



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
February 15, 2006
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:06 p.m.

2. Roll Call

Council Members present: Barney; Coletto-Cohen; Holloway; Valenzuela; Vice Mayor Wootten and Mayor Feldman-Kerr. Council Member Hildebrandt was representing Queen Creek at CDAC.

3. Pledge of Allegiance

Led by Mayor Feldman-Kerr.

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

A. Golden Hammer Award – 2005

Mayor Feldman – Kerr gave an overview of the Golden Hammer Award program and presented Nicholas Homes with the Golden Hammer Award for 2005.

B. Ten-Year Service Award

Mayor Feldman-Kerr presented Yolanda Bracamonte, Director of Finance & Administration with a Ten-Year Service Award.

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.

Mica McGribbs, representing the Queen Creek Youth Commission, gave a report on the February 1, 2006 Commission meeting. She provided an update on the Town Hall Forum; Commission t-shirt designs and revised attendance policy.

Irene Roaro-Jasso, 20861 E. Orchard Lane, requested that additional crosswalk signage be installed at the crosswalk across from Town Hall; Senior Program hours be extended to 3pm on Wednesdays and exclusive office space be provided for seniors use.

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 2**

Allen Pease, P. O. Box 295, Queen Creek, extended an invitation to the American Legion Post 129 Duane Ellsworth charter presentation ceremony on February 18 at the Queen Creek Performing Arts Center.

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 January 18, 2006 Work Study and Regular Session Minutes.

B. Consideration and possible approval of the February 1, 2006 Work Study and Regular Session Minutes.

C. Consideration and possible approval of the December 2005 Financial Statement.

D. Consideration and possible approval of arena facilities standards.

E. Consideration and possible approval of the reallocation of \$5,900 within Public Safety line items.

F. Consideration and possible approval of granting an easement to SRP for the relocation of 69kv power poles along the frontage of Rittenhouse Road and located west of Hawes Road.

G. Consideration and possible approval of **S11-05 – Sossaman Estates III – Phase A**, a request by Engle Homes for preliminary plat and landscape approval for 119 lots on approximately 75 acres. The project is zoned R1-9 (minimum 9,000 sq.ft lot size) and proposes a density of 1.7 homes per acre. The project is located on the west side of Sossaman Road and extends from the south boundary of the Cortina subdivision to the south bank of the Queen Creek Wash.

H. Consideration and possible approval of **S12-05 – Sossaman Estates III – Phase B**, a request by Engle Homes for preliminary plat and landscape plan approval for 344 lots on approximately 160 acres. The project has three (3) zoning designations: R1-7 (minimum 7,000 sq. ft. lot size); R1-9 (minimum 9,000 sq.ft. lot size) and R1-12 (minimum 12,000 sq. ft. lot size) and proposes a density of 2.2 homes per acre. The project is located on the west side of Sossaman Road and extends from the south boundary of the Queen Creek Wash to approximately the midpoint between the wash and Ocotillo Road.

I. Consideration and possible approval of **S06-05 – Emperor Estates Phase IV, East**, a request by Pulte Homes Corporation for preliminary plat and landscape plan approval for 80 lots on approximately 31.5 acres. The project consists of two-(2) zoning designations: R1-8 (minimum 8,000 sq. ft lot size) and R1-18 (minimum 18,000 sq. ft. lot size) and proposes a density of 2.76 homes per acre. The parcel adjoins the southern right-of-way of Rittenhouse Road and is located between Sossaman and Hawes Road, north of Queen Creek Road.

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 3**

J. Consideration and possible approval of the final acceptance and release of Warranty Bonds for the Saddlewood Subdivision improvements.

K. Consideration and possible approval of an Intergovernmental Agreement with Pinal County for the construction of roadway improvements at Ellsworth Road and Empire Blvd.

L. Consideration and possible approval of a lease agreement with New Life Nazarene Church for the use of Town Hall and Annex facilities for Sunday worship services.

M. Consideration and possible approval of a contract with Eubanks Consulting LLC analysis of sites for possible future fire stations and youth center and the reallocation of \$25,000 within Department 600 Non-departmental line items to pay this cost.

