



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
May 3, 2006
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:05 p.m.

2. Roll Call

Council Members present: Barney; Coletto-Cohen; Holloway; Vice Mayor Wootten and Mayor Feldman-Kerr. Council Member Hildebrandt was ill and Council Member Valenzuela was absent for roll call due to a family emergency but returned to the Regular Session after roll call.

3. Pledge of Allegiance

Led by Mayor Feldman-Kerr.

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

A. Presentation by Queen Creek Middle School on the 6th Grade Park Design project.

Assistant Parks & Recreation Director Wright gave an introduction to the Queen Creek Middle School 6th Grade Park Design project where the students masterplanned the “west park site”. Ms. Harlow, Queen Creek Middle School teacher explained the focus and requirements for the project. The following park designs were presented: Paradise Park; Athletes Park; Desert Winds. The park designs will also be presented to the Parks, Trails and Open Space Committee at the next meeting.

B. Student of the Month – April 2006

The following students were recognized for Student of the Month – April 2006:

Jericho Thompson – Queen Creek High School
Jensen Bailey – Benjamin Franklin Charter School
Nathan Evans – Queen Creek Middle School
Hollie Woods – Barnes Elementary School
Tyler Maloy – Desert Mountain Elementary School
Hannah Jenson – Queen Creek Elementary School
Jenna Bramini – Frances Brandon Pickett Elementary School

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.

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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 April 19, 2006 Work Study and Regular Session Minutes.

B. Consideration and possible approval of January 2006 Financial Report .

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

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

E. Consideration and possible approval of the Official Representation on the Community Development Advisory Committee (CDAC) for the 2006-2007 Program Year.

F. Consideration and possible approval of **DR01-06** "William Lyon at Hastings Farms" a request by Paul Carlson of William Lyon Homes for design review approval of six floor plans to be built in the Hastings Farms subdivision. The applicant is proposing six (6) floor plans with three (3) elevations each on a total of 340 lots (zoned R-2), located at Chandler Heights and Ellsworth Roads.

G. Consideration and possible approval of **DR08-05** "Emperor Estates IV, West" a request by Doug Rusk of Pulte Homes for design review approval of Emperor Estates IV, West subdivision. The applicant is proposing two (2) standard floor plans with four (4) elevations each on a total of 107 lots (76 are "alley-loaded) zoned R1-6 on approximately 36 acres located at the northeast corner of Queen Creek and Sossaman Roads.

H. Consideration and possible approval of a professional services contract in the amount not to exceed \$20,000 with V3/Landmark Engineering, Inc., for case load assistance with engineering plan review.

I. Consideration and possible approval of a professional service agreement with Hook Engineering, Inc., in the amount not to exceed \$9,500 for preparation of a Deflection Report.

J. Consideration and possible approval of **Resolution 567-06** Intention to create a Streetlight Improvement District known as Crismon Meadows Streetlight Improvement District #50 No.2006-003.

K. Consideration and possible approval of **Resolution 568-06** ordering the improvements for a Streetlight Improvement District known as Crismon Meadows Streetlight Improvement District #50 No.2006-003.

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L. Consideration and possible approval of **Resolution 574-06** Intention to create a Streetlight Improvement District known as La Sentiero (processed as Rittenhouse Ranch on the Creek) Streetlight Improvement District #44 No.2005-001.

M. Consideration and possible approval of **Resolution 575-06** ordering the improvements for a Streetlight Improvement District known as La Sentiero (processed as Rittenhouse Ranch on the Creek) Streetlight Improvement District #44 No.2005-001.

N. Consideration and possible approval of **Resolution 576-06** Intention to create a Streetlight Improvement District known as Villages @ Queen Creek Phase II Streetlight Improvement District #46 No.2005-003.

O. Consideration and possible approval of **Resolution 577-06** ordering the improvements for a Streetlight Improvement District known as Villages @ Queen Creek Phase II Streetlight Improvement District #46 No.2005-003.

P. Consideration and possible approval of **Resolution 578-06** Intention to create a Streetlight Improvement District known as Langley Gateway Estates Streetlight Improvement District #51 No.2006-004.

Q. Consideration and possible approval of **Resolution 579-06** ordering the improvements for a Streetlight Improvement District known as Langley Gateway Estates Streetlight Improvement District #51 No.2006-004.

