



Agenda
Work Study and Possible Executive Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
June 5, 2013
5:30pm

1. Call to Order

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

3. Motion to adjourn to Executive Session (to be held in the Saguaro Conference Room of the Municipal Services Building) for the following purposes:

A. Discussion and consultation with the Town's attorney for legal advice concerning land use laws and procedures related to Town Center property. A.R.S. § 38-431.03(A)(3).

B. Discussion and consultation with the Town's attorney for legal advice and with the Town's attorneys and representatives to consider the Town's position and instruct its representatives regarding agreements that are the subject of negotiations related to the possible sale or lease of property in the Town Center. A.R.S. § 38-431.03(A)(3),(4) and (7).

C. Discussion and consultation with the Town's attorney for legal advice and with the Town's representatives to consider the Town's position and instruct its representatives regarding agreements that are the subject of negotiations related to Box Canyon. A.R.S. § 38-431.03(A)(3) and (4).

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

4. Presentation by the National Oceanic and Atmospheric Administration (NOAA) on monsoon awareness.

5. Presentation and discussion on the Design Concept Report for Meridian Road from Empire Boulevard to Ocotillo Road. **TAB I**

6. Discussion on a scope of services for a peer review study of the Queen Creek Chamber of Commerce. **TAB W**

7. Adjournment



Agenda
Regular and Possible Executive Session
Queen Creek Town Council
Queen Creek Town Hall, 22350 S. Ellsworth Road
Council Chambers
June 5, 2013
7:00 p.m.

1. **Call to Order**

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

3. **Pledge of Allegiance:**

4. **Invocation:** Pastor Ron Nelson, Life Link Church

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

A. Proclamation – Dust Awareness Week June 2-8

B. Recognition of Service to the Queen Creek Crime Prevention and Mounted Poses

C. Queen Creek Citizen Leadership Institute graduation

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.

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.

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.

Agenda for the Regular and Possible Executive Session

Queen Creek Town Council

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

A. Consideration and possible approval of Expenditures over \$25,000: **TAB A**

1) Dana Kepner – meters, meter fittings and services - \$30,000 (*budgeted item*)

B. Consideration and possible approval of the Final Plat for Dorada Estates (formerly known as Vaquero Estates), a request by Vaquero Estates, LLC. **TAB B**

C. Consideration and possible approval of **DR13-015 – Richmond American Homes at Crismon Heights Subdivision**, a request by Richmond American Homes for approval of eight (8) new floor plans with three (3) elevations each to be constructed on 60 lots in the Crismon Heights subdivision located at the northeast corner of Crismon and Ocotillo Roads. **TAB C**

D. Consideration and possible approval of **DR13-017 – Toll Brothers at Dorada Estates**, a request by Toll Brothers for approval of six (6) new floor plans with three (3) elevations each to be constructed on 112 lots in the Dorada Estates subdivision (formerly known as Vaquero Estates) located at the southeast corner of Recker and Ocotillo Roads. **TAB D**

E. Consideration and possible approval of **DR13-018 – K. Hovnanian Homes at Cielo Noche Subdivision**, a request by K. Hovnanian Homes for approval of eight (8) new floor plans with three (3) elevations each to be constructed on 164 lots in the Cielo Noche subdivision located at the southwest corner of Hawes and Queen Creek Roads. **TAB E**

F. Consideration and possible approval of a 2nd Amendment to extend the term of and add to the Scope of Services and additional funding in the amount of \$33,000 to the Professional Services Contract with TischlerBise to update the Town's development fees pursuant to SB1525. **TAB F**

G. Consideration and possible approval of a 2nd Amendment for a one-year extension to the Design Services Master Contract with Sunrise Engineering, Inc., for on-call engineering services for the Utilities Department. (*budgeted item*) **TAB G**

H. Consideration and possible approval of a 3rd Amendment for an extension up to six (6) months from date of approval to the Professional Services Contract with Brown & Associates for plan review and inspection services. (*budgeted item*) **TAB H**

I. Consideration and possible approval of the Design Concept Report and Letter of Support for Meridian Road from Empire Boulevard to Ocotillo Road. **TAB I**

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J. Consideration and possible approval of **Resolution 943-13** authorizing Town staff to apply for 5000 acre feet of Non-Indian Agriculture (NIA) Central Arizona Project Water (CAP) through the Arizona Department of Water Resources Reallocation application process. **TAB J**

K. Consideration and possible approval of **Resolution 944-13** canvassing the results of the May 21, 2013 Special Election. **TAB K**

L. Consideration and possible approval of Council Committee assignments. **TAB L**

M. Consideration and possible approval of two (2) easements to be granted to SRP for installation of an underground line for electric service to the AT&T cellular facility at Horseshoe Park & Equestrian Centre. **TAB M**

N. Consideration and possible approval of an Amendment to the Regional Emergency Medical Transportation Service Agreement relating to liquidated damages and performance standards. **TAB N**

O. Consideration and possible approval of authorizing and directing the Town Attorneys to file a lawsuit against Merchants Bonding Company and Accelerated Construction Technologies, formerly known as Modular Technology, Inc. **TAB O**

P. Consideration and possible approval of an Extension of Premises/Patio Permit submitted by Robin Vanessa Walker on behalf of TC's Pub & Grub, 7205 S. Power Rd. (Power Marketplace), for a one-day event on August 17, 2013. The business has a current Series 12 Restaurant License. **TAB P**

***Q.** Public Hearing and possible approval of a Series 12 Liquor License (#12079495) application submitted by Andrea Lewkowitz on behalf of Smashburger #1286 (Sunwest Burgers LLC), 21202 S. Ellsworth Loop Rd, #G-7 (Queen Creek Marketplace). **TAB Q**

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.

9. Public Hearing and possible action on **TA13-014 – Ordinance 534-13**, a Town initiated amendment to Article 5.6 of the Zoning Ordinance – Off-Street Parking Requirements related to parking requirements for elementary and junior high schools. **TAB R**

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.

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10. Discussion and possible action on **SP13-016 – Maya Theater Complex** a request for Site Plan approval from Maya Operations Queen Creek LLC., for a 14-screen theater, retail and restaurant uses on 19-acres of Town owned property located north of Maya Boulevard, south of Rittenhouse Road, east of Ellsworth Loop Road and west of Ellsworth Road. **TAB S**

11. Discussion and possible approval of the Notice of Intention to Increase Residential Waste Service Rates, setting the time (7p.m.) and date (August 7, 2013) for the Public Hearing to amend the existing schedule of fees for residential waste services. **TAB T**

12. Discussion and possible approval of the FY13-14 Tentative Budget and setting the Public Hearing for June 19, 2013 for consideration of the Final Budget. **TAB U**

13. Discussion and possible approval of the appointment of Dawn Oliphant to serve as Vice Mayor for a 12-month time period. **TAB V**

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

14. Presentation and discussion on the Design Concept Report for Meridian Road from Empire Boulevard to Ocotillo Road. *(If necessary)* **TAB I**

15. Discussion on a scope of services for a peer review study of the Queen Creek Chamber of Commerce. *(If necessary)* **TAB W**

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

17. Adjournment



Requesting
Department:
Management Services

TAB A

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

FROM: KIM CLARK, SR. FINANCIAL SERVICES ANALYST

RE: CONSIDERATION AND POSSIBLE APPROVAL OF EXPENDITURES \$25,000 AND OVER

DATE: June 5, 2013

Staff Recommendation:

Staff recommends approval of expenditures \$25,000 and over.

Proposed Motion:

Move to approve Town expenditures \$25,000 and over, pursuant to Town purchasing policy.

Discussion:

The following items being requested are:

- 1. Meters, Meter fittings and Services

See attachment for additional explanation on the above expenditures.

Fiscal Impact:

The fiscal impact of the requested spending authority for the above expenditures are \$30,000. Funds have been identified within their line items budget as approved in the 2012-13 fiscal year budgets.

Alternatives:

- 1) Dana Kepner is a sole source supplier of Sensus meters and metering reading equipment in the Western region of the United States. The equipment the Town procures from Dana Kepner is compatible with existing meter reading infrastructure and is exclusively used in the Town of Queen Creek water system. The Utility Services Department procures meters, meter fittings, MXU's, meter testing services and meter accessories for the installation, repair, and maintenance of the Town's residential and commercial water meters. Wear on water meters is an expected normal operating condition that can lead to a loss of revenue, inefficient operating conditions, and an increase in lost and unaccounted water reporting to the Arizona

Department of Water Resources (ADWR), if left unaddressed. The Town of Queen Creek Water Division maintains a testing and repair program to minimize such occurrences. The Water Division to date has installed 439- 3/4", 126- 1", 3- 11/2", and 12 -2" new meters and are estimating an additional 50+ by the end of this fiscal year. The increase to this purchase order is due to the extensive housing growth in the area requiring the purchase of new meters and installation parts and fittings. The Town of Queen Creek Water Division has explored possible co-operative purchasing arrangements with other Cities; however, at this time no other viable procurement alternatives exist.

Attachments:

A detailed list of the requested expenditures.

Attachment: Expenditure \$25,000 and over

For Fiscal Year 2013

June 5, 2013

Item #	Vendor	Description	Purpose	Requesting Dept	Fiscal Impact \$	Procurement Method
1	Dana Kepner	Meters, Meter Fittings and Services	Meters, meter fittings, meter testing and repair, MXU's and meter accessories for residential and commercial water meter installations	Utility Services Department	\$30,000	Sole Source
2						



Requesting Department:

Development Services

TAB B

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

**FROM: CHRIS ANARADIAN, DEVELOPMENT SERVICES DIRECTOR;
CHRIS DOVEL, TOWN ENGINEER; MARC PALICHUK,
ENGINEER**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE "FINAL
PLAT" FOR DORADA ESTATES (FORMERLY KNOWN AS
VAQUERO ESTATES). A REQUEST BY VAQUERO ESTATES
LLC.**

DATE: JUNE 5, 2013

Staff Recommendation:

Staff recommends approval of the "Final Plat" for Dorada Estates (formerly known as Vaquero Estates). A request by Vaquero Estates LLC.

Relevant Council Goal(s):

General Plan – Land Use Element - Goal Number 3:
Develop Superior Residential Neighborhoods

Town of Queen Creek Corporate Strategic Plan - Key Result Area 1 - Objective 1
Monitor, time, and sequence the Town's Capital Improvement Program (CIP) so that it is implemented when needed, but matched with available revenues to construct and maintain the assets over time.

Proposed Motion:

Move to approve the "Final Plat" for Dorada Estates (formerly known as Vaquero Estates). A request by Vaquero Estates LLC.

History:

Jan. 11, 2006: Planning Commission recommended approval of RZ13-03 and SD10-03, Vaquero Estates Preliminary Plat.

Feb 15, 2006: Town Council approved RZ13-03, SD10-03, and Ordinance 335-06, Vaquero Estates Preliminary Plat.

Discussion:

The applicant is requesting approval of a Final Plat for a 112 lot single-family residential subdivision on approximately 81.9 acres located at the southwest corner of Recker and Ocotillo roads. The subdivision has underlying R1-18 zoning with density of 1.37 homes per acre. This is consistent with the General Plan Land Use Map which established Low Density Residential that allows a range of 1-2 DU/AC. The parcel provides 1 point of access onto Recker Road and 1 point of access onto Ocotillo Road. The offsite street improvements for Ocotillo Road and Recker Road shall be constructed simultaneously with the onsite improvements. Offsite improvements also include construction of a water mainline in Ocotillo Road that connects to Power Road, and a sewer mainline in Ocotillo Road from just east of Recker Road to the eastern project boundary.

Remaining Items required prior to recording of the Final Plat:

1. Town shall collect a ¼ cost share (\$75,000) Cash-in-Lieu payment for the traffic signal at Ocotillo and Recker roads intersection prior to recording of the Final Plat.
2. Onsite and offsite construction assurance shall be deposited with the Town prior to recording of the Final Plat.
3. Dorada Estates Community Association Ratification shall be signed by the community association representative prior to recording of the Final Plat.

Fiscal Impact:

The Town will receive building permit fees for all homes that develop within the 112 lot subdivision. The Owner (Vaquero Estates LLC) will complete onsite and offsite roadway improvements that will require future maintenance costs by the Town.

Alternatives:

Not to accept the "Final Plat" of Dorada Estates. If the Town does not accept the Final Plat, the subdivision will not be developed at this time and the Town will not collect building permit fees.

Attachments:

Final Plat

DEDICATION

STATE OF ARIZONA }
 COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS: THAT VAQUERO ESTATES, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "DORADA ESTATES", A PLANNED RESIDENTIAL DEVELOPMENT, A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 6 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN PLATTED HEREON; AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF "DORADA ESTATES", A PLANNED RESIDENTIAL DEVELOPMENT, AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, EASEMENTS AND STREETS CONSTITUTING SAME, AND THAT EACH LOT, TRACT, AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN EACH, RESPECTIVELY, ON SAID PLAT. VAQUERO ESTATES, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AS OWNER, DEDICATES TO THE PUBLIC THE STREETS AND EASEMENTS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE PREMISES.

TRACTS A, B, C, D, E AND F ARE NOT DEDICATED TO THE PUBLIC, BUT ARE PLATTED AS COMMON PROPERTY FOR THE USE AND ENJOYMENT OF THE DORADA ESTATES COMMUNITY ASSOCIATION AS MORE FULLY SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

THE MAINTENANCE OF LANDSCAPING WITHIN THE PUBLIC RIGHT-OF-WAY TO BACK OF CURB SHALL BE THE RESPONSIBILITY OF DORADA ESTATES COMMUNITY ASSOCIATION OR ADJUTING PROPERTY OWNER.

EASEMENTS ARE DEDICATED AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF: VAQUERO ESTATES, L.L.C., A UTAH LIMITED LIABILITY COMPANY, AS OWNER HAS HEREUNDER CAUSED ITS NAME TO BE SIGNED AND THE SAME ATTESTED BY THE UNDERSIGNED OFFICER THEREUNTO DULY AUTHORIZED THIS

29th DAY OF May, 2013.

VAQUERO ESTATES, L.L.C., A UTAH LIMITED LIABILITY COMPANY

BY: WOODBURY CORPORATION, ITS MANAGER

BY: [Signature] ITS: Vice President

BY: [Signature] ITS: Vice President

ACKNOWLEDGMENT

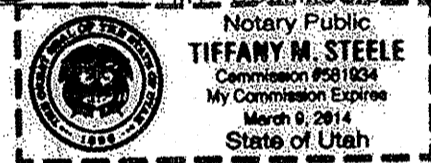
STATE OF Utah }
 COUNTY OF Salt Lake } SS

BEFORE ME THIS THE 29th DAY OF May, 2013, Lynn Woodbury & Scott Bishop PERSONALLY, APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED THEMSELVES

TO BE Vice President AND Vice President OF THE MANAGER OF VAQUERO ESTATES, L.L.C., A UTAH LIMITED LIABILITY COMPANY, THE LEGAL OWNER OF THE PROPERTY PLATTED

HEREON, AND ACKNOWLEDGE THAT THEY, AS Vice President AND Vice President RESPECTIVELY EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL.

BY: [Signature] MY COMMISSION EXPIRES: 3/9/14



RATIFICATION

BY THIS RATIFICATION Mark Bailey DULY ELECTED

Director OF THE DORADA ESTATES COMMUNITY ASSOCIATION ACKNOWLEDGES THE RESPONSIBILITIES DEDICATED HEREON.

Mark Bailey 5/29/13
 SIGNATURE DATE

ACKNOWLEDGMENT

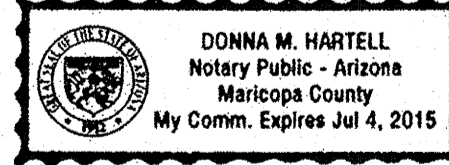
STATE OF ARIZONA }
 COUNTY OF MARICOPA } SS

BEFORE ME THIS THE 28 DAY OF MAY, 2013, Mark Bailey PERSONALLY, APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED

HIMSELF/HERSELF TO BE Director OF DORADA ESTATES COMMUNITY ASSOCIATION

AND ACKNOWLEDGE THAT HE/SHE, AS Director EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL.

BY: [Signature] MY COMMISSION EXPIRES: July 4, 2015



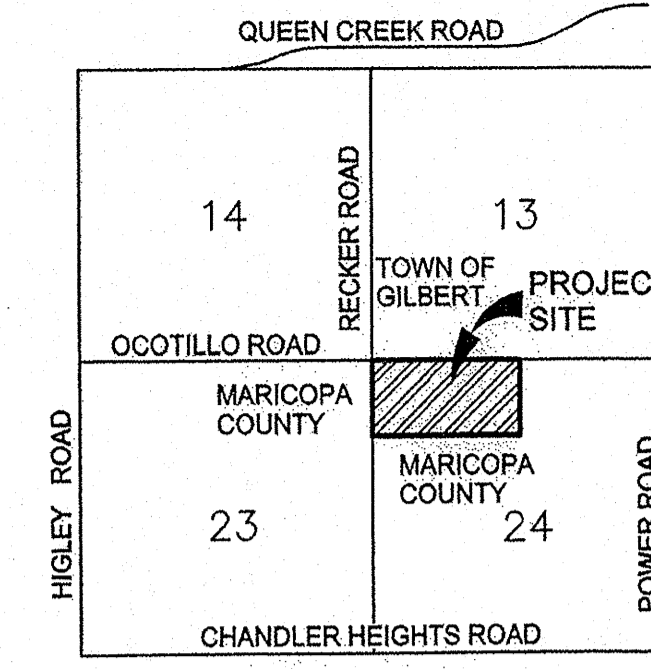
TRACT TABLE

TRACT	AREA (ACRES)	DESCRIPTION OF USE
A	2.75	LANDSCAPE/ TEMPORARY DRAINAGE FOR SONOQUI WASH
B	2.57	LANDSCAPE/ DETENTION / DRAINAGE ESMT / MULTI-USE TRAIL
C	4.09	LANDSCAPE/ DETENTION / DRAINAGE ESMT / MULTI-USE TRAIL / WATER ESMT
D	3.15	LANDSCAPE/ RETENTION / TOT LOT / WATER ESMT
E	0.02	LANDSCAPE
F	0.02	LANDSCAPE
TOTAL	12.60 AC	

NOTE: NOT ALL OF THE EASEMENTS LISTED IN THE TRACT SUMMARY TABLE ENCOMPASS THE ENTIRE TRACT

FINAL PLAT
 FOR
"DORADA ESTATES"

A PLANNED RESIDENTIAL DEVELOPMENT SUBJECT TO SINGLE FAMILY-DESIGN REVIEW. A PORTION OF THE NW1/4 OF SECTION 24, T2S, R6E, G&SRM, QUEEN CREEK, MARICOPA COUNTY, ARIZONA



OWNER

VAQUERO ESTATES, L.L.C.
 4852 E. BASELINE RD. #105
 MESA, AZ 85206
 PHONE: (480) 396-9696
 FAX: (480) 396-9200
 CELL: (480) 206-4565
 CONTACT: LANCE S. RICHARDS

DEVELOPER

TOLL BROTHERS
 8767 E. VIA DE VENTURA
 SUITE 390
 SCOTTSDALE, AZ 85258
 PHONE: (480) 596-7342
 FAX: (480) 538-2594
 CONTACT: MARK BAILEY

APPLICANT/ENGINEER

M2 GROUP, INC.
 952 E. BASELINE RD.
 SUITE 123
 MESA, AZ 85204
 PH: (480) 539-7497
 FAX: (480) 539-2810
 CONTACT: JOSE MONTOYA

PROJECT DATA

TOTAL AREA = 81.89 ACRES
 TOTAL TRACTS = 12.86 ACRES
 TOTAL LOTS = 112

NOTES

- CONSTRUCTION WITHIN UTILITY EASEMENTS SHALL BE LIMITED TO UTILITIES, AND DRIVEWAYS.
- NO STRUCTURES OR VEGETATION OF ANY KIND THAT WOULD IMPEDE THE FLOW OF WATER THROUGH THE EASEMENTS MAY BE CONSTRUCTED, PLANTED OR ALLOWED TO GROW WITHIN DRAINAGE EASEMENTS.
- ALL TRACTS THAT WILL NOT BE CONVEYED TO THE TOWN OF QUEEN CREEK AND ALL COMMON PROPERTY SHALL BE IMPROVED IN ACCORDANCE WITH PLANS APPROVED BY THE TOWN OF QUEEN CREEK AND SHALL BE CONVEYED BY WARRANTY (OR SPECIAL WARRANTY) DEED TO THE DORADA ESTATES COMMUNITY ASSOCIATION. THE DORADA ESTATES COMMUNITY ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE COMMON PROPERTY.
- DORADA ESTATES COMMUNITY ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPE WITHIN THE RIGHT-OF-WAY (BACK OF CURB), OPEN SPACE AND TRACTS.
- ALL RETENTION BASINS AND TRACTS MUST BE MAINTAINED TO DRAIN WITHIN 36 HOURS AFTER A STORM EVENT.
- VIEW FENCING MAY NOT MEET POOL BARRIER REQUIREMENTS. OWNER IS RESPONSIBLE FOR ENSURING A COMPLIANT BARRIER IS IN PLACE PRIOR TO OBTAINING POOL PERMITS.
- DEVELOPER IS REQUIRED TO OBTAIN AND RECORD THE REQUIRED EASEMENT FOR THE MAIN LINE WATER EXTENSION FROM POWER ROAD TO THE PROJECTS EASTERN PROPERTY LINE AND SHALL ALSO HAVE THE WATER MAIN LINE FULLY CONSTRUCTED; INSPECTED & ACCEPTED BY THE TOWN OF QUEEN CREEK UTILITIES DEPARTMENT AND IN SERVICE PRIOR TO ISSUANCE OF ANY DORADA ESTATES BUILDING PERMITS.
- THE TOWN OF QUEEN CREEK SHALL ALSO HAVE THE SEWER MAIN LINE, RECKER ROAD TO THE DORADA ESTATES ENTRY MANHOLE, FULLY CONSTRUCTED; INSPECTED & ACCEPTED BY THE TOWN OF QUEEN CREEK AND IN SERVICE PRIOR TO CONNECTION TO AND ISSUANCE OF ANY DORADA ESTATES BUILDING PERMITS.
- A 1/2" REBAR W/CAP OR TAG "RLS 21782" OR "RLS 35306" OR "RLS 14216" HAVE BEEN SET OR WILL BE SET AT ALL LOT AND TRACT CORNERS UNLESS NOTED OTHERWISE.
- LANDSCAPE WITHIN THE LANDSCAPE EASEMENTS LOCATED IN THE SIDE YARDS OF LOTS 14, 15, 21, 22, 51, 52, 76, 77, 88, 89, 97, 98, 107 AND 108 TO BE MAINTAINED BY THE DORADA ESTATES COMMUNITY ASSOCIATION.

LEGAL DESCRIPTION

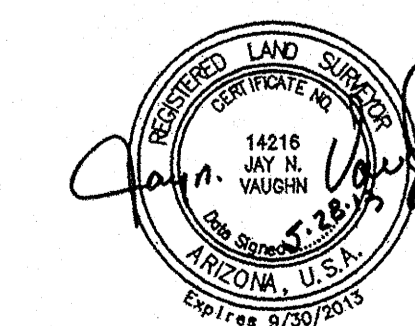
THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 SOUTH, RANGE 6 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

APPROVALS

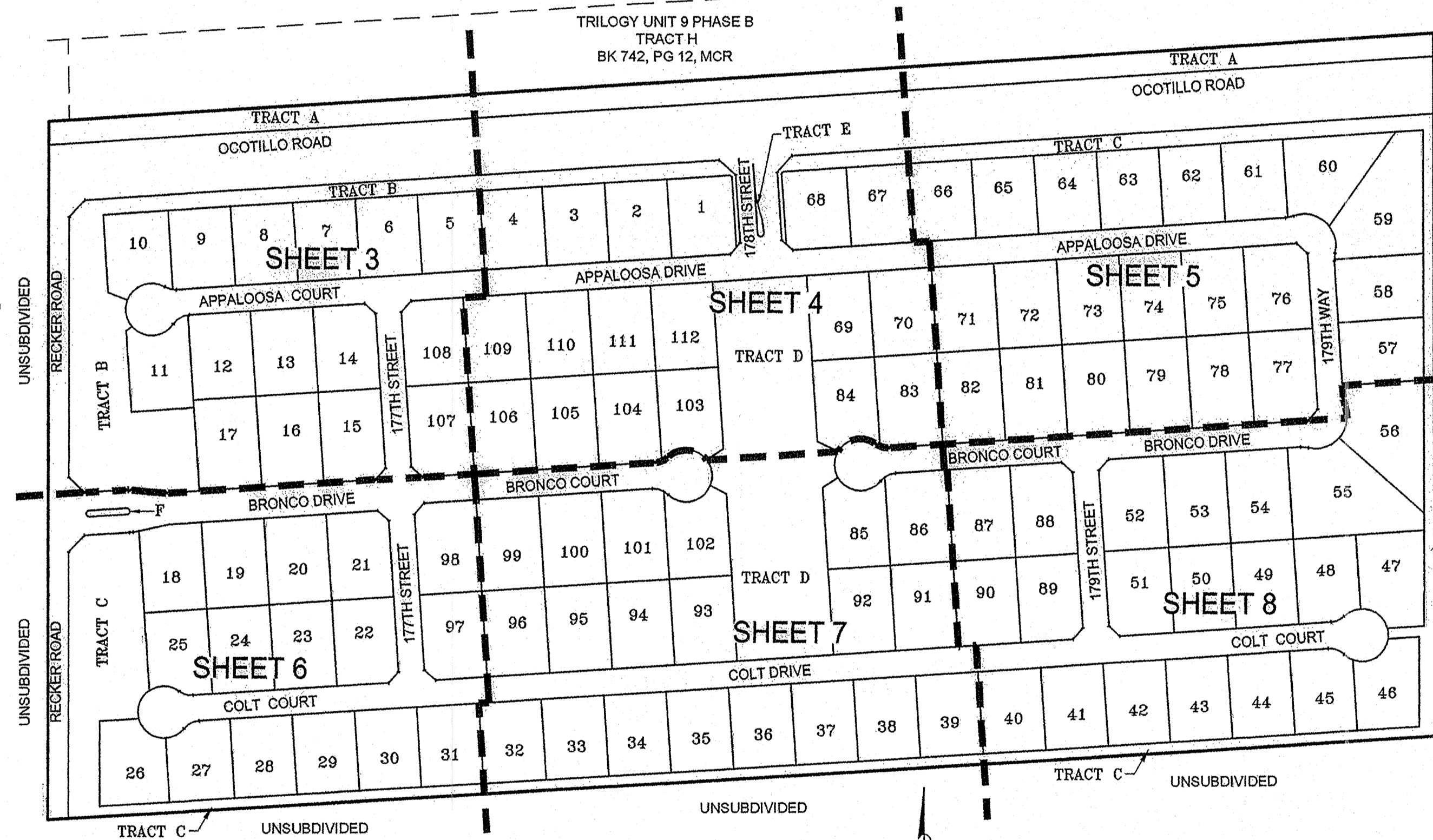
TOWN PLANNING MANAGER _____ DATE _____
 TOWN ENGINEER _____ DATE _____
 APPROVED BY THE TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA THIS _____ DAY OF _____
 BY: MAYOR _____ DATE _____
 ATTEST: TOWN CLERK _____ DATE _____

CERTIFICATION

THIS IS TO CERTIFY THAT THIS PLAT IS CORRECT AND ACCURATE AND THE MONUMENTS DESCRIBED HEREIN HAVE EITHER BEEN SET OR LOCATED AS DESCRIBED TO THE BEST OF MY KNOWLEDGE AND BELIEF.



JAY N. VAUGHN #14216
 952 E. BASELINE ROAD
 SUITE 123
 MESA, ARIZONA 85204



KEY MAP
 N.T.S.

