



Minutes
Regular Session
Queen Creek Town Council
Community Chambers, 20727 E. Civic Parkway
January 20, 2021
6:30 PM

1. Call to Order:

The meeting was called to order at 6:43 p.m.

2. Roll Call: (Members of the Town Council may attend electronically and/or telephonically)

Gail Barney	Mayor	Present
Julia Wheatley	Vice Mayor	Present
Robin Benning	Council Member	Present
Jeff Brown	Council Member	Present via WebEx
Leah Martineau	Council Member	Present
Dawn Oliphant	Council Member	Present
Emilena Turley	Council Member	Present

3. Pledge of Allegiance:

Led by Mayor Barney

4. Invocation/Moment of Silence:

A moment of silence was held for our communities across the Nation that are hurting.

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

A. Recognition of and remarks from State Representative Jake Hoffman (former Councilman)

Arizona State Representative Jake Hoffman was recognized for service as a Queen Creek Town Council Member since 2016. Mayor Barney thanked him for his service and presented him with a plaque and helmet for his four years serving Queen Creek. Representative Hoffman provided outgoing remarks and thanked the Council and citizens and said he will continue help Queen Creek through Legislative District 12.

B. Swearing-In Ceremony for Incumbents Robin Benning, Jeff Brown, and Council Member-Elect Leah Martineau.

Queen Creek Town Council
Regular Session Minutes
January 20, 2021
Page 2 of 13

Per the results of the August 2020 primary election, Incumbents Benning, Brown and Council Member-elect Martineau were sworn into office by Judge Goodman. The newly elected Council Members provided brief remarks.

Council Member Brown thanked the residents and voters for their faith in his service and said he will continue to work hard on their behalf.

Council Member Benning stated it was an honor to serve again and thanked voters for their continued support and indicated his door is always open to residents for questions or feedback.

Council Member Martineau stated it was an honor to represent Queen Creek and thanked her family for their encouragement. She was grateful of the work of previous Councils and she looks forward to serving the community.

A brief break was taken for photos.

C. Proclamation: National School Choice Week (January 24-30, 2021)

Mayor Barney read the proclamation.

D. Proclamation: Human Trafficking Prevention Month (January 2021)

Council Member Martineau read the proclamation for Human Trafficking Prevention Month which brings awareness to the commitment to end human trafficking and to acknowledge the seriousness of this issue as we build and develop our new Police Department.

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.

See attached summary.

- B. Committee and outside agency reports (only as scheduled)

1. Downtown Arts & Placemaking Advisory Sub-Committee (December 10, 2020 & January 14, 2021)

Council Member Oliphant reported on the two previous meetings of the Downtown Arts & Placemaking Advisory Sub-Committee. The committee discussed the Shop Queen Creek Bag Design Contest, a new application process for public art and murals, and a possible art project to paint murals on water wells owned by Roosevelt Irrigation District. The next virtual meeting will be on February 11, 2021.

Queen Creek Town Council
Regular Session Minutes
January 20, 2021
Page 3 of 13

7. Public Comments: *Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@queencreek.org by 6:30 p.m. on January 20, 2021 (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record). The Town Council may not discuss or take action on any issue raised during public comment until a later meeting. Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

None.

8. Consent Agenda: *Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Members of the Town Council and or staff may comment on any item without removing it from the Consent Agenda or remove any item for separate discussion and consideration.*

Staff pulled Items K and L for a separate vote.

MOTION:	To approve the Consent Agenda minus Items K & L
RESULT:	Approved unanimously (7-0)
MOVER:	Julia Wheatley, Vice Mayor
SECONDER:	Emilena Turley, Council Member
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Martineau

- A. Consideration and possible approval of the December 2, 2020 Regular Session Minutes.
- B. Consideration and possible approval of Council committee assignments for 2021.
- C. Consideration and possible approval of expenditures over \$25,000. (FY 20/21 Budgeted Items)
 - 1. San Diego Police Supply - Rifle & Handgun Ammunition (practice & service ammunition): \$98,500 (Police)
 - 2. ProForce Law Enforcement - Rifles, shotguns and related equipment: \$155,000 (Police)
 - 3. Southwest Waterworks - Well Maintenance & Repairs: \$550,000 (Utilities)
 - 4. Core and Main - Water Distribution Parts: \$500,000 (Utilities)
 - 5. Toter, Inc. - Trash and Recycling Carts: \$100,000 (Public Works - Solid Waste)
 - 6. United Truck and Equipment - Water Tank Replacement on Truck #0048: \$27,541 (Public Works - Fleet Services)

