



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
August 2, 2006
7:00 p.m.

1. Call to Order

Called to order at 7:25 pm.

2. Roll Call

Council Members present: Barney; Coletto-Cohen; Hildebrandt; Mortensen; Wootten; Vice Mayor Valenzuela and Mayor Sanders.

3. Pledge of Allegiance

Led by Mayor Sanders.

4. Ceremonial Matters: Presentations, Proclamations, Awards, Guest Introductions and Announcements.

A. Proclamation – Drowning Awareness Month

Mayor Sanders proclaimed August 2006 as Drowning Awareness Month in Queen Creek.

5. Public Comment: Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please complete a “Request to Speak Card”, located on the table at the rear of the Council Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. There is a time limit of three minutes for comments.

None.

6. Consent Calendar: Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

A. Consideration and possible approval of the July 19, 2006 Work Study & Regular Session Minutes.

B. Consideration and possible approval of purchases over \$10,000.

C. Consideration and possible approval of line item budget reallocations.

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D. Consideration and possible approval of a professional services contract in the amount not to exceed \$2,430 with LL Decker and Associates to facilitate public meetings related to proposed General Plan Amendments.

E. Consideration and possible approval of the implementation of a Public Involvement Plan for the wastewater connections in Queen Creek Ranchettes Phases I & II.

F. Consideration and possible approval of an Intergovernmental Agreement with Maricopa County Department of Transportation (MCDOT) to cost share the construction of a bridge on Chandler Heights Road over the Sonoqui Wash.

G. Consideration and possible approval of a contract with EPG, Inc., in the amount not to exceed \$437,000 to master plan five Town parks.

H. Consideration and possible approval of the Public Involvement Process for master planning of the Town's five parks.

I. Consideration and possible approval of a consultant contract with Jeff Burdick in the amount of \$27,550 to continue Housing Rehabilitation Consultant services for FY2006-2007 Maricopa County Community Development HOME Project.

J. Consideration and possible approval of mailing the Fire/EMS Survey to the entire Town and approving the Public Safety budget adjustment to cover costs.

K. Consideration and possible approval of a "Deed of Gift", a request by William S. Lund of Victoria Lund Investment Group, LLC, to dedicate a portion of the Queen Creek Wash within Victoria PAD Parcels 10, 11, & 11A to the Town of Queen Creek.

L. Consideration and possible approval of **SP06-018** "Checker Auto Store" a request by Victor Olson of Phoenix Design Group on behalf of Ryan Companies US, Inc., for site plan, landscape and building elevation plan approval for "Checker Auto Store". The proposal consists of 7,000 square feet of commercial use on a site with existing C-2 zoning. The project is located in the vicinity of the northeast corner of Germann and Power Roads at Pad 3 of Power Marketplace I.

M. Consideration and possible approval of **SP06-035** "The Plaza at Power Marketplace II" a request by Justin Gubler of Diversified Partners for site plan, landscape plan and building elevations approval. The Plaza is an 11-acre commercial development consisting of five (5) buildings totaling approximately 71,000 square feet of building area. The site is currently zoned C-2 General Commercial and located at the northeast corner of Power and realigned Rittenhouse Roads in the Power Marketplace II commercial center.

N. Consideration and possible approval of **SD05-013** "Saddlewood Estates Phase II" a request by Glen Hunt of ISE Incorporated for a preliminary plat and landscape plan approval for a 12-lot single family subdivision on approximately 15.31 acres. The property is zoned R1-43. The property adjoins the southern right-of-way of Cloud Road approximately 2,000 feet west of Sossaman Road.

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O. Consideration and possible approval of a “Grant of Public Right of Way” a request by Nauvoo Station for Phillip Barnes to dedicate 22 feet of right-of-way along Crismon Road to the Town of Queen Creek.

P. Consideration and possible approval of a “Grant of Public Utility Easement” a request by Nauvoo Station for Phillip Barnes to dedicate a public utility easement across a portion of Barnes Parkway (location 1) to the Town of Queen Creek.

