



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

1. Call to Order

The meeting was called to order at 7:00 p.m.

2. Roll Call

Council Members present: Barney, Coletto-Cohen, Hildebrandt, Holloway, Valenzuela and Vice Mayor Wootten. Mayor Feldman-Kerr was out of town.

3. Pledge of Allegiance

Led by Vice Mayor Wootten.

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

None.

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.

Hank Noble, 21420 E. Puesta del Sol, stated his concern with the new road going in behind the Villages off of Ocotillo Rd. Mr. Noble requested that a sound wall be considered and stated that the road was not disclosed to homebuyers.

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 March 1, 2006 Work Study and Regular Session Minutes.

B. Consideration and possible approval of a Wastewater Billing Agreement between the Town and H2O, Inc.

C. Consideration and possible approval of a change order in the amount of \$13,420 to SouthWest Traffic Engineering for additional roadway and traffic signal design services.

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D. Consideration and possible approval of a design services agreement with Union Pacific Railroad in the amount of \$40,000 for the design of advanced pre-emption interconnect in conjunction with the design of four (4) traffic signals.

E. Consideration and possible approval of the purchase of traffic signal equipment in the amount not to exceed \$320,000.

F. Consideration and possible approval of the authorization of \$1,612,500 for SRP design and construction work related to the Improvement District.

G. Consideration and possible approval of an amendment to the contract with PBS&J in the amount of \$10,000 to pay for application fees to the Central Arizona Association of Governments (CAAG) for the Town's 208 Water Quality Plan Amendment.

H. Consideration and possible approval of accepting a proposal from Sunland Asphalt in the amount of \$21,886.35 to expand the Town Hall Parking Lot.

I. Consideration and possible approval of **Resolution 544-06** authorizing and directing staff to take all actions necessary to acquire road right-of-way from Carl Phillip Barnes ETAL for right-of-way (Maricopa County Assessor's Parcel # 304-62-015-A

J. Consideration and possible approval of **Resolution 545-06** authorizing and directing staff to take all actions necessary to acquire real property from Queen Creek Summit LLC for right-of-way (Maricopa County Assessor's Parcel # 304-66-010-L)

K. Consideration and possible approval of **Resolution 546-06** authorizing and directing staff to take all actions necessary to acquire real property from Bob & Norma Burk for buildings and grounds (Maricopa County Assessor's Parcel #304-67-010-Y).

L. Consideration and possible approval of **Resolution 547-06** authorizing and directing staff to take all actions necessary to acquire real property from Brandon & Wendy C. Jonaitis for buildings & grounds (Maricopa County Assessor's Parcel #304-67-010-K).

M. Consideration and possible approval of **Resolution 549-06** authorizing and directing staff to take all actions necessary to acquire real property from Tierra Este Trust/Rick & Elaine Palmer for drainage (Maricopa County Assessor's Parcel #304-90-398-G).

L. Consideration and possible approval of **S14-05** Queen Creek Equestrian Estates, a request by Rob Bigelow of Landmark Engineering for preliminary plat and landscape plan approval for an approximate 14.62 acre, 12-lot custom home subdivision with a proposed density of .82 homes per acre. The site is located east of the southeast corner of Cloud and Power Roads.

M. Consideration and possible approval of the sponsorship for the Kiwanis Club in the amount of \$5,000 for the 4th of July Event.

N. Consideration and possible approval of the sponsorship for the Boys & Girls Club of Queen Creek in the amount of \$5,000 for the Holiday Festival.

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O. Consideration and possible approval of the Power Market Place Lot 3 Replat.

P. Consideration and possible approval of minor contract amendments to the Pre-design contract with J2 Engineering and Environmental Design and the CM@Risk Contractor contract with Johnson Carlier for the Horseshoe Park and Equestrian Centre project.

Staff requested Item B withdrawn from the Consent Calendar.

Motion: Valenzuela **Second:** Barney

To approve the remainder of 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 on RZ16-04/S17-04 (Ordinance 343-06) Quail Creek Subdivision, a request by Mark Pugmire of Highland Homes to rezone approximately 29.8 acres from R1-43 Single Family Residential to R1-18 Single Family Residential, Planned Area Development (PAD), Preliminary Plat and Preliminary Landscape Plan for a 37.4 acre 37 lot subdivision with a density of 1.07 homes per acre. The project is located at the southeast corner of the Queen Creek Wash and Sossaman Road.

Planner McCauley reviewed the rezoning and PAD requests and site plan. Mr. McCauley stated that an additional stipulation had been added regarding traffic calming as a result of the Town Council discussion at the March 1, 2006 meeting. The Planning and Zoning Commission recommended approval.

The Public Hearing was opened.

Richard Badousek, 19424 E. Twin Acres, asked for clarification on the improvements to Twin Acres Drive and fence location and the effect on the existing road and the proposed limit of one-story homes on the east boundary of the project.

Staff reviewed the exhibit for the road cross section and fencing.

The Public Hearing was closed.

8. Discussion and possible action on Ordinance 343-06 (RZ16-04/S17-04) Quail Creek Subdivision.

Motion: Hildebrandt **Second:** Coletto-Cohen

To approve Ordinance 343-06 - RZ16-04/S17-04 with stipulations as recommended.

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Vote: Unanimous

9. Public Hearing on RZ07-05/SP10-05 (Ordinance 344-06) Queen Creek Professional Villages, a request by Arch Ratliff of UTAZ Development for rezoning, Planned Area Development (PAD), preliminary plat, site plan, landscape plan and building elevations for an approximate 10.26 acre site, with 73,136 square feet of office condominium space. The current zoning is R1-6 Urban Development Type A (6,000 square feet per dwelling unit) and the proposed rezoning is C-1 Light Commercial. The site is located at the southwest corner of Ocotillo Road and Rittenhouse Road.