Queen Creek Town Council
Regular Session Minutes
January 20, 2021
Page 4 of 13

- D. Consideration and possible approval of the "Final Plat" for 188th Street and Cloud Road, a request by Blueshore Holdings, LLC.
- E. Consideration and possible approval of a First Amendment to the Site Lease Agreement for Cellular Providers and the Memorandum of Lease with American Towers Corporation AKA Cellco Partnership, d/b/a Verizon Wireless, at Founders Park.
- F. Consideration and possible approval of Project Order #6 (Town Contract 2016-114) with Kimley Horn and Associates, Inc. in an amount not to exceed \$165,000 for development of intelligent transportation system, MAG grant related Project #10081, for preliminary and final design services including, but not limited to, plans, specifications and estimates for equipment and devices. (FY 20/21 Budgeted Item)
- G. Consideration and possible approval of the first amendment to the Intergovernmental Agreement between Pinal County and the Town of Queen Creek to define responsibilities for the design and construction of Meridian Road from Germann Road to State Route 24 (Project # A1506) in an amount estimated at \$9 Million dollars (split 50/50 between agencies). (FY20/21 Budgeted Item)
- H. Consideration and possible approval of an Intergovernmental Agreement with Pinal County in an amount not to exceed \$66,000 (cost split 50/50 between agencies) for a Small Area Transportation Study (SATS). (FY20/21 Budgeted Item)
- I. Consideration and possible approval of Resolution 1394-21 and the Recovered Reclaimed Water Agreement and Water Services Agreement between the Town and Wales Ranches, LLP and Ashton Woods Arizona, LLC to facilitate development of approximately ± 178 acres located outside of the municipal boundary of Town, but within the Town's Water Service Area and generally known as Wales Ranches Phase 1.
- J. Consideration and possible approval of Delegation Resolution 1396-21 for the construction of the Power Road Lining Rehabilitation Project (WW070 – Phase II) authorizing and directing the Town Manager, and/or Utilities Department Director to take any and all action necessary, and to sign any and all documents, contracts, and agreements related to the construction and completion of this project in an amount not to exceed \$2,310,00 and necessary contingency budget adjustments of \$560,000. (FY20/21 Budgeted Item)
- K. Item K was moved to Item(s) Moved from Consent Agenda
- L. Item L was moved to Item(s) Moved from Consent Agenda

Item(s) Moved from Consent Agenda:

- K. Consideration and possible approval of Resolution 1395-21 supporting an application for the activation of a single-user driven Foreign Trade Zone site for Project Everest.

Queen Creek Town Council
Regular Session Minutes
January 20, 2021
Page 5 of 13

Council Member Turley had concerns about subsidies to foreign companies and foreign trade zones and said it was anti free market. Council Member Martineau concurred with Council Member Turley and said government should not be involved with picking winners and losers.

MOTION:	To approve the Consent Agenda Item K
RESULT:	Approved (5-2)
MOVER:	Robin Benning, Council Member
SECONDER:	Julia Wheatley, Vice Mayor
AYES:	Barney, Wheatley, Benning, Brown, Oliphant
NAYES:	Turley, Martineau

- L. Consideration and possible approval of: (1) Ordinance No. 744-21 authorizing the exchange of real property owned by the Town located at 22240 S. Ellsworth Loop Road, Queen Creek for real property located at 21895 S. Ellsworth Road, Queen Creek pursuant to the term and conditions set forth in the Ordinance; (2) the related Development Agreement and (3) the related Town property Lease; and directing the Town Manager and Town Attorney to take any and all action necessary and to negotiate, finalize and sign any and all contracts, agreements, and/or other documents related to implementation of the purpose of the Ordinance, including a final Development Agreement and Lease, and completion of the exchange.

Council Member Turley said she cannot support a land trade for less than market value in the current market.

Vice Mayor Wheatley commented that it was within 5% of value for value and said it important for our Downtown Core and said she will be in support of the item.

MOTION:	To approve the Consent Agenda Item L
RESULT:	Approved (5-2)
MOVER:	Robin Benning, Council Member
SECONDER:	Julia Wheatley, Vice Mayor
AYES:	Barney, Wheatley, Benning, Brown, Oliphant
NAYES:	Turley, Martineau

9. Items for Discussion: *These items are for Town Council discussion only and no action will be taken. In general, no public comment will be taken.*

- A. Public Works Update on the Town's Capital Improvement Program.

Public Works Director Troy White provided a presentation relating to Town Center streets and the East Park Food Control Drainage Project.