LEGEND

- MONUMENT LINE
- SUBDIVISION BOUNDARY
- INTERIOR PROPERTY LINE
- CENTERLINE
- MATCH LINE
- PAE PEDESTRIAN ACCESS EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- WE WATER EASEMENT
- VNAE VEHICULAR NON-ACCESS EASEMENT
- LSE LANDSCAPE EASEMENT
- R/W RIGHT OF WAY
- M.C. MARICOPA COUNTY
- MCR MARICOPA COUNTY RECORDER
- SVT SIGHT VISIBILITY TRIANGLE
- SBL SETBACK LINE
- ◆ SECTION QUARTER CORNER, AS NOTED
- CENTERLINE MONUMENT (BRASS CAP FLUSH; M.A.G. DTL. 120, TYPE B) TO BE SET UPON COMPLETION OF STREET PAVING
- ▲ CORNER OF SUBDIVISION (AS NOTED)
- FD 1/2" REBAR W/CAP "RLS 35036"
- ◇ FD 1/2" REBAR W/CAP "RLS 37263"

BASIS OF BEARING

THE BASIS OF BEARING IS THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 24, T.2 S., R.6 E., USING A BEARING OF NORTH 00 DEGREES 20 MINUTES 18 SECONDS EAST PER THE MARICOPA COUNTY GEODETIC DENSIFICATION AND CADASTRAL SURVEY RECORDED IN BOOK 589, PAGE 47, M.C.R.

ASSURANCE STATEMENT

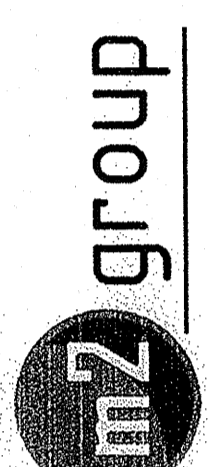
ASSURANCE IN THE FORM OF A _____ ISSUED FROM _____ IN THE AMOUNT OF \$ _____ HAS BEEN DEPOSITED WITH THE TOWN OF QUEEN CREEK TO GUARANTEE CONSTRUCTION OF THE REQUIRED SUBDIVISION IMPROVEMENTS.

ASSURED WATER SUPPLY

THE ARIZONA DEPARTMENT OF WATER RESOURCES HAS GRANTED A CERTIFICATE OF ASSURED WATER SUPPLY, DWR FILE NO. 21-700373.0000

REVISIONS:

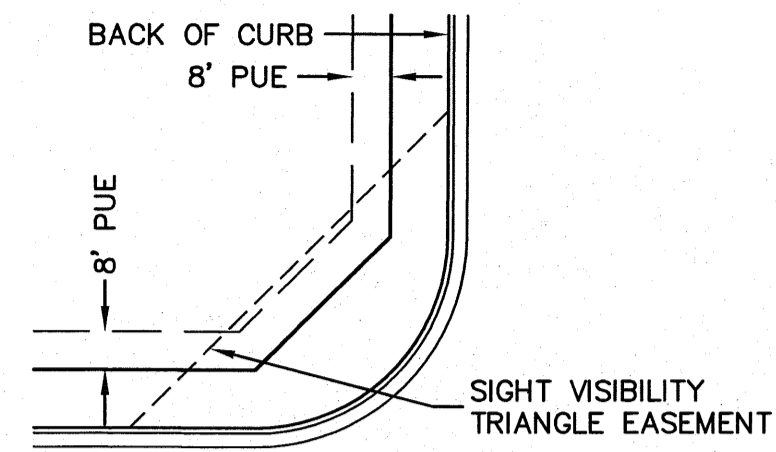
M2 Group, Inc.
 952 E. Baseline Road
 Suite 123
 Mesa, Arizona 85204
 Tel: (480) 539-7497
 Fax: (480) 539-2810



FINAL PLAT
 DORADA ESTATES
 QUEEN CREEK, ARIZONA

PROJECT:

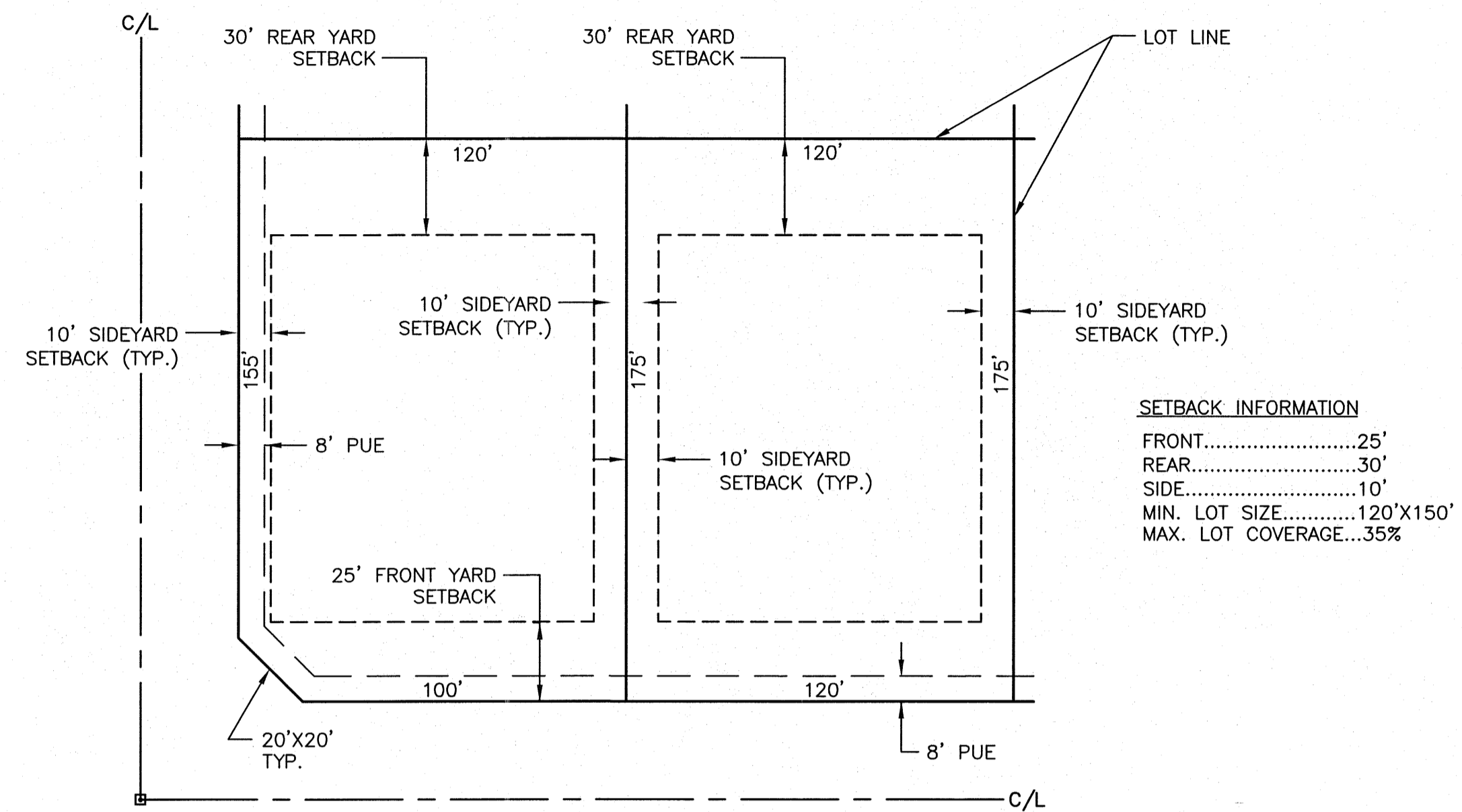
JOB NO.
 12034TB
 6051FP01.DWG
 SHEET NO.
 1
 1 OF 8



ANY STREET INTERSECTION WITH A COLLECTOR OR ARTERIAL STREET MUST HAVE A 33'X33' VISIBILITY TRIANGLE EASEMENT. ALL OTHER INTERSECTIONS MUST HAVE A 20'X20' VISIBILITY TRIANGLE EASEMENT.

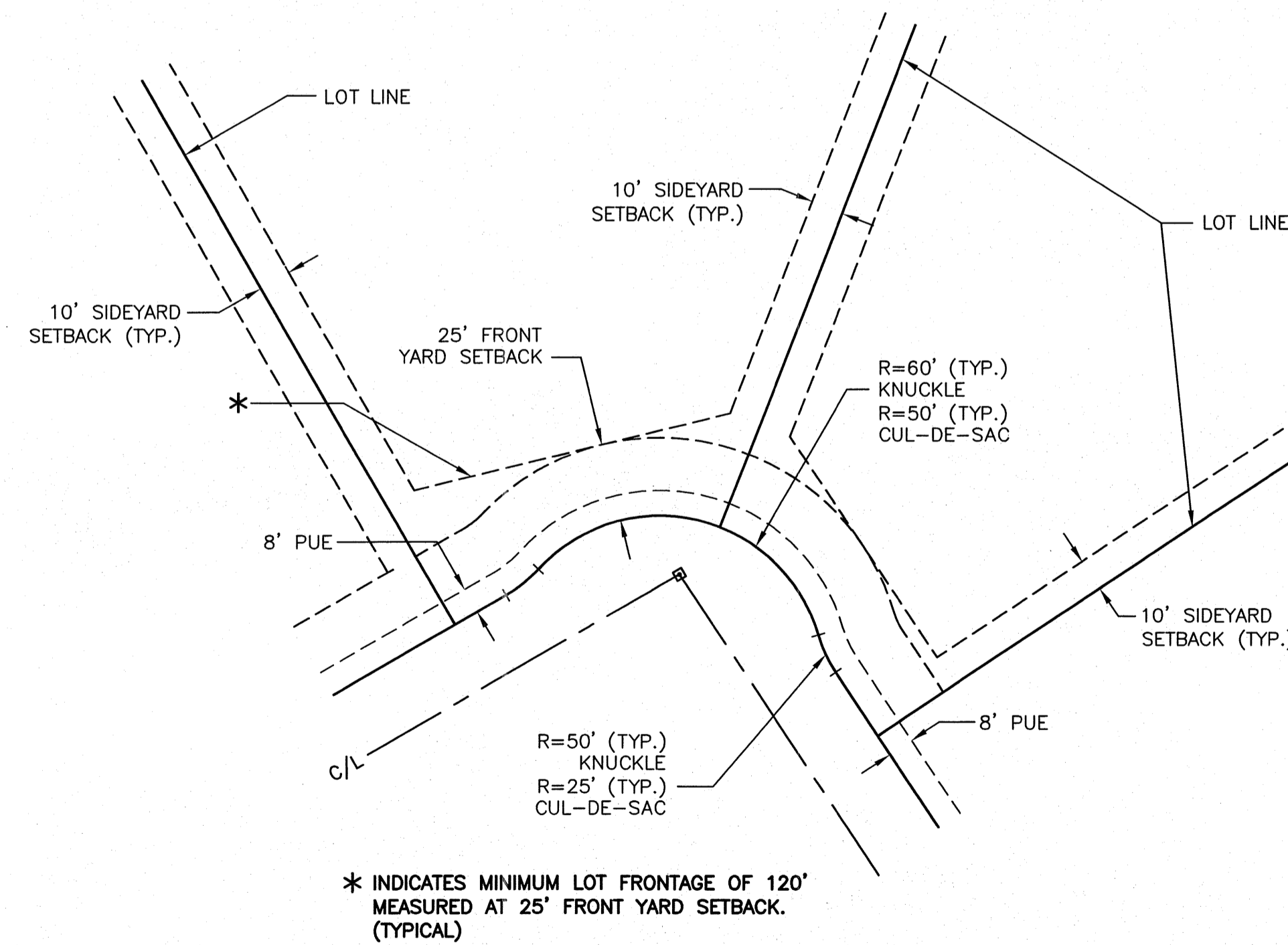
NO OBJECT WITHIN VISIBILITY TRIANGLES MAY EXCEED 24" IN HEIGHT.

VISIBILITY TRIANGLE DETAIL
N.T.S.



BUILDING SETBACK DETAIL ZONING R1-18
N.T.S.

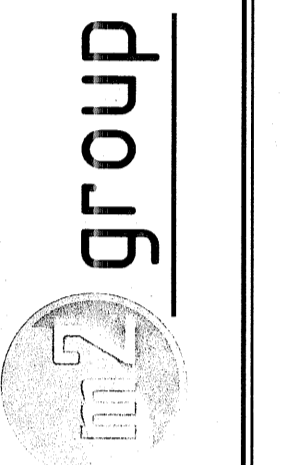
AREA TABLE		AREA TABLE		AREA TABLE	
DESCRIPTION	AREA	DESCRIPTION	AREA	DESCRIPTION	AREA
LOT 1	18,673 SQ. FT. 0.4287 ACRES	LOT 41	19,057 SQ. FT. 0.4375 ACRES	LOT 81	21,000 SQ. FT. 0.4821 ACRES
LOT 2	18,000 SQ. FT. 0.4132 ACRES	LOT 42	19,113 SQ. FT. 0.4388 ACRES	LOT 82	21,000 SQ. FT. 0.4821 ACRES
LOT 3	18,000 SQ. FT. 0.4132 ACRES	LOT 43	19,170 SQ. FT. 0.4401 ACRES	LOT 83	20,976 SQ. FT. 0.4815 ACRES
LOT 4	18,000 SQ. FT. 0.4132 ACRES	LOT 44	19,226 SQ. FT. 0.4414 ACRES	LOT 84	19,406 SQ. FT. 0.4455 ACRES
LOT 5	18,000 SQ. FT. 0.4132 ACRES	LOT 45	18,854 SQ. FT. 0.4328 ACRES	LOT 85	18,807 SQ. FT. 0.4317 ACRES
LOT 6	18,000 SQ. FT. 0.4132 ACRES	LOT 46	19,042 SQ. FT. 0.4371 ACRES	LOT 86	20,959 SQ. FT. 0.4811 ACRES
LOT 7	18,000 SQ. FT. 0.4132 ACRES	LOT 47	21,366 SQ. FT. 0.4905 ACRES	LOT 87	21,000 SQ. FT. 0.4821 ACRES
LOT 8	18,000 SQ. FT. 0.4132 ACRES	LOT 48	18,928 SQ. FT. 0.4345 ACRES	LOT 88	20,800 SQ. FT. 0.4775 ACRES
LOT 9	17,999 SQ. FT. 0.4132 ACRES	LOT 49	19,560 SQ. FT. 0.4490 ACRES	LOT 89	19,360 SQ. FT. 0.4444 ACRES
LOT 10	18,263 SQ. FT. 0.4193 ACRES	LOT 50	19,560 SQ. FT. 0.4490 ACRES	LOT 90	19,560 SQ. FT. 0.4490 ACRES
LOT 11	18,677 SQ. FT. 0.4288 ACRES	LOT 51	20,175 SQ. FT. 0.4632 ACRES	LOT 91	19,560 SQ. FT. 0.4490 ACRES
LOT 12	19,560 SQ. FT. 0.4490 ACRES	LOT 52	21,675 SQ. FT. 0.4976 ACRES	LOT 92	19,560 SQ. FT. 0.4490 ACRES
LOT 13	19,560 SQ. FT. 0.4490 ACRES	LOT 53	21,000 SQ. FT. 0.4821 ACRES	LOT 93	19,560 SQ. FT. 0.4490 ACRES
LOT 14	19,360 SQ. FT. 0.4444 ACRES	LOT 54	21,000 SQ. FT. 0.4821 ACRES	LOT 94	19,560 SQ. FT. 0.4490 ACRES
LOT 15	20,680 SQ. FT. 0.4747 ACRES	LOT 55	34,307 SQ. FT. 0.7876 ACRES	LOT 95	19,560 SQ. FT. 0.4490 ACRES
LOT 16	20,880 SQ. FT. 0.4793 ACRES	LOT 56	27,824 SQ. FT. 0.6387 ACRES	LOT 96	19,560 SQ. FT. 0.4490 ACRES
LOT 17	20,880 SQ. FT. 0.4793 ACRES	LOT 57	19,228 SQ. FT. 0.4414 ACRES	LOT 97	19,360 SQ. FT. 0.4444 ACRES
LOT 18	19,665 SQ. FT. 0.4515 ACRES	LOT 58	20,139 SQ. FT. 0.4623 ACRES	LOT 98	20,800 SQ. FT. 0.4775 ACRES
LOT 19	19,920 SQ. FT. 0.4573 ACRES	LOT 59	30,876 SQ. FT. 0.7088 ACRES	LOT 99	21,000 SQ. FT. 0.4821 ACRES
LOT 20	19,920 SQ. FT. 0.4573 ACRES	LOT 60	23,882 SQ. FT. 0.5437 ACRES	LOT 100	21,000 SQ. FT. 0.4821 ACRES
LOT 21	19,720 SQ. FT. 0.4527 ACRES	LOT 61	18,000 SQ. FT. 0.4132 ACRES	LOT 101	20,959 SQ. FT. 0.4811 ACRES
LOT 22	19,360 SQ. FT. 0.4444 ACRES	LOT 62	18,000 SQ. FT. 0.4132 ACRES	LOT 102	18,807 SQ. FT. 0.4317 ACRES
LOT 23	19,560 SQ. FT. 0.4490 ACRES	LOT 63	18,000 SQ. FT. 0.4132 ACRES	LOT 103	19,489 SQ. FT. 0.4474 ACRES
LOT 24	19,560 SQ. FT. 0.4490 ACRES	LOT 64	18,000 SQ. FT. 0.4132 ACRES	LOT 104	20,991 SQ. FT. 0.4819 ACRES
LOT 25	18,454 SQ. FT. 0.4236 ACRES	LOT 65	18,000 SQ. FT. 0.4132 ACRES	LOT 105	21,000 SQ. FT. 0.4821 ACRES
LOT 26	19,607 SQ. FT. 0.4501 ACRES	LOT 66	18,000 SQ. FT. 0.4132 ACRES	LOT 106	21,000 SQ. FT. 0.4821 ACRES
LOT 27	18,026 SQ. FT. 0.4138 ACRES	LOT 67	18,000 SQ. FT. 0.4132 ACRES	LOT 107	20,800 SQ. FT. 0.4775 ACRES
LOT 28	18,323 SQ. FT. 0.4206 ACRES	LOT 68	18,673 SQ. FT. 0.4287 ACRES	LOT 108	19,360 SQ. FT. 0.4444 ACRES
LOT 29	18,379 SQ. FT. 0.4219 ACRES	LOT 69	19,560 SQ. FT. 0.4490 ACRES	LOT 109	19,560 SQ. FT. 0.4490 ACRES
LOT 30	18,436 SQ. FT. 0.4232 ACRES	LOT 70	19,560 SQ. FT. 0.4490 ACRES	LOT 110	19,560 SQ. FT. 0.4490 ACRES
LOT 31	18,492 SQ. FT. 0.4245 ACRES	LOT 71	19,560 SQ. FT. 0.4490 ACRES	LOT 111	19,560 SQ. FT. 0.4490 ACRES
LOT 32	18,549 SQ. FT. 0.4258 ACRES	LOT 72	19,560 SQ. FT. 0.4490 ACRES	LOT 112	19,560 SQ. FT. 0.4490 ACRES
LOT 33	18,605 SQ. FT. 0.4271 ACRES	LOT 73	19,560 SQ. FT. 0.4490 ACRES		
LOT 34	18,662 SQ. FT. 0.4284 ACRES	LOT 74	19,560 SQ. FT. 0.4490 ACRES		
LOT 35	18,718 SQ. FT. 0.4297 ACRES	LOT 75	19,560 SQ. FT. 0.4490 ACRES		
LOT 36	18,775 SQ. FT. 0.4310 ACRES	LOT 76	19,886 SQ. FT. 0.4565 ACRES		
LOT 37	18,831 SQ. FT. 0.4323 ACRES	LOT 77	21,364 SQ. FT. 0.4905 ACRES		
LOT 38	18,887 SQ. FT. 0.4336 ACRES	LOT 78	21,000 SQ. FT. 0.4821 ACRES		
LOT 39	18,944 SQ. FT. 0.4349 ACRES	LOT 79	21,000 SQ. FT. 0.4821 ACRES		
LOT 40	19,000 SQ. FT. 0.4362 ACRES	LOT 80	21,000 SQ. FT. 0.4821 ACRES		
TOTAL AREA 2,219,584 SQ. FT. OR 50.9529 ACRES MORE OR LESS					



RADIAL SETBACK DETAIL
N.T.S.

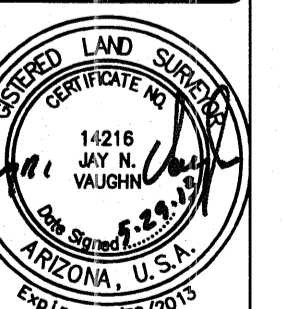
REVISIONS:

M2 Group, Inc.
952 E. Baseline Road
Suite 123
Mesa, Arizona 85204
Tel: (480) 538-7497
Fax: (480) 538-2610



FINAL PLAT
DORADA ESTATES
QUEEN CREEK, ARIZONA

PROJECT:



JOB NO.
12034TB

6051FP02.DWG

SHEET NO.

2

2 OF 8

TRILIOGY UNIT 9 PHASE B
TRACT H
BK 742, PG 12, MCR

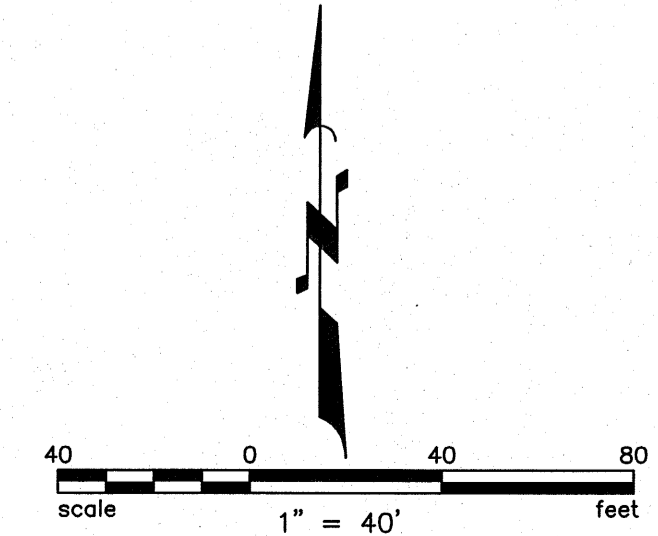
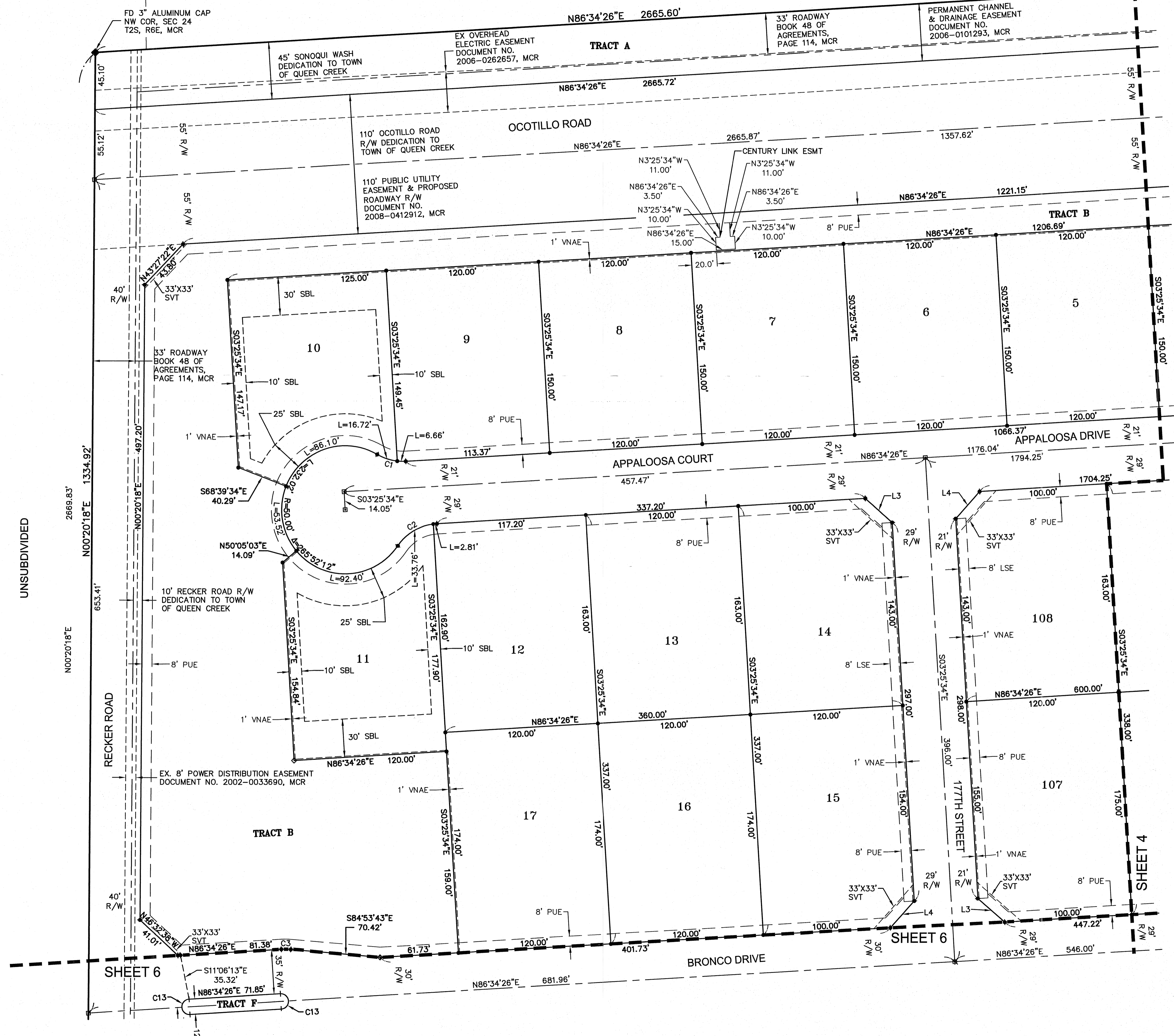
SHEET 4

LINE	BEARING	LENGTH
L1	S03°25'34"E	45.50'
L2	S03°25'34"E	5.51'
L3	S48°25'34"E	28.28'
L4	S41°34'26"W	28.28'
L5	N41°34'26"E	11.31'
L6	N41°34'26"E	16.97'
L7	S48°25'34"E	11.31'
L8	S48°25'34"E	16.97'
L9	N48°25'34"W	4.69'
L10	N41°34'26"E	4.69'
L11	N86°34'26"E	36.72'
L12	S63°25'34"E	44.50'

CURVE	LENGTH	RADIUS	DELTA
C1	23.39'	40.00'	33°30'00"
C2	36.56'	40.00'	52°22'13"
C3	7.44'	50.00'	8°31'51"
C4	15.22'	50.00'	17°26'39"
C5	27.89'	40.00'	39°56'40"
C6	33.04'	40.00'	47°19'47"
C7	27.89'	40.00'	39°56'40"
C8	15.13'	50.00'	17°20'29"

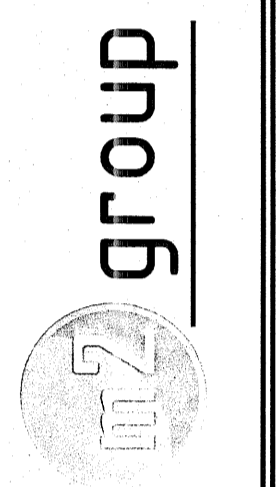
LEGEND

---	MONUMENT LINE
---	SUBDIVISION BOUNDARY
---	INTERIOR PROPERTY LINE
---	CENTERLINE
---	MATCH LINE
PAE	PEDESTRIAN ACCESS EASEMENT
PUE	PUBLIC UTILITY EASEMENT
WE	WATER EASEMENT
VNAE	VEHICULAR NON-ACCESS EASEMENT
LSE	LANDSCAPE EASEMENT
R/W	RIGHT OF WAY
M.C.	MARICOPA COUNTY
MCR	MARICOPA COUNTY RECORDER
SVT	SIGHT VISIBILITY TRIANGLE
◆	SECTION QUARTER CORNER, AS NOTED
□	CENTERLINE MONUMENT (BRASS CAP FLUSH; M.A.G. DTL. 120, TYPE B)
△	CORNER OF SUBDIVISION (AS NOTED)



