



Minutes
Regular Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
March 20, 2013
7:00 p.m.

1. Call to Order

The meeting was called to order at 7:03pm.

2. Roll Call (one or more members of the Council may participate by telephone)

Council Members present: Barnes; Brown; Gad; Wheatley; Vice Mayor Benning and Mayor Barney.

Council Member Oliphant was absent.

3. Pledge of Allegiance: Led by Jason Sillanpaa of Troop #486

4. Invocation: A moment of silence was observed.

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

A. 5-year Service Award – Wayne Balmer: Mayor Barney and Town Manager John Kross presented Mr. Balmer, Planning Administrator, with a Certificate of 5 – Year Service.

6. Committee Reports

A. Council summary reports on meetings and/or conferences attended. This may include but is not limited to Phoenix-Mesa Gateway Airport; MAG; East Valley Partnership; CAG. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

Mayor Barney reported on the following meetings and events:

Press Conference held at the Arizona League of Cities & Towns on March 20, 2013 regarding sales tax reform.

Tour of the Pozos de Sonoqui archaeological site on Riggs Road – March 20, 2013.

Retirement celebration for Lynn Kusy, former Executive Director for Phoenix-Mesa Gateway Airport – March 20, 2013.

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Senior Program – March 13, 2013 – discussed the sales tax reform and other legislation.

MAG Executive Committee – March 18, 2013 – The Committee discussed a status report from EPA regarding the MAG 2012 Five Percent Plan; the revised draft Municipal Planning Area boundary area that includes the Town of Florence and City of Maricopa; and the status of the FY2014 work plan. The next meeting is April 15, 2013.

East Valley Mayors' Prayer Breakfast – March 19, 2013 held in Gilbert. The Master of Ceremonies was Meadowlark Lemon and the program included several speakers on the theme of *Healing Human Hearts*.

Council Member Barnes reported on the National League of Cities Conference in Washington D.C., and sessions on evaluating and hiring a CEO or Manager and the opportunity to meet with Arizona Congressmen regarding marketplace fairness and sales tax on internet sales.

B. Partner agencies quarterly or periodic updates to Council. This may include but is not limited to Queen Creek Chamber of Commerce; Queen Creek Performing Arts Center; Boys & Girls Club of East Valley; and Maricopa or Pinal County Board of Supervisors or other governmental agencies. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

None.

C. Parks and Recreation Advisory Committee – March 12, 2013: Council Member Wheatley reported on presentations on HB2657 – Transaction Privilege Tax; upcoming election for the acquisition of H2O Water Utility Company; Adopt-a-Park program and recreation services update. The next meeting is June 11, 2013.

D. Town Center Committee – March 13, 2013 – Council Member Barnes reported on the committee's discussion on the Façade Improvement Program. The next meeting is April 10, 2013.

7. 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.

8. Consent Calendar: Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. Public Hearing items are designated with an asterisk (*). Prior to consideration of the Consent Agenda, the Mayor will ask whether any member of the public wishes to remove a Public Hearing item for

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separate consideration. Members of the Council and or staff may remove any item for separate consideration.

A. Consideration and possible approval of the March 6, 2013 Work Study and Regular Session Minutes.

B. Consideration and possible approval of a Professional Services Contract with AMEC in an amount not to exceed \$92,070 for the design of Ocotillo Road – UPRR Crossing Widening (Project A0103). (not budgeted in FY12/13 but authorized at 1/16/13 Council meeting).

C. Consideration and possible approval of the Final Plat for Cielo Noche, a request by K. Hovnanian Homes of Arizona , LLC.

D. Consideration and possible approval of the appointment of Alan Turley to the Planning and Zoning Commission.

E. Consideration and possible approval of **Resolution 936-13** authorizing the acceptance of real property (two portions of Tract J/APN 304-93-395) from Sossaman Estates Phase 1-A Association for a future fire station, drainage and public use.

F. Consideration and possible approval of **Resolution 913-12** Intention to Order the Purchase of Electricity for a Streetlight Improvement District for Hastings Farms Parcel C – SLID #66, No. 2012-002.

G. Consideration and possible approval of **Resolution 914-12** Ordering the improvements for the purpose of purchasing electricity for a Streetlight Improvement District for Hastings Farms Parcel C – SLID #66, No. 2012-002.