1. Town Center Streets

Mr. White outlined current projects that will enhance safety along Ellsworth Loop Road corridor, increase roadway circulation and enhance multimodal pedestrian movement. The improvements will set the standard for future development and address drainage liabilities. Mr. White said that Munoz Road and Aldecoa Road will connect from the Ellsworth Loop Road to Old Ellsworth Road and provide internal circulation. The project will include 2-lane bike paths and sidewalks to separate pedestrians from traffic and will adhere to the core design standards providing walkability, shade structures, screen walls, aesthetics, lighting and speed deterrents. Additionally, the left turn out of QuikTrip will be eliminated and customers can use Sumner Place to connect to the light at Aldecoa Road to turn left which will improve safety. Mr. White noted that the Town has been in contact with QuikTrip regarding changes and they are happy to see the improvements for the safety of their patrons. Construction on this project will start in September 2021.

Council had positive comments on the traffic improvements and the walkability proposed for Town Center and appreciated the Town's outreach to the businesses that it will effect.

2. East Park Flood Control Drainage Project

Mr. White said the purpose of this project is to solve storm flooding issues for the northeast section of Town. This is a joint effort over many years between the Town, Flood Control District of Maricopa County (FCDMC) and private development. The Town has an \$8M IGA with FCDMC with a 50/50 split to install the infrastructure. The project consists of basins, channels, and box culverts which will connect to the East Maricopa Floodway.

Mr. White said all parties worked together to provide storm water to the East Park Site channels. The next steps include a 60% design plan in order to construct the storm basin and channel system and to assure that it works with the park site. Parks & Recreation Advisory Board will review site plans and make a recommendation to Town Council in March for input and the public outreach period will follow.

C. Police Department Status Report/Update

Police Chief Randy Brice provided the mid-month report and briefly outlined highlights, milestones and future goals. Chief Brice reported on meeting and outreach during the reporting period. Chief Brice said the Police Department IT Network was completed in thirty days which is a very quick turnaround time and he thanked the IT staff for their work on the project. He reported on the public records management project, IGA's, recruitment and testing. He said the hiring process was moved up ahead of schedule.

10. Public Hearing Consent Agenda: *Matters listed under the Public Hearing Consent Agenda are considered to be routine and will be enacted by one motion and one vote. Please address the Town Council on any items on the Public Hearing Consent Agenda by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

Mayor Barney opened the Public Hearing. There were no public comments and the Public Hearing was closed.

MOTION:	To approve the Public Hearing Consent Agenda
RESULT:	Approved unanimously (7-0)
MOVER:	Julia Wheatley, Vice Mayor
SECONDER:	Leah Martineau, Council Member
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Martineau

A. Public Hearing for Case P20-0149 “The Residences at QC Commons Annexation”, a proposed annexation of approximately 9.97 acres, located approximately 1,200 feet north of the northeast corner of Ellsworth and Riggs roads.

11. Public Hearings: *If you wish to speak to the Town Council on any of the items listed as a Public Hearing, please address the Town Council by sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

A. Public Hearing and possible action on Ordinance 745-21, P20-0037 Sossaman Farms West Rezone, a request by W. Ralph Pew (Pew & Lake) to rezone approximately 147 acres from PRC, R1-9, R1-12, R1-35, and R1-43 to R1-5, R1-9, R1-12, MDR, and C-1 for future residential and commercial development located at the southwest corner of Power and Ocotillo roads.

Steven Ester, Planner II thanked all residents that provided input throughout the public meeting process. Mr. Ester introduced the project and outlined surrounding properties and future Sossaman properties to be developed. Mr. Ester said the General Plan land use

is designated as commercial, open space and neighborhood and he outlined existing zoning districts. He gave details on Growth Areas which are an element of the General Plan which highlight where future development is needed to accommodate growth. He said that Sossaman Farms is identified as a growth area in the General Plan.

Mr. Ester said the applicant is proposing to rezone 147 acres to R1-5, R1-9, R1-12, Medium Density Residential (MDR) and C-1. He said this is a conventional rezone with no deviations from the Zoning Ordinance and the project will include oversized lots which was a self-imposed stipulation by the applicant.

Mr. Ester said the issue of building height was raised at the Planning and Zoning Commission and based on Planning Commission discussion the applicant agreed that future MDR development will be limited to two-story and the first row of structures on the outer western and southern perimeter are limited to one-story. This language was part of the amended motion from the Planning Commission.

