36. This is the **second public hearing** for an ordinance amending the Zoning and Development Code, Section 6-404 - Notice for Public Hearing Signs.

COMMENTS: (City of Tempe, applicant) (CC050063) **Ordinance No. 2005.59 #ZOA-2005.15** for a code text amendment in the Zoning and Development Code, amending Section 6-404 Notice for Public Hearings, to allow smaller hearing signs for single-family residential and inline commercial tenants with no landscape, when not part of a Planned Area Development Overlay or Zoning Map Amendment request.

DOCUMENT NAME: [20051201dsrl01.pdf](#) ZONING AND DEVELOPMENT
CODE (0414-06)

- *37. This is the **second public hearing** for an ordinance amending the Zoning and Development Code, Section 1-308 - Redevelopment Review Commission.

COMMENTS: (City of Tempe, applicant) (CC050097) **Ordinance No. 2005.80 #ZOA-2005.22** for a code text amendment in the Zoning and Development Code, amending Section 1-308 relating to the Redevelopment Review Commission, to extend this Commission for a six (6) month effective period.

DOCUMENT NAME: [20051201dsrl03.pdf](#) ZONING AND DEVELOPMENT
CODE (0414-01)

- *38. This is the **second public hearing** for an ordinance amending the Zoning and Development Code, Part 3 - Land Use, and Part 7 – Definitions.

COMMENTS: (City of Tempe, applicant) for ADDITIONAL USE PERMITS AND CRITERIA (CC050104) as follows: **#ZON-2005.25** for code text amendments, requiring use permits for auto lien loan, employment agency, plasma donation center, rent-to-own, and smoke shop; including definitions for such uses, including the following:

Ordinance No. 2005.91 for a code text amendment for Part 3 – Land Use, of the Zoning and Development Code

Ordinance No. 2005.94 for a code text amendment for Part 7 – Definitions, of the Zoning and Development Code

DOCUMENT NAME: [20051201dssl09.pdf](#) ZONING AND DEVELOPMENT CODE
(0414-03); ZONING AND DEVELOPMENT CODE (0414-07)

- *39.** This is the **second public hearing** for an ordinance amending the Zoning and Development Code, Part 3–Land Use, and Part 7–Definitions (for deferred presentment stores).

COMMENTS: (City of Tempe, Applicant) (CC050103) **Ordinance No. 2005.90 #ZOA-2005.24** for a code text amendment, requiring deferred presentment companies to obtain a use permit and a separation requirement from the same use, including a definition.

DOCUMENT NAME: [20051201dsrl08.pdf](#) **ZONING AND DEVELOPMENT CODE (0414-03); ZONING AND DEVELOPMENT CODE (0414-07)**

- *40.** This is the **second public hearing** for an ordinance authorizing the historic designation of the CENTENNIAL HOUSE at 601 West 3rd Street.

COMMENTS: (Ronald D./Euarda Yates, property owner) (CC050078) **Ordinance No. 2005.64 #HPO-2005.87** for the historic designation of the Centennial House located at 601 West 3rd Street.

DOCUMENT NAME: [20051201dspd2k11.pdf](#) **PLANNED DEVELOPMENT (0406)**

- *41.** This is the **second public hearing** for a Planned Area Development by FARMER-GOODWIN ARCHITECTURAL OFFICE AND TOWN HOMES at 820 and 830 S. Farmer Avenue.

COMMENTS: (Doug Bruan, Halle Capital, LLC, property owner and Manjula Vaz, Gammage and Burnham, PLC, applicant) for a proposed Planned Area Development on the north west corner of Farmer Avenue and Ninth Street, with ten (10) new three-story town houses and an architectural office within the historic Farmer-Goodwin House, including a General Plan 2030 Projected Land Use map amendment and Zoning map amendment on the northern .57 acres of the total 1.07 acre site. The project includes the following:

Resolution No. 2005.57 #GEP-2005.03 for a General Plan 2030 Projected Land Use Map Amendment for .57 acres from Residential to Commercial, retaining the Density Map designation of Cultural Resource Area (20 du/ac based on zoning in 12/03) located at 820 S. Farmer Avenue.

Ordinance No. 2005.76 #ZON2005.14 for a Zoning Development Code Map Amendment for .57 acres from R-3 Multi-family to R/O Residential Office, located at 820 S. Farmer Avenue.

SPD#2005.79 a Preliminary and Final Planned Area Development (PAD) consisting of ten (10) three-story, two-bedroom townhomes on 0.50 acres, located at 830 S. Farmer Avenue.

DOCUMENT NAME: [20051201dsdk05.pdf](#) **PLANNED DEVELOPMENT (0408); LAND USE GENERAL PLAN (0401-01)**

- *42. This is the **second public hearing** for an ordinance amending Chapter 22 of the Tempe City Code, adding a new section relating to breastfeeding.

DOCUMENT NAME: [20051201cacc01.pdf](#) TCC CH 22 - OFFENSES-
MISCELLANEOUS ORDINANCE NO. 2005.95

E. Resolutions

6. PUBLIC APPEARANCES

According to the Arizona Open Meeting Law, the City Council may only discuss matters listed on this agenda. Matters discussed by the public during public appearances cannot be discussed by the City Council unless they are specifically listed on this agenda. There is a five-minute time limit per speaker. Speaker's visual aids or recorded tapes are not allowed.

Members of the public shall refrain from making personal, impertinent or slanderous remarks and from becoming boisterous while addressing the City Council or while attending the meeting. Unauthorized remarks from the audience, clapping, stomping of feet, yelling or any similar demonstrations are also prohibited. Violations of these rules may result in removal from the City Council meeting.

7. CURRENT EVENTS/COUNCIL ANNOUNCEMENTS/FUTURE AGENDA ITEMS

The City of Tempe endeavors to make all public meetings accessible to persons with disabilities. With 48 hours advance notice, special assistance can also be provided for sight and/or hearing impaired persons at public meetings. Please call (480) 350-8241 (voice) or (480) 350-8400 (TDD) to request an accommodation to participate in the City Council meeting.

**Agendas are also available at www.tempe.gov/clerk
Watch live at www.tempe.gov/tempe11**