Planner Ramos reviewed the rezoning request, site plan and building elevations for proposed medical/office use. Mr. Ramos reviewed the stipulation regarding paint color on building “Type 3” side elevations. Mr. Ramos also reviewed the proposed parking spaces along the realigned Rittenhouse Road & deviation from landscape island requirement per 10 parking spaces.

Council asked who would approve the public art feature. Mr. Ramos stated that staff would approve at final plat but Council could also approve if requested. Council also discussed the side elevations and clarified that enhanced stone veneer on side elevations adjacent to pedestrian areas.

Les Sanderson, 1930 W. Brown Rd., representing the applicant requested a brief recess to discuss the elevation modifications.

Mr. Ramos stated that applicant was in agreement to an amended stipulation requiring stone veneer on the left sides of buildings 3 & 9.

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

10. Discussion and possible action on Ordinance 344-06 (RZ07-05/SP10-05) Queen Creek Professional Villages.

Motion: Coletto-Cohen **Second:** Hildebrandt

To approve Ordinance 344-06 (RZ07-05/SP10-05) with the amended stipulation requiring stone veneer on the left sides of buildings 3 & 9.

Vote: Unanimous

11. Public Hearing on RZ09-05/S02-05 (Ordinance 345-06) Victoria PAD Parcels 5 & 9, a request by Dale Willis for Victoria Land Investment Group, LLC for approval of a Planned Area Development (PAD) amendment, preliminary plat and preliminary landscape plan for a 54.5 acre, 255 lot residential subdivision with an overall density of 2.87 homes per acre for both parcels. The project is located at the northwest corner of the future Ellsworth Loop Road and Ocotillo Road.

Planner McCauley reviewed the staff report and the PAD amendments requested: front and rear yard setbacks to porch/living area for side entry garage designs; elimination of bufferyard between school site and adjacent yards ; solid wall fencing for rear yards abutting the school site

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and 33% open fencing on certain tracts. Mr. Cady reviewed staff's recommendations for approving the PAD amendments except for the front and rear yard setbacks, stating that elevations had not been provided in order to evaluate and justify the setbacks but that the amendment could be reconsidered when elevations were submitted. Mr. Cady also reviewed stipulations regarding traffic calming.

The applicant came forward and stated agreement with the stipulations and the set back amendment was being requested to save time.

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

12. Discussion and possible action on Ordinance 345-06 (RZ09-05/S02-05) Victoria PAD Parcels 5 & 9.

Motion: Hildebrandt

Second: Coletto-Cohen

To approve Ordinance 345-06 (RZ09-05/S02-05) with the PAD amendments as requested except for the front and rear yard setbacks.

Vote: Unanimous

13. Discussion and possible action on forwarding comments to Pinal County regarding PZ-PD-009-00A, PZ-007-06 and PZ-PD-007-006 – Banner Hospital located west of the southwest corner of Combs and Gantzel Roads.

Planner Cady reviewed the rezoning history of the parcel where the Banner Hospital is proposed and the conceptual development plan that shows the main building, medical offices and retail. The concept plan shows clustered buildings away from the adjacent residential area. Mr. Cady reviewed staff's comments requesting that more intense uses be internal to the project; maintain landscape buffer between adjacent residential and participate in a regional transportation plan. Council asked if another hospital was proposed for the area, staff responded that it was possible and added that Banner is proposing to build medical offices first and add on to the campus over time.

Council directed staff to send a letter to Pinal County with comments discussed.

14. Discussion and possible action on forwarding comments to Maricopa County regarding Z2005006-Chandler Heights RUPD, located between Sossaman Road and 172nd Street, between Riggs Road and Hunt Highway.

Planner Cady reviewed the citizen initiated rezoning request that would protect existing land uses (larger lots & animals) on parcels that are currently zoned R4 and commercial.

Council directed staff to send comments to Maricopa County.

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

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15. Discussion on SP18-05/S04-06 – Bashas’ Retail Center Phase II. A request by Park/Gibbs Company, Inc., for site plan, preliminary plat, building elevations and landscape plan approval for Bashas’ Retail Center Phase II. The proposed site plan includes 6.22 acres with 41,322 square feet of building area and is located south of the southwest corner of Chandler Heights and Power Roads.

Planner Ramos reviewed the original site plan with connected shops and the new site plan with disconnected shops. The new site plan eliminates parking along Power Road and one drive-thru site. Mr. Ramos also reviewed Power Road improvements, landscaping and shared access and parking, and elevations similar to Phase 1. Council discussed drive-thru turning radius and maintaining consistency with outdoor storage requirements.

16. Committee Reports

- A. Fire/EMS Study Committee – March 7, 2006 – The committee discussed county island fire coverage legislation, development fee update and focus groups. The next meeting is scheduled for April 13, 2006.
- B. Transportation Advisory Committee – March 8, 2006 – The committee heard presentations from Pinal County, City of Mesa and Town of Gilbert. The committee also discussed the CIP Map, CAP, wastewater plant and roads/intersections being affected by construction projects. The next meeting is scheduled for April 12, 2006.
- C. Parks, Trails and Open Space Committee – March 14, 2006 – The committee received department updates and updates on Horseshoe Park, aquatics feasibility study, Heritage Fund and LaJara Farms equestrian park layout. The committee also discussed the RFP for the next five parks, Parks CIP budget and neighborhood equestrian parks. The next meeting is scheduled for April 12, 2006.

17. Adjournment

Motion: Holloway

Second: Coletto-Cohen

To adjourn the Regular Session at 8:10 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 March 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 April 5, 2006.