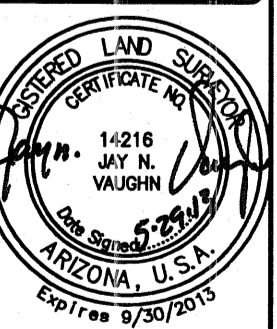
REVISIONS:

M2 Group, Inc.
952 E. Baseline Road
Suite 125
Mesa, AZ 85204
Tel: (480) 599-2497
Fax: (480) 599-2810



FINAL PLAT
DORADA ESTATES
QUEEN CREEK, ARIZONA

PROJECT:



JOB NO.
12034TB

6051FF03.DWG
SHEET NO.
3

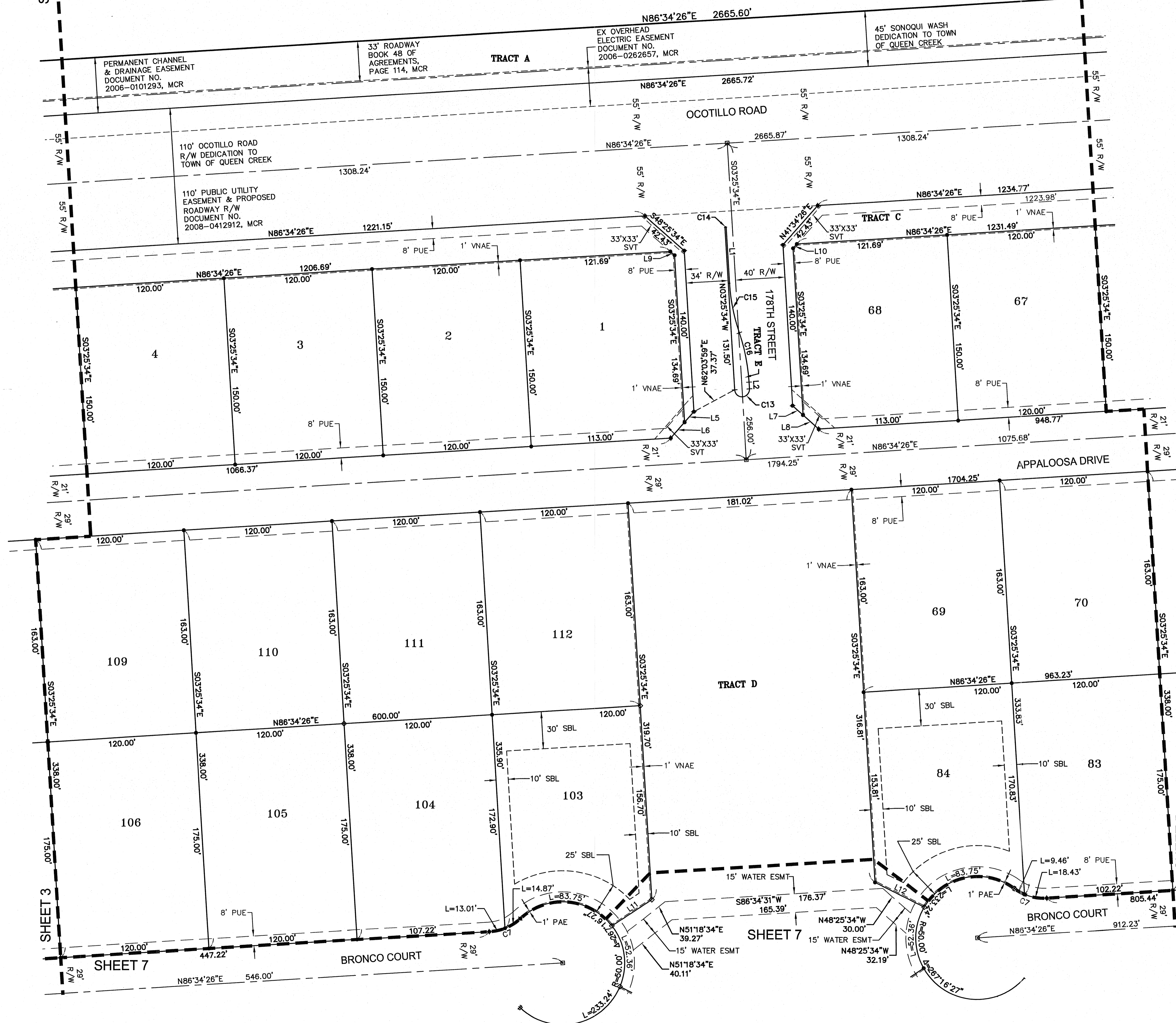
3 OF 8

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TRILOGY UNIT 9 PHASE B
TRACT H
BK 742, PG 12, MCR

SHEET 3

SHEET 5



LINE TABLE

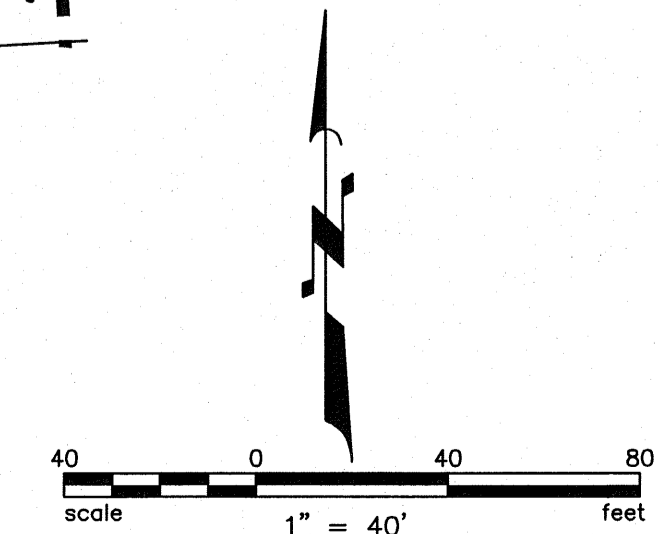
LINE	BEARING	LENGTH
L1	S03°25'34"E	45.50'
L2	S03°25'34"E	5.51'
L3	S48°25'34"E	28.28'
L4	S41°34'26"W	28.28'
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L11	N56°34'26"E	38.72'
L12	S63°25'34"E	44.50'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA
C1	23.39'	40.00'	33°30'00"
C2	36.56'	40.00'	52°22'13"
C3	7.44'	50.00'	8°31'51"
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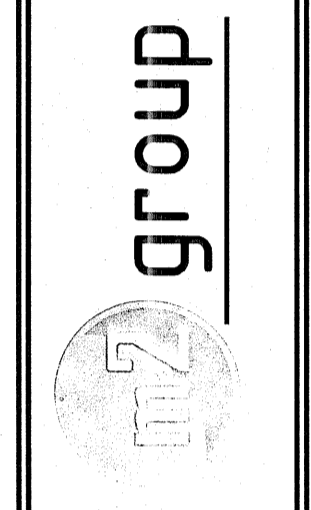
LEGEND

- MONUMENT LINE
- - - SUBDIVISION BOUNDARY
- INTERIOR PROPERTY LINE
- CENTERLINE
- - - MATCH LINE
- PAE PEDESTRIAN ACCESS EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- WE WATER EASEMENT
- VNAE VEHICULAR NON-ACCESS EASEMENT
- LSE LANDSCAPE EASEMENT
- R/W RIGHT OF WAY
- M.C. MARICOPA COUNTY
- MCR MARICOPA COUNTY RECORDER
- SVT SIGHT VISIBILITY TRIANGLE
- ◆ SECTION QUARTER CORNER, AS NOTED
- CENTERLINE MONUMENT (BRASS CAP FLUSH; M.A.G. DTL. 120, TYPE B)
- ▲ CORNER OF SUBDIVISION (AS NOTED)



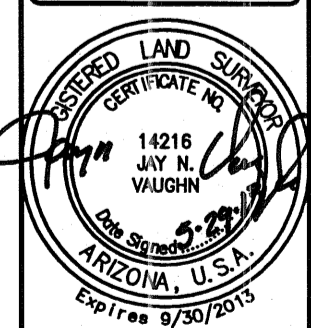
REVISIONS:

M2 Group, Inc.
952 E. Baseline Road
Suite 123
Phoenix, AZ 85024
Tel: (480) 539-7497
Fax: (480) 539-2510



FINAL PLAT
DORADA ESTATES
QUEEN CREEK, ARIZONA

PROJECT:



JOB NO.
12034TB

6051FP04.DWG

SHEET NO.
4

4 OF 8

S:\2012\12034TB (Viquero Estates)\Final plat\12034FP04.dwg, 05/29/2013 1:37:21 PM

TRILOGY UNIT 9 PHASE B
TRACT H
BK 742, PG 12, MCR

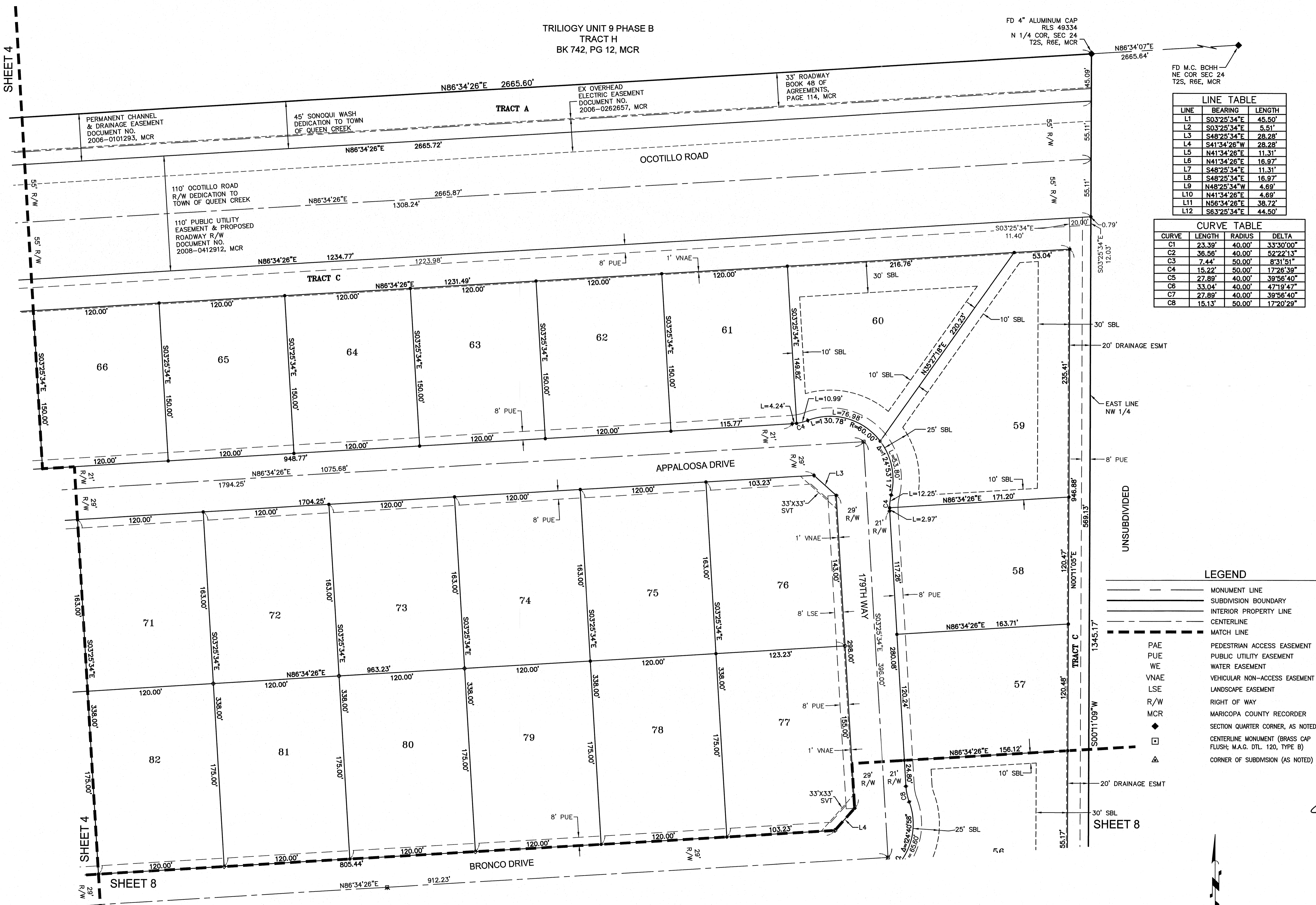
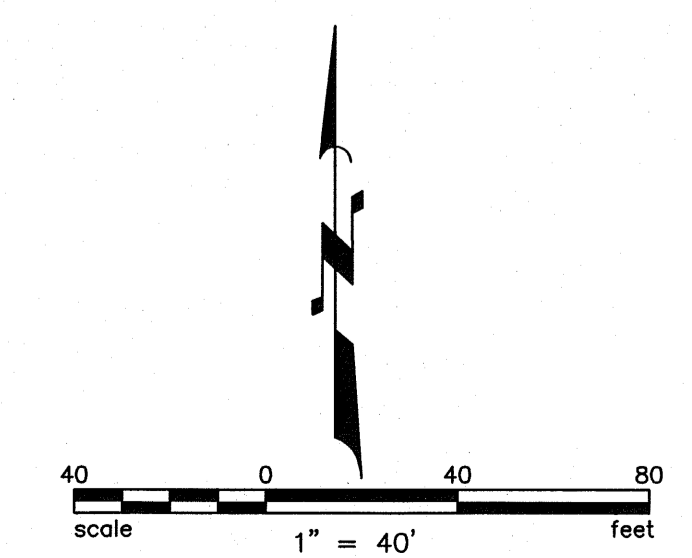
FD 4" ALUMINUM CAP
RLS 49334
N 1/4 COR, SEC 24
T2S, R6E, MCR

FD M.C. BCHH
NE COR SEC 24
T2S, R6E, MCR

LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°25'34"E	45.50'
L2	S03°25'34"E	5.51'
L3	S48°25'34"E	28.28'
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L12	S63°25'34"E	44.50'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
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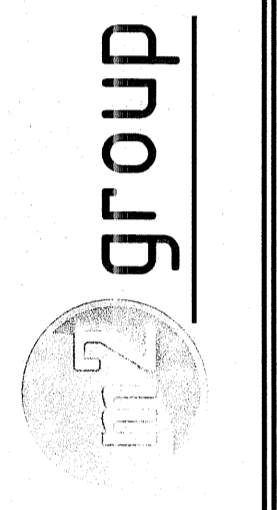
LEGEND	
	MONUMENT LINE
	SUBDIVISION BOUNDARY
	INTERIOR PROPERTY LINE
	CENTERLINE
	MATCH LINE
	PEDESTRIAN ACCESS EASEMENT
	PUBLIC UTILITY EASEMENT
	WATER EASEMENT
	VEHICULAR NON-ACCESS EASEMENT
	LANDSCAPE EASEMENT
	RIGHT OF WAY
	MARICOPA COUNTY RECORDER
	SECTION QUARTER CORNER, AS NOTED
	CENTERLINE MONUMENT (BRASS CAP FLUSH; M.A.G. DTL. 120, TYPE B)
	CORNER OF SUBDIVISION (AS NOTED)



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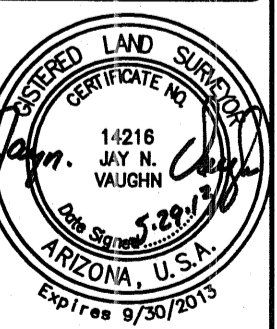
REVISIONS:

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952 E. Baseline Road
Suite 123
Mesa, Arizona 85204
Tel: (480) 539-2977
Fax: (480) 539-2910



FINAL PLAT
DORADA ESTATES
QUEEN CREEK, ARIZONA

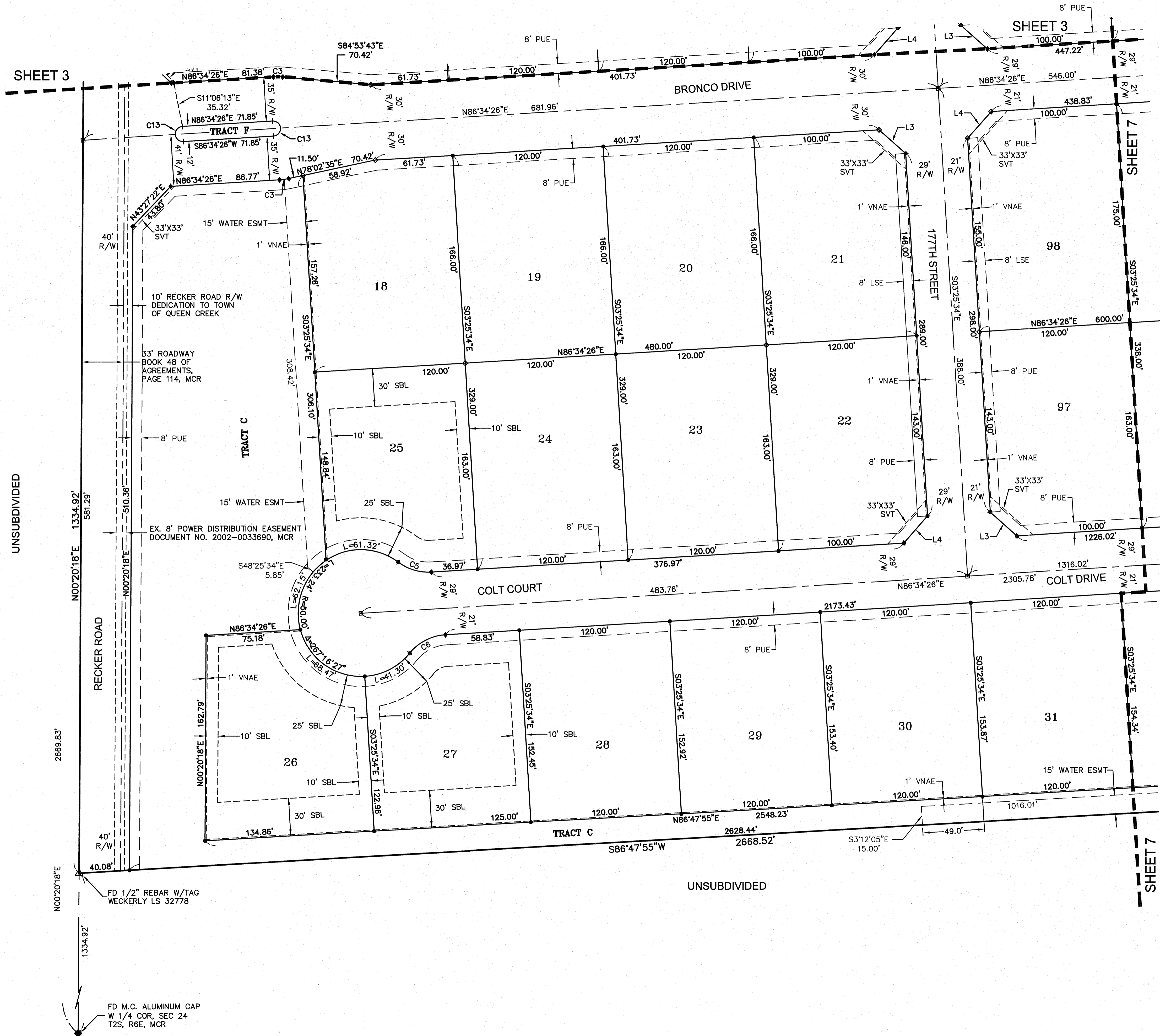
PROJECT:



JOB NO.
12034TB
6051FP05.DWG

SHEET NO.
5
5 OF 8

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LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°25'34"E	45.50'
L2	S03°25'34"E	5.51'
L3	S48°25'34"E	28.28'
L4	S41°34'26"W	28.28'
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CURVE TABLE			
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C6	33.04'	40.00'	47°19'47"
C7	27.89'	40.00'	39°56'40"
C8	15.13'	50.00'	17°20'29"

LEGEND	
	MONUMENT LINE
	SUBDIVISION BOUNDARY
	INTERIOR PROPERTY LINE
	CENTERLINE
	MATCH LINE
	PEDESTRIAN ACCESS EASEMENT
	PUBLIC UTILITY EASEMENT
	WATER EASEMENT
	VEHICULAR NON-ACCESS EASEMENT
	LANDSCAPE EASEMENT
	RIGHT OF WAY
	MARICOPA COUNTY RECORDER
	SECTION QUARTER CORNER, AS NOTED
	CENTERLINE MONUMENT (BRASS CAP FLUSH; M.A.G. DTL. 120, TYPE B)
	CORNER OF SUBDIVISION (AS NOTED)

M2 Group, Inc.
952 E. Baseline Road
Suite 123
Phoenix, Arizona 85004
Tel: (480) 539-7497
Fax: (480) 539-2810

m2 group

FINAL PLAT

DORADA ESTATES
QUEEN CREEK, ARIZONA

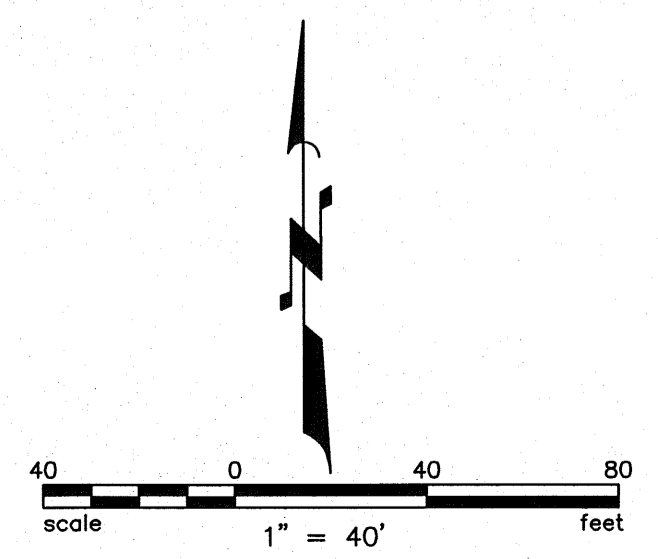
PROJECT:

JOB NO.
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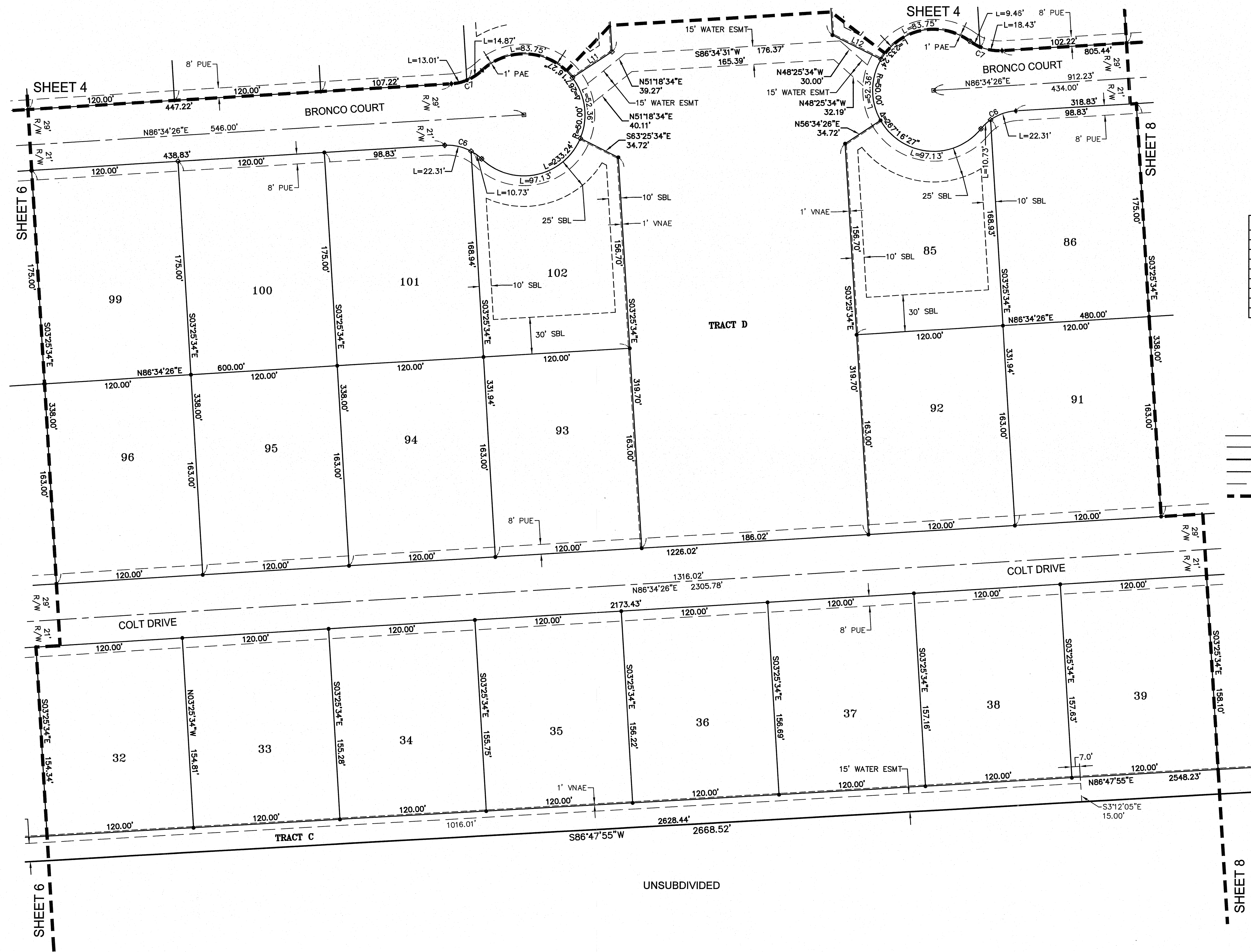
6051FP06.DWG

SHEET NO.
6

6 OF 8



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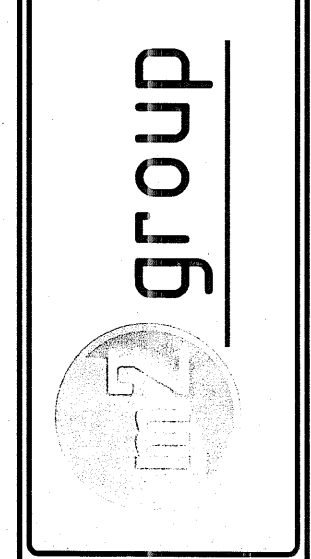
LINE TABLE		
LINE	BEARING	LENGTH
L1	S03°25'34"E	45.50'
L2	S03°25'34"E	5.51'
L3	S48°25'34"E	28.28'
L4	S41°34'26"W	28.28'
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L7	S48°25'34"E	11.31'
L8	S48°25'34"E	16.97'
L9	N48°25'34"W	4.69'
L10	N41°34'26"E	4.69'
L11	N56°34'26"E	38.72'
L12	S63°25'34"E	44.50'

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
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C5	27.89'	40.00'	39°56'40"
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LEGEND	
	MONUMENT LINE
	SUBDIVISION BOUNDARY
	INTERIOR PROPERTY LINE
	CENTERLINE
	MATCH LINE
	PEDESTRIAN ACCESS EASEMENT
	PUBLIC UTILITY EASEMENT
	WATER EASEMENT
	VEHICULAR NON-ACCESS EASEMENT
	LANDSCAPE EASEMENT
	RIGHT OF WAY
	MARICOPA COUNTY
	MARICOPA COUNTY RECORDER
	SIGHT VISIBILITY TRIANGLE
	SECTION QUARTER CORNER, AS NOTED
	CENTERLINE MONUMENT (BRASS CAP FLUSH; M.A.G. DTL. 120, TYPE B)
	CORNER OF SUBDIVISION (AS NOTED)

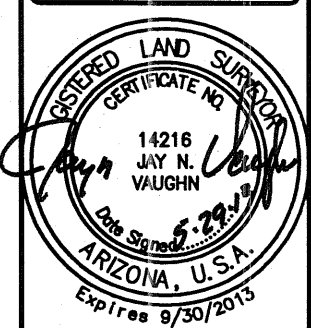
REVISIONS:

M2 Group, Inc.
 952 E. Baseline Road
 Suite 123
 Mesa, AZ 85204
 Tel: (480) 592-7497
 Fax: (480) 592-2510



FINAL PLAT
DORADA ESTATES
 QUEEN CREEK, ARIZONA

PROJECT:

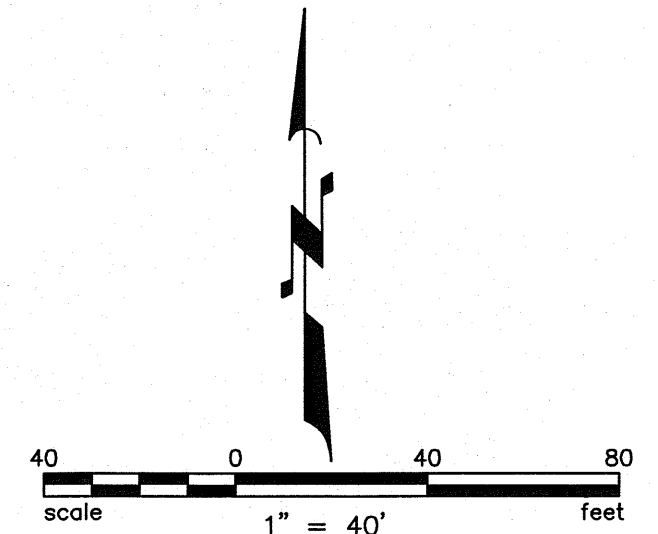


JOB NO.
12034TB

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SHEET NO.
7

7 OF 8





Requesting Department:
Development Services

TAB C

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

**FROM: CHRIS ANARADIAN, DEVELOPMENT SERVICES DIRECTOR;
WAYNE BALMER, PLANNING ADMINISTRATOR; DAVE WILLIAMS,
SENIOR PLANNER**

**RE: DISCUSSION AND POSSIBLE ACTION DR13-015 "RICHMOND
AMERICAN HOMES AT CRISMON HEIGHTS SUBDIVISION" A**
request by Richmond American Homes for approval of eight new floor
plans with three elevations each to be constructed on the 60 lots in the
Crismon Heights Subdivision located at the north of 218th Place and
Ocotillo Road.