H. Consideration and possible approval of **Resolution 915-12** Intention to Order the Purchase of Electricity for a Streetlight Improvement District for Hastings Farms Parcel E – SLID #67, No. 2012-003.

I. Consideration and possible approval of **Resolution 916-12** Ordering the improvements for the purpose of purchasing electricity for a Streetlight Improvement District for Hastings Farms Parcel E – SLID #67, No. 2012-003.

J. Consideration and possible approval of an Extension of Premises/Patio Permit submitted by Rebecca Ella Dettler, on behalf of Trophy's Steakhouse, 7215 S. Power Road, Ste 108 (Power Marketplace), for a one day special event on Saturday April 6, 2013. The business has a current Series 6 Bar license.

Staff requested Item A be continued to April 3, 2013 and Council requested Item D pulled for discussion.

Motion to approve the remainder of the Consent Calendar as presented (B, C & E-J) and continuance of Item A to April 3, 2013.

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**1st: Brown
2nd: Barnes
VOTE: Unanimous**

Item D: Council discussed the importance of serving on the Planning and Zoning Commission and other Town Committees.

Motion to approve Item D – appointing Alan Turley to the Planning and Zoning Commission.

**1st: Gad
2nd: Benning
VOTE: Unanimous**

PUBLIC HEARINGS: If you wish to speak to the Council on an item listed as a Public Hearing, 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.

None.

FINAL ACTION: If you wish to speak to the Council on an item listed under Final 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.

9. Discussion and possible action on frequently asked questions (FAQ) on the Town's Residential Architectural Design Standards.

Planning Administrator Wayne Balmer, as a follow-up to the November 7, 2012 and January 16, 2013 Council Meetings, presented and reviewed the most frequently asked questions from applicants regarding residential architectural design standards:

- Q1.** Are there any alternatives to how the 40% garage requirement is calculated?
- Can a “standard” return width be set, such as 2 feet on either side?
 - If the return is proposed to be larger to accommodate additional space in the garage, can that be done if it has a window or other design element?
 - Can the width of the garage be “masked” by being behind a design element such as a column for the front porch?

A1. Variations to the design standards need to be requested by an applicant as part of their submittal for a Planned Area Development (PAD) and will be evaluated by the Council as part of their request. Variations can be approved by the Council as part of their package if they determine the intent of the Design Standards has been met.

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Page 2 of the Design Standards states: "The only means for deviating from these regulations is to incorporate the request into an applicant for Planned Area Development or an amendment to an existing PAD approval."

Q2. Can other design options or alternatives be offered which are focused on producing a more attractive and varied streetscape, rather than focusing on individual homes, as a "tradeoff" to address the 40% garage requirement?

A2. As described in A1 above, variations from the design standards can be requested by an applicant as part of their submittal for a Planned Area Development (PAD) and will be evaluated by the Council as part of their request. Variations can be approved by the Council as part of their package if they determine the intent of the Design Standards has been met.

Q3. Do the Design Standards apply in the R1-4 and R1-5 zoning districts?

A3. Yes. Although the R1-4 and R1-5 districts are not identified at the top of Table 5.11-1, the Design Standards are included in the PAD review requirements described on Table 4.10-4

Q4. How many design elements are required to constitute "four sided architecture"?

A4. There is no specific number of design elements that constitute "four sided architecture". Each elevation is reviewed by staff individually. Items staff is looking for include:

- The number of architectural embellishments from the front elevation that are used on the other three elevations. The home should reflect a theme on all sides.
- The number and placement of doors and windows on the side and rear elevations. At least one window or door should be provided on each elevation.
- Architectural treatment at each door and window that matches the front elevation.
- How the rear porch incorporated into the home as a design element.
- Additional window treatments, colors, etc. to be provided on homes with gables, particularly two story homes.

Q5. How many design differences should there be between model homes?

A5. The Design Standards contain a list of the "defining characteristics" (pages 14-21) for 8 of the more common architectural styles used in our area. These characteristics should be incorporated into the proposed home designs where possible when using these styles. If the proposed style is not described, it should demonstrate the equivalent characteristics for the new style

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Q6. If a model offers “flex space” which the new owner can have finished as a storage room, a den, a casita or a single bay garage, will it be considered to be a garage or living space in the approval of the design for the model home?