N. Consideration and possible approval of an expanded scope of services with East Valley Engineering Corp. (EVE) for consulting services in the Engineering Division of the Community Development Department.

O. Consideration and possible approval of an on-call contract with Lora Isaacs in the amount not to exceed \$15,000 for consulting services in the Neighborhood Preservation Division of the Community Development Department.

P. Consideration and possible approval of the reallocation of \$8,000 within Department 203-Human Resources line items.

Q. Consideration and possible approval of an Intergovernmental Agreement with the Town of Gilbert for setting responsibilities for Power Road between Ocotillo Road and the Union Pacific Railroad.

R. Consideration and possible approval of the list of comparators for the Classification and Compensation Study through Fox Lawson and Associates LLC.

S. Consideration and possible approval of an additional appointment to the Transportation Advisory Committee.

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

U. Consideration and possible approval of the reallocation of \$1,700 within Information Technology Division line items.

V. Consideration and possible approval of construction contract with Sunland Asphalt for roadway striping in the amount not to exceed \$10,597.57.

W. Consideration and possible approval of the acceptance of the Town's Comprehensive Annual Financial Report.

X. Consideration and possible approval of the Final Plat for Villages at Queen Creek Parcel 2.

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 4**

*Y. Consideration and possible approval of a contract amendment with PBS&J Engineering in the not to exceed amount of \$20,000 for the purpose of filing a 208 plan amendment with the Central Arizona Association of Governments for the Town's Wastewater Service Area.

Items D & F were pulled from the Consent Calendar for discussion.

Motion: Barney **Second:** Holloway

To approve the remainder of the Consent Calendar as presented.

Vote: Unanimous

Item D: Council requested that footing material requirements would be determined and monitored on a case by case basis. Council also requested that the covered maintenance facility be increased to 12 ft. from the proposed 10ft.

Motion: Coletto-Cohen **Second:** Wootten

To approve Item D with the changes requested.

Vote: Unanimous

Item F: Council requested further information on the relocation of the power lines. Tom Condit, Community Development Director, explained the relocation had been determined by the development of adjacent property, railroad right-of-way and utility easement. Council discussed the possibility of relocating the south lines to existing poles on the north side of Rittenhouse Road and if the 12kv lines would be undergrounded. Staff explained that SRP already had existing easement on the south.

Chris Clonts, a Pulte Homes representative stated that SRP won't start the design of the relocation until the easement is granted and paving had already been delayed.

Council requested that staff meet with SRP to discuss possible alternative locations of the relocation.

Motion: Holloway **Second:** Coletto-Cohen

To continue Item F to the next Council Meeting.

Vote: 4-2 (Barney, Valenzuela)

Motion Passed.

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.

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 5**

7. Public Hearing on Ordinances 336-06 through 342-06 adopting new development fees for; Wastewater (Ordinance 337-06); Library (Ordinance 338-06); Parks, Recreation and Open Space (Ordinance 339-06); Public Safety (Ordinance 340-06) Town Facilities & Equipment (Ordinance 341-06); and Transportation (Ordinance 342-06).

Community Development Director Tom Condit gave a brief recap of the Development Fee Working Group meetings. Chris Cullinan, of Tischler Bise reviewed the current fees and the process of the development fee study resulting in the proposed new development fees. Mr. Cullinan added that the development fee study includes the CIP program costs.

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

Council asked if the concerns of the Home Builders Association of Central Arizona had been addressed. Mr. Cullinan said the two main issues included clarification on the wastewater fee and the equestrian center/park.

8. Discussion and possible action on Ordinance 336-06 adopting a Procedural Ordinance for implementation of new development fees.

Motion: Wootten **Second:** Coletto-Cohen

To approve Ordinance 336-06.