Mr. Ester said neighborhood meetings were held by the applicant and the town and concerns regarding density, increased traffic, entrances, potential uses in C-1 and building height were raised. At the December 9, 2020 Planning Commission meeting approximately 38 attendees were present via WebEx; 8 members of the public spoke in opposition and 25 comment cards in opposition were read into the record. The Commission voted to approve the project 5-1-1 with an amended motion.

Mayor Barney opened the Public Hearing at 7:55 pm. The following public comments were heard:

Speakers in opposition to Item 11(A):

- Tracey Warren-Hein, 17920 E Sonoqui Blvd, Gilbert had concerns about the zoning changes and how it would affect the quality of life. She said the existing zoning better reflects the surrounding area and she would like less homes and less access on Brooks Farm Rd.
- Brianne Casper, 23005 S 182nd St., Gilbert said the entrance on Brooks Farm Road is problematic and the small country road cannot handle the new development. She requested that Council consider the elimination of the entrance on Brooks Farm Rd or use for emergency vehicles only. She had concerns about the MDR aspect of the project and was opposed to a hotel on the commercial site.
- Heather Stevens (WebEx), 22915 S 180th Street, Gilbert wants to keep Queen Creek small and neighborly and said the project is not compatible with the surrounding neighborhood. She had safety concerns regarding traffic and would like Brooks Farm Road to be for emergency access only.
- Shawnalea Shelly (WebEx), 23015 S 182nd St., Gilbert had concerns regarding traffic, the access of Brooks Farm Rd, MDR height and density of the project. She

Queen Creek Town Council
Regular Session Minutes
January 20, 2021
Page 9 of 13

requested the removal of the entrance on Brooks Farm Road or for use of emergency vehicles only and also requested the maximum overall density to be no more than 3.8 du/ac.

- Joe Marcin (WebEx), 4575 E Rakestraw Lane, Gilbert resides at Trilogy at Power Ranch and also spoke on behalf of Wayne Norlie, Trilogy Board of Director Member. Mr. Marcin was concerned with the height of the MDR buildings, density of project in comparison to Trilogy and had concerns regarding privacy of existing Trilogy residents. He was in favor of single story apartments.
- Tyler Flake (WebEx), 22505 S 179th Way, Gilbert was concerned about safety issues, erosion, and flood zone areas.

Assistant Manager Bruce Gardner read the following Public Comments received via email in opposition to Item 11(A). Comments will be included into the public record.

- Andrew and Christina Cox, 19422 E Camina Plata, Queen Creek 85142
- Ryan and Kae Delnoce, 19432 E Camina Plata, Queen Creek 85142
- Pete Famighetti, E Blue Spruce, Gilbert
- Joe Marcin and Wayne Norlie, Trilogy at Power Ranch
- Shawnalea Shelly, 23015 S 182nd Street, Gilbert
- Heather Stevens, no address provided
- Cara Wescott, 22415 S. 178th Place, Gilbert
- Tracey Warren-Hein, 17920 E Sanoque Blvd., Gilbert, AZ 85298

Mayor Barney closed the Public Hearing at 8:24 pm.

Mr. Ralph Pew presented on behalf of applicant Steve Sossaman and the Sossaman Family. He addressed some of the main concerns voiced by neighbors and property owners as follows:

1. Existing Zoning and General Plan - He said that Town zoning changes and evolves over time, according the guiding principles of the General Plan. He said that the Sossaman land is consistent with the General Plan and has never been zoned as Rural or Low density on the General Plan ever. He said it has always been zoned medium density from 1999 to current zoning.
2. Road conditions will be completely improved to Town standards.
3. Mr. Pew addressed the efforts and changes made by the applicant over a period of 1.5 years including several neighborhood meetings, four submittals, changed zoning district and creation of a double row buffer.

Mr. Pew provided an overview of growth areas, density analysis, buffers, landscaping, and roadway improvements and traffic solutions for Brooks Farm Road. Mr. Pew added that the connection of Sonoqui Wash to the Queen Creek Wash was made possible through the commitment of the Sossaman Family.

Council Member Benning asked staff for clarification regarding a public comment which referenced 500 units being proposed for the multi-density residential (MDR). Mr. Ester replied that the correct number of units being proposed is 240.

Council Member Benning asked about the traffic count study on Brooks Farm Road and also how we can restrict westbound traffic. Public Works Director Troy White said it was a preliminary traffic analysis done by the County and it did not cover Brooks Farm Road and the Town will do its own study later in the project that will cover Brooks Farm Road. Mr. White said they are working on solutions with the applicant to address the traffic concerns and the possible use of a reverse “pork chop” approach is being considered for westbound traffic.