Q. Consideration and possible approval of a “Grant of Public Utility Easement” a request by Nauvoo Station for Phillip Barnes to dedicate a public utility easement across a portion of Barnes Parkway (location 2) to the Town of Queen Creek.

R. Consideration and possible approval of a “Grant of Public Utility Easement” a request by Nauvoo Station for Queenland Manor Homeowners Association to dedicate a public utility easement across a portion of Queenland Manor Tract H to the Town of Queen Creek.

S. Consideration and possible approval of **Resolution 603-06** authorizing actions to acquire real property from S7 Arizona, Inc. (Assessor’s Parcel #304-67-013M) for the Ellsworth Loop Road project.

**T. Consideration and possible approval of Assignment of Ocotillo Heights Development Agreement dated June 2, 1999.

Items G, H and J were pulled for discussion.

Motion: Barney

Second: Valenzuela

To approve the remainder of the Consent Calendar as presented.

Vote: Unanimous

Item G: Council discussed continuing approval of the contract for the master planning of parks. Project Manager White said a continuance could put time constraints on the project and delay contract negotiations. Mr. White gave a presentation on the master planning process which would look at park planning as a system offering community-wide benefits. He also explained the park development fee evaluation process and state and federal grant guidelines which could be affected by any delays. Council had additional discussion about scheduling a meeting with a committee in the next 30 days.

Motion: Valenzuela

Second: Coletto-Cohen

To approve Item G as presented.

Vote: Unanimous

Item H: Council discussed appointing a steering committee to help facilitate the public involvement process or a possible continuation.

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Assistant Parks & Recreation Director Wright reviewed the proposed Public Involvement Process and consultant's facilitation of the public meetings. He explained that any adjustments to the process would require a contract amendment and orientation of a new committee could delay the beginning of the meetings. Mr. Wright added that the Parks, Trails and Open Space Committee has been closely involved with the process, but additional committee members could be added. Council Member Coletto-Cohen, Chair of the Parks, Trails and Open Space Committee, expressed concern about delaying the process and not moving forward on projects.

Town Attorney Bisman stated that the appointment of steering committee members was not on the agenda.

Mr. Wright stated that the approved contract with EPG, Inc., is closely linked with the Public Involvement Process.

Motion: Mortensen **Second:** Wootten

To approve Item H as presented.

Vote: 5 – aye
 2 – nays (Hildebrandt & Valenzuela)

Motion Passed.

Item J: Public Safety Coordinator LaFortune reviewed the staff report and request for direction to mail the Fire-EMS Survey town-wide. He stated that the survey is available on the website and the Town has received only 155 responses.

Council discussed the percentage of subscriptions; changing the graphics on the front of the survey and providing additional information on services. Mr. LaFortune explained that if too many changes were made to the survey, previous responses would be skewed.

Motion: Valenzuela **Second:** Hildebrandt

To modify the graphics on the front of the survey and mail the Fire/EMS Survey town-wide.

Vote: Unanimous

PUBLIC HEARINGS AND FINAL ACTION: If you wish to speak to the Council on an item listed as a Public Hearing or Action, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

7. Presentation and status report on the Council approved IT Strategic Plan.

IT Manager Godsey gave a status report on the IT Strategic Plan approved by Council in April 2005. Mr. Godsey gave a brief review of the needs assessment; service issues relating to lower densities and lack of competition; increased economic development and municipal services; and

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overall quality of life issues. He also reviewed the community survey on satisfaction with current services provided.

Mr. Godsey reviewed Council direction given in January 2006 to pursue a town-owned/leased system with a contracted operator; develop engineering standards and ITS master plan. He also gave an update on the current RFQ process. Council asked if other municipalities offered this type of service as a utility. Mr. Godsey stated not in Arizona. Council also discussed teaming with the Queen Creek School District and Williams Gateway Airport.