Vote: Unanimous

9. Discussion and possible action on Ordinance 337-06 adopting a new Wastewater Development Fee.

Motion: Barney **Second:** Wootten

To approve Ordinance 337-06

Vote: Unanimous

10. Discussion and possible action on Ordinance 338-06 adopting a new Library Development Fee.

Motion: Holloway **Second:** Valenzuela

To approve Ordinance 338-06

Vote: Unanimous

11. Discussion and possible action on Ordinance 339-06 adopting a new Parks, Recreation and Open Space Development Fee.

Motion: Coletto-Cohen **Second:** Wootten

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 6**

To approve Ordinance 339-06

Vote: Unanimous

12. Discussion and possible action on Ordinance 340-06 adopting a new Public Safety Development Fee.

Motion: Wootten **Second:** Coletto-Cohen

To approve Ordinance 340-06

Vote: Unanimous

13. Discussion and possible action on Ordinance 341-06 adopting a new Town Facilities and Equipment Development Fee.

Motion: Barney **Second:** Hildebrandt

To approve Ordinance 341-06

Vote: Unanimous

14. Discussion and possible action on Ordinance 342-06 adopting a new Transportation Development Fee.

Motion: Coletto-Cohen **Second:** Holloway

Council requested additional information on the proposed transportation development fee. Staff explained that the fee included bridges and railroad crossings. Staff also explained the fee can only be based on trips by town residents, not pass-through traffic and that the dedicated sales tax increase went entirely to funding roads and that road improvements are required in zoning cases. Council also asked for clarification on the fee for commercial development. Staff explained that commercial (non-residential) development generates more trips than households (residential).

Vote: Unanimous

15. Public Hearing on RZ15-05/SP14-05 (Ordinance 333-06) Cottage at Queen Creek Boutique- a request from Randy & Debbie Greene to rezone an approximately 6,700 sq. ft. lot from R1-6 Single Family Residential to C-1 Light Commercial and approval of a site plan, building elevations and landscape plan for a floral and gift shop at 22033 S. Ellsworth Rd.

Planner Mike McCauley reviewed the rezoning request and site plan. Council requested clarification on the main color on the building. Staff responded the color is off-white.

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

16. Discussion and possible action on Ordinance 333-06 (RZ15-05/SP14-05) Cottage at Queen Creek Boutique.

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 7**

Motion: Valenzuela **Second:** Barney

To approve Ordinance 333-06 (RZ15-05/SP14-05) with the recommended stipulations.

Vote: Unanimous

17. Public Hearing on RZ12-05/S07-05 (Ordinance 334-06) **Power Marketplace Business Park**, a request from Chris Reed of Sunbelt Holdings, Inc., regarding 56.9 acres, currently zoned I-1 to amend the existing Planned Area Development (PAD) for the Power Market Place to allow alterations to the wall design and locations in addition to requesting a 60-foot easement for landscape buffer on the north and south sides of the project. This project proposes 25 Industrial lots (I-1) with a minimum lot size of one acre. This project is located in the Employment Type “B” Land Use Designation of the Queen Creek General Plan Land Use Map, east of Power Road and extends from Germann Road on the south to the future realigned Rittenhouse Road on the north.

Planner Dave Williams reviewed the rezoning and site plan request. Council discussed the request for 8ft non-view fence and whether it had been approved for other projects. Mr. McCauley said that Home Depot and Inverness Industrial Park were allowed the 8ft non-view fence.

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

18. Discussion and possible action on Ordinance 334-06 (RZ12-05/S07-05 Power Marketplace Business Park).

Motion: Barney **Second:** Valenzuela

To approve Ordinance 334-06 (RZ12-05/S07-05) with the recommended stipulations.

Vote: Unanimous

19. Public Hearing on RZ13-03/S10-03 (Ordinance 335-06) **Vaquero Estates**, a request from Mike Delmarter, Kimley-Horn and Associates, Inc. to rezone approximately 81.89 acres from R1-43 Single Family Residential to R1-18 Single Family Residential (1.81 homes per acre) and approval of a 112-lot preliminary plat subdivision and landscape plan. The site is bordered on the north by the Ocotillo Road/Sanoqui Wash alignment, on the west by Recker Road, and on the east by the undeveloped Sossaman Estates PAD. The property is designated as Low Density (1-2 dwelling units per acre) on the Queen Creek General Plan Land Use Map.