Vice Mayor Wheatley appreciated the unique project, connectivity to the wash, and appreciated the buffers and concessions made by the applicant. She had concerns with the density and the jump to higher density zoning. She acknowledged the valid concerns from residents regarding traffic issues.

Council Member Turley discussed the traffic safety issues and was confident that staff could find solutions. She said we have to adhere to the General Plan and voter directives and provide consistency to the business community. She spoke on the importance of property rights. She appreciated the compromises by the applicant and said they are in compliance with the General Plan and she is in support of the project.

Council Member Brown understood the safety and traffic concerns of the residents and also the changes made by the applicant. He said we get better projects when staff and the community make compromises and he said he will support the project.

Council Member Martineau sympathizes with the residents and their concerns but also values property rights.

Council Member Oliphant appreciated resident’s concern over the traffic and Brooks Farm Road and will support them to make safety a priority. She said the project is better when all voices are heard. She said the donation of the wash from the Sossaman’s and the agritainment aspect of Sossaman Farms is good for residents. Although the density is high, she said the project as a whole is positive.

Mayor Barney said the project is good for the area and he is in support.

MOTION:	To approve Ordinance 745-21, P20-0037 Sossaman Farms West Rezone with the stipulation that Town staff work with the applicant during the platting period for a solution to restrict westbound traffic on Brook Farms Road.
RESULT:	Approve (6-1)
MOVER:	Robin Benning, Council Member
SECONDER:	Emilena Turley, Council Member
AYES:	Barney, Benning, Brown, Oliphant, Turley, Martineau
NAYS:	Wheatley

12. Final Action: *If you wish to speak to the Town Council on any of the items listed under Final Action Please address the Town Council by completing a Request to Speak Card and turn it into the Town Clerk, sending an email to PublicComment@queencreek.org (limited to 500 words – identify your name, address and whether you wish your comment to be read at the meeting or just submitted as part of the written record) or by WebEx (instructions at QueenCreek.org/WatchMeetings). Speakers are limited to three (3) minutes each. Only one comment (either by email or by WebEx) per person per Agenda Item will be allowed and comments without identifying name and address will not be read or submitted as part of the written record.*

- A. Discussion and possible approval of the appointment of Council Member Dawn Oliphant to serve as Vice Mayor for a term ending January 2022.

MOTION:	To appoint Council Member Oliphant to serve as Vice Mayor for a term ending January 2022.
RESULT:	Approved unanimously (7-0)
MOVER:	Gail Barney, Mayor
SECONDER:	Robin Benning, Council Member
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Martineau

Council Member Wheatley said it was an honor to represent Queen Creek as Vice Mayor and despite the unprecedented events in 2020, Queen Creek had a fantastic year. She said she has full confidence in Vice Mayor Oliphant.

Vice Mayor Oliphant reflected on the Town's growth since the last time she served as Vice Mayor. She is looking forward to her new role and appreciates her colleague's support.

- B. Consideration and possible approval of Resolution No. 1392-21 accepting the Town's Fiscal Year 2019-20 financial statements and audit reports.

Queen Creek Town Council
Regular Session Minutes
January 20, 2021
Page 12 of 13

Sandy Cronstrum, CPA from CliftonLarsonAllen LLP presented on the Town's FY2019-20 financial audit. She praised the Queen Creek Finance Department and said it was a pleasure working with Queen Creek.

Ms. Cronstrum defined the steps of the audit and reviewed the Report Package:

- Communication to Governance - (overview of the audit) Addresses uncorrected misstatements of small dollar amounts
- Comprehensive Annual Financial Report (CAFR) - The Town received an unmodified or "clean" opinion
- Single Audit Results - (required when the Town receives a Federal grant) no weaknesses or deficiencies were found
- Management Letter - finding on internal controls (in progress)
- Highway User Revenue Fund (HURF) Report – no findings
- Annual Limitation Report - the Town was well within expenditure limitation

Finance Director McCarty gave a brief overview of FY19-20 Financial Results. He said revenues were better than expected and we did not see an adverse effect from COVID and expenses were lower than budget. Mr. McCarty provide an update on the continued progress of pension reserves; completed infrastructure; future projects; and interfund loans. Mr. McCarty said the Town's financial condition remains strong and we were able to meet our financial objectives.