DATE: JUNE 5, 2013

PLANNING & ZONING COMMISSION RECOMMENDATION

The Planning Commission recommended approval on the consent agenda DR13-015, Design Review for Crismon Heights by Richmond American Homes subject to the Conditions of Approval contained in this report.

STAFF RECOMMENDATION

Staff concurs with the Planning Commission's recommendation.

PROPOSED MOTION

Move to approve DR13-015, Design Review for Crismon Heights by Richmond American hHmes subject to the Conditions of Approval contained in this report.

RELEVANT COUNCIL GOAL

Corporate Strategic Plan – Key Result Area 7 - Objective 1: Maintain a balanced community.

General Plan - Land Use Element - Goal Number 3: Develop superior residential neighborhoods.

SUMMARY

The proposal consists of a request for approval of eight floor plans with three distinct elevations each to be built on the 60 lots in the Crismon Heights Subdivision. Architectural styles are Spanish, Craftsman and Italian. Floor plans range in size from 2,740 square feet to 4,019 square feet.

HISTORY

May 8, 2013 Planning Commission recommended approval of DR13-015, Crismon Heights by Richmond American Homes.

January 14, 2004 The Town Council approved rezoning case RZ10-03, Crismon Heights PAD.

DISCUSSION

Subdivision Information	
Project Name	Crismon Heights Subdivision
Site Location	North of 218th Place and Ocotillo Road
Current Zoning	R1-12 and R1-15 PAD
General Plan Designation	MDR (2-3 DU/AC)
Total Lots/Units	60
Density	2.24 DU/AC
Minimum Lot Width	110'
Minimum Lot Depth	120'
Minimum Lot Area	13,200 minimum square feet
Front Yard Setback	R1-12: 25' to garage face, 20' to non-garage face R1-15: 30' to garage face, 25' to non-garage face
Rear Yard Setback	25' (rear building setback shall be 25 feet for one story units and 25 feet for 2 story units that back onto any local or collector street frontage) (Same for R1-12 and R1-15)
Side Yard Setback	10' (20' min. between homes) (Same for R1-12 and R1-15)
Lot Coverage	35% for R1-12 and R1-15 (R1-12 only may increase to 40% with a qualifying front porch)

Design Review Request

Richmond American Homes is proposing to use eight different floor plans with three elevations each in this subdivision. The proposed architectural styles are Spanish, Craftsman and Italian. The homes range in size from 2,740 square feet to 4,019 square feet.

Three of the eight floor plans are models that were approved for Sossaman Estates, and are proposed for construction in Crismon Heights. There is significant lot dimensional differences between these two subdivisions providing for more owner added options in Crismon Heights in the form of detached garages and enhanced landscaping. Based on the differences between the subdivisions, staff supports the carry over between subdivisions.

The lot fit analysis shows that each lot is buildable with at least one floor plan.

All floor plans comply with the 40% garage percentage requirement.

All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant's request.

Richmond American Homes is providing 4 distinct paint schemes for each of the elevations in addition to 4 options for roof tile materials. Staff supports the proposed paint schemes and roofing materials.

Plan	Width of Home	Square Footage	Stories	Garage %
Devon	51'	2,740	2	39.7%
Harlan	60'	2,929	1	35%
Paisley	50'	3,305	2	40%
Peyton	50'	3,342	2	40%
Darin	50'	3,451	2	39.7%
Reagan	70'	3,504	1	26.4%
Reece	70'	3,744	1	N/A Car Court
Robert	70'	4,019	1	28.5%

ANALYSIS

General Plan Review: The project is located in the Medium Density Residential designation (2-3 DU/AC). This project has a built density of 2.24DU/AC which complies with the General Plan and a change in density is not being proposed.

Zoning Review: The zoning designation of the property is R1-12 and R1-15 PAD.

Design Review: The applicant is proposing eight new floor plans with three distinct elevations each. The styles are Spanish, Craftsman and Italian with square footages ranging from 2,470 square feet to 4,019 square feet. The design incorporates 360 degree architecture and is designed to complement the existing homes in this subdivision.

Landscape / Open Space / Fence Plan Review: There are no changes proposed to the landscape plan.

PUBLIC COMMENTS

Staff has received no comments on this proposal.

CONDITIONS OF APPROVAL

1. All standard plans shall provide a residential front yard landscape package.
2. All garage doors shall incorporate windows in the design.
3. Garage service doors shall be standard on all elevations.
4. Construction of the project shall conform to the exhibits presented in conjunction with this request and conditions stipulated by any and all applicable development agreements, and all subsequent amendments and/or resolutions.
5. Shutters shall be constructed using a faux-wood material such as NESCO or similar type product.
6. Wainscoting shall be extended to the return walls on applicable elevations.
7. The Harlan, Darin and Robert garages are to be built only as shown on the floor plan, not as shown on the plot plans.

ATTACHMENTS

1. Location Map
2. DR Book
3. DRAFT Minutes from the May 8, 2013 Planning Commission meeting



**MINUTES OF THE WORK STUDY MEETING
OF THE QUEEN CREEK PLANNING AND ZONING COMMISSION**

WHEN: WEDNESDAY, MAY 8, 2013

WHERE: TOWN HALL COUNCIL CHAMBERS

TIME: 6:00 p.m.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Queen Creek Planning and Zoning Commission and to the general public that the Queen Creek Planning and Zoning Commission will hold its Work Study Meeting open to the general public on **WEDNESDAY, MAY 8, 2013 AT 6:00 P.M.** in the Town Hall Council Chambers at 22350 South Ellsworth Road, Queen Creek, Arizona.

AGENDA

- 1. Call to Order:** The meeting was called to order at 6:02 p.m.
- 2. Roll Call** (one or more members of the Commission may participate by telephone)

PRESENT: Vice-Chairman Dr. Alex Kyle Gregory Ryan Alan
Steve Ingram Matheson Robinson Arrington Nichols Turley

ABSENT: Chairman Stephen Sossaman

STAFF: Wayne Balmer, Planning Administrator Dave Williams, Senior Planner
Sidney Urias, Planning Technician Laura Catanese, Senior Administrative Assistant

- 3. Discussion on TA13-014, School Parking Requirements, a staff initiated modification of Article 5.6 of the Zoning Ordinance regulating the required parking for elementary and junior high schools.** This item was introduced to the Commission at the April 10 meeting. On April 3 staff returned to the Town Council with an analysis of the parking requirements for the Town that included examples of neighboring communities. Based on this analysis, staff recommended that the Town modify the required parking for elementary and junior high schools from 1 space per classroom (plus 1 space for every 200 feet of floor area) to 1 parking space for every 300 square feet of floor area. The Council's direction was for staff to proceed with the proposed change.

QUESTIONS/COMMENTS FROM THE COMMISSION:

Commissioner Turley: Perhaps separate parking areas for parents and faculty would help alleviate vehicular congestion (during drop off/pick-up).

- 4. Discussion on SP13-016, "Maya Theater Complex", a site plan approval request by Maya Cinemas North America, Inc. for a 14 screen movie theater plus related retail and restaurant uses. The property is located on 20 acres of land north of Maya Road, South of Rittenhouse, east of Ellsworth Loop Road and west of Ellsworth Road, (north of McDonalds).**

A request for design review approval of the proposed site plan and elevations for the proposed Maya Theater Complex. The project is to be located on 19 acres currently owned by the Town of Queen Creek located north of Maya Boulevard and south of Rittenhouse Road, between the Ellsworth Loop Road and Ellsworth Road. The proposal contains a 14 screen theater, two restaurants, four retail buildings, and an 83 room hotel. The Town and Maya Theaters are currently negotiating the sale of the property for the proposed development. Maya Theaters may only build on a portion of the site. A full development plan was submitted (for the entire property), however, one that illustrates how the site could be developed to

accommodate a theater, a hotel, retail, and restaurants with a unified design theme (incorporating adequate parking, landscaping, and storm water retention into the design).

QUESTIONS/COMMENTS FROM THE COMMISSION

Commissioner Turley: Is there an advantage to the Town to have Maya Cinemas purchase the land as opposed to leasing it?

BALMER: Maya Cinema has asked to use some public funds to aid there proposed development. Council will need to determine if such use of public funds is for the good of the community and if it will offer a good return on investment.

- 5. Discussion on DR13-018, “K. Hovnanian Homes at Cielo Noche”, a design approval request from K. Hovnanian Homes for a second product line in Cielo Noche featuring 8 new floor plans with 3 elevations each. The property is located at the southwest corner of Queen Creek and Hawes roads.**
K. Hovnanian Homes is proposing to use 8 different floor plans with 3 elevations each in this subdivision. The proposed architectural styles are Ranch Hacienda, Craftsman and Cottage. The homes range in size from 2,892 square feet to 5,001 square feet. All floor plans comply with the 40% garage percentage requirement. All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant’s request. Single Story homes only to be built on lots 29 and 48-50. No more than 10 two-story homes be built along Queen Creek Road on lots 1-7, 108-116, and 121-130, with no more than 2 two story homes side-by-side.

QUESTIONS/COMMENTS FROM THE COMMISSION

Vice-Chairman Ingram: Is this a gated community?

BALMER: Yes, this is a gated community. In the past we have discussed stipulating that builders offer some distinctive feature on garages. All the garages in this proposal include windows on the front of the garage door.

Commissioner Arrington: This proposal contained some excellent (elevation) graphics, which really helped to better display the actual product.

- 6. Discussion on DR13-015 “Richmond American at Crismon Heights”, a design approval request from Richmond American Homes featuring 8 floor plans with 3 elevations each. The property is located at the northeast corner of Crismon & Ocotillo roads.**

Richmond American Homes is proposing to use 8 different floor plans with 3 elevations each in this subdivision. The proposed architectural styles are Spanish, Craftsman and Italian. The homes range in size from 2,740 square feet to 4,019 square feet. Three of the 8 floor plans are models that were approved for the Sossaman Estates are proposed for construction in Crismon Heights. There is significant lot dimensional differences between these two subdivisions providing for more owner added options in Crismon Heights in the form of detached garages and enhanced landscaping. Based on the differences between the subdivisions, staff supports the carry over between subdivisions.

The lot fit analysis shows that each lot is buildable with at least 1 floor plan. All floor plans comply with the 40% garage percentage requirement. All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant’s request. Richmond American Homes is providing 4 distinct paint schemes for each of the elevations in addition to 4 options for roof tile materials. Staff supports the proposed paint schemes and roofing materials. Garage service doors shall be standard on all elevations. Shutters shall be constructed using a faux-wood material such as NESCO or similar type product. The Harlan, Darin and Robert garages are to be built only as shown on the floor plan, not as shown on the plot plans.

QUESTIONS/COMMENTS FROM THE COMMISSION

Dave Williams, Senior Planner stated for the record that the 3-car garages shown on the design plans were grabbed from another subdivision schematic of Richmond American Homes. The product proposed for Queen Creek will have 2-car garages ONLY.

Commissioner Arrington: The roof depicted on design 35L seems overly massive for a 1-story home.

WILLIAMS: The product in design 35L will better allow use of solar panels and will allow for easier installation of the solar panels.

7. Discussion on DR13-017, “Toll Brothers@Vaquero Estates”, a design request approval from Dorado Builders on 112 lots featuring 6 floor plans with 3 elevations each. The property is located at the southeast corner of Recker and Chandler Heights roads.

Toll Brothers has decided to change the name of the subdivision from “Vaquero Estates” to “Dorada Estates” on the Final Plat, which is currently being processed for Council approval. Toll Brothers is proposing to use six different floor plans with three elevations each in this subdivision. The proposed architectural styles are Spanish, Andalusian and Craftsman. The homes range in size from 3,641 square feet to 5,180 square feet. All floor plans comply with the 40% garage percentage requirement. Staff has identified the lots along Ocotillo Road where 2 story homes will be limited to 1 in every 3 homes with no more than 2 two story homes side by side. All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant’s request.

QUESTIONS/COMMENTS FROM THE COMMISSION

Commissioner Matheson: What is the timetable for Ocotillo Road improvements west of Power Road?

BALMER: The timetable for the Ocotillo Road improvements is currently in discussion. The Town of Gilbert actually collected \$2,000,000 for the street improvements on the east side of the subdivision to Power Road, even though the actual street is in Queen Creek. The street improvements will not proceed west of Power Road.

ADMINISTRATIVE ITEMS

8. Recent activity update.

There will be a Commission & Committee training event on Tuesday, June 4. All Town Commission & Committee members are required to attend one of the upcoming sessions.

Commission & Committee Training (Tuesday, June 4, 2013)

Location: Council Chambers Session 1: 8:30AM to 11:30AM **OR:** Session 2: 6PM-9PM

Development Services Director, Chris Anaradian updated the Commission on the progress of the FY13-14 Budget process.

9. Review of June 12, 2013 agenda items.

	PROJECT	CASE #	P&Z	COUNCIL
1.	Harkins Theater QC Marketplace, next to Kohl’s	SP13-016	6/12	7/17
2.	Ryland Homes@La Sientiero: SWC Village Loop/Rittenhouse	DR13-XXX	6/12	7/17
3.	Cresleigh Homes@Hastings Farms NEC Ellsworth & Cloud	DR13-XXX	6/12	7/17
4.	Lennar Homes@Emperor Estates West NWC Emperor Blvd. & 198 th	DR13-XXX	6/12	7/17

10. Report of Town Council Action.

Council approved Ordinance 532-13/RZ13-0004/SD13-005/DR13-006 Quail Creek at the April 17 meeting.

11. Summary of Events from members of the Commission and Staff. *The Commission may not propose, discuss, deliberate or take action on any matter in the "summary" unless the specific matter is properly noticed on the Regular Session agenda.*

12. Adjournment: The meeting adjourned at 6:53 p.m.

MOTION: Commissioner Matheson
To adjourn.

2nd MOTION: Commissioner Turley

VOTE: All Ayes. Motion carried 6-0.

PLANNING AND ZONING COMMISSION

By: _____
Chairman Sossaman

ATTEST:

Laura Catanese, Senior Administrative Assistant

I, Laura Catanese, 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 8, 2013 Work Study of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 9th day of May 2013.

These are **DRAFT** minutes, which have not yet been approved. Passed and Approved this day of __/__/__



**MINUTES OF THE REGULAR SESSION MEETING OF THE QUEEN CREEK
PLANNING AND ZONING COMMISSION**

WHEN: WEDNESDAY MAY 8, 2013
WHERE: TOWN HALL COUNCIL CHAMBERS
TIME: 7:00 p.m.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Queen Creek Planning and Zoning Commission and to the general public that the Queen Creek Planning and Zoning Commission will hold its Regular Session Meeting open to the general public on **WEDNESDAY, MAY 8, 2013 AT 7:00 P.M.** in the Town Hall Council Chambers located at 22350 South Ellsworth Road, Queen Creek, Arizona.

AGENDA

1. **Call to Order:** The meeting was called to order at 7:03 p.m.
2. **Roll Call** (one or more members of the Commission may participate by telephone)

PRESENT:	Vice-Chairman	Dr. Alex	Kyle	Gregory	Ryan	Alan
	Steve Ingram	Matheson	Robinson	Arrington	Nichols	Turley

ABSENT: Chairman Stephen Sossaman

STAFF: Wayne Balmer, Planning Administrator Dave Williams, Senior Planner
Sidney Urias, Planning Technician Laura Catanese, Senior Administrative Assistant
3. **Public Comment:** There were no public comments.
4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote.
 - A. **Consideration and Possible Approval of the April 10, 2013 Minutes** (Work Study & Regular)
 - B. **Consideration and Possible Action on DR13-015, "Richmond American at Crismon Heights"**, a request for a design approval by Richmond American for eight (8) floor plans with three (3) elevations each. The property is located at the northeast corner of Crismon & Ocotillo roads.
 - C. **Consideration and Possible Action on DR13-018, "K.Hovanian Homes at Cielo Noche"**, a design request from K.Hovanian Homes for a second product line in Cielo Noche featuring 8 new floor plans with 3 elevations each. The property is located at the southeast corner of Queen Creek and Hawes roads.
 - D. **Consideration and Possible Action on DR13-017, Toll Brothers@Vaquero Estates**, a design request approval from Dorado Builders on 112 lots featuring six (6) floor plans with three (3) elevations each. The property is located at the southeast corner of Recker and Chandler Heights roads.

MOTION: Commissioner Robinson
To approve the Consent Agenda as presented.

2nd MOTION: Commissioner Matheson
VOTE: All Ayes. Motion carried 6-0.

PUBLIC HEARINGS:

5. **Discussion on SP13-016, “Maya Theater Complex”, a site plan approval request by Maya Cinemas North America, Inc. for a 14 screen movie theater plus related retail and restaurant uses. The property is located on 20 acres of land north of Maya Road, South of Rittenhouse, east of Ellsworth Loop Road and west of Ellsworth Road, (north of McDonalds).** (Presentation by Wayne Balmer)

A request for design review approval of the proposed site plan and elevations for the proposed Maya Theater Complex. The project is to be located on 19 acres currently owned by the Town of Queen Creek located north of Maya Boulevard and south of Rittenhouse Road, between the Ellsworth Loop Road and Ellsworth Road. The proposal contains a 14 screen theater, two restaurants, four retail buildings, and an 83 room hotel. The Town and Maya Theaters are currently negotiating the sale of the property for the proposed development. Maya Theaters may only build on a portion of the site. They were asked to provide a development plan for the entire property, one that illustrates how the site could be developed to accommodate a theater, a hotel, retail, and restaurants as a cohesive development with a unified design theme (incorporating adequate parking, landscaping, and storm water retention into the design).

The site plan reflects an “entertainment district” concept with five retail/restaurant buildings surrounding a central pedestrian open space mall extending from the front of the theater. The open space incorporates a central landscaped area/and or water feature as a design element. Access to the pedestrian spine will be reflected in the design of the adjacent buildings. The theater building is proposed as “modern agricultural,” and includes a standing seam metal roof at the main entrance. Vertical columns are provided for accents on walls visible to the public and an art piece will be provided in the open space mall reflecting the architecture of the building. Restaurant and retail uses are incorporated into the southeast corner of the theater building. The landscaping for the project reflects a xeriscape theme, incorporating trees and shrubs on the Town’s approved plant list. The additional building shown on the site plan will be designed to incorporate the “modern agricultural” design theme and will be reviewed by staff for consistency at the time they are submitted for a building permit.

PUBLIC HEARING

No “Request to Speak Cards” were received.

MOTION: Commissioner Robinson

To approve SP13-016, “Maya Theater Complex” as recommended by staff presented, with an additional stipulation for “Non-vehicular and pedestrian access to the complex from Ellsworth Road to be improved by extension of a linkage to the southeast corner of the site”.

2nd MOTION: Commissioner Turley

VOTE: All Ayes. Motion carried 6-0.

6. **Consideration and Possible Action on TA13-014, School Parking Requirements, a staff initiated modification of Article 5.6 of the Zoning Ordinance regulating the required parking for elementary and junior high schools.**

Four (4) new schools are either planned or under construction in Queen Creek. They include:

- Benjamin Franklin Elementary & Junior High School (Charter)
- Benjamin Franklin High School (Charter)
- Higley Junior High School (Public))
- American Leadership Academy (school expansion)

Construction is a particular concern with regard to Town school parking requirements. The Town requires more parking for schools than any of our surrounding communities. This concern was

brought to the Town Council on March 6, and staff was asked to research the issue, review possible options for change, and provide the Council with a recommendation.

The Town’s parking requirement for elementary and junior high schools is substantially greater than other communities, and requires more parking for elementary schools per square foot than for high schools. Each type of school requires 1 space per 200 square feet, but elementary schools have an additional requirement of 1 space per classroom. Parking requirements for high schools matches Mesa and Chandler, but is still higher than Gilbert and Tempe. Adequate parking for daily activities is necessary but special consideration is also needed to accommodate special events which occur on a regular basis. Additionally, the parking area must also provide adequate space for bus circulation and pickups/drop-offs, queuing space for parent pickup/drop-offs, student parking for high schools, areas for bus and service vehicle parking, etc.

On April 3 staff returned to the Town Council with an analysis of the parking requirements for the Town that included examples of neighboring communities. Based on this analysis, staff recommended that the Town modify the required parking for elementary and junior high schools from 1 space per classroom (plus 1 space for every 200 feet of floor area) to 1 parking space for every 300 square feet of floor area. The Council’s direction was for staff to proceed with the proposed change.

PUBLIC HEARING

No “Request to Speak Cards” were received.

MOTION: Commissioner Turley

To approve TA13-014, “School Parking Requirements” as recommended by staff.

2nd MOTION: Commissioner Matheson

VOTE: All Ayes. Motion carried 6-0.

ADMINISTRATIVE ITEMS

- 7. Review of June 12, 2013 agenda items.**
- 8. Report of Town Council Action.**
- 9. Summary of Events from members of the Commission and Staff.** The Commission may not propose, discuss, deliberate or take action on any matter in the “summary” unless the specific matter is properly noticed on the Regular Session agenda.
- 10. Adjournment:** The meeting adjourned at 7:37 p.m.

PLANNING AND ZONING COMMISSION

By: _____
Chairman Sossaman

ATTEST:

Laura Catanese, Senior Administrative Assistant

I, Laura Catanese, 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 8, 2013 Regular Session of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 9th day of May 2013.

These are **DRAFT** minutes, which have not yet been approved. Passed and Approved this day of __/__/__



Requesting Department:
Development Services

TAB D

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

**FROM: CHRIS ANARADIAN, DEVELOPMENT SERVICES DIRECTOR;
WAYNE BALMER, PLANNING ADMINISTRATOR; DAVE WILLIAMS,
SENIOR PLANNER**

**RE: DISCUSSION AND POSSIBLE ACTION DR13-017 "TOLL BROTHERS
AT DORADA SUBDIVISION, A request by Toll Brothers for approval of
six new floor plans with three elevations each to be constructed on the
112 lots in the Dorada Subdivision, (formerly called Vaquero Estates)
located at the southeast corner of Recker and Ocotillo roads.**

DATE: June 5, 2013

PLANNING & ZONING COMMISSION RECOMMENDATION

The Planning Commission recommended approval on the consent agenda DR13-017, Design Review for Toll Brothers at Dorada Subdivision (Formerly known as Vaquero Estates) subject to the Conditions of Approval contained in this report.

STAFF RECOMMENDATION

Staff concurs with the Planning Commission's recommendation.

PROPOSED MOTION

Move to approve DR13-017, Design Review for Toll Brothers at Dorada Subdivision (Formerly known as Vaquero Estates) subject to the Conditions of Approval.

RELEVANT COUNCIL GOAL

Corporate Strategic Plan – Key Result Area 7 - Objective 1: Maintain a balanced community.

General Plan - Land Use Element - Goal Number 3: Develop superior residential neighborhoods.

SUMMARY

The proposal consists of a request for approval of six floor plans with three distinct elevations each to be built on the 112 lots in the Dorada Subdivision. Architectural styles are Spanish, Andalusian and Craftsman. Floor plans range in size from 2,916 square feet to 4,332 square feet.

HISTORY

May 8, 2013 Planning Commission recommended approval of DR 13-017 Dorada Subdivision.

February 15, 2006 Town Council approved Rezoning RZ13-03, Subdivision SD 10-03 and Ordinance 335-06 for the Vaquero Estates Subdivision.

DISCUSSION

Subdivision Information	
Project Name	Dorada Subdivision
Site Location	Southeast corner of Recker Road and Ocotillo Roads
Current Zoning	R1-18
General Plan Designation	LDR (0-2 DU/AC)
Total Lots/Units	112 (Unit 2)
Density	1.37 DU/AC
Minimum Lot Width	120'
Minimum Lot Depth	175'
Minimum Lot Area	18,000 minimum square feet
Front Yard Setback	25'
Rear Yard Setback	30'
Side Yard Setback	10'
Lot Coverage Current	35%

Design Review Request

Note, the applicant is changing the name of the subdivision from Vaquero Estates to Dorada on the Final Plat currently being process and to be approved by the Town Council on the June 5, 2013 agenda.

Toll Brothers is proposing to use six different floor plans with three elevations each in this subdivision. The proposed architectural styles are Spanish, Andalusian and Craftsman. The homes range in size from 3,641 square feet to 5,180 square feet.

All floor plans comply with the 40% garage percentage requirement.

Staff has identified the lots along Ocotillo Road where 2 story homes will be limited to 1 in every 3 homes with no more than 2 two story homes side by side.

All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant's request.

Plan	Square Footage	Stories
Costellana	3,641	1
Audora	3,711	1
Aracena	3,824	1
Catolonia	4,196	2
Verandah	4,858	2
Palomar	5,180	2

ANALYSIS

General Plan Review: The project is located in the Low Density Residential designation (0-2 DU/AC). This project has a built density of 1.37 DU/AC which complies with the General Plan and a change in density is not being proposed.

Zoning Review: The zoning designation of the property is R1-18 PAD.