Planning Manager Dennis Cady reviewed the rezoning request, preliminary plat and landscape plan. Mr. Cady indicated the location of additional traffic calming on Appaloosa and Colt Drive (Stipulation 15) as requested by Council at the February 1, 2006 Council Meeting. He also said that the applicant will try to mitigate trespass on the 20 foot buffer to the south where there is no vehicular easement. Council requested an additional stipulation be added for the posting of a “future thru-street” sign to Sossaman Estates to the east.

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

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 8**

20. Discussion and possible action on Ordinance 335-06 (RZ13-03/S10-03) Vaquero Estates.

Motion: Valenzuela **Second:** Wootten

To approve Ordinance 335-06 (RZ13-03/S10-03) with the additional stipulation re: future thru street signage.

Vote: Unanimous

21. Public Hearing on RZ16-05/S10-05 Cielo Noche , a request from Lisa Gage for KB Homes for rezoning and preliminary plat approval for a 149 lot residential subdivision on 62.6 acres and PAD amendment to adjust or exclude certain development standards, i.e., alleyway development; transition landscape buffer, roadway tangents, fencing and height limit for entry monument signs. The parcel has an R1-8 zoning designation (minimum 8,000 square foot lot size) with a proposed density of 2.76 homes per acre. The parcel adjoins the southwest corner of Queen Creek and Hawes Roads. *An indefinite continuance has been requested.*

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

Motion: Holloway **Second:** Barney

To continue RZ16-05/S10-05 Cielo Noche indefinitely.

Vote: Unanimous

22. Discussion and possible action on Resolution 539-06 authorizing acceptance of an \$11.8 million loan from the State of Arizona's Greater Arizona Development Authority (GADA) Loan Pool Program for the Queen Creek Library project and declaring an emergency.

Assistant Town Manager Kross reviewed the staff report and purpose of the resolution.

Motion: Barney **Second:** Valenzuela

To approve Resolution 539-06.

Roll Call Vote: Barney – aye
 Coletto-Cohen – aye
 Hildebrandt – aye
 Holloway – aye
 Wootten – aye
 Feldman-Kerr – aye

Vote: Unanimous

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 9**

23. Discussion and possible action on forwarding comments to Pinal County regarding PZ-006-06 and PZ-PD-006-06 – Bella Villaggio.

Planning Manager Dennis Cady reviewed the application and staff's comments including recommendation for approval.

Motion: Barney **Second:** Valenzuela

To send forward favorable comments and recommendation for approval to Pinal County.

Vote: Unanimous

24. Discussion and possible action on forwarding comments to the City of Mesa regarding Z06-016 – City of Mesa initiated rezoning – northeast corner of Germann & Sossaman Roads.

Planning Manager Dennis Cady reviewed the rezoning application and staff's comments in regard to conforming with the General Plan and protecting Williams Gateway Airport.

Motion: Feldman-Kerr **Second:** Valenzuela

To forward favorable comments and recommendation for approval to City of Mesa.

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.

25. Discussion on **DR03-06** Holmes Homes at Emperor Estates at Town Center PAD for five standard floor plans with three elevations each for Parcels "C" and "H".

Discussion was held at Work Study Session.

26. Discussion on **DR01-06** Williams Lyon Homes at Hastings Farms for six standard floor plans with three elevations each.

Discussion was held at Work Study Session.

27. Committee Reports

A. Fire/EMS Committee – February 7, 2006

The committee discussed operations/maintenance for fire and EMS services; impact of property tax and possible sales tax increases to fund operations/maintenance. The committee also discussed public outreach opportunities. The next meeting is March 7, 2006.

B. Transportation Advisory Committee – February 8, 2006

**Minutes for the Regular Session
Queen Creek Town Council
February 15, 2006
Page 10**

The committee had presentations on regional freeway planning and construction by Maricopa County Department of Transportation; the Town's Traffic Calming Policy; ADOT Corridor Studies and Traffic Signal Standards. The next meeting is scheduled for March 8, 2006.

28. Adjournment

Motion: Valenzuela **Second:** Coletto-Cohen

To adjourn the Regular Session at 8:20 p.m.

Vote: Unanimous

Jennifer F. Robinson, CMC

TOWN OF QUEEN CREEK

Wendy Feldman-Kerr, 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 February 15, 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 March 1, 2006.