MOTION: To approve Resolution 1392-21 accepting the Town's Fiscal Year 2019-20 financial statements and audit reports

RESULT: Approved unanimously (7-0)

MOVER: Dawn Oliphant, Vice Mayor

SECONDER: Jeff Brown, Council Member

AYES: Barney, Wheatley, Benning, Brown, Oliphant, Turley, Martineau

- B. Consideration and possible approval of Resolution No. 1393-21 accepting the Town's Fiscal Year 2019-20 Development Impact Fee and Capacity Fee reports.

Mr. McCarty said the annual review and acceptance of the Development Impact Fee and Capacity Fee report is a new internal policy adopted by Council in June 2020 to improve disclosure.

Queen Creek Town Council
Regular Session Minutes
January 20, 2021
Page 13 of 13

Mr. McCarty said impact and capacity fees are one-time fees paid by new development to mitigate the costs of new infrastructure installed to maintain adopted service levels. He summarized the FY19-20 impact and capacity fee activity. Highlights reflect strong development activity levels with a total of \$22.2M collected and \$34M spent. Mr. McCarty explained that ending balances will fluctuate because fees collected do not always align with expenses. He said we build reserves and spend reserves and cycles differ within the different areas.

MOTION:	To approve Resolution 1393-21 accepting the FY19-20 Annual Impact Fee and Capacity Fee Reports
RESULT:	Approved unanimously (7-0)
MOVER:	Gail Barney, Mayor
SECONDER:	Robin Benning, Council Member
AYES:	Barney, Wheatley, Benning, Brown, Oliphant, Turley, Martineau

The Mayor and Council reconvened into Executive Session at 9:51 p.m.

13. Adjournment

The Regular Session reconvened and adjourned at 10:00 p.m.

TOWN OF QUEEN CREEK

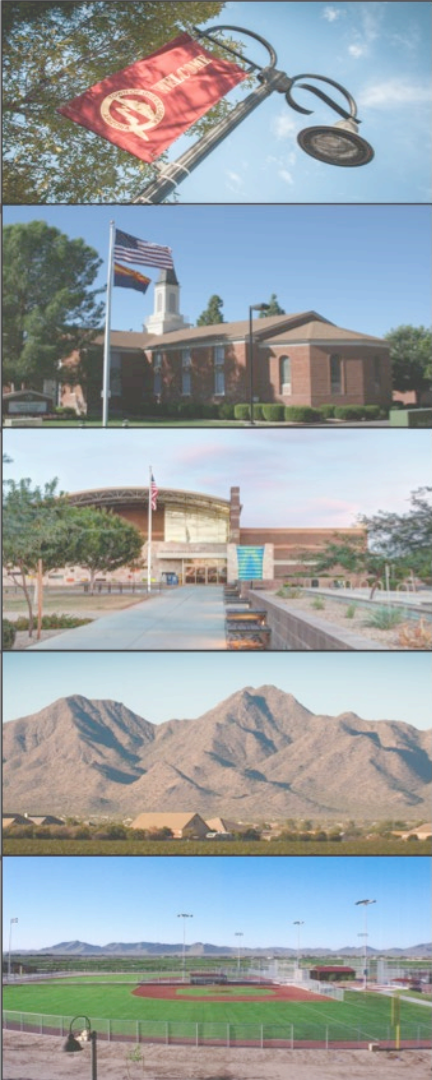
Gail Barney, Mayor

ATTEST:

Maria E. Gonzalez, Town Clerk

I, Maria E. Gonzalez, do hereby certify that to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Regular Session Minutes of the January 20, 2021 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

Passed and approved on:



Council Committee Reports

- 12/21 – Hampton Inn Hotel Grand Opening (Barney, Benning, Oliphant, Turley, Wheatley)
- 12/23 – MCDPH Weekly Municipalities, Tribal and Partner Webinar (Barney)
- 01/06 – MCDPH Weekly Municipalities, Tribal and Partner Webinar (Barney)
- 01/07 – AZ League Nominating Committee Meeting (Barney)
- 01/07 – East Valley Mayors Virtual Luncheon (Barney)
- 01/12 – QC Chamber Network Luncheon (Brown, Oliphant, Wheatley)
- 01/12 – Gilbert Town Council 2021 Inauguration Ceremony (Barney, Turley)
- 01/14 – DT QC Arts & Placemaking Advisory Committee Meeting (Oliphant)
- 01/15 – EVTI Action Subcommittee Meeting (Benning)
- 01/15 – AZ League Budget Subcommittee Meeting (Barney)
- 01/19 – PHX EVP Critical Infrastructure & Transportation Committee Meeting (Brown)
- 01/19 – Phoenix-Mesa Gateway Board Meeting (Barney)
- 01/20 – MCDPH Weekly Municipalities, Tribal and Partner Webinar (Barney)
- 01/20 – MAG Transportation Policy Committee Meeting (Barney)



