



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
November 1, 2006  
7:00 p.m.

**1. Call to Order**

The meeting was called to order at 7:05 pm.

**2. Roll Call**

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

**3. Pledge of Allegiance**

Led by Mayor Sanders.

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

A. Student of the Month Award – October 2006 – Council Members Barney and Coletto-Cohen presented the following with the Student of the Month Award:

Carileigh Christensen – Benjamin Franklin Charter School – Power Campus  
Kellie Rimmasch – Benjamin Franklin Charter School – Crismon Campus  
Gaby Ruiz – Queen Creek High School  
Carey Harper – Cortina Elementary School  
Raina Rose – Desert Mountain Elementary School

B. Arizona Planning Association Award – Ron Short, President of the Arizona Planning Association, presented the Parks, Trails and Open Space Committee members and the Town with an award for the Parks, Trails and Open Space Master Plan. The following committee members were recognized: Dru Alberti, Silvia Centoz, Kirby Chadwick, David Dobbs, Eric Kerr, John Lewis, John Larson, Susan Shifman, Michael Shirley, Sharon Steinhauer, Council Member Coletto-Cohen, Council Member Wootten and Project Manager Lisa Padilla.

**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.

Ryan Larsen, 1464 E. Birdland Ct., Gilbert, AZ, representing Element Homes, stated that the homebuilder can't reach consensus on Final Plat requirements and requested that the issue be put on a Council agenda.

**Minutes for the Regular Session**  
**Queen Creek Town Council**  
**November 1, 2006**  
**Page 2**

Tom Murch, 18622 Via de Arboles, Queen Creek, AZ, stated the Horseshoe Park needs to be completed. He mentioned the numerous landfill operation extensions and 15-year planning period of the park with numerous studies being conducted.

**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 October 18, 2006 Work Study and Regular Session Minutes.

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

C. Consideration and possible approval of purchases/expenditures over \$10,000.

D. Consideration and possible approval of a contract with Lockwood, Andrews and Newman (LAN) in the amount not to exceed \$60,000 to prepare a Wastewater Reuse Master Plan.

E. Consideration and possible approval of an Intergovernmental Agreement with Pinal County allowing Town Public Works Department staff participation in the Pinal County 15<sup>th</sup> Annual Equipment Rodeo.

F. Consideration and possible approval of authorizing the Town to enter into two agreements totaling \$1000 with the Union Pacific Railroad for the purpose of maintaining roads within the public right-of-way at the Ellsworth Road and Ocotillo Road railroad crossings.

G. Consideration and possible approval of the final acceptance of public improvements and to begin the one year warranty period for Crismon Meadows.

H. Consideration and possible approval of the final acceptance of public improvements and to begin the one year warranty period for 186<sup>th</sup> Street at Power Marketplace.

I. Consideration and possible approval of a contract with Dibble and Associates in the amount not to exceed \$275,000 for a design concept report for Town Center streets.

J. Consideration and possible approval of a contract with Engineering Mapping Solutions in the amount of \$13,000 to develop application programming interfaces that will link the Town's permitting software to other Town software programs.

K. Consideration and possible approval of **Resolution 613-06** authorizing and directing staff to take all actions necessary to acquire real property from Timothy & Kathleen Smith (Assessor's Parcel #304-66-024A) for the Ocotillo Street improvements.

L. Consideration and possible approval of **Resolution 614-06** adopting by reference the Municipal Sponsorship Policy approved by the Town Council on October 18, 2006.

**Minutes for the Regular Session  
Queen Creek Town Council  
November 1, 2006  
Page 3**

M. Consideration and possible approval of the Final Plat for “Queen Creek MP” a request by Lee Hanley of Vestar Development II, LLC. The project is located in the southwest quadrant of Rittenhouse and Ellsworth Loop Roads.

N. Consideration and possible approval of the Final Plat for “Queen Creek Professional Village” a replat of Parcel 20, Tract K & L of the Villages at Queen Creek Map of Dedication, a request by Arch Ratliff of Queen Creek PV Development LC. The project is located in the southwest quadrant of Ocotillo and Rittenhouse Roads.

O. Consideration and possible approval of a contract amendment in the amount of \$20,000 for a total contract of \$130,000 with the East Valley Engineering Corp. for additional assistance with engineering plan review.

**Motion:** Wootten

**Second:** Coletto-Cohen

To approve the Consent Calendar as presented.

**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. Public Hearing, discussion and possible action** on a liquor license application submitted Randy D. Nations for Uncle Bear’s Grill and Bar located at 7205 S. Power Rd. (Power Marketplace II – Shops A).

Town Attorney Bisman reviewed the liquor license application. No comments had been received from the public or MCSO.