8. Presentation by Cox Communications.

Ivan Johnson, representing Cox Communications, gave a report on the acquisition of Cable America by Cox Communications and the timeline of conversion steps to be completed in October. He also presented programming and rate information. Discussion between Council and Mr. Johnson included coaxial & hybrid fiber located on poles. Mr. Johnson pointed out that Cox Communications doesn't own any poles and that fiber is used in new developments and businesses. Council asked how Cox would provide service to new areas. Mr. Johnson replied through license agreements and it was the company's goal to have services available when residents or businesses move in. Council also wanted to know how Cox was communicated to existing Cable America customers of the changes. Mr. Johnson replied that mailings and newspaper ads were being used.

The meeting was recessed from 8:45 – 8:55 pm.

9. Public Hearing on **RZ06-008/SD06-009** (Ordinance 363-06) "Paseo de Pecans" a request by Tom Stapley for Arroyo Pecans Partners, LLC, for a rezoning, planned area development, preliminary plat and landscape plan approval for a 17-lot subdivision on approximately 13 acres. The property is currently zoned R1-35 and proposes a planned area development with underlying zoning of R1-18. The property is located at the southeast corner of Hawes and Chandler Heights Roads.

Planner McCauley reviewed the rezoning request, preliminary plat, landscape plan and PAD modifications requested (lot standards; elimination of 20-foot south/east buffer; modified road cross-section and solid fencing). Mr. McCauley reviewed staff's recommendations included in the staff report and stated that a sewer service area amendment would be required. Council discussed the Pecan Preservation requirements and intrusion onto private property. Mr. McCauley explained that the landowners had participated in the ordinance requirements for Pecan tree care & preservation and the same requirements are included to two other adjacent rezonings. Council discussed solid vs. 33% open fencing; pool barrier fencing; and prohibiting permanent parking on streets by including a stipulation in the CC&R's. There was also discussion regarding Stipulation #14 – requesting additional language to address horse & cattle; Stipulation #12 – tree replacement; and HOA responsibilities for tree care.

The Public Hearing was opened.

Sean Lake, 1913 E. Brown Rd., representing the applicant, requested solid fencing be allowed on 201st Street and Chandler Heights Road. He also addressed Stipulations 11 & 12 pertaining to the tree preservation in common areas and private lots. He stated that he was opposed to

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construction requirements and pecan preservation on private lots. Council asked why these issues weren't brought forward at the July 19, 2006 Council meeting. Mr. Lake replied that he believed the issues would be resolved.

The Public Hearing was closed.

10. Discussion and possible action on Ordinance 363-06 (RZ06-008/SD06-009).

There was further discussion regarding tree preservation requirements; construction and fencing requirements; and violation of rezoning ordinance vs. CC&R's and enforcement of CC&R's. Discussion was also in regard to subdivision ordinance fencing standards and consistency throughout the community.

Motion: Wootten

Second: Barney

To continue RZ06-008/SD06-009 – Paseo de Pecans to the August 16, 2006 Council meeting.

Vote: 6 – aye

1 – nay (Coletto-Cohen)

Motion Passed.

11. Public Hearing on Ordinance 362-06 assessing the property tax levy on Street Lighting Districts 1-52.

Finance Director Bracamonte reviewed the Street Light Improvement District tax levy requirements.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

12. Discussion and possible action on Ordinance 362-06 assessing the property tax levy on Street Lighting Districts 1-52.

Motion: Hildebrandt

Second: Wootten

To approve Ordinance 362-06.

Vote: Unanimous

13. Discussion and possible action on a request for direction to begin the statutory 60-day public agency comment period for the following Major General Plan Amendments.

- **GP06-001 (Text Amendment Only)** Request to amend the General Plan Text “Regional Commercial Center” land use designation within the land use element of the General Plan. The text amendment would allow a variety of commercial and residential land uses. Residential densities could be up to 25 dwelling units per acre in a mixed use project and up to 10 dwelling units per acre in projects that are only residential. Vertical and horizontal mixing of uses (commercial, residential, office etc) would be encouraged.

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Currently, Regional Commercial Center is designated only on 500 acres located at the southwest corner of Riggs Road and Meridian Road.