R. Consideration and possible approval of **Resolution 580-06** Intention to create a Streetlight Improvement District known as Emperor Estates Phase 3 Streetlight Improvement District #52 No.2006-005.

S. Consideration and possible approval of **Resolution 581-06** ordering the improvements for a Streetlight Improvement District known as Emperor Estates Phase 3 Streetlight Improvement District #52 No.2006-005.

T. Consideration and possible approval of a Special Event Liquor License for the Queen Creek Jaycees.

U. Consideration and possible approval of **Ordinance 352-06** amending Town Code Chapter 15, Parks and Recreation by adding a new Article 15-3 Parks, Trails and Open Space Committee including six new sections 15-3-1, Establishment; 15-3-2, Powers & Duties; 15-3-3, Membership; 15-3-4, Organization/Meetings; 15-3-5, Compensation; and 15-3-6, Removal from Office, filling of vacancies.

V. Consideration and possible approval of **Resolution 582-06** authorizing and directing staff to take all actions necessary to acquire real property from Edgardo H. & Christine L. Claveria for Ellsworth Loop Road project right-of-way (Maricopa County Assessor's Parcel 304-67-056-A).

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W. Consideration and possible approval of a contract with SFPP in the amount of \$655,000 for the relocation of a 6" gas line within the railroad right-of-way that is in conflict with the proposed Ellsworth Loop Road underpass.

Council requested Item U pulled for discussion.

Motion: Barney **Second:** Holloway

To approve the remainder of the Consent Calendar as presented.

Vote: Unanimous

Item U: Council requested Sections 15-3-3 and 15-3-6 be amended to add "...by the Mayor AND TOWN COUNCIL".

Motion: Coletto-Cohen **Second:** Barney

To approve Item U – Ordinance 352-06 with the amendments as discussed.

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. Discussion and possible action on a request by the Queen Creek Performing Arts Center for additional funding for FY06/07.

Molly Jacobs, Director of Queen Creek Performing Arts Center, made a presentation to the Council in support of the request for increased funding for FY06/07. Ms. Jacobs provided information on the marketing program, sponsorships and new programs added for the next year. Council discussed the Queen Creek School District's support of the Center, number of events scheduled and the benefits to the community provided by the programs.

Motion: Holloway **Second:** Barney

To provide funding in the amount of \$125,000 to the Queen Creek Performing Arts Center for FY06/07.

Vote: Unanimous

8. Discussion and possible action on a request for Council direction on whether to initiate Zoning Ordinance revisions regarding the processing of religious institutions.

Planning Manager Brittingham gave an overview of the purpose of the proposed amendments and reviewed the options for Council to consider. All options require design standards to be met, but each option has a different approval process and if an application didn't meet the zoning

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ordinance guidelines, then PAD or variance procedures would be required. . Council discussed creating the design guidelines; public notification and meeting requirements; mega-churches and remodeling of existing homes to serve as a church. There was additional discussion on public comment/meetings for churches locating in existing neighborhoods. Mr. Brittingham explained that churches are allowed by right to locate within a neighborhood.

The text amendment process was discussed. Council discussed the options and directed staff to move forward with the text amendment with Option 3 (with additional requirements)– creating design guidelines, TRC process, neighborhood meetings and a Council meeting for public input.

The meeting was recessed from 8:15 pm – 8:30 pm. Council Member Coletto-Cohen left the meeting ill.

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

9. Discussion on RZ11-05/S05-05 “Charleston Estates” a request from Ryan Larsen of Element Homes for rezoning, preliminary plat and landscape plan approval for a 331 lot single-family subdivision on approximately 159 acres. The site is currently zoned R1-43 (one acre per dwelling unit) and proposes a Planned Area Development with underlying zoning of R1-15, R1-12, R1-9 and R1-7. The proposal also includes an approximate 2 acre parcel of Light Commercial (C-1) and Recreation Conservation (RC) for their open space. The property is located at the northwest corner of Ocotillo and Signal Butte Roads.

Planner Lumpkin reviewed the PAD request that includes residential, a small commercial site and a centrally located park site. Ms. Lumpkin reviewed the lot deviations requested in the R1-7, R1-9, R1-12 and R1-15 zoning districts. Staff and Planning and Zoning recommend approval of the application.

Council discussed traffic calming on the eastern boundary. Ms. Lumpkin stated that increased landscaping, curbs and street design help with traffic calming, but additional traffic calming can be added. Council also asked for additional information on the commercial site, such as the type of commercial proposed, proximity to the high school and a signalized intersection.