Design Review: The applicant is proposing six new floor plans with three distinct elevations each. The styles are Spanish, Andalusian and Craftsman with square footages ranging from 3,641 square feet to 5,180 square feet. The design incorporates 360 degree architecture and is designed to complement the existing homes in this subdivision.

Landscape / Open Space / Fence Plan Review: There are no changes proposed to the landscape plan.

PUBLIC COMMENTS

Staff has received no comments on this proposal.

CONDITIONS OF APPROVAL

1. Developer shall provide a minimum residential front yard landscape package (Or equivalent credit) to the buyer of the property with landscaping to be installed no later than 90 days from Certificate of Occupancy being issued from the Town of Queen Creek. Town staff to approve the minimum landscape package prior to issuance of the model home building permit.
2. All garage doors shall incorporate windows in the design.
3. Service doors from the primary garage shall be included as a standard design element.
4. Construction of the project shall conform to the exhibits presented in conjunction with this request and conditions stipulated by any and all applicable development agreements, and all subsequent amendments and/or resolutions.
5. Shutters shall be constructed using a faux-wood material such as NESCO or similar type product.
6. Wainscoting shall be extended to the return walls on applicable elevations.
7. Costellena plan to utilize a side entry garage only.
8. No more than 1 in 3 homes backing Ocotillo Road shall be two story with no more than 2 two-story homes side by side. (Lots 1 to 10 and 60 to 68)

ATTACHMENTS

1. Location Map
2. DR Book
3. Draft minutes from the Planning Commission on 5/8/2013.



**MINUTES OF THE WORK STUDY MEETING
OF THE QUEEN CREEK PLANNING AND ZONING COMMISSION**

WHEN: WEDNESDAY, MAY 8, 2013

WHERE: TOWN HALL COUNCIL CHAMBERS

TIME: 6:00 p.m.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Queen Creek Planning and Zoning Commission and to the general public that the Queen Creek Planning and Zoning Commission will hold its Work Study Meeting open to the general public on **WEDNESDAY, MAY 8, 2013 AT 6:00 P.M.** in the Town Hall Council Chambers at 22350 South Ellsworth Road, Queen Creek, Arizona.

AGENDA

- 1. Call to Order:** The meeting was called to order at 6:02 p.m.
- 2. Roll Call** (one or more members of the Commission may participate by telephone)

PRESENT: Vice-Chairman Dr. Alex Kyle Gregory Ryan Alan
Steve Ingram Matheson Robinson Arrington Nichols Turley

ABSENT: Chairman Stephen Sossaman

STAFF: Wayne Balmer, Planning Administrator Dave Williams, Senior Planner
Sidney Urias, Planning Technician Laura Catanese, Senior Administrative Assistant

- 3. Discussion on TA13-014, School Parking Requirements, a staff initiated modification of Article 5.6 of the Zoning Ordinance regulating the required parking for elementary and junior high schools.** This item was introduced to the Commission at the April 10 meeting. On April 3 staff returned to the Town Council with an analysis of the parking requirements for the Town that included examples of neighboring communities. Based on this analysis, staff recommended that the Town modify the required parking for elementary and junior high schools from 1 space per classroom (plus 1 space for every 200 feet of floor area) to 1 parking space for every 300 square feet of floor area. The Council's direction was for staff to proceed with the proposed change.

QUESTIONS/COMMENTS FROM THE COMMISSION:

Commissioner Turley: Perhaps separate parking areas for parents and faculty would help alleviate vehicular congestion (during drop off/pick-up).

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accommodate a theater, a hotel, retail, and restaurants with a unified design theme (incorporating adequate parking, landscaping, and storm water retention into the design).

QUESTIONS/COMMENTS FROM THE COMMISSION

Commissioner Turley: Is there an advantage to the Town to have Maya Cinemas purchase the land as opposed to leasing it?

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QUESTIONS/COMMENTS FROM THE COMMISSION

Vice-Chairman Ingram: Is this a gated community?

BALMER: Yes, this is a gated community. In the past we have discussed stipulating that builders offer some distinctive feature on garages. All the garages in this proposal include windows on the front of the garage door.

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Richmond American Homes is proposing to use 8 different floor plans with 3 elevations each in this subdivision. The proposed architectural styles are Spanish, Craftsman and Italian. The homes range in size from 2,740 square feet to 4,019 square feet. Three of the 8 floor plans are models that were approved for the Sossaman Estates are proposed for construction in Crismon Heights. There is significant lot dimensional differences between these two subdivisions providing for more owner added options in Crismon Heights in the form of detached garages and enhanced landscaping. Based on the differences between the subdivisions, staff supports the carry over between subdivisions.

The lot fit analysis shows that each lot is buildable with at least 1 floor plan. All floor plans comply with the 40% garage percentage requirement. All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant’s request. Richmond American Homes is providing 4 distinct paint schemes for each of the elevations in addition to 4 options for roof tile materials. Staff supports the proposed paint schemes and roofing materials. Garage service doors shall be standard on all elevations. Shutters shall be constructed using a faux-wood material such as NESCO or similar type product. The Harlan, Darin and Robert garages are to be built only as shown on the floor plan, not as shown on the plot plans.

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WILLIAMS: The product in design 35L will better allow use of solar panels and will allow for easier installation of the solar panels.

7. Discussion on DR13-017, “Toll Brothers@Vaquero Estates”, a design request approval from Dorado Builders on 112 lots featuring 6 floor plans with 3 elevations each. The property is located at the southeast corner of Recker and Chandler Heights roads.

Toll Brothers has decided to change the name of the subdivision from “Vaquero Estates” to “Dorada Estates” on the Final Plat, which is currently being processed for Council approval. Toll Brothers is proposing to use six different floor plans with three elevations each in this subdivision. The proposed architectural styles are Spanish, Andalusian and Craftsman. The homes range in size from 3,641 square feet to 5,180 square feet. All floor plans comply with the 40% garage percentage requirement. Staff has identified the lots along Ocotillo Road where 2 story homes will be limited to 1 in every 3 homes with no more than 2 two story homes side by side. All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant’s request.

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ADMINISTRATIVE ITEMS

8. Recent activity update.

There will be a Commission & Committee training event on Tuesday, June 4. All Town Commission & Committee members are required to attend one of the upcoming sessions.

Commission & Committee Training (Tuesday, June 4, 2013)

Location: Council Chambers Session 1: 8:30AM to 11:30AM **OR:** Session 2: 6PM-9PM

Development Services Director, Chris Anaradian updated the Commission on the progress of the FY13-14 Budget process.

9. Review of June 12, 2013 agenda items.

	PROJECT	CASE #	P&Z	COUNCIL
1.	Harkins Theater QC Marketplace, next to Kohl’s	SP13-016	6/12	7/17
2.	Ryland Homes@La Sientiero: SWC Village Loop/Rittenhouse	DR13-XXX	6/12	7/17
3.	Cresleigh Homes@Hastings Farms NEC Ellsworth & Cloud	DR13-XXX	6/12	7/17
4.	Lennar Homes@Emperor Estates West NWC Emperor Blvd. & 198 th	DR13-XXX	6/12	7/17

10. Report of Town Council Action.

Council approved Ordinance 532-13/RZ13-0004/SD13-005/DR13-006 Quail Creek at the April 17 meeting.

11. Summary of Events from members of the Commission and Staff. *The Commission may not propose, discuss, deliberate or take action on any matter in the "summary" unless the specific matter is properly noticed on the Regular Session agenda.*

12. Adjournment: The meeting adjourned at 6:53 p.m.

MOTION: Commissioner Matheson
To adjourn.

2nd MOTION: Commissioner Turley

VOTE: All Ayes. Motion carried 6-0.

PLANNING AND ZONING COMMISSION

By: _____
Chairman Sossaman

ATTEST:

Laura Catanese, Senior Administrative Assistant

I, Laura Catanese, 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 8, 2013 Work Study of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 9th day of May 2013.

These are **DRAFT** minutes, which have not yet been approved. Passed and Approved this day of __/__/__



**MINUTES OF THE REGULAR SESSION MEETING OF THE QUEEN CREEK
PLANNING AND ZONING COMMISSION**

WHEN: WEDNESDAY MAY 8, 2013
WHERE: TOWN HALL COUNCIL CHAMBERS
TIME: 7:00 p.m.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Queen Creek Planning and Zoning Commission and to the general public that the Queen Creek Planning and Zoning Commission will hold its Regular Session Meeting open to the general public on **WEDNESDAY, MAY 8, 2013 AT 7:00 P.M.** in the Town Hall Council Chambers located at 22350 South Ellsworth Road, Queen Creek, Arizona.

AGENDA

1. **Call to Order:** The meeting was called to order at 7:03 p.m.
2. **Roll Call** (one or more members of the Commission may participate by telephone)

PRESENT:	Vice-Chairman	Dr. Alex	Kyle	Gregory	Ryan	Alan
	Steve Ingram	Matheson	Robinson	Arrington	Nichols	Turley

ABSENT: Chairman Stephen Sossaman

STAFF: Wayne Balmer, Planning Administrator Dave Williams, Senior Planner
Sidney Urias, Planning Technician Laura Catanese, Senior Administrative Assistant
3. **Public Comment:** There were no public comments.
4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote.
 - A. **Consideration and Possible Approval of the April 10, 2013 Minutes** (Work Study & Regular)
 - B. **Consideration and Possible Action on DR13-015, “Richmond American at Crismon Heights”**, a request for a design approval by Richmond American for eight (8) floor plans with three (3) elevations each. The property is located at the northeast corner of Crismon & Ocotillo roads.
 - C. **Consideration and Possible Action on DR13-018, “K.Hovanian Homes at Cielo Noche”**, a design request from K.Hovanian Homes for a second product line in Cielo Noche featuring 8 new floor plans with 3 elevations each. The property is located at the southeast corner of Queen Creek and Hawes roads.
 - D. **Consideration and Possible Action on DR13-017, Toll Brothers@Vaquero Estates**, a design request approval from Dorado Builders on 112 lots featuring six (6) floor plans with three (3) elevations each. The property is located at the southeast corner of Recker and Chandler Heights roads.

MOTION: Commissioner Robinson
To approve the Consent Agenda as presented.

2nd MOTION: Commissioner Matheson
VOTE: All Ayes. Motion carried 6-0.

PUBLIC HEARINGS:

5. **Discussion on SP13-016, “Maya Theater Complex”, a site plan approval request by Maya Cinemas North America, Inc. for a 14 screen movie theater plus related retail and restaurant uses. The property is located on 20 acres of land north of Maya Road, South of Rittenhouse, east of Ellsworth Loop Road and west of Ellsworth Road, (north of McDonalds).** (Presentation by Wayne Balmer)

A request for design review approval of the proposed site plan and elevations for the proposed Maya Theater Complex. The project is to be located on 19 acres currently owned by the Town of Queen Creek located north of Maya Boulevard and south of Rittenhouse Road, between the Ellsworth Loop Road and Ellsworth Road. The proposal contains a 14 screen theater, two restaurants, four retail buildings, and an 83 room hotel. The Town and Maya Theaters are currently negotiating the sale of the property for the proposed development. Maya Theaters may only build on a portion of the site. They were asked to provide a development plan for the entire property, one that illustrates how the site could be developed to accommodate a theater, a hotel, retail, and restaurants as a cohesive development with a unified design theme (incorporating adequate parking, landscaping, and storm water retention into the design).

The site plan reflects an “entertainment district” concept with five retail/restaurant buildings surrounding a central pedestrian open space mall extending from the front of the theater. The open space incorporates a central landscaped area/and or water feature as a design element. Access to the pedestrian spine will be reflected in the design of the adjacent buildings. The theater building is proposed as “modern agricultural,” and includes a standing seam metal roof at the main entrance. Vertical columns are provided for accents on walls visible to the public and an art piece will be provided in the open space mall reflecting the architecture of the building. Restaurant and retail uses are incorporated into the southeast corner of the theater building. The landscaping for the project reflects a xeriscape theme, incorporating trees and shrubs on the Town’s approved plant list. The additional building shown on the site plan will be designed to incorporate the “modern agricultural” design theme and will be reviewed by staff for consistency at the time they are submitted for a building permit.

PUBLIC HEARING

No “Request to Speak Cards” were received.

MOTION: Commissioner Robinson

To approve SP13-016, “Maya Theater Complex” as recommended by staff presented, with an additional stipulation for “Non-vehicular and pedestrian access to the complex from Ellsworth Road to be improved by extension of a linkage to the southeast corner of the site”.

2nd MOTION: Commissioner Turley

VOTE: All Ayes. Motion carried 6-0.

6. **Consideration and Possible Action on TA13-014, School Parking Requirements, a staff initiated modification of Article 5.6 of the Zoning Ordinance regulating the required parking for elementary and junior high schools.**

Four (4) new schools are either planned or under construction in Queen Creek. They include:

- Benjamin Franklin Elementary & Junior High School (Charter)
- Benjamin Franklin High School (Charter)
- Higley Junior High School (Public))
- American Leadership Academy (school expansion)

Construction is a particular concern with regard to Town school parking requirements. The Town requires more parking for schools than any of our surrounding communities. This concern was

brought to the Town Council on March 6, and staff was asked to research the issue, review possible options for change, and provide the Council with a recommendation.

The Town’s parking requirement for elementary and junior high schools is substantially greater than other communities, and requires more parking for elementary schools per square foot than for high schools. Each type of school requires 1 space per 200 square feet, but elementary schools have an additional requirement of 1 space per classroom. Parking requirements for high schools matches Mesa and Chandler, but is still higher than Gilbert and Tempe. Adequate parking for daily activities is necessary but special consideration is also needed to accommodate special events which occur on a regular basis. Additionally, the parking area must also provide adequate space for bus circulation and pickups/drop-offs, queuing space for parent pickup/drop-offs, student parking for high schools, areas for bus and service vehicle parking, etc.

On April 3 staff returned to the Town Council with an analysis of the parking requirements for the Town that included examples of neighboring communities. Based on this analysis, staff recommended that the Town modify the required parking for elementary and junior high schools from 1 space per classroom (plus 1 space for every 200 feet of floor area) to 1 parking space for every 300 square feet of floor area. The Council’s direction was for staff to proceed with the proposed change.

PUBLIC HEARING

No “Request to Speak Cards” were received.

MOTION: Commissioner Turley

To approve TA13-014, “School Parking Requirements” as recommended by staff.

2nd MOTION: Commissioner Matheson

VOTE: All Ayes. Motion carried 6-0.

ADMINISTRATIVE ITEMS

- 7. Review of June 12, 2013 agenda items.**
- 8. Report of Town Council Action.**
- 9. Summary of Events from members of the Commission and Staff.** The Commission may not propose, discuss, deliberate or take action on any matter in the “summary” unless the specific matter is properly noticed on the Regular Session agenda.
- 10. Adjournment:** The meeting adjourned at 7:37 p.m.

PLANNING AND ZONING COMMISSION

By: _____
Chairman Sossaman

ATTEST:

Laura Catanese, Senior Administrative Assistant

I, Laura Catanese, 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 8, 2013 Regular Session of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 9th day of May 2013.

These are **DRAFT** minutes, which have not yet been approved. Passed and Approved this day of __/__/__



Requesting Department:
Development Services

TAB E

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

**FROM: CHRIS ANARADIAN, DEVELOPMENT SERVICES DIRECTOR;
WAYNE BALMER, PLANNING ADMINISTRATOR; DAVE WILLIAMS,
SENIOR PLANNER**

**RE: DISCUSSION AND POSSIBLE ACTION DR13-018 "K. HOVNANIAN
HOMES AT CIELO NOCHE SUBDIVISION, 2nd DESIGN REVIEW" A
request by K. Hovnanian Homes for approval of eight new floor plans
with three elevations each to be constructed on the 164 lots in the Cielo
Noche Subdivision located at the southwest corner of Hawes and Queen
Creek roads.**

DATE: JUNE 5, 2013

PLANNING & ZONING COMMISSION RECOMMENDATION

The Planning Commission recommended approval on the consent agenda DR13-018, Design Review for Cielo Noche by K. Hovnanian Homes subject to the Conditions of Approval contained in this report.

STAFF RECOMMENDATION

Staff concurs with the Planning Commission's recommendation.

PROPOSED MOTION

Move to approve DR13-018, Design Review for Cielo Noche by K. Hovnanian Homes subject to the Conditions of Approval contained in this report.

RELEVANT COUNCIL GOAL

Corporate Strategic Plan – Key Result Area 7 - Objective 1: Maintain a balanced community.

General Plan - Land Use Element - Goal Number 3: Develop superior residential neighborhoods.

SUMMARY

The proposal consists of a request for approval of eight floor plans with three distinct elevations each to be built on the 164 lots in the Cielo Noche Subdivision. Architectural styles are Ranch Hacienda, Craftsman and Cottage. Floor plans range in size from 2,892 square feet to 5,001 square feet.

HISTORY

May 8, 2013	Planning Commission recommended approval of DR13-018 K. Hovnanian Homes at Cielo Noche.
October 3, 2012	Town Council approved Ordinance 519-12 for Cielo Noche Subdivision, Rezoning and Design Review.

DISCUSSION

Subdivision Information	
Project Name	Cielo Noche Subdivision
Site Location	Southwest corner of Hawes Road and Queen Creek Ocotillo Road
Current Zoning	R1-7 PAD
General Plan Designation	MDR (2-3 DU/AC)
Total Lots/Units	164
Density	2.6 DU/AC
Minimum Lot Width	65'
Minimum Lot Depth	125'
Minimum Lot Area	8,125 minimum square feet
Front Yard Setback	20' front entry garage, 15' livable and Side Entry Garage
Rear Yard Setback	25'
Side Yard Setback	5' minimum.
Lot Coverage Current	40%, (45% with qualifying front porch)

Design Review Request

K. Hovnanian Homes is proposing to use eight different floor plans with three elevations each in this subdivision. The proposed architectural styles are Ranch Hacienda, Craftsman and Cottage. The homes range in size from 2,892 square feet to 5,001 square feet.

All floor plans comply with the 40% garage percentage requirement.

All of the homes comply with the 360 degree architecture criteria in addition to the residential design guidelines. Staff supports the applicant's request.

Plan	Square Footage	Stories
5081	3,034	2
5082	3,822	2
6001	2,892	1
6002	3,122	1
6003	3,290	1
6004	3,385	1
6005	4,393	2
6006	5,001	2

ANALYSIS

General Plan Review: The project is located in the Medium Density Residential designation (2-3 DU/AC). This project has a built density of 2.6 DU/AC which complies with the General Plan and a change in density is not being proposed.

Zoning Review: The zoning designation of the property is R1-7 PAD

Design Review: The applicant is proposing eight new floor plans with three distinct elevations each. The proposed architectural styles are Ranch Hacienda, Craftsman and Cottage. The homes range in size from 2,892 square feet to 5,001 square feet. The design incorporates 360 degree architecture and is designed to complement the existing homes in this subdivision.

Landscape / Open Space / Fence Plan Review: There are no changes proposed to the landscape plan.

PUBLIC COMMENTS

Staff has received no comments on this proposal.

CONDITIONS OF APPROVAL

1. Front yard landscape package shall be provided for all homes.
2. All garage doors shall incorporate windows in the design.
3. Garage service doors to be standard on all primary garages.
4. Construction of the project shall conform to the exhibits presented in conjunction with this request and conditions stipulated by any and all applicable development agreements, and all subsequent amendments and/or resolutions.

5. Shutters shall be constructed using a faux-wood material such as NESCO or similar type product.
6. Wainscoting shall be extended to the return walls on applicable elevations.
7. Single Story homes only to be built on lots 29 and 48-50.
8. No more than 10 two-story homes be built along Queen Creek Road on lots 1-7, 108-116, and 121-130, with no more than two (2) two-story homes side-by-side.

ATTACHMENTS

1. Location Map
2. DR Book
3. DRAFT Minutes from the May 8, 2013 Planning Commission meeting



**MINUTES OF THE WORK STUDY MEETING
OF THE QUEEN CREEK PLANNING AND ZONING COMMISSION**

WHEN: WEDNESDAY, MAY 8, 2013

WHERE: TOWN HALL COUNCIL CHAMBERS

TIME: 6:00 p.m.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Queen Creek Planning and Zoning Commission and to the general public that the Queen Creek Planning and Zoning Commission will hold its Work Study Meeting open to the general public on **WEDNESDAY, MAY 8, 2013 AT 6:00 P.M.** in the Town Hall Council Chambers at 22350 South Ellsworth Road, Queen Creek, Arizona.

AGENDA

1. **Call to Order:** The meeting was called to order at 6:02 p.m.
2. **Roll Call** (one or more members of the Commission may participate by telephone)

PRESENT: Vice-Chairman Dr. Alex Kyle Gregory Ryan Alan
Steve Ingram Matheson Robinson Arrington Nichols Turley

ABSENT: Chairman Stephen Sossaman

STAFF: Wayne Balmer, Planning Administrator Dave Williams, Senior Planner
Sidney Urias, Planning Technician Laura Catanese, Senior Administrative Assistant

3. **Discussion on TA13-014, School Parking Requirements, a staff initiated modification of Article 5.6 of the Zoning Ordinance regulating the required parking for elementary and junior high schools.** This item was introduced to the Commission at the April 10 meeting. On April 3 staff returned to the Town Council with an analysis of the parking requirements for the Town that included examples of neighboring communities. Based on this analysis, staff recommended that the Town modify the required parking for elementary and junior high schools from 1 space per classroom (plus 1 space for every 200 feet of floor area) to 1 parking space for every 300 square feet of floor area. The Council's direction was for staff to proceed with the proposed change.

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11. Summary of Events from members of the Commission and Staff. *The Commission may not propose, discuss, deliberate or take action on any matter in the "summary" unless the specific matter is properly noticed on the Regular Session agenda.*

12. Adjournment: The meeting adjourned at 6:53 p.m.

MOTION: Commissioner Matheson
To adjourn.

2nd MOTION: Commissioner Turley

VOTE: All Ayes. Motion carried 6-0.

PLANNING AND ZONING COMMISSION

By: _____
Chairman Sossaman

ATTEST:

Laura Catanese, Senior Administrative Assistant

I, Laura Catanese, 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 8, 2013 Work Study of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 9th day of May 2013.

These are **DRAFT** minutes, which have not yet been approved. Passed and Approved this day of __/__/__



**MINUTES OF THE REGULAR SESSION MEETING OF THE QUEEN CREEK
PLANNING AND ZONING COMMISSION**

WHEN: WEDNESDAY MAY 8, 2013
WHERE: TOWN HALL COUNCIL CHAMBERS
TIME: 7:00 p.m.

Pursuant to A.R.S. 38-431.02, notice is hereby given to the members of the Queen Creek Planning and Zoning Commission and to the general public that the Queen Creek Planning and Zoning Commission will hold its Regular Session Meeting open to the general public on **WEDNESDAY, MAY 8, 2013 AT 7:00 P.M.** in the Town Hall Council Chambers located at 22350 South Ellsworth Road, Queen Creek, Arizona.

AGENDA

1. **Call to Order:** The meeting was called to order at 7:03 p.m.
2. **Roll Call** (one or more members of the Commission may participate by telephone)

PRESENT:	Vice-Chairman	Dr. Alex	Kyle	Gregory	Ryan	Alan
	Steve Ingram	Matheson	Robinson	Arrington	Nichols	Turley

ABSENT: Chairman Stephen Sossaman

STAFF: Wayne Balmer, Planning Administrator Dave Williams, Senior Planner
Sidney Urias, Planning Technician Laura Catanese, Senior Administrative Assistant
3. **Public Comment:** There were no public comments.
4. **Consent Agenda:** Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote.
 - A. **Consideration and Possible Approval of the April 10, 2013 Minutes** (Work Study & Regular)
 - B. **Consideration and Possible Action on DR13-015, "Richmond American at Crismon Heights"**, a request for a design approval by Richmond American for eight (8) floor plans with three (3) elevations each. The property is located at the northeast corner of Crismon & Ocotillo roads.
 - C. **Consideration and Possible Action on DR13-018, "K.Hovanian Homes at Cielo Noche"**, a design request from K.Hovanian Homes for a second product line in Cielo Noche featuring 8 new floor plans with 3 elevations each. The property is located at the southeast corner of Queen Creek and Hawes roads.
 - D. **Consideration and Possible Action on DR13-017, Toll Brothers@Vaquero Estates**, a design request approval from Dorado Builders on 112 lots featuring six (6) floor plans with three (3) elevations each. The property is located at the southeast corner of Recker and Chandler Heights roads.

MOTION: Commissioner Robinson
To approve the Consent Agenda as presented.

2nd MOTION: Commissioner Matheson
VOTE: All Ayes. Motion carried 6-0.

PUBLIC HEARINGS:

5. **Discussion on SP13-016, “Maya Theater Complex”, a site plan approval request by Maya Cinemas North America, Inc. for a 14 screen movie theater plus related retail and restaurant uses. The property is located on 20 acres of land north of Maya Road, South of Rittenhouse, east of Ellsworth Loop Road and west of Ellsworth Road, (north of McDonalds).** (Presentation by Wayne Balmer)

A request for design review approval of the proposed site plan and elevations for the proposed Maya Theater Complex. The project is to be located on 19 acres currently owned by the Town of Queen Creek located north of Maya Boulevard and south of Rittenhouse Road, between the Ellsworth Loop Road and Ellsworth Road. The proposal contains a 14 screen theater, two restaurants, four retail buildings, and an 83 room hotel. The Town and Maya Theaters are currently negotiating the sale of the property for the proposed development. Maya Theaters may only build on a portion of the site. They were asked to provide a development plan for the entire property, one that illustrates how the site could be developed to accommodate a theater, a hotel, retail, and restaurants as a cohesive development with a unified design theme (incorporating adequate parking, landscaping, and storm water retention into the design).

The site plan reflects an “entertainment district” concept with five retail/restaurant buildings surrounding a central pedestrian open space mall extending from the front of the theater. The open space incorporates a central landscaped area/and or water feature as a design element. Access to the pedestrian spine will be reflected in the design of the adjacent buildings. The theater building is proposed as “modern agricultural,” and includes a standing seam metal roof at the main entrance. Vertical columns are provided for accents on walls visible to the public and an art piece will be provided in the open space mall reflecting the architecture of the building. Restaurant and retail uses are incorporated into the southeast corner of the theater building. The landscaping for the project reflects a xeriscape theme, incorporating trees and shrubs on the Town’s approved plant list. The additional building shown on the site plan will be designed to incorporate the “modern agricultural” design theme and will be reviewed by staff for consistency at the time they are submitted for a building permit.

PUBLIC HEARING

No “Request to Speak Cards” were received.

MOTION: Commissioner Robinson

To approve SP13-016, “Maya Theater Complex” as recommended by staff presented, with an additional stipulation for “Non-vehicular and pedestrian access to the complex from Ellsworth Road to be improved by extension of a linkage to the southeast corner of the site”.

2nd MOTION: Commissioner Turley

VOTE: All Ayes. Motion carried 6-0.

6. **Consideration and Possible Action on TA13-014, School Parking Requirements, a staff initiated modification of Article 5.6 of the Zoning Ordinance regulating the required parking for elementary and junior high schools.**

Four (4) new schools are either planned or under construction in Queen Creek. They include:

- Benjamin Franklin Elementary & Junior High School (Charter)
- Benjamin Franklin High School (Charter)
- Higley Junior High School (Public))
- American Leadership Academy (school expansion)

Construction is a particular concern with regard to Town school parking requirements. The Town requires more parking for schools than any of our surrounding communities. This concern was

brought to the Town Council on March 6, and staff was asked to research the issue, review possible options for change, and provide the Council with a recommendation.

The Town’s parking requirement for elementary and junior high schools is substantially greater than other communities, and requires more parking for elementary schools per square foot than for high schools. Each type of school requires 1 space per 200 square feet, but elementary schools have an additional requirement of 1 space per classroom. Parking requirements for high schools matches Mesa and Chandler, but is still higher than Gilbert and Tempe. Adequate parking for daily activities is necessary but special consideration is also needed to accommodate special events which occur on a regular basis. Additionally, the parking area must also provide adequate space for bus circulation and pickups/drop-offs, queuing space for parent pickup/drop-offs, student parking for high schools, areas for bus and service vehicle parking, etc.