- **GP06-002 (Land Use Map Amendment)** Request to amend the General Plan Land Use Map from Very Low Density Residential (0-1 du/acre) to Neighborhood Commercial. The subject parcel is currently part of unincorporated Maricopa County, and consists of approximately 9 acres at the southwest corner of Power and Riggs Roads.
- **GP06-003 (Land Use Map and Text Amendment)** Request to amend the General Plan Text to create two new General Plan Land Use categories of Medium-High Density Residential (6-10 du/ac) and High Density Residential (12-18 du/ac); and to amend the General Plan Land Use Map for Low Density Residential (1-2 du/ac) to Neighborhood Commercial consisting of approximately 15 acres at the northeast corner of Signal Butte and Ocotillo Roads; and approximately 65 acres in the vicinity of the southeast corner of Signal Butte and Queen Creek Roads from Employment Type B to the following: Neighborhood Commercial consisting of approximately 15 acres; Medium-High Density Residential (6-10 du/ac) consisting of approximately 30 acres; High Density Residential (12-18 du/ac) consisting of approximately 20 acres.
- **GP06-004 (Land Use Map Amendment)** Request to amend the General Plan Land Use Map from Very Low Density Residential (0-1 du/ac) to Low Density Residential (1-2 du/ac) for the property on the south side of the Sonoqui Wash/Riggs Road alignment north of Empire Boulevard; and from Low Density Residential (0-1 du/ac) to Medium Density Residential (2-3 du/ac) for the property on the north side of the Sonoqui Wash/Riggs Road alignment, south of Cloud. The entire parcel is approximately 654 acres between Crismon and Signal Butte and Cloud and Empire Boulevard.
- **GP06-005 (Land Use Map and Text Amendment)** Request to amend the General Plan Text of the Town Center land use designation to allow integrated horizontal and vertical mixed uses; and to amend the General Plan Land Use Map from Low Density (1 du/ac) and Employment Type B to Town Center for approximately 290 acres generally located north of Rittenhouse and west of Ellsworth Roads.
- **GP06-006 (Land Use Map Amendment)** Request to amend the General Plan Land Use Map from Low Density Residential (1-2 du/ac) to Neighborhood Commercial, for approximately 15 acres located at the northwest corner of Ellsworth and Riggs Roads.
- **GP06-007 (Land Use Map Amendment)** Request to amend the General Plan Land Use Map from Medium Density Residential (1-2 du/ac) to Neighborhood Commercial, for approximately 6 acres located east of the southeast corner of realigned Rittenhouse Road and Sossaman Road.
- **GP06-008 (Land Use Map and Text Amendment)** Request to amend the General Plan Text to create a new General Plan Land Use Category of High Density Residential (12-18 du/ac); and to amend the General Plan Land Use Map from Employment Type B to High Density Residential (12-18 du/ac) for the portion of the 47.66 acres that is west of the Neighborhood Commercial designation on the west side of the realigned Rittenhouse

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Road, leaving the Neighborhood Commercial designation on the east and west sides of the realigned Rittenhouse Road. This change will create approximately 27.66 acres of High Density Residential and leave the NC designation as it is today.

- **GP04-007 (Land Use Map Amendment originally filed in 2004)** Request to amend the General Plan Land Use Map for approx. 330 acres located west of Meridian Road, between Germann and Queen Creek Roads, and a 10 acre parcel located at the northeast corner of Signal Butte and Queen Creek Roads from Employment Type-A to the following uses: 10 acres - Neighborhood Commercial; 20 acres - Community Commercial; 40 acres - Employment Type B; 120 acres - Low Density Residential (1-2 du/ac); and 140 acres - Medium Density (2-3 du/ac).

Planning Manager Brittingham provided background information on the Major General Plan Amendment process and state statutes requirements. Mr. Brittingham stated that the first step in the process is the 60-day Public Agency Comment Period and gave a brief introduction of the nine cases for consideration. He also outlined the proposed public outreach program.

Motion: Valenzuela **Second:** Hildebrandt

To begin the 60-day Public Agency Comment Period.