Bruce Gardner <bruce.gardner@queencreek.org>

(no subject)

1 message

'Christina Cox' via publiccomment <publiccomment@queencreek.org>

Wed, Jan 20, 2021 at 11:03 AM

Reply-To: Christina Cox <christinacox22@yahoo.com>

To: publiccomment@queencreek.org

To the Town Council

I am opposed to rezoning of the southwest corner of Power and Ocotillo also known as Sossaman Farms West. The proposed apartment complex and smaller lots does not fit the surrounding area.

Thank you

Andrew and Christina Cox

[19422 E Camina Plata](#)

[Queen Creek, AZ 85142](#)

[Sent from Yahoo Mail for iPhone](#)



Maria Gonzalez <maria.gonzalez@queencreek.org>

Sossaman Farms West Rezone

1 message

Ryan and Katie Delnoce <delnacho@hotmail.com>

Mon, Jan 18, 2021 at 4:22 PM

To: "TownCouncil@queencreek.org" <TownCouncil@queencreek.org>, "publiccomment@queencreek.org" <publiccomment@queencreek.org>

This letter is for Town Council and to be read during public comments if possible. If too long I can remove last paragraph about apartments, thank you.

To the Town Council

I am writing in opposition to the proposed rezoning of the property located on SW corner of Power and Ocotillo. Currently it is zoned as R1-9, R1-12, R1-35 and R1-43 which matches the established surrounding neighborhoods. This property is bordered by lots that are all bigger than what is being proposed in this rezoning. The applicant would like to rezone 55% of the homesites to be R1-5. There is only one neighborhood that is zoned R1-5 west of Ellsworth and south of Rittenhouse in Queen Creek and it does not border this lot. The applicant is taking advantage of the fact that a gated retirement community sits north of this site and are using their lot sizes to justify these new R1-5 lots. Look at the surrounding properties on Zillow and if you remove this retirement community, there are no lots smaller than 8,000 sqft within half a mile of this lot. The nearest R1-5 lot, not counting a gated retirement community, is over a mile away.

I don't understand why lot sizes continue to get smaller and smaller. When my wife and I moved out here 16 years ago, our first home was in Queenland Manor which is zoned R1-8 and R1-12. Our house sat on a lot that was 7,318 sqft, which didn't give us a lot of room from our neighbors but was still nice. You drive thru this community and you can see how much open space there is compared to these new neighborhoods that are now being built. Now you drive thru a new neighborhood and it's like driving thru a canyon made up of two-story houses where you have to pull over to let on-coming traffic through. Please do not let them put anything smaller than R1-9 lots in this community.

I've been involved in two different rezoning cases with Pew and Lake and it's always the same argument about how larger lots aren't selling. Well Dorado Estates sure didn't have a hard time selling out their community and it hasn't stopped Toll Brothers from continuing to build homes on larger lots in multiple areas of Queen Creek. I've also noticed how they always start out with lot sizes that they know they won't get so they can turn to the Town and say how reasonable they are being by increasing lot sizes to satisfy citizens' concerns with the rezoning. Again, I think Pew and Lake are taking advantage of the fact the neighboring community is being distracted by an apartment complex. If it wasn't for the apartment complex, I believe there would be greater concern with these R1-5 lot sizes.

Speaking of the apartment complex, one of Pew and Lakes arguments for the apartment complex is the fact that in Queen Creek only 5% of housing is multifamily and that this is below the Maricopa County average of 20%. First, why do we care if we don't meet the average? There are only homes in this area and very little commercial. Second, I don't believe that the 5% takes into account the influx of proposed multifamily homes the town has already signed off on.

Please do not allow R1-5 lots to be included in this community.

Thank you

Ryan and Katie Delnoce
19432 E Camina Plata
Queen Creek, AZ 85142

Get [Outlook for iOS](#)



Bruce Gardner <bruce.gardner@queencreek.org>

Public Meeting - My Opinion Regarding Sossaman Project

1 message

Pete Famighetti <famighetti@hotmail.com>

Wed, Jan 20, 2021 at 9:49 PM

To: "PublicComment@QueenCreek.org" <PublicComment@queencreek.org>

Our main objections to the proposed development is the commercial and multifamily multilevel housing that is being proposed directly behind our home. We live on E. Blue Spruce, 10 houses west of power road along Ocotillo. The noise, street lighting from Ocotillo has been worse than we anticipated from when we purchased in 2006. When I was considering to purchase our home and inquired about developments across to the south, we were told that it would be single family, single level homes on 1 acre lots. We bought this home for the view, larger lot, we knew that Ocotillo would be extended west of Power and it was after 11 years, but we didn't expect it to be so close and noisy.