10. Discussion on RZ03-06 “Marvel Masonry & Building Supply” a request from Matt Everling of Plan Right Consulting for rezoning approval for an approximate 4.3 acres. The site is currently zoned R1-43 (one acre per dwelling unit) and proposes Office Industrial Park (I-1). The property is located on the south side of Germann Road approximately 1,000 feet east of Sossaman Road.

Planner Lumpkin reviewed the rezoning request from R1-43 to I-1 which is in conformance with the General Plan. Ms. Lumpkin stated that the adjacent property owner to the east is in opposition to the rezoning. She also stated that the property to the west is zoned industrial and property to the north, located in the City of Mesa is also zoned industrial. Ms. Lumpkin reviewed the conceptual site plan which will be required to go through the TRC process and Planning & Zoning and Town Council public hearings. Council asked if barbed wire or chain link fence was allowed. Ms. Lumpkin responded no. Property notification requirements were also discussed.

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11. Discussion on RZ03-05/SP06-05 “Mahoney Real Estate” a request submitted by Jackie & James Mahoney for rezoning, site plan and landscape plan approval of approximately 1.15 acres from R1-43 to C-1 Light Commercial. The proposed project is located at 22632 S. Ellsworth Rd.

Planner Cady reviewed the rezoning request which is consistent with the Town Center Plan. Mr. Cady reviewed the site plan and pointed out that the driveway will be widened; additional landscaping installed and a portion of the existing solid fence on the north side of the property will be replaced with view fence, matching existing view fencing and be moved onto the property line. Planning and Zoning recommends approval.

12. Discussion on TA03-05 Text Amendment on Commercial Amusements, a request by the Town of Queen Creek for an amendment to the Town of Queen Creek Zoning Ordinance to permit Indoor Commercial Amusement Uses in I-1 and I-2 Zoning Districts (Article 4.6 Table 4.6.2 Use Regulations), i.e., skating rinks, bowling alleys, billiards, mechanical or electronic games etc.

Planner McCauley reviewed the proposed text amendment that would bring consistency to the Zoning Ordinance regarding indoor/outdoor amusement uses in the I-1 & I-2 zoning districts.

13. Discussion on SP21-05 “Village Shops at Queen Creek” a request from Chris Smith of Robert Kubicek Architects and Associates, Inc., for site plan, building elevations and landscape plan approval for an approximate 10,500 square foot building on approximately 1.75 acres. The site is currently zoned C-2 (General Commercial). The property is located at the northeast corner of Ellsworth Road and Sierra Park Boulevard.

Planner Lumpkin reviewed the site plan which is similar to the existing office building on the same site.

14. Discussion on SP17-05 “Village Office Suites, Phase II” a request from M. Joe Bayer of Main Spring Capital V., LLC, for site plan, building elevations and landscape plan approval of a four-building office complex of approximately 29,500 square feet on approximately 2.07 acres. The site is currently zoned C-2 (General Commercial). The property is located north and east of the northeast corner of Ellsworth Road and Sierra Park Boulevard.

Planner Lumpkin reviewed the site plan and elevations for the proposed office suites that are adjacent to existing office suites.

Council discussed administrative approval of matching or duplicate buildings within the same site plan or development.

15. Discussion on DR06-025 “Lucia at Queen Creek”, a request from Logan Powell of Element Homes for design review approval of five (5) standard floor plans with three (3) elevations each on a total of 105 lots zoned R1-12 on approximately 50 acres located at the northeast corner of Sossaman and Ocotillo Roads.

No further discussion.

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16. Committee Reports

A. Community Police Advisory Committee – May 1, 2006 – the committee heard reports from MCSO on current FY05-06 levels of service and proposed levels of service for FY06-07. The committee also discussed the 2005 crime statistics and possible future issues to discuss.

B. Queen Creek Youth Commission – April 19, 2006 – the Commission discussed the Relay for Life event; continued planning the retreat.

C. Recreation Advisory Board – April 25, 2006 – The Board heard department updates; discussed a volunteer policy; senior advisory committee; aquatics study; user fee philosophy and operations & maintenance for parks.

17. Adjournment

Motion: Valenzuela

Second: Barney

To adjourn the Regular Session at 9:03 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 May 3, 2006 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on May 17, 2006

Jennifer F. Robinson, CMC