A6. If the design of the “flex space” incorporates windows or other exterior treatments that would identify it as being part of the livable area, the developer has an exterior option which provides a solid wall as well as a door and the design of the space reflects the potential to be used as livable area, staff will consider the space to be buildable area for the determination of front yard setback and the 5 foot offset between the garage and the livable area of the home.

Q7. Can a builder receive a “design credit” in some other area if they have more than the minimum number of floor plans and elevations required by the Town? (The Town requires a minimum of 4 floor plans, 3 of which must have 2 distinct elevations)

A7. No. Having additional floor plans and elevations demonstrate a commitment to quality and diversity that will encourage both staff and Council support the request.

Q8. How much design emphasis should be placed on the design and size of the subdivision entry monument?

A8. The entry monument is the “front door” to the subdivision and should provide a distinctive entry statement for the project. The sign should convey both stability and permanence, reflecting positively on the character of the subdivision and the Town. Staff reviews the design of the entry monument sign as part of the Design Review submittal for a project.

- The design standards for entry monument signs are as follows:
- The sign text area is not to exceed 32 square feet in area or 5 feet in height
- Monument signs can be placed on both sides of a street that serves as an entry to the subdivision. More than one street can be designated as an entry.
- Sign letters and materials must be durable and reflect the architectural character for the project. Wood or plastic signs are not allowed.
- The sign must have at least a 2’ base or landscaped planter.
- Additional landscaped materials to accentuate the sign and additional design elements incorporated into the sign which reflect the character of the project are encouraged. Examples might include lighting of trees, adding boulders, varied height of wall elements and masonry types, providing supporting architectural elements such as arches, columns, fountains, etc.
- Sign designs which reflect the Town’s southwestern character and agricultural heritage are encouraged.
- Lighting of the sign is encouraged.

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Q9. Can the front porch be less than 120 square feet on some models that have other design elements and still encroach in the front yard setback?

A9. No. Unless Council approves the change as part of a PAD approval.

Q10. Are there additional design requirements for approval of a gated neighborhood with private streets?

A10. No. Requests for gated communities are presented and evaluated as part of a PAD application. Items staff looks for in the evaluation of PAD requests include:

Is there anything unique about the property that may limit the ability to provide public streets and make private streets more advantageous?

What will be the interior and exterior appearance of the project?

Subdivision design features such as long cul-de-sacs serving hillside lots, narrower streets with no parking, overall density of lots per street, long term viability of private streets given the projected use and replacement costs, proposed unique subdivision design features

Q11. Do we need to include turf in our landscape plan or can we use entirely xerascaping and no sod?

A11. A mixture of turf and xerascaping can be provided. Turf should be used in highly visible areas, storm water retention areas and adjacent to recreational amenities. Xerascaping can be provided in smaller locations that would be more difficult to maintain such as landscaped islands, narrow strips behind sidewalks, adjacent to walls also occupied by trees, and other areas where turf would be impractical.

Q12. Do we need to provide the landscaped strips between the curb and the sidewalk area and plant trees in this area? Can we move the sidewalk behind the curb and plant the trees behind it nearer the homes? As the trees grow that are planted in the strip they tend to buckle the sidewalk.

A12. The Council has a policy of encouraging tree lined streets and with the sidewalks separated from the street by a landscaped area. If your subdivision was approved with a landscaped area between the street and the curb it needs to be constructed that way. To relocate the sidewalk and delete the landscaping would require the applicant to file a request for an amendment to the PAD to make the change, which would need to be approved by the Town Council.

Council discussed that the Town's codes and standards allow flexibility and encourages unique and different subdivisions and developments with high standards and builders have the option to build in Queen Creek or elsewhere. Mr. Balmer added that each project is approved on its' own merits.

Council requested that staff keep Council informed on any other issues or questions regarding the design standards that come from the development community.

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10. Discussion and possible action on amendments to the Standard Form By-laws for Committees, Council Policies & Procedures and development of a Boards, Commissions and Committees handbook.

Discussion was held at Work Study.

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

None.

11. Motion to adjourn to Executive Session: The Council may reconvene the Executive Session for any of the items listed on the Executive Session Agenda.

None.

12. Adjournment

Motion to adjourn at 7:50pm

1st: Brown

2nd: Gad

VOTE: Unanimous

TOWN OF QUEEN CREEK

Gail Barney, Mayor

Attest:

Jennifer F. Robinson, MMC

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 20, 2013 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, MMC

Passed and approved on April 17, 2013.