On April 3 staff returned to the Town Council with an analysis of the parking requirements for the Town that included examples of neighboring communities. Based on this analysis, staff recommended that the Town modify the required parking for elementary and junior high schools from 1 space per classroom (plus 1 space for every 200 feet of floor area) to 1 parking space for every 300 square feet of floor area. The Council’s direction was for staff to proceed with the proposed change.

PUBLIC HEARING

No “Request to Speak Cards” were received.

MOTION: Commissioner Turley

To approve TA13-014, “School Parking Requirements” as recommended by staff.

2nd MOTION: Commissioner Matheson

VOTE: All Ayes. Motion carried 6-0.

ADMINISTRATIVE ITEMS

- 7. Review of June 12, 2013 agenda items.**
- 8. Report of Town Council Action.**
- 9. Summary of Events from members of the Commission and Staff.** The Commission may not propose, discuss, deliberate or take action on any matter in the “summary” unless the specific matter is properly noticed on the Regular Session agenda.
- 10. Adjournment:** The meeting adjourned at 7:37 p.m.

PLANNING AND ZONING COMMISSION

By: _____
Chairman Sossaman

ATTEST:

Laura Catanese, Senior Administrative Assistant

I, Laura Catanese, 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 8, 2013 Regular Session of the Planning and Zoning Commission. I further certify that the meeting was duly called and that a quorum was present.

Dated this 9th day of May 2013.

These are **DRAFT** minutes, which have not yet been approved. Passed and Approved this day of __/__/__

Requesting Department:
Town Manager



TO: HONORABLE MAYOR AND TOWN COUNCIL

**THROUGH: JOHN KROSS, ICMA-CM
TOWN MANAGER**

**FROM: PATRICK FLYNN, ASSISTANT TOWN MANAGER/CFO
SAMANTHA MCPIKE, BUDGET ADMINISTRATOR
TRACY CORMAN, SENIOR MANAGEMENT ASSISTANT**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF A SECOND
AMENDMENT TO EXTEND THE TERM OF AND ADD TO THE
SCOPE AND FUNDING REQUEST OF THE PROFESSIONAL
SERVICES CONTRACT WITH TISCHLERBISE TO UPDATE THE
TOWN'S DEVELOPMENT IMPACT FEES PURSUANT TO
SB1525.**

DATE: June 5, 2013

Staff Recommendation:

Staff recommends approval of this second amendment to extend the term of and add scope of services to the professional services contract with TischlerBise. Additional scope is to update the Infrastructure Improvement Plan to accommodate H2O water company purchase and facilitate additional mandatory public meetings pursuant to SB1525.

Relevant Council Goal(s):

- KRA 1: Capital Improvement Program
- KRA 4: Environment
- KRA 5: Financial Management/Internal Services and Sustainability
- KRA 8: Land Use/Economic Development
- KRA 9: Public Safety

Proposed Motion:

Move to approve second amendment to extend the term of and add scope of services to the professional services contract with TischlerBise.

Discussion:

Development fees, sometimes referred to as impact fees, are one-time payments made at the time of building permit issuance that are based upon new growth's proportionate

share of infrastructure costs. Development fees have been a tool used by municipalities to insure that new growth pays for its fair share of the infrastructure needed to serve it and the burden of paying for this infrastructure is not shifted to existing residents. Development fees must meet the requirements spelled out in Arizona Revised Statutes § 9-463.05.

The Governor signed Senate Bill 1525 into law in 2011. This bill significantly changed the development fee statutes. In the past city and town councils had the ability to determine what constituted “necessary public services” for their communities. The law now narrowly defines “necessary public services”. Many of the Town’s development fees were impacted by the new definition which took effect January 1, 2012. The Town Council adopted a revised fee schedule in December 2011 to be compliance with the new definition. At that time the Town’s development fees for a new single family home with a 3/4” water meter decreased by approximately \$2,100 dollars.

The remaining changes SB 1525 made to the development fee statute are so comprehensive that cities and towns were given until August 2014 to implement them. The Town Council had previously approved a contract with TischlerBise for \$84,600 to develop a fee schedule in compliance with the changes that took effect in January 2012 and to complete a full update the Town’s development fees to bring them into compliance with the statutory changes that take effect in August 2014.

A significant amount of work has already been completed with regard to the full update to the development fees. Staff anticipates initiating the public adoption process in the fall. It is anticipated that the adoption process will take a minimum of 225 days due to the required public hearings and the number of days required before Council can take action on items and the length of time between the adoption and the effective date.

There are two primary reasons staff is requesting this second amendment with TischlerBise. With recent staff changes, the person who had managed the last several updates to the development fees is no longer working for the Town. While the project has been assigned to other staff, due to TischlerBise’s expertise, staff is recommending that the Town rely more heavily on the consultant to present information at public hearings and to help prepare staff reports and ordinances. This represents roughly \$15,000 of the requested contract.

The second component of the contract focuses on the calculation of a water development fee. The work staff and TischlerBise have done to date on the water development fee focused on the existing service area and the infrastructure improvements necessary to expand the current system’s capacity to serve new growth. With Queen Creek voters’ recent approval of the acquisition of H2O Inc. water company, the draft documents related to the water development fee need to be significantly revised. The revisions will take into account the new service area, projected growth in the service area, as well as infrastructure improvements needed to connect to the new system’s available capacity. This capacity will serve new growth in Queen Creek in the future, therefore the Town can use development fees to pay for new growth’s proportionate share of the improvements.

Staff anticipates completing work on all of the draft documents associated with the update in late July/early August and expects to initiate the adoption process in the fall. Staff is planning to provide copies of the draft information to the development community.

Fiscal Impact:

The Town Council previously approved a professional services contract with TischlerBise to update the Town's development fee study based on the requirements set forth in SB1525. The full amount of the study will be calculated into the revised development fees and recuperated over time. The new scope of services will add an additional \$33,300 to the existing \$84,600 contract for a total of \$117,900. Monies for this amendment will come from the Town's various development fee funds of which balances range from \$400K to \$1.7M.

Alternatives:

The Town Council could choose not to approve the amendment that extends the term of the professional services contract and adds scope with TischlerBise through August FY14.

With regard to the additional staff support, the Council could choose only to contract for the additional presentations (\$12,000) and not to contract for assistance with staff reports and ordinances (\$3,000) or vice versa. This would of course impact other staff work in the Town.

With regard to the water development fee, the Council could choose not to approve the additional work on the water development fee however this will severely limit the infrastructure improvements for which the Town can collect a development fee and is not advised.

Attachments:

Second Amendment to TischlerBise Professional Services Contract.

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO PROFESSIONAL SERVICES CONTRACT (this SECOND Amendment) is made and entered into effective as of the ___ day of _____, 2013 (the "Effective Date"), by and between the Town of Queen Creek, Arizona, an Arizona municipal corporation ("Town"), and TischlerBise, a Maryland corporation ("Consultant"). Town and Consultant are sometimes referred to in this Second Amendment collectively as the "Parties" and each individually as a "Party."

RECITALS:

A. The Parties entered into an Agreement for services to update the Town's development fee study in accordance with the new statutory requirements included in Senate Bill (SB) 1525 dated June 15, 2011, which was thereafter amended with First Amendment dated June 20, 2012 (collectively the "Original Agreement"). All capitalized terms used without definition in this Amendment shall have the definitions ascribed to them in the Original Agreement, as modified by this Second Amendment.

B. The Parties now desire to amend the Original Agreement upon the terms and conditions contained in this Second Amendment.

AGREEMENTS:

NOW, THEREFORE, for and in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby amend the Original Agreement as follows:

1. Article 2. Fees is amended by modifying the following sentence in Section 1, Article 2, as indicated below with deletions indicated as ~~strikeout~~ text and new text in ***bold italics***:

"The amount paid to Consultant under this Contract, including reimbursable expenses, shall not exceed ~~84,600.00~~ ***\$117,900.00***.

2. Article 3. Term of Contract is amended by modifying the following sentence in Section 2, Article 3, as indicated below with deletions indicated as ~~strikeout~~ text and new text in ***bold italics***:

"All work shall be completed and approved on or before ~~June 30, 2013~~ ***August 31, 2014***."

3. Exhibit A. Insurance is amended by adding the following sentence as Section 3, as indicated below with new text in ***bold italics***:

3. Additional Insurance Requirements: The Contractor is primarily responsible for the risk management of its Services under this Contract, including but not limited to obtaining and maintaining the required insurance and establishing and maintaining a reasonable risk control

and safety program. Town reserves the right to amend the requirements herein at any time during the Contract subject to at least 30 days written notice. The Contractor shall require any and all subcontractors to maintain insurance as required herein naming the Town and Contractor as "Additional Insureds" on all insurance policies, except Worker's Compensation, and this shall be reflected on the Certificate of Insurance. The Contractors' insurance coverage shall be primary insurance with respect to all other available sources. Coverage provided by the Contractor shall not be limited to the liability assumed under the Indemnification provision of this Contract. To the extent permitted by law, Contractor waives all rights of subrogation or similar rights against Town, its representatives, agents, and employees. All insurance policies, except Worker's Compensation and Professional Liability required by this Contract, and self-insured retention or deductible portions, shall name, to the fullest extent permitted by law for claims arising out of the performance of this contract, Town of Queen Creek, its agents, representatives, officers, directors, officials and employees as "Additional Insureds".

4. Exhibit B. Scope of Services is amended by modifying the following sentence in Task 11, as indicated below with deletions indicated as ~~strikeout~~ text and new text in ***bold italics***:

TischlerBise will attend ~~one~~ ***two*** meetings/public hearings ***and provide staff reports*** to explain the analysis and conclusions. In addition, we will conduct one set of on-site interviews with relevant staff at the beginning of the process to gather data and obtain a detailed understanding of capital needs.

Other presentations required include one Council presentation including the prior posting of intention to assess fees and staff report, one presentation at adoption of land use assumptions and IIP including staff report, one presentation at meeting to adopt development fees including staff report and ordinance.

5. Exhibit B. Scope of Services is amended by deleting the following sentence in Task 12, as indicated below with ~~strikeout~~ text:

Task 12: Infrastructure Improvements Advisory Committee

~~TischlerBise will attend two meetings with the Infrastructure Improvements Advisory Committee to present and discuss the Land Use Assumptions and HP.~~

6. Exhibit C. Payment Schedule is amended by modifying the following information, as indicated below with deletions indicated as ~~strikeout~~ text and new text in ***bold italics***:

The following table presents our proposed project fee schedule for this assignment and encompasses the tasks, meetings, deliverables, and *travel* identified in our scope of work. As the table below indicates the cost for this assignment is ~~\$84,600~~ **\$117,900**.

Water	\$14,600 \$32,900
Sewer	\$13,900
Reclaimed Water	\$9,800
Parks and Recreation	\$8,800
Library	\$3,800
Town Facilities	\$7,300
Public Safety	\$6,900
Fire	\$7,900
Transportation	\$11,600
<i>Travel</i>	<i>\$12,000</i>
<i>Administrative Work</i>	<i>\$3,000</i>
TOAL FEE CALCULATIONS	\$84,600 \$117,900

6. Reaffirmation of Original Agreement. Except as amended by this Second Amendment, the Original Agreement shall remain in full force and effect. In the event of any conflict between this Second Amendment and the Original Agreement, the terms of this Second Amendment shall prevail.

7. Counterparts. This Second Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, binding on all of the Parties. The Parties agree that this Amendment may be transmitted between them via facsimile. The Parties intend that the faxed signatures constitute original signatures and that a faxed agreement containing the signatures (original or faxed) of all the Parties is binding upon the Parties.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the Effective Date set forth above.

Town of Queen Creek, an Arizona Municipal Corporation

Approval of Town Council,

**By: _____
Gail Barney, Mayor**

Approval of Contract Administrator,

**By: _____
John Kross, Town Manager**

ATTEST:

**_____
Jennifer Robinson, Town Clerk**

REVIEWED AS TO FORM BY:

**_____
Attorney for the Town**

TischlerBise, a Maryland Corporation.

Date: _____

By: _____
Its: _____



Requesting Department:

Utility Services
Department

TAB G

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

**FROM: PAUL GARDNER, UTILITY SERVICES DEPARTMENT DIRECTOR
GREG HOMOL, UTILITY SERVICES DEPARTMENT**

**RE: CONSIDERATION ONE-YEAR CONTRACT SECOND
AMENDMENT TO THE MASTER DESIGN SERVICES CONTRACT
WITH SUNRISE ENGINEERING, INC.**

DATE: June 5, 2013

Staff Recommendation:

Staff recommends approval of a for a one-year contract Second amendment to the Master Design Services contract, with Sunrise Engineering, Incorporated for civil engineering and/or land survey services on an on-call basis.

Relevant Council Goal(s): N/A

Proposed Motion:

Move to approve a Second Amendment for a one-year contract extension to the Master Design Services contract, with Sunrise Engineering, Incorporated.

Discussion:

Under the current Master Design services contract, the Town has been able to produce engineering related projects in a more timely and cost efficient manner by reducing the need for contract development that crosses multiple departments.

The Second Amendment to the Design Services Master contract with Sunrise Engineering, Incorporated -- a long standing engineering firm that has done business with the Town of Queen Creek on numerous projects involving the Town's water and sewer systems permitting, design, surveying and as-built drawings -- would apply to the following engineering services:

- 1) As-built plans to include those areas or projects requested.
- 2) Provide GIS compatible information periodically for system water and waste water model updates or other occasions as requested.

- 3) Perform water and waste water modeling and provide documentation when appropriate to size new improvements and additions to the water and waste water systems.
- 4) Track and inventory all distribution and collection system components, determine availability of fire flow, and evaluate potential system additions and upgrades.
- 5) Miscellaneous land surveying services including legal description and exhibit creation and recordation, flagging or pinning of property corners, miscellaneous field work including flagging and staking, as-built surveying, boundary research and resolution, verification of legal descriptions.
- 6) New source (well) approvals and submittals for agency review
- 7) Processing of applications for Approvals to Construct (ATC) and Approvals of Construction (AOC) to ADEQ or MCESD
- 8) Sealed engineering calculations for miscellaneous projects or project components as requested.
- 9) Miscellaneous services as requested by the Town of Queen Creek.

Extension of this Master Design Services contract will continue to permit the Town to process engineering projects. This Second Amendment will maintain the Town's cost efficient and productive practices, while minimizing project delays.

The Extension of this contract enables the Town to continue to process engineering related project by eliminating the need for individual contracts for all engineering services that would require extensive hours of preparation across multiple departments. With approval of this Second amendment to the Master Design contract, the Town continues to be more efficient, productive, and continue to minimize project delays.

Fiscal Impact:

In the 2013-2014 budgets, funds for Master Design Contract Engineering services have been identified in the General Fund and Enterprise Funds.

Alternatives:

Attachments:

Second Amendment to Master Design Contract

EXHIBIT 2B - REVISED FEES

SUNRISE ENGINEERING, INC.

Arizona Offices
2013 Fee Schedule

<u>CODE</u>	<u>CLASSIFICATION</u>	<u>RATE</u>	<u>CODE</u>	<u>CLASSIFICATION</u>	<u>RATE</u>
101	Engineer (E.I.T.) I	\$85 <i>per hour</i>	051	Administrative I	\$40 <i>per hour</i>
102	Engineer (E.I.T.) II	\$95	052	Administrative II	\$49
103	Engineer III	\$119	053	Administrative III	\$59
104	Engineer IV	\$139			
105	Engineer V	\$159	922	Survey Tech	\$60
110	Principal Engineer	\$189	930	Survey CAD Tech	\$90
711	Project Manager I	\$110	935	Survey Crew Chief	\$110
712	Project Manager II	\$150	940	Survey Manager	\$115
301	Engineering Tech I	\$69	945	Registered Surveyor	\$125
302	Engineering Tech II	\$79	950	Principal Surveyor	\$160
303	Engineering Tech III	\$95	MILE	Mileage	\$0.59 <i>per mile</i>
304	Engineering Tech IV	\$105			
401	CAD Technician I	\$59			
402	CAD Technician II	\$69			
403	CAD Technician III	\$79			
404	CAD Technician IV	\$89			

Subconsultants and other direct expenses as incurred plus 10% handling fee

SECOND AMENDMENT TO SERVICES AGREEMENT

THIS SECOND AMENDMENT TO SERVICES AGREEMENT (this “SECOND Amendment”) is made and entered into effective as of the ___ day of _____, 2013 (the “Effective Date”), by and between the Town of Queen Creek, Arizona, an Arizona municipal corporation (“Town”), and Sunrise Engineering, Inc., an Arizona corporation (“Vendor”). Town and Vendor are sometimes referred to in this Second Amendment collectively as the “Parties” and each individually as a “Party.”

RECITALS:

A. The Parties entered into an Agreement for miscellaneous civil engineering and/or land survey services dated June 4, 2009, First Amended on May 19, 2010 (collectively the “Original Agreement”). All capitalized terms used without definition in this Amendment shall have the definitions ascribed to them in the Original Agreement, as modified by this Second Amendment.

B. The Parties now desire to amend the Original Agreement upon the terms and conditions contained in this Second Amendment.

AGREEMENTS:

NOW, THEREFORE, for and in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby amend the Original Agreement as follows:

1. Amendment to Fees Exhibit 2A – First Amendment, Fee Schedule is amended by removing the original Fee Schedule and inserting Exhibit 2B – Second Amendment.

2. Reaffirmation of Original Agreement. Except as amended by this Second Amendment, the Original Agreement shall remain in full force and effect. In the event of any conflict between this Second Amendment and the Original Agreement, the terms of this Second Amendment shall prevail.

3. Counterparts. This Second Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, binding on all of the Parties. The Parties agree that this Amendment may be transmitted between them via facsimile. The Parties intend that the faxed signatures constitute original signatures and that a faxed agreement containing the signatures (original or faxed) of all the Parties is binding upon the Parties.

[Signature page follows]

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the Effective Date set forth above.

Town of Queen Creek, an Arizona Municipal Corporation

Approval of Contract Administrator,

By: _____
John Kross, Town Manager

ATTEST:

Jennifer Robinson, Town Clerk

REVIEWED AS TO FORM BY:

Attorney for the Town

Sunrise Engineering, Inc., an Arizona Corporation.

Date: _____

By: _____
Its: _____



Requesting Department:
Development Services

TAB H

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

**FROM: CHRIS ANARADIAN, DEVELOPMENT SERVICES DIRECTOR
MICHAEL WILLIAMS, BUILDING SAFETY DIVISION MANAGER**

RE: CONSIDERATION AND POSSIBLE APPROVAL OF A THIRD AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES CONTRACT WITH BROWN & ASSOCIATES FOR PLAN REVIEW AND INSPECTION SERVICES ALLOWING FOR AN EXTENSION OF UP TO SIX (6) MONTHS FROM THE DATE OF APPROVAL BY TOWN COUNCIL (BUDGETED ITEM)

DATE: JUNE 5, 2013

Staff Recommendation:

Town Staff recommends approval of a third amendment to the existing Professional Services Contract with Brown and Associates for Plan Review and Inspection Services allowing for an extension of up to six (6) months from the date of approval by the Town Council.

Relevant Council Goal(s):

Town of Queen Creek Corporate Strategic Plan - Key Result Area 8 – Queen Creek will build on its assets; maintain high architectural standards for new development; ensure that all new and existing development adheres to the Town's adopted standards and codes.

Proposed Motion:

Move to approve the amendment to the existing Professional Services Contract with Brown and Associates for plan review and inspection services allowing for an extension of up to six (6) months from the date of approval by the Town Council.(Budgeted)

Discussion:

On May 1, 2013, Council approved an additional \$160,000 expenditure on for Building Plan Review, Permitting, and Inspection Services. This increased expense authority is being funded from the existing budget, and has been reallocated within the Development Services Department. The existing contract is scheduled to expire on June 15. The Town

is preparing a Request for Proposal (RFP) for building safety plan review and inspection services and expects to complete that process within six (6) months. In the interim, the Building Safety Division is in need of such services. Approval of the third amendment would extend the contract to December 5, 2013.

Fiscal Impact:

At the May 01, 2013 Council meeting, Council approved funding of contracted plan review and inspection services in the amount of \$160,000 to supplement Town staff resources during the existing period of high construction activity through the remainder of the current fiscal year.

Sufficient funds are currently available within the Development Services Department operating budget, in the Professional Services fiscal account #101-410-0135-00000-403005, to fund the contracted services.

Additional expenditure authority for the upcoming fiscal year will be requested after Council approval of the FY13/14 budget.

Alternatives:

Council could choose not to approve the amendment allowing a six (6) month extension of the Brown & Associates contract; however, doing so would create extensive delays in ongoing and future construction projects within the Town.

Attachments:

1. Third Amendment to Agreement with Brown and Associates Certified Inspection Services

THIRD AMENDMENT TO AGREEMENT

THIS THIRD AMENDMENT TO AGREEMENT (this “Third Amendment”) is made and entered into effective as of the 5th day of June, 2013 (the “Effective Date”), by and between the Town of Queen Creek, an Arizona municipal corporation (“Town”), and Brown and Associates Certified Inspection Services, an Arizona corporation (“Consultant”). Town and Consultant are sometimes referred to in this Third Amendment collectively as the “Parties” and each individually as a “Party.”

RECITALS:

A. The Parties entered into an Agreement for Building Plan Review and Inspection Services dated October 15, 2008, which was thereafter amended on March 3, 2010, and on November 14, 2013 collectively, the “Original Agreement”). All capitalized terms used without definition in this Amendment shall have the definitions ascribed to them in the Original Agreement, as modified by this Third Amendment.

B. The Town is preparing a Request for Proposals (“RFP”) for building plan review and inspection services (“Services”), and expects to select and enter into an agreement with the successful proposer within no more than six (6) months (the “Selection Period”).

C. The Town is in need of such Services during the Selection Period, and the Town and its businesses and residents will suffer harm if such Services are not available.

D. The Parties now desire to amend the Original Agreement upon the terms and conditions contained in this Third Amendment, to provide for the Services during the Selection Period.

AGREEMENTS:

NOW, THEREFORE, for and in consideration of the foregoing Recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby amend the Original Agreement as follows:

1. Term. The Term of the Original Agreement is hereby extended for no more than six (6) months from the date on which this Third Amendment is approved by the Town Council and signed by the Mayor, but may be terminated sooner, in the sole discretion of the Town, at such time as a contract is awarded pursuant to the RFP.

2. Compliance with Immigration Laws and Regulations.

Pursuant to the provisions of A.R.S. §41-4401, Consultant warrants to Town that Consultant and all its subconsultants are in compliance with all Federal Immigration laws and regulations that relate to their employees and with the E-Verify Program under A.R.S. §23-214(A). Consultant acknowledges that a breach of this warranty by the Consultant or any of its subconsultants is a material breach of this Agreement, subject to penalties up to and including termination of this Agreement or any subcontract. Town retains the legal right to inspect the papers of any employee of Consultant or any subconsultant who works on this Agreement to

ensure compliance with this warranty.

Town may conduct random verification of the employment records of Consultant and any of its subconsultants to ensure compliance with this warranty.

Town will not consider Consultant or any of its subconsultants in material breach of the foregoing warranty if Consultant and its subconsultants establish that they have complied with the employment verification provisions prescribed by 8 USCA § 1324(a) and (b) of the Federal Immigration and Nationality Act and the e-verify requirements prescribed by Arizona Revised Statutes § 23-214(A).

The provisions of this Article must be included in any contract Consultant enters into with any and all of its subconsultants who provide services under this Agreement or any subcontract. As used in this Section, "services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

3. Prohibition of Doing Business with Sudan or Iran.

Pursuant to A.R.S. §§35-391.06 and 35-393-06, Consultant hereby certifies to Town that Consultant does not have "scrutinized" business operations, as defined in A.R.S. §§35-391 and 35-393, in either Sudan or Iran. Consultant acknowledges that, in the event either of the certifications contained in this paragraph is determined by Town to be false, Town may terminate this Agreement and exercise other remedies as provided by law, in accordance with A.R.S. §§35-391.06 and 35-393-06.

4. Cancellation for Conflict of Interest.

Pursuant to the provisions of A.R.S. § 38-511, Town may cancel any contract or agreement, without penalty or obligation if any person significantly involved in initiating, negotiating, securing, drafting or creating the contract on behalf of Town is, at any time while the contract or any extension thereof is in effect, an employee of Consultant in any capacity or a consultant to any other party to the contract with respect the subject matter of the contract.

5. Workplace Compliance.

Consultant understands and acknowledges the applicability to it of the American with Disabilities Act, the Immigration Reform and Control Act of 1986 and the Drug Free Workplace Act of 1989.

6. Reaffirmation of Original Agreement. Except as amended by this Third Amendment, the Original Agreement shall remain in full force and effect. In the event of any conflict between this Third Amendment and the Original Agreement, the terms of this Third Amendment shall prevail.

7. Counterparts. This Third Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument, binding on all of the Parties. The Parties agree that this Third

Amendment may be transmitted between them via facsimile. The Parties intend that the faxed signatures constitute original signatures and that a faxed agreement containing the signatures (original or faxed) of all the Parties is binding upon the Parties.

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the Effective Date set forth above.

Town of Queen Creek:

Date: _____

By: _____
Gail Barney, Mayor

Attest:

Jennifer Robinson, Town Clerk

Approved as to form:

Dickinson Wright Mariscal Weeks.
Town Attorneys

Brown and Associates:

Date: _____

By: _____
Its: _____



Requesting Department:

Development Services

TAB I

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

**FROM: CHRIS ANARADIAN, DEVELOPMENT SERVICES DIRECTOR
TROY WHITE, PUBLIC WORKS DIVISION MANAGER**

**RE: CONSIDERATION AND POSSIBLE APPROVAL OF THE DESIGN CONCEPT REPORT
AND A LETTER OF SUPPORT FOR MERIDIAN ROAD FROM EMPIRE BOULEVARD
TO OCOTILLO ROAD**

DATE: June 5, 2013

Recommendation:

The Transportation Advisory Committee has reviewed and recommends approval of the Design Concept Report for Meridian Road from Empire Boulevard to Ocotillo Road. Town staff, specifically including Economic Development, is also recommending approval of the Design Concept Report.

Relevant Council Goal(s):

KRA 2: Goal 2- Enhance opportunities for resident participation in Town decision-making.

KRA 7: Goal 1- Encourage and promote Regional Partnerships.

KRA 7: Goal 4- Encourage Maricopa County to consider construction of roads as a tool that implements key economic goals of Queen Creek.

Proposed Motion:

Move to approve the Design Concept Report and Letter of Support for Meridian Road from Empire Boulevard to Ocotillo Road.

Discussion:

With continued growth in southeastern Maricopa County and western Pinal County, it is expected that transportation demands will continue to increase; thereby necessitating that Meridian Road function as a major thoroughfare of a 6-lane arterial road. The existing condition of Meridian Road consists of two-lanes from Empire to the Union Pacific Railroad; from the railroad north to Ocotillo Road it is predominately an unpaved private road.

Maricopa County Department of Transportation (MCDOT) is the lead agency for the development of a Design Concept Report (DCR) and Environmental Overview for Meridian Road from Empire Boulevard to University Drive. The Town of Queen Creek along with Pinal County and the City of Mesa are project partners. The project has been divided into four (4) segments: Segment 1- Ocotillo Road to Williams Gateway Freeway Alignment, Segment 2- Williams Gateway Freeway Alignment to US60, Segment 3- US60 to University Drive, **Segment 4- Empire Blvd. to Ocotillo Road**, which includes the intersection of Riggs Road, Rittenhouse Road, Meridian Road, Combs Road, and Union Pacific Railroad (UPRR). This DCR includes only Segment 4.