Vote: Unanimous

14. Discussion and possible action on the approval of five League co-sponsored resolutions.

Intergovernmental Liaison Young gave a brief introduction on the League Resolution Committee and several resolutions that Council may want to co-sponsor. The resolutions introduced to Council were: 1) future right-of-way mapping; 2) annexation; 3) Arizona Heritage Fund; 4) mandated services provided to unincorporated areas; and 5) criminal background checks of volunteers. Mr. Young added that the background check issue no longer needed to be considered.

Motion: Mortensen **Second:** Wootten

To co-sponsor Resolutions 1, 3 & 4

Vote: Unanimous

Council discussed the possibility of leap-frog annexations and planning standards as a result of Resolution 2.

Motion: Mortensen **Second:** Hildebrandt

To not co-sponsor Resolution 2.

Vote: 5-aye
2-nay (Barney & Coletto-Cohen)

Motion Passed.

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15. Discussion and possible action on continuing the monitoring of traffic issues in the Rancho Jardines Subdivision.

Interim Public Works Director Noble gave an overview of the traffic monitoring in Rancho Jardines Unit 1 including traffic counts; installation of speed humps and stop signs and other options available for additional traffic calming. Mr. Noble stated the current concern of residents is the possibility of an increase in cut-through traffic once the new charter school opens off of Power Road (adjacent to Rancho Jardines Unit 1). Mr. Noble requested direction to continue monitoring the traffic for a period of time after the school opens. Council discussed the school's responsibility for student pick-up/drop-off traffic; speed bump costs and timing of traffic signal installation at Power and Chandler Heights Roads that is scheduled for fall.

Motion: Hildebrandt **Second:** Valenzuela

To continue monitoring traffic in the Rancho Jardines subdivision.

Vote: Unanimous

ITEMS FOR DISCUSSION: These items are for Council discussion only and no action will be taken. In general, no public comment will be taken.

16. Discussion on **SP05-016** "LAM at Inverness Industrial Park" a request from Gary King of KDA Architecture on behalf of Frank Mirallegro for site plan, landscape plan and building elevation approval. The LAM Development is an industrial development consisting of four buildings totaling approximately 54,600 square feet of building area. The property is zoned I-1 Office/Industrial Park and located in the Inverness Industrial Park, south of Ocotillo Road approximately ¼ mile east of Crismon Road.

Planner Lumpkin reviewed the site plan consisting of four buildings with similar elevations to existing buildings within the Inverness Industrial Park.

Council discussed the possibility of streamlining the approval process with staff.

17. Discussion on **RZ06-023/SP06-024** "Sossaman Estates Community Center" a request by Kert Anderson on behalf of Engle Homes for site plan, landscape plan and building elevation approval with a Planned Area Development to allow for a 27,800 square foot community center/recreation building for residents. The project is located within Sossaman Estates Phase III, Phase B subdivision at the southwest corner of Queen Creek and Sossaman Roads.

Planner Lumpkin introduced the community center/recreation center proposal and applicant's request for a 45-foot height allowance to accommodate an architectural enhancement of the entry to the community center. Council discussed the zoning ordinance requirements in regard to height limits. Council also asked if the existing Sossaman Estates Homeowner's Association would have use of the center. Ms. Lumpkin stated that she understood it would not be available for other phases of Sossaman Estates.

18. COMMITTEE REPORTS

A. San Tan Foothills Specific Area Plan Technical Advisory Committee – July 27, 2006

The Committee reviewed the results of the Issues Forum; discussed earth fissure regulations; draft modifications to the mission statement and public meetings schedule. The next meeting is scheduled for August 6, 2006.

B. Library Advisory Committee – July 24, 2006

The Committee reviewed two proposed landscape plans; build-out plan and three exterior elevation plans.

19. ADJOURNMENT

Motion: Valenzuela

Second: Mortensen

To adjourn the Regular Session at 10:55pm.

Vote: Unanimous

Jennifer F. Robinson, CMC

TOWN OF QUEEN CREEK

Arthur M. Sanders, Mayor

Attest:

Jennifer F. Robinson, CMC

I, Jennifer F. Robinson, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the August 2, 2006 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Jennifer F. Robinson, CMC

Passed and approved on August 16, 2006.