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

**Motion:** Hildebrandt

**Second:** Wootten

To forward the application of Uncle Bear’s Grill and Bar to the State Department of Liquor License & Control with a favorable recommendation.

**Vote:** 5-1 (Barney) **Motion Passed.**

**8. Public Hearing** on **Ordinance 372-06** amending the Procedural Ordinance for implementation of new Fire Development fees and **Ordinance 373-06** adopting new Fire Development Fees.

Management Assistant Kaserman reviewed the Fire Development Fee study which was introduced and discussed by Council at the October 18 Council Meeting. Ms. Kaserman also reviewed Ordinance 372-06 & 373-06; implementation and fee amount and effective date.

**Minutes for the Regular Session  
Queen Creek Town Council  
November 1, 2006  
Page 4**

The Public Hearing was opened.

Lauren Barnett, 3200 E. Camelback, Phoenix, AZ, representing the Homebuilders Association of Central Arizona, said that adoption of the ordinances would show the Town's intent to enter into fire service. She stated she had one outstanding issue in regard to the possible overlap of collecting fees at the same time voluntary service subscriptions were collected by Rural Metro. She requested a delay on the implementation of the fee.

The Public Hearing was closed.

**9. Discussion and possible action on Ordinance 372-06** amending Town Code Chapter 7, Article 7-7, Procedures for Development Fees by defining "Fire Development Fee" and providing for an annual review and annual report of all development fees.

Management Assistant Kaserman reviewed the purpose of the ordinance which specifies that development fees can only be applied to capital needs and the time frame of six years for expenditure of the fees with an option of refunding the fees collected.

**Motion:** Hildebrandt

**Second:** Mortensen

To approve Ordinance 372-06.

**Vote:** Unanimous

**10. Discussion and possible action on Ordinance 373-06** amending Town Code Chapter 7, Article 7-7 by adding a new section 7-7-14 to provide for the imposition of a fire development fee.

Management Assistant Kaserman reviewed the purpose of the ordinance and effective date of February 5, 2007.

**Motion:** Hildebrandt

**Second:** Mortensen

To approve Ordinance 373-06.

**Vote:** Unanimous

**11. Discussion and possible action on Ordinance 374-06 - Annexation 035-06 – Ellsworth and Cloud Roads.**

GIS Coordinator Ekadis reviewed the right-of-way annexation procedures and effective date of 30 days after approval.

**Motion:** Barney

**Second:** Wootten

To approve Ordinance 374-06 – Annexation 035-06.

**Minutes for the Regular Session  
Queen Creek Town Council  
November 1, 2006  
Page 5**

**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.

**12. Discussion on RZ06-083/SP06-033** “Shoppes at Indigo Trails” a request by Jon Hanna of Whitneybell Perry, Inc., for site plan and Planned Area Development approval for the purpose of amending a previously approved site plan for approximately 10.62 acres zoned PAD with underlying C-2 General Commercial. The site is located at the southeast corner of Ocotillo and realigned Rittenhouse Road.

Planner Ramos reviewed the rezoning amendment requested by the applicant. Mr. Ramos explained that the zoning designation would remain the same, however, the approved site plan was revised to have internal parking and building clusters. Mr. Ramos added that perimeter parking was relocated to Ocotillo Road from Rittenhouse and provides improved interior pedestrian circulation. Mr. Ramos reviewed the drive-thru shielding which is provided with a trellis feature and enhanced landscaping. He noted that the Planning and Zoning Commission’s request for additional berming at the drive-thru location.

Council asked if the parking along Ocotillo Road was similar to the approved CVS. Mr. Ramos responded yes. Council also discussed the east elevation of Shops B & C. Staff responded that landscape buffers the Shoppes at Indigo Trails and UTAZ development and provides vehicular access.

**13. Discussion on CU06-047/SP06-080** “Danny’s Family Carwash” a request from Leo Marin of Deutsch Associates on behalf of Danny’s Family Companies LLC, for a Conditional Use Permit, site plan and building elevation approval for a 4,332 s.f. convenience store and 10,080 s.f. full service carwash and lube facility on approximately 3 acres. The property is zoned PAD with underlying C-2 General Commercial and located at the northwest corner of Ocotillo Road the future Rittenhouse Road realignment.

Planner McCauley reviewed the site plan for the carwash, which is part of the Westcor (Cornerstone) project but being approved separately. Mr. McCauley’s review included building elevations and materials for the 24-hour convenience store; car wash; lube facility and fuel pumps, which are consistent with the Cornerstone development. Planning and Zoning Commission recommended approval. Council discussed hours of operation for the carwash (dawn to dusk) lighting under the drying/vacuum canopies and 24-hour operation of the fuel pumps.