The primary purpose of the DCR is to provide the agencies with a coordinated document that will guide the design and construction of the future roadway improvements and identify the ultimate right-of-way requirements for this segment of Meridian Road.

The most important area of concern of the Segment 4 DCR is the five point intersection of Riggs Road, Rittenhouse Road, Meridian Road, Combs Road, and Union Pacific Railroad. The intent of the DCR is to analyze and recommend improvements to this intersection which will provide the best solution for connectivity between the intersecting roadways and continued safe operation of the railroad crossing by UPRR.

Additionally, this intersection is a key economic factor for the Town in that it provides access to adjacent businesses and to Queen Creek Town Center via Riggs Road. Therefore, it was imperative that the selected design alternative provide for a high level of accessibility to local businesses and Town Center.

Stakeholders and Public Involvement- One of the key goals and objectives of this project has been continual coordination with the various project stakeholders, existing land owners, developers, and the public to promote awareness and build consensus on a recommended configuration of the Meridian corridor as well as the five point intersection. Specifically, meetings were held with representatives from the following businesses and future developments along the corridor: The Queen Creek Olive Mill, The Parks Development, The Meridian Crossing (Westcor) Development, Schnepf Farms, and Church Farms. Additionally, input from the public was solicited via open house public meetings. One meeting was held at Town Hall on January 19, 2010 and a second meeting was held at Newell Barney Junior High School on February 12, 2013.

Project Timeline- The project kick-off was in July of 2009 and the first six (6) conceptual alternatives for the five point intersection were drafted in October of 2009. From October 2009 to April 2011 three (3) of the conceptual alternatives underwent refinement and a preferred alternative was selected. The preferred alternative included grade separations over the railroad for both Riggs and Meridian Roads. However, the preferred alternative was not supported by the community. From April 2011 to August 2012 another alternative was developed, but again it was not supported by the community. From August 2012 to September 2013 an additional 4 alternatives were developed with Alternative D receiving community support.

The recommended alternative provides for an **at-grade** intersection of Meridian Road and Riggs Road with the UPRR line crossing diagonally through the intersection. The location of the UPRR crossing of Riggs Road is not proposed to be shifted in any manner; rather the existing crossing will be rehabilitated and widened to facilitate the wider road (see attached "Recommended Alternative"). However, Meridian Road will be shifted west of its section line alignment north and south of the intersection with Riggs Road to intersect Riggs Road at the existing location of the railroad crossing. Rittenhouse Road will be realigned north of Riggs Road across Schnepf Farms property, to intersect Riggs Road approximately 1,420' west of the Riggs Road/Meridian Road intersection.

The recommended alternative is supported by property owners at all four corners of the intersection. This support includes the Queen Creek Olive Mill and Schnepf Farms, arguably most impacted by the western shift of Meridian Road. The Olive Mill has requested of Town staff, that approval of the DCR include support for adequate and appropriate disposition for the relocation of their business. Any business impact is a concern but with this area of Town projected as an upcoming growth node, including the Olive Mill's and Schnepf Farms' regional and national attraction, appropriate level of attention should be assured. Therefore, staff recommends the attached letter of support be signed and forwarded to MCDOT as a reference point to thoroughly evaluate these issues and to include the Town in the status of any future development of this project.

Additionally, the Town of Queen Creek contracted with a third party professional engineer to evaluate all alternatives to determine which one would be suitable for the Town of Queen Creek's needs. The recommended alternative scored the highest of all alternatives. The analysis took into consideration definable criteria established by the Town that was used to determine the most suitable alternative. The criteria used are listed below:

- Development Accessibility
- Town Wide Accessibility
- Landowner/Public/Business Acceptance
- Intersection Operations
- Estimated Cost
- Adjacent Neighborhood Impacts
- Right of Way Requirements
- Time to Implement

Other alternatives included bridging Meridian and Riggs roads over the UPRR, roundabout intersections, and the shifting of Riggs Road alignment to the north. All other alternatives ranked lower than the recommended at-grade alternative based on the above listed criteria.

Again, the primary purpose of the DCR is to provide the Town of Queen Creek a coordinated document that will guide the design and construction of the future roadway improvements and identify the ultimate right-of-way requirements for this segment of Meridian Road and the five point intersection.

Currently, there are no plans at this time to begin formal design or construction of the roadway or the five point intersection.

Fiscal Note:

There is no fiscal impact for this motion at this time; however, this project will likely require a public/private partnership including multiple government agencies and developers.

Alternatives:

Council could choose not to approve the Design Concept Report at this time.

Attachments:

- 1) Alternative D (Recommended Alternative)
- 2) Other Alternatives Considered
- 3) Letter of Support

Attachment 1
Alternative D- Recommended Alternative



ALTERNATIVE D

RIGGS ROAD/RITTENHOUSE ROAD/ MERIDIAN ROAD/COMBS ROAD/UPRR
MCDOT PROJECT NO. TT275



PRELIMINARY ROADWAY DESIGN DATA

	DESIGN SPEED (MPH)	RADIUS (FT)	SUPERELEVATION (F/FT)
①	35	1,100	0.0400
②	35	1,100	0.0400
③	35	1,100	0.0400
④	35	1,100	0.0400
⑤	35	6,000	0.0200
⑥	35	6,000	0.0200
⑦	35	371	0.0400
⑧	35	371	0.0400
⑨	50	826	0.0400

LEGEND

AT GRADE UPRR CROSSING

TYLIN INTERNATIONAL

Attachment 2
Other Alternatives Considered



ALTERNATIVE 6A

RIGGS ROAD/RITTENHOUSE ROAD/ MERIDIAN ROAD/COMBS ROAD/UPRR

MCDOT PROJECT NO. TT275



PRELIMINARY ROADWAY DESIGN DATA

	DESIGN SPEED (MPH)	RADIUS (FT)	SUPERELEVATION (FT/FT)
①	55	1,190	0.0400
②	55	1,190	0.0400
③	55	1,190	0.0400
④	55	1,190	0.0400
⑤	35	371	0.0400
⑥	55	1,190	0.0400
⑦	55	1,190	0.0400
⑧	55	1,190	0.0400

LEGEND

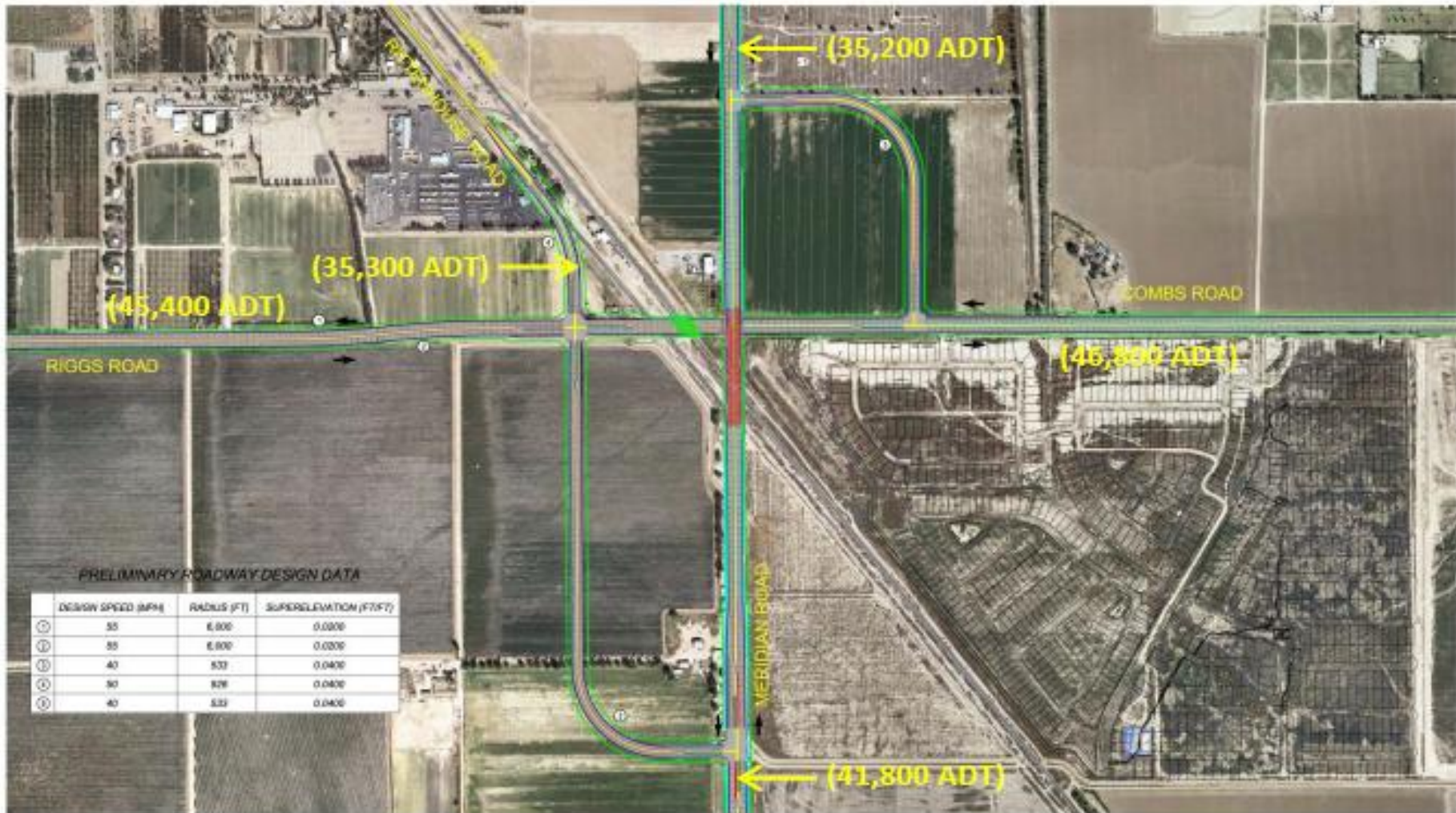




ALTERNATIVE B

RIGGS ROAD/RITTENHOUSE ROAD/ MERIDIAN ROAD/COMBS ROAD/UPRR

MCDOT PROJECT NO. TT275



PRELIMINARY ROADWAY DESIGN DATA

DESIGN SPEED (MPH)	RADIUS (FT)	SUPERELEVATION (F/F)
55	6,800	0.0200
55	6,800	0.0200
40	533	0.0400
30	826	0.0400
40	533	0.0400

LEGEND

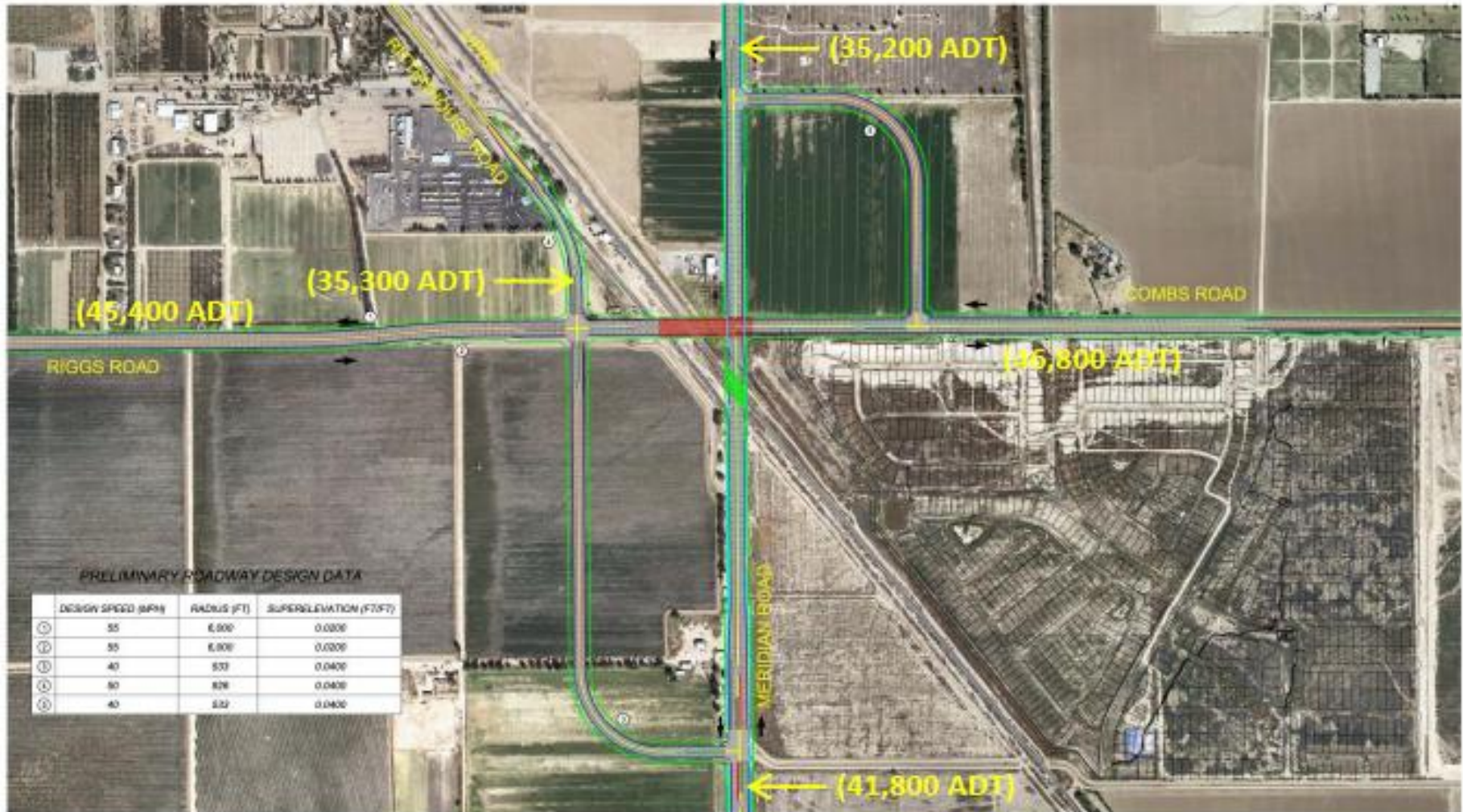
- █ BRIDGE
- █ AT GRADE UPRR CROSSING

TYLIN INTERNATIONAL



ALTERNATIVE C

RIGGS ROAD/RITTENHOUSE ROAD/ MERIDIAN ROAD/COMBS ROAD/UPRR
MCDOT PROJECT NO. TT275



PRELIMINARY ROADWAY DESIGN DATA

DESIGN SPEED (MPH)	RADIUS (FT)	SUPERELEVATION (F/FT)
55	6,500	0.0200
55	6,500	0.0200
40	570	0.0400
50	576	0.0400
40	532	0.0400

LEGEND

█ BRIDGE

█ AT GRADE UPRR CROSSING

TYLIN INTERNATIONAL

Attachment 3
Draft Letter of Support



Draft!

June 5, 2013

MCDOT
Meridian DCR
2901 W. Durango Street
Phoenix, AZ 85009

RE: Letter of Support for the Meridian Road Segment 4 DCR

To Whom It May Concern:

The Town of Queen Creek has actively participated as a project partner and supports Alternative 6D of the Meridian Road Segment 4 Design Concept Report.

The most important area of concern of the Segment 4 DCR is the five point intersection of Riggs Road, Rittenhouse Road, Meridian Road, Combs Road, and Union Pacific Railroad. This intersection is a regionally significant transportation corridor and the DCR provides the best solution for connectivity. The DCR also provides for improved safety and continuity of the intersection. Additionally, this intersection is a key economic area for the Town and includes the Queen Creek Olive Mill and Schnepf Farms, arguably most impacted by the western shift of Meridian Road. The Olive Mill and Schnepf Farms are regional and national attractions; therefore, Town support is inclusive of adequate and appropriate disposition for the relocation of their business and request that this letter become part of the official DCR document.

The Town recognizes that bringing this project to fulfillment will require public/private partnerships that will include Queen Creek as a significant stakeholder.

The Town of Queen Creek values our partnership with MCDOT and looks forward to this, as well as other projects, moving forward.

Sincerely,

Gail Barney
Mayor



Requesting Department:

Utility Services
Department

TAB J

TO: HONORABLE MAYOR AND TOWN COUNCIL

FROM: Paul T. Gardner Director of Utilities

RE: Resolution 943-13 authorizing Town staff to apply for 5000 acre feet of Non - Indian Agriculture CAP Water through the Arizona Department of Water Resources Reallocation application process

DATE: June 5, 2013

Staff Recommendation:

Staff recommends approval of Resolution 943-13 authorizing Town staff to prepare and submit an Application to the Arizona Department of Water Resources (ADWR) for 5000 acre feet of Non- Indian Agricultural (NIA) Central Arizona Project Water (CAP).

Relevant Council Goal(s):

Meets KRA #5 under Sustainability and #8 Land Use and Economic Development

Proposed Motion:

Motion to approve Resolution 943-13 authorizing Town staff to apply for 5,000 acre feet of Non-Indian Agriculture (NIA) Central Arizona Project Water (CAP) through the Arizona Department of Water Resources Reallocation application process.

Discussion:

After nearly 20 years both ADWR and CAP are releasing 34,629 acre feet of water to Municipal Water users. This pool of water has been set aside for the Phoenix Active Management Area and is to help Water Providers reduce their reliance on groundwater pumping and move them to a renewable water supply. The Town of Queen Creek currently has just 348 acre feet of CAP water under contract and would like to expand that contract to 5000 additional acre feet of water. This would allow the Town to reduce its pumping of groundwater by using this water as direct deliveries of irrigation for large lots and for construction water for dust control. The remaining water would be stored annually and water that was pumped and delivered to our residences would be recovered surface water. This recovered surface water would reduce the obligations to the Central Arizona

Groundwater Replenishment District (CAGRD) and would reduce the financial obligations for both HOA's inside the Town and all residential properties enrolled in CAGRD. If the Town was successful in acquiring a large enough block of water it would allow the Town to participate with another entity to construct a Surface Water Treatment facility and deliver the treated CAP water directly to its customers. Staff is only applying for this water and will not know until the fall of 2013 on whether the Town will be awarded the full 5000 acre feet or a portion of that amount or none at all. Once Town Staff is notified of the amount of water that the Town has been awarded, the contract will then be brought back to the Town. The Town Council will have the opportunity to discuss and decide whether to continue moving forward and entering into a contract with both the CAP and ADWR for this volume of water. By applying for this water the Town is under no obligation either contractually or financially until it has had time to review and decide whether to continue with the process of entering into a contract with the both CAP and ADWR.

Fiscal Impact:

The cost of this NIA CAP water has been identified at \$1,280 an acre foot. If the Town was awarded its full request of 5000 acre feet the total cost of this water would be \$6,400,000. If this water was financed in today's financial market it would cost approximately \$448,000 per year for 20 years. For each 1000 acre feet of water acquired financing would cost \$90,000 per year. There are many ways to recover the cost of this water from a future renewable water impact fee to setting aside a portion of existing water rates each year to pay for the financing or combination of both. The impact to rate payers that have property enrolled in CAGRD by 2016 will be a savings on their CAGRD obligations from \$200-\$600 per year. On HOA's the CAGRD obligations will be in the 10's of thousands of dollars and in some cases well over the 100 thousand dollar mark.

Alternatives:

The Council could decide not to apply for this pool of water.

RESOLUTION 943-13

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA AUTHORIZING THE TOWN STAFF TO SUBMIT AN APPLICATION TO THE ARIZONA DEPARTMENT OF WATER RESOURCES FOR 5000 ACRE-FEET OF NON-INDIAN AGRICULTURAL (NIA) CENTRAL ARIZONA PROJECT WATER.

WHEREAS, The Arizona Water Settlements Act and the Arizona Water Settlement Agreement provided for the reallocation of 96,295 acre-feet of relinquished Non-Indian Agricultural (NIA) Priority Central Arizona Project (CAP) water and this water has been reallocated to the Arizona Department of Water Resources (ADWR) and is held in trust by the Secretary of the Interior; and

WHEREAS, a pool of 34,629 acre-feet has been identified for water providers within the CAP and the Central Arizona Groundwater Replenishment District (CAGR), for the 2013 phase of the reallocation; and

WHEREAS, the Town of Queen Creek is qualified to receive such water; and

WHEREAS, the Director of ADWR is to submit a recommendation to the Secretary for the allocation of this water to specified municipal and industrial users; and

WHEREAS, ADWR has established a process whereby cities and towns in the Phoenix Active Management Area (AMA) may submit applications for an allocation of this water; and

WHEREAS, the Mayor and Town Council of Queen Creek (the Town) recognize the importance of an adequate water supply to the future of the Town and that an allocation of NIA CAP water can contribute to establishing and maintaining such a water supply; and

WHEREAS, if NIA Water is awarded to the Town, the Town Council will be asked to sign a contract relating to such award.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA AS FOLLOWS:

Section 1. The Town staff is hereby authorized to prepare and submit to ADWR an application for no more than 5000 acre-feet of NIA CAP water from the above referenced pool of 34,629 acre-feet.

Section 2. The Mayor and Town staff are further authorized to take all acts and

prepare and sign all documents necessary to such application.

PASSED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA this 5th day of June 2013.

FOR THE TOWN OF QUEEN CREEK:

ATTEST:

Gail Barney, Mayor

Jennifer F. Robinson, Town Clerk

APPROVED AS TO FORM:

REVIEWED BY:

Dickinson Wright/Mariscal Weeks
Town Attorneys

John Kross, Town Manager

PHOENIX 53749-1 62342v1

PHOENIX 53749-1 62342v1



Requesting Department:
Town Clerk
Town Attorney

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: John Kross, Town Manager
Fredda Bisman, Town Attorney

FROM: Jennifer Robinson, Town Clerk

RE: Canvass of May 21, 2013 Special Election Results

DATE: June 5, 2013

Staff Recommendation:

It is recommended that Resolution 944-13 declaring and adopting the results of the Special Election held on May 21, 2013 be approved.

Proposed Motion:

Motion to approve Resolution 944-13 declaring and adopting the results of the Special Election held on May 21, 2013.

Discussion:

State Statutes require the Town to canvass, declare and adopt the results of any election. A simple majority of votes cast were required for the ballot question to be approved (50% +1).

Ballot/Vote information

Total Votes Cast by Queen Creek Town residents: 2931

Registered Voters: 13,480 (including Pinal County residents)

Voter Participation: 22%

Alternative Action:

N/A

Attachments:
Resolution 944-13
Reports

RESOLUTION 944-13

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, MARICOPA COUNTY, ARIZONA, DECLARING AND ADOPTING THE RESULTS OF THE SPECIAL ELECTION HELD ON MAY 21, 2013; AND ORDERING THE RECORDING.

WHEREAS, the Town Council of Queen Creek, Maricopa County, Arizona did cause to be submitted to the qualified electors of the Town at a Special Election called and held in and for the Town on the 21st day of May 2013 for the authorization to purchase the H2O, Inc., Water Utility; and

WHEREAS, the election returns have been presented to and have been canvassed by the Town.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Town of Queen Creek, Maricopa County, Arizona, as follows:

SECTION 1. That the total number of ballots cast at said Special Election, as shown by the poll lists was 2931.

SECTION 2. That the number of questioned ballots was 0, those voters found to be ineligible was 0, and the number of rejected ballots was 67.

SECTION 3. That it is hereby found, determined and declared of record that the votes cast for the Question of Acquisition of H2O, Inc., Water Utility were as follows:

Yes	2550
No	379
Under Vote	1
Over Vote	1

SECTION 4. That all orders or resolutions in conflict be and the same are, to the extent such conflict, hereby repealed, and that this resolution be in full force and effect immediately upon its adoption.

PASSED AND ADOPTED BY the Mayor and Council of the Town of Queen Creek, Arizona, this 5th day of June 2013.

FOR THE TOWN OF QUEEN CREEK:

ATTESTED TO:

Gail Barney, Mayor

Jennifer F. Robinson, Town Clerk

REVIEWED BY:

APPROVED AS TO FORM:

John Kross, Town Manager

DickinsonWright/Marsical Weeks
Attorneys for the Town

MRC_20130521_E
 May 21, 2013
 Subdivision Report
 MARICOPA COUNTY
 FINAL RESULTS

QUEEN CREEK

Registration & Turnout		13,480	
Election Day Paper Turnout		0	0.00%
Early Voting Paper Turnout		2,931	21.74%
Early Voting Edge Turnout		0	0.00%
Election Day Edge Turnout		0	0.00%
	Total...	2,931	21.74%

TOWN OF QUEEN CREEK QUESTION

	(1)	1/1	100.00%
- YES		2,550	87.06%
- NO		379	12.94%
	Total...	2,929	100.00%

MRC_20130521_E
 5/21/2013
 Precinct Canvass
 MARICOPA COUNTY

1 TOWN OF QUEEN CREEK QUESTION

	Registered	Ballots Cast	Turnout (%)	1 YES	1 NO	1 Over Votes	1 Under Votes								
5591 - QUEEN CREEK	13480	2931	21.74	2550	379	1	1								
	13480	2931	21.74	2550	379	1	1								

MARICOPA COUNTY
RECORDER'S INFORMATION SYSTEMS CENTER
REJECTED BALLOTS BY PRECINCT / CPC

Election Title: TOWN OF QUEEN CREEK

Election Number: 1238

Election Date: 05/21/2013

<u>Precinct/CPC Number</u>	<u>Precinct/CPC Name</u>	<u>Reason</u>	<u>Number Rejected</u>
5591	PPNO 1 - QUEEN CREEK	BAD SIGNATURE	6
		RETURNED LATE	25
		NO SIGNATURE	35

Bad Signature Total:	6
Returned Late Total:	25
No Signature Total:	35
Total Rejected:	66

EV REJECT REPORT

PINAL COUNTY/QUEEN CREEK - ADDITIONAL
MAY 21, 2013 ELECTION

EV REJECT REPORT:

BAD SIGNATURE: 0
RETURNED LATE: 0
NO SIGNATURE: 1

TOTAL REJECTED (*including* Pinal/Queen Creek Voters): 67



Requesting Department:
Town Manager
Town Clerk

TAB L

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, TOWN MANAGER

FROM: Jennifer Robinson, Town Clerk

RE: Council Committee Assignments

DATE: June 5, 2013

Proposed Motion:

Motion to approve the Council appointments to Committees.

Discussion:

The Town Council creates committees and appoints the members of such committees. In accordance with the revised Standard Form Bylaws for Town Committees, Board and/or Commissions adopted by Council members of the Town Council may be appointed to those committees. Appointments can be reconsidered each June.

Council Members were asked to indicate their preference for what committee(s) each would like to serve. Based on those responses and considering current appointments, the Mayor is recommending the attached Council Member appointments.

Fiscal Impact:

N/A

Alternatives:

The Council could choose to delay approval of these appointments.

Attachments: 2013-2014 Mayor and Council Committee Assignments

2013-2014 Mayor and Council Committee Assignments

- Gail Barney: Queen Creek Public Safety Retirement Board, Chair
MAG – Regional Council; Executive Committee; Economic Development Committee;
Phx-Mesa Gateway Airport Authority, Board of Directors, Vice Chair
Municipal Tax Code Commission
Maricopa/Northern Pinal Governmental Alliance, Chair
- Craig Barnes: CAG Regional Council (*alternate*)
- Robin Benning: Budget Committee
Transportation Advisory Committee
CAG Regional Council (primary)
East Valley Partnership – Transportation Committee
- Jeff Brown: East Valley Partnership – Board of Directors
- Jason Gad: Council Budget Committee
Economic Development Commission
East Valley Partnership – Economic Development Committee
- Dawn Oliphant: Budget Committee - Chair
Town Center
East Valley Partnership – Economic Development Committee
MAG Regional Council (*Vice Mayor as alternate*)
Phoenix-Mesa Gateway Airport Authority, Board of Directors (*Vice Mayor as alternate*)
Maricopa/Northern Pinal Governmental Alliance (*Vice Mayor as alternate*)
- Julia Wheatley: Parks and Recreation Advisory Committee
Town Center



Requesting Department:

Real Estate/ Econ Dev

TAB M

TO: HONORABLE MAYOR AND TOWN COUNCIL

THROUGH: JOHN KROSS, AICP
TOWN MANAGER

FROM: PATRICK FLYNN – ASSISTANT TOWN MANAGER
DOREEN COTT – ECONOMIC DEVELOPMENT DIRECTOR
SANDRA MCGEORGE – MANAGEMENT ASSISTANT II

RE: CONSIDERATION AND POSSIBLE APPROVAL OF TWO EASEMENTS TO BE GRANTED TO SRP FOR INSTALLATION OF AN UNDERGROUND LINE FOR ELECTRIC SERVICE TO THE AT&T CELLULAR FACILITY AT HORSESHOE PARK AND EQUESTRIAN CENTRE

DATE: JUNE 5, 2013

Staff Recommendation:

Staff recommends approval of two easements to be granted to SRP for installation of an underground line for electric service to the AT&T cellular facility at Horseshoe Park and Equestrian Centre.

Proposed Motion:

Move to approve two easements to SRP for installation of an underground line for electric service to the AT&T cellular facility at Horseshoe Park and Equestrian Centre.

Discussion:

The easements run along the southern edge of the community arena parking lot and along the west fence of the Horseshoe Park and Equestrian Centre parcels (304-91-103 A & C). The two lines fall into two different assessor's parcels, therefore one project was written as two easements. This will allow SRP to construct and maintain facilities for transmission and distribution of power to the AT&T communications facility west of the community arena.

Fiscal Impact:

None

Alternatives:

None

Attachments:

1. SRP Easements (2 drafts)

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT
Land Department/PAB350
P. O. Box 52025
Phoenix, Arizona 85072-2025

DRAFT

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 304-91-103C
SW ¼, SEC.28, T2S, R7E
1 of 2

Agt. WLK
Job # KEB-2181
AMP # 81471987
W WLK C

NOV 18/12

**TOWN OF QUEEN CREEK,
a Municipal Corporation,**

hereinafter called Grantor, for and in consideration of the sum of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, its agents, employees, contractors and permittees and its and their respective successors and assigns, hereinafter called the Grantee, a non-exclusive easement in, upon, over, under, across, through and along the lands hereinafter described (such lands hereinafter described being sometimes referred to herein as the "Easement Parcel") solely to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conductors, conduits, pipes, cables, vaults, pads, switching equipment, enclosures, manholes and transformers and all other appliances, appurtenances and fixtures (collectively "Facilities") for the transmission and distribution of electricity and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress and egress to, from, across and along the Grantor's Property. Grantor makes the foregoing grant only to the extent of the rights held by Grantor in the Easement Parcel.

The lands in, upon, over, under, across, through and along which this easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

Grantor's Property:

A portion of Parcel "A", QUEEN CREEK PECANS UNIT 1, according to Book 151 of Maps, Page 4, records of Maricopa County, Arizona, being more particularly described in that Special Warranty Deed recorded in Instrument Number 2008-367686, records of Maricopa County, Arizona.

Easement Parcel:

Said easement being a strip of land 8.00 feet in width, lying 4.00 feet on each side of the line described as "CENTERLINE OF 8' EASEMENT" DELINEATED ON Exhibit "A" and Exhibit "B" (AT&T RIGGS RD), SRP Job Number KEB-2181, AMP # 81471987, prepared by Salt River Project Agricultural Improvement & Power District, dated 10/23/12), said Exhibit "A" and "B" attached hereto and made a part hereof. Said easement **ALSO** to include the equipment pad's as described and/or depicted on said Exhibit "A".

EXCEPT any portion thereof not lying inside said Grantor's property.

CAUTION: Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et seq., Arizona Blue Stake Law, prior to any excavation.

Grantee shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed within said areas. Grantee shall locate all above ground facilities outside of the Floodplain Zone "AE".

Grantor reserves the right to use the Easement Parcel and to grant further easements in, upon, over, under, across, through and along the Easement Parcel for any purpose necessary or convenient, in Grantor's sole discretion, including, but not limited to, landscaping, paved parking, sidewalks and/or driveways, provided these do not interfere with the efficient and safe operation and maintenance of Grantee's Facilities, including access thereto. Buildings, above-ground structures, or pools are prohibited within the Easement Parcel. Any trees included in the above landscaping shall, at full maturity and without trimming, maintain a minimum of 2.00 feet of clearance to Grantee's Facilities.

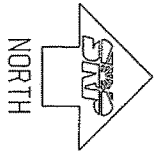
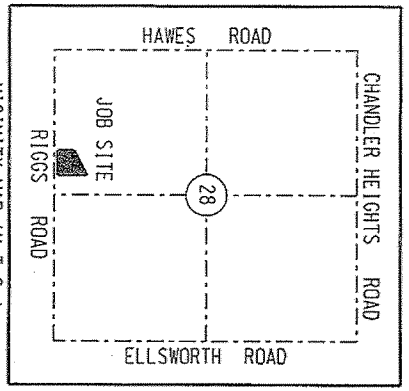
Grantee, at Grantee's sole cost, shall have the right and obligation to trim, cut and clear away trees, brush or other vegetation on the Easement Parcel whenever in Grantee's judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

If Grantee performs excavation activities in or around the Easement Parcel and disturbs or damages any of the real property or improvements of Grantor or any third party while performing such excavation, all such real property or improvements disturbed or damaged shall be restored as close to original condition as is reasonably possible at the expense of the Grantee.

In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time agreeable to the Grantor and subsequent to such abandonment.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

EXHIBIT "A"



ABBREVIATION TABLE

- BCF BRASS CAP FLUSH
- ACAP ALUMINUM CAP
- (C) CALCULATED
- EPPAD EQUIPMENT PAD
- FND FOUND
- GLO GENERAL LAND OFFICE
- M.C.R. MARICOPA COUNTY RECORDER
- (M) MEASURED
- (R) RECORDED
- RLS REGISTERED LAND SURVEYOR
- W/ WITH

LEGEND

- SECTION AND CENTERLINE
- _____ PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- ◆ SECTION CORNER AS NOTED
- ⊕ EQUIPMENT PAD UNLESS OTHERWISE NOTED ARE PART OF THE EASEMENT
- ⊖ SES (METER)

UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY, ARIZONA

NOTES

ALL ELECTRIC LINES SHOWN ARE MEASURED TO THE WINDOW OF THE EQUIPMENT PAD UNLESS OTHERWISE NOTED.

THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. ALL PARCELS SHOWN WERE PLOTTED FROM RECORD INFORMATION, AND NO ATTEMPT HAS BEEN MADE TO VERIFY THE LOCATION OF ANY BOUNDARIES SHOWN. THIS IS NOT AN ARIZONA BOUNDARY SURVEY.

CAUTION

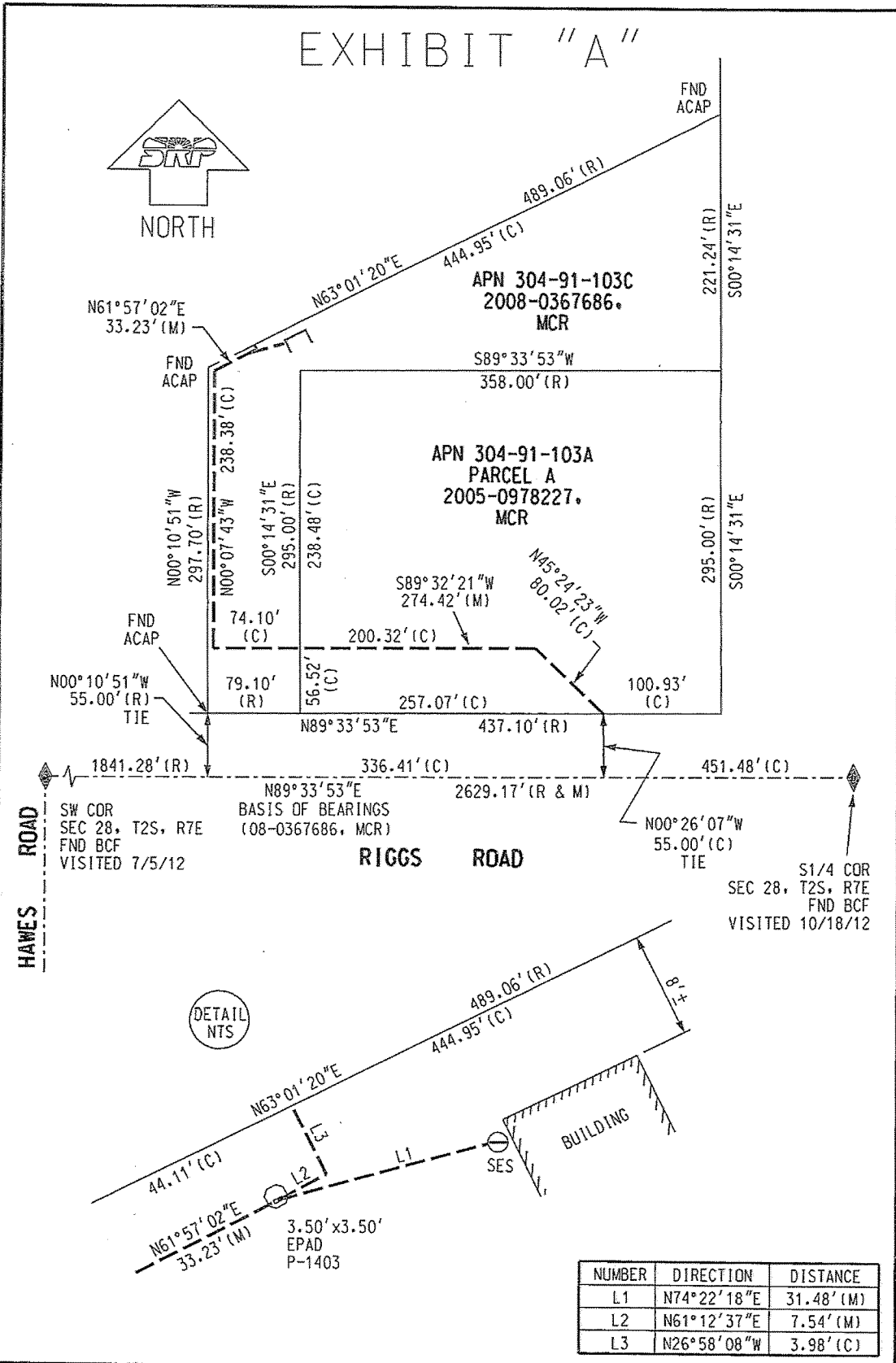
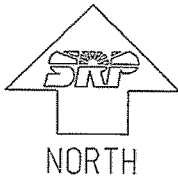
THE EASEMENT LOCATION AS HEREON DELINEATED MAY CONTAIN HIGH VOLTAGE ELECTRICAL EQUIPMENT. NOTICE IS HEREBY GIVEN THAT THE LOCATION OF UNDERGROUND ELECTRICAL CONDUCTORS OR FACILITIES MUST BE VERIFIED AS REQUIRED BY ARIZONA REVISED STATUTES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

SALT RIVER PROJECT		AGRICULTURAL IMPROVEMENT & POWER DISTRICT	
SPP JOB NUMBER:	KEB-2181	SCALE:	NIS
AMP W/O NUMBER:	81471987	SHEET:	1 OF 2
AGENT:	GOLLIHARE	SHEET SIZE:	8.5"x14"
DRAWN:	BH	REVISION:	01/11/12
CHECKED BY:	JL	CREW CHIEF:	ALVARADO
DATE:	10/23/12	FIELD DATE:	10/17/12

S&P SURVEY DIVISION
LAND DEPARTMENT

AT&T RIGGS RD
SW 1/4, SECTION 28
T.2 S., R.7 E
38.2 EAST - 10.9 SOUTH

EXHIBIT "A"



NUMBER	DIRECTION	DISTANCE
L1	N74°22'18"E	31.48' (M)
L2	N61°12'37"E	7.54' (M)
L3	N26°58'08"W	3.98' (C)

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT	
SRP JOB NUMBER: KEB-2181	SCALE: NTS
AMP W/O NUMBER: 81471987	SHEET: 2 OF 2
AGENT: GOLLHARE	SHEET SIZE: 8.5"x14"
DRAWN: BH	REVISION: 0 <i>WV/M</i>
CHECKED BY: <i>GM</i>	CREW CHIEF: ALVARADO
DATE: 10/23/12	FIELD DATE: 10/17/12

SURVEY DIVISION
LAND DEPARTMENT

AT&T RIGGS RD
SW 1/4, SECTION 28
T.2 S., R.7 E
38.2 EAST - 10.9 SOUTH

EXHIBIT "B"

A strip of land for electric easement purposes located in the Southwest Quarter of Section 28, Township 2 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being 8.00 feet in width, lying 4.00 feet on each side of the following described centerline;

COMMENCING at the Southwest corner of said Section 28, Township 2 South, Range 7 East, a Brass Cap Flush, from which the South Quarter corner of said Section 28, a Brass Cap Flush, bears North 89 degrees 33 minutes 53 seconds East, a distance of 2629.17 feet, also being the basis of bearings:

Thence along the South line of said Southwest Quarter, North 89 degrees 33 minutes 53 seconds East a distance of 1841.28 feet;

Thence departing said South line, North 00 degrees 10 minutes 51 seconds West a distance of 55.00 feet to the Northerly right-of-way line of Riggs Road;

Thence North 89 degrees 33 minutes 53 seconds East along said Northerly right-of-way line, a distance of 79.10 feet;

Thence North 00 degrees 14 minutes 31 seconds West a distance of 56.52 feet to the POINT OF BEGINNING;

Thence South 89 degrees 32 minutes 21 seconds West a distance of 74.10 feet;

Thence North 00 degrees 07 minutes 43 seconds West a distance of 238.38 feet;

Thence North 61 degrees 57 minutes 02 seconds East a distance of 33.23 feet to a point herein referred to as "Point A";

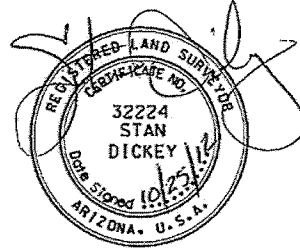
Thence North 61 degrees 12 minutes 37 seconds East a distance of 7.54 feet;

Thence North 26 degrees 58 minutes 08 seconds West a distance of 3.98 feet to a point which is 44.11 feet, North 63 degrees 01 minutes 20 seconds East from the Northwest corner of the parcel described in document number 2008-0367686, MCR and a terminus point;

09/11/8/12

Thence from said "Point A", North 74 degrees 22 minutes 18 seconds East a distance of 31.48 feet to a terminus of this easement.

Sidelines being lengthened or shortened to form vertices at all angle points, to begin on the East line of 2008-0367686, and to terminate on the North line of 2008-0367686.



REGISTRATION
EXPIRES: 03-31-13

10/25/12

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT
Land Department/PAB350
P. O. Box 52025
Phoenix, Arizona 85072-2025

DRAFT

Language matches our approved template

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 304-91-103A
SW ¼, SEC.28, T2S, R7E
2 OF 2

Agt. WLG
Job # KEB-2181
AMP # 81471987
W WLG C RAP

TOWN OF QUEEN CREEK,
a Municipal Corporation,

hereinafter called Grantor, for and in consideration of the sum of One Dollar, and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant and convey to SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT, an agricultural improvement district organized and existing under the laws of the State of Arizona, its agents, employees, contractors and permittees and its and their respective successors and assigns, hereinafter called the Grantee, a non-exclusive easement in, upon, over, under, across, through and along the lands hereinafter described (such lands hereinafter described being sometimes referred to herein as the "Easement Parcel") solely to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conductors, conduits, pipes, cables, vaults, pads, switching equipment, enclosures, manholes and transformers and all other appliances, appurtenances and fixtures (collectively "Facilities") for the transmission and distribution of electricity and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of ingress and egress to, from, across and along the Grantor's Property. Grantor makes the foregoing grant only to the extent of the rights held by Grantor in the Easement Parcel.

The lands in, upon, over, under, across, through and along which this easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

Grantor's Property:

The South 295.00 feet of the East 358.00 feet of Parcel "A", Lot Twenty-seven (27), Lot Twenty-eight (28), and the South 329.00 feet of Lot Twenty-nine (29), QUEEN CREEK PECANS UNIT 1, according to Book 151 of Maps, Page 4, records of Maricopa County, Arizona, being more particularly described in that Special Warranty Deed recorded in Instrument Number 2005-0978227, records of Maricopa County, Arizona

Easement Parcel:

Said easement being a strip of land 8.00 feet in width, lying 4.00 feet on each side of the line described as "CENTER KUNE IF 8' EASEMENT" DELINEATED ON Exhibit "A" and Exhibit "B" (AT&T RIGGS RD), SRP Job Number KEB-2181, AMP # 81471987, prepared by Salt River Project Agricultural Improvement & Power District, dated 10/23/12), said Exhibit "A" and "B" attached hereto and made a part hereof. Said easement **ALSO** to include the equipment pad's as described and/or depicted on said Exhibit "A".

EXCEPT any portion thereof not lying within said Grantor's property

CAUTION: Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et seq., Arizona Blue Stake Law, prior to any excavation.

Grantee shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear operational area that extends 12.00 feet immediately in front of all transformer and other equipment openings. No obstruction, trees, shrubs, fixtures or permanent structures shall be placed within said areas. Grantee shall locate all above ground facilities outside of the Floodplain Zone "AE".

Grantor reserves the right to use the Easement Parcel and to grant further easements in, upon, over, under, across, through and along the Easement Parcel for any purpose necessary or convenient, in Grantor's sole discretion, including, but not limited to, landscaping, paved parking, sidewalks and/or driveways, provided these do not interfere with the efficient and safe operation and maintenance of Grantee's Facilities, including access thereto. Buildings, above-ground structures, or pools are prohibited within the Easement Parcel. Any trees included in the above landscaping shall, at full maturity and without trimming, maintain a minimum of 2.00 feet of clearance to Grantee's Facilities.

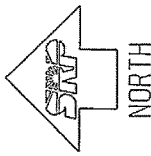
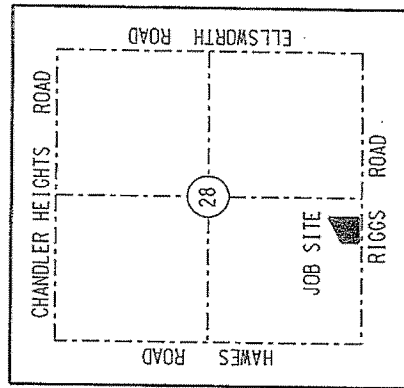
Grantee, at Grantee's sole cost, shall have the right and obligation to trim, cut and clear away trees, brush or other vegetation on the Easement Parcel whenever in Grantee's judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted.

If Grantee performs excavation activities in or around the Easement Parcel and disturbs or damages any of the real property or improvements of Grantor or any third party while performing such excavation, all such real property or improvements disturbed or damaged shall be restored as close to original condition as is reasonably possible at the expense of the Grantee.

In the event Grantee records a document to formally abandon the easement granted herein, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time agreeable to the Grantor and subsequent to such abandonment.

The covenants and agreements herein set forth shall extend and inure in favor and to the benefit of and shall be binding on the heirs, administrators, executors, personal representatives, legal representatives, successors (including successors in ownership and estate), assigns and lessees of the Grantor and Grantee.

EXHIBIT "A"



ABBREVIATION TABLE

BCF BRASS CAP FLUSH
 ACAP ALUMINUM CAP
 (C) CALCULATED
 EPAD EQUIPMENT PAD
 FND FOUND
 GLO GENERAL LAND OFFICE
 M.C.R. MARICOPA COUNTY RECORDER
 (M) MEASURED
 (R) RECORDED
 RLS REGISTERED LAND SURVEYOR
 W/ WITH

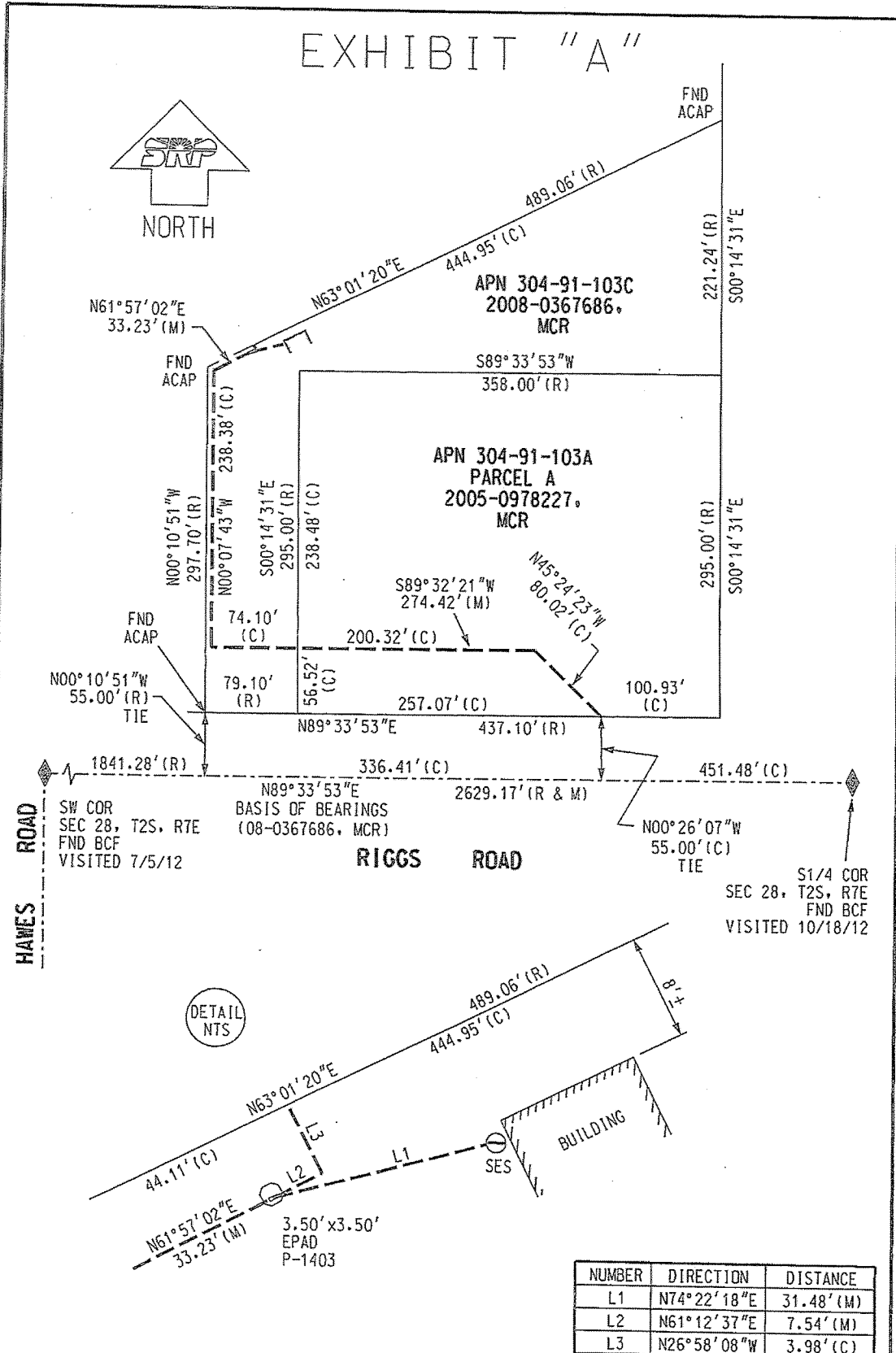
LEGEND

--- SECTION AND CENTERLINE
 ——— PROPERTY LINE
 - - - - - CENTERLINE OF 8' EASEMENT
 ◆ SECTION CORNER AS NOTED
 ⊕ EQUIPMENT PAD UNLESS OTHERWISE NOTED ARE PART OF THE EASEMENT
 ⊖ SES (METER)

UNDERGROUND ELECTRIC POWER LINE RIGHT-OF-WAY MARICOPA COUNTY, ARIZONA	
NOTES	
ALL ELECTRIC LINES SHOWN ARE MEASURED TO THE WINDOW OF THE EQUIPMENT PAD UNLESS OTHERWISE NOTED.	
THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. ALL PARCELS SHOWN WERE PLOTTED FROM RECORD INFORMATION, AND NO ATTEMPT HAS BEEN MADE TO VERIFY THE LOCATION OF ANY BOUNDARIES SHOWN. THIS IS NOT AN ARIZONA BOUNDARY SURVEY.	
CAUTION	
THE EASEMENT LOCATION AS HEREON DELINEATED MAY CONTAIN HIGH VOLTAGE ELECTRICAL EQUIPMENT, NOTICE IS HEREBY GIVEN THAT THE LOCATION OF UNDERGROUND ELECTRICAL CONDUCTORS OR FACILITIES MUST BE VERIFIED AS REQUIRED BY ARIZONA REVISED STATUTES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.	

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT	
SRP JOB NUMBER: KEB-2181	NTS
AMP W/O NUMBER: 81471987	SHEET: 1 OF 2
AGENT: GOLLIHARE	SHEET SIZE: 8.5" x 14"
DRAWN: BH	REVISION: 0 1/8/12
CHECKED BY: JLB	CREW CHIEF: ALVARADO
DATE: 10/23/12	FIELD DATE: 10/17/12
SWP SURVEY DIVISION LAND DEPARTMENT	
AT&T RIGGS RD SW 1/4, SECTION 28 T.2 S., R.7 E 38.2 EAST - 10.9 SOUTH	

EXHIBIT "A"



NUMBER	DIRECTION	DISTANCE
L1	N74°22'18"E	31.48' (M)
L2	N61°12'37"E	7.54' (M)
L3	N26°58'08"W	3.98' (C)

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT		SRP SURVEY DIVISION LAND DEPARTMENT	
SRP JOB NUMBER: KEB-2181	SCALE: NTS	AT&T RIGGS RD SW 1/4, SECTION 28 T.2 S., R.7 E 38.2 EAST - 10.9 SOUTH	
AMP W/O NUMBER: 81471987	SHEET: 2 OF 2		
AGENT: GOLLIHARE	SHEET SIZE: 8.5"x14"		
DRAWN: BH	REVISION: 0		
CHECKED BY: GM	CREW CHIEF: ALVARADO		
DATE: 10/23/12	FIELD DATE: 10/17/12		

EXHIBIT "B"

A strip of land for electric easement purposes located in the Southwest Quarter of Section 28, Township 2 South, Range 7 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being 8.00 feet in width, lying 4.00 feet on each side of the following described centerline:

COMMENCING at the Southwest corner of said Section 28, Township 2 South, Range 7 East, a Brass Cap Flush, from which the South Quarter corner of said Section 28, a Brass Cap Flush, bears North 89 degrees 33 minutes 53 seconds East, a distance of 2629.17 feet, also being the basis of bearings;

Thence along the South line of said Southwest Quarter, North 89 degrees 33 minutes 53 seconds East, a distance of 2177.69 feet;

Thence departing said South line, North 00 degrees 26 minutes 07 seconds West a distance of 55.00 feet to the Northerly right-of-way line of Riggs Road and the POINT OF BEGINNING;

Thence North 45 degrees 24 minutes 23 seconds West a distance of 80.02;

Thence South 89 degrees 32 minutes 21 seconds West a distance of 200.32 feet to a point which is 238.48 feet, South 00 degrees 14 minutes 31 seconds East, from the Northwest corner of the parcel described in document number 2005-0978227, MCR and the terminus point of this easement.

Sidelines being lengthened or shortened to form vertices at all angle points, to begin on the South line of said document 2005-0978227, and to terminate on the West line of said document 2005-0978227.



REGISTRATION
EXPIRES 03-31-2013