**14. Discussion on SP05-013** “Midfirst Bank at Power Marketplace II” a request by Andrew North of DFD Cornoyer Hedrick, on behalf of Midfirst Bank at Power Marketplace for a bank building with three drive-thru teller lanes. The proposal consists of a 5,750 s.f. building on approximately 2.5 acres and is zoned PAD with underlying C-2 General Commercial. The project is located at the northeast corner of realigned Rittenhouse and Power Roads, in the Power Marketplace II Commercial Center.

**Minutes for the Regular Session  
Queen Creek Town Council  
November 1, 2006  
Page 6**

Planner McCauley reviewed the site plan and elevation and landscape plans. Council asked the applicant if the bank would be full service. The applicant responded yes. Council's discussion was in regard to the approved architecture requirements for Power Marketplace.

**15. Discussion on CU06-054/SP06-094** "Schnepf Wireless Communication Facility" a request from Rulon Anderson on behalf of T-Mobile for a Conditional Use Permit and site plan approval to co-locate an alternative tower structure (monopalm) adjacent to an existing monopalm site zoned PAD with underlying I-1 Light Industrial. The site is located in the vicinity of the northwest corner of Rittenhouse and Riggs Roads.

Planner Chambers reviewed the conditional use permit application and site plan for a monopalm to be located adjacent to an existing Sprint monopalm.

**16. Discussion on CU06-047/SP06-043** "Queen Creek Fiesta" a request from Withey, Anderson and Morris, PLC on behalf of De Rito Partners for a Conditional Use Permit (gas pumps related to a convenience store and separate tire store), site plan, landscape plans and building elevation approval. The Queen Creek Fiesta is a general commercial development consisting of 13 buildings totaling approximately 73,500 s.f. of building area. The property is zoned C-2 Commercial and located approximately 1000 feet south of the intersection of Rittenhouse and Ellsworth Roads and on the west side of Ellsworth Road.

Planner Williams reviewed the site plan and discussed the truck "courtyard" which allows all shops and buildings to front roads. Mr. Williams also reviewed the building elevations which are western territorial.

Council asked if there would be access from Queen Creek Fiesta to an existing business on Ellsworth Road. Mr. Williams went over the circulation plan for the center and explained that drive-thru access would be unsafe. He also said that the current parking lot at the existing building is adequate for the current use, but would not accommodate thru traffic. Mike Pascelli, traffic engineer for the Town, provided additional information on the access issue, showing that the existing parking lot would enter into a drive-thru lane. Mr. Pascelli added that having cross access could encourage cut-thru traffic. Engineering Manager Leubner added that there are adopted standards for parking, driveway access and roadways that businesses are required to meet. There was a question on possible Town liability if cross access were allowed. Town Attorney Bisman replied that there could be a possible claim against approved plans. Council then asked if pedestrian access could be provided. Mr. Leubner responded that this had been discussed with the developer and can be accommodated.

There was further Council discussion regarding redevelopment of existing businesses/buildings and meeting parking requirements. Staff added that the two exception parcels along Ellsworth Road were unwilling sellers to the developer and excluded from the site plan.

**17. COMMITTEE REPORTS**

A. Queen Creek Youth Commission – October 18, 2006 – The Commission reviewed Robert Rules of Order; planned the 2007 Town Hall Forum and discussed the annual food drive. The next meeting is scheduled for November 15, 2006.

**Minutes for the Regular Session  
Queen Creek Town Council  
November 1, 2006  
Page 7**

B. Parks, Trails and Open Space Committee – October 24, 2006 – The Committee discussed the Five Park Master Planning – focusing on levels of services for five, ten & fifteen years. The next meeting is scheduled for November 7, 2006.

C. Economic Development Commission – October 25, 2006 – the Commission met for the first time and identified key issues & concerns in Queen Creek. The members reviewed the work program and were presented an overview of the current Strategic Plan for Economic Development. The next meeting is scheduled for November 8, 2006.

D. Recreation Advisory Board – October 24, 2006- The Board discussed and accepted the User Fee Philosophy which will go to Council for possible adoption with an effective date of July 1, 2007. The next meeting is scheduled for November 28, 2006.

**Motion:** Wootten

**Second:** Mortensen

To re-adjoin to Executive Session at 8:30pm.

**Vote:** Unanimous

The Regular Session was reconvened at 8:56.

**18. ADJOURNMENT**

**Motion:** Barney

**Second:** Mortensen

To adjourn the Regular Session at 8:56 pm.

**Vote:** Unanimous

Dated November 14, 2006

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 November 1, 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 December 6, 2006.