So the fact of more concentrated housing, up to 3 story housing complex on the north east corner of the land puts this directly south of us, very disturbing to us. Previous to this development being put on paper, I didn't realize that this Sossaman land was in the town of Queen Creek. It has been stated that is important for the town of Queen Creek to have balanced housing types available, I understand. However, the fact that this one piece of land juts out into the town of Gilbert, it should be developed like the surrounding area as a good neighbor.

Please consider adjusting this development for those of us living her for over 15 years.

Best regards,

Pete Famighetti

Phone: 602-510-7376

Email: famighetti@hotmail.com

Town of Queen Creek - Town Council

Date: January 18, 2021

Subject: Sossaman West – Zoning Application/Proposed Project Development – Comments

Town Council Members:

We appreciate and thank you for your time and effort spent by the Town of Queen Creek Zoning and Planning Commission and Town Council in reviewing the Sossaman West rezoning and development plan. We are pleased that the zoning approval is contingent on meeting specified conditions outlined in the Zoning Commission's summary report but we are still concerned with the height of the proposed apartment buildings.

The final zoning approval will significantly increase the number of units on this property. This will result in a reduction in green space. There have been numbers quoted about the residential density of the Trilogy Community. For clarification purposes, the residential density of the one square mile that makes up the Trilogy Community, including green space, golf course and homes is approximately 3.25 homes per acre and not the approximate 5 homes per acre number some have presented. Clearly, the overall density levels proposed for the new development are not similar to those in the Trilogy Community.

In addition to the increased number of units to be developed on this property, there continues to be strong opposition to the apartment building height. Although the zoning approval is contingent on 2 story apartment buildings rather than 3 story, given the fact that the total number of units approved to be built has significantly increased from ~300 units to ~565 units, we request that apartment units be single story only. This would not significantly reduce the total number of units proposed. Single story units would be much more comparable to single-family homes that make up the character and composition of all surrounding neighborhoods. Also, the very fact that only single-story homes were agreed upon by the applicant and the zoning commission that border the east side of the Dorata neighborhood homes, due to privacy concerns, tell us that preserving privacy for adjacent neighbors is not only a concern for the residents but also a concern for the Zoning and Planning Commission. Therefore, the same privacy concerns of the Commission and the residents of Trilogy should also be applied in the final approval. Single story apartments will significantly reduce privacy issues for our residents.

In support of our request for single story apartments, Mr. Pew made statements in meetings that there have been some new and very unique designed single story apartment units that are being built in many new neighborhood developments and would be open to explore and consider those options as well.

We agree with Mr. Pew's assessment of the availability of new and unique single story apartment designs and believe he mentioned this because he knows it is a very viable option, especially given the characteristic and composition of the surrounding neighborhoods. Therefore we strongly request that the Town also agree with this option and approve only single story apartment units for this development. This would be a workable compromise for all that will be sacrificed by the surrounding residents as a result of this development. By doing so, this will not only ensure the continued privacy of the Trilogy residents but at the same time preserve the pristine views of the San Tan Mountain range and better conform to the surrounding neighborhoods.

Finally, because the applicant has been vague on what will be planned for the commercial businesses slated for this corner property, we respectfully request that the Town of Queen Creek strongly consider the concerns expressed by Trilogy residents and others to minimize traffic, nuisance lighting and noise before permitting any commercial businesses that would otherwise have a negative impact on our quality of life.

Thank you once again for reviewing our comments and considering our proposed options and requests.

Respectfully Submitted,

Joe Marcin – Resident, Trilogy at Power Ranch

Wayne Norlie – Member, Trilogy at Power Ranch Board of Directors



Bruce Gardner <bruce.gardner@queencreek.org>

Town council meeting Jan 20, 2021 - Sossaman Farms West

1 message

Shawnalea Shelly <shawnalea.shelly@gmail.com>
To: TownCouncil@queencreek.org, PublicComment@queencreek.org

Thu, Jan 21, 2021 at 6:06 AM

Dear Council Members,

The MDR section, as stated in the proposal, includes 2 and 3-story buildings with maximum height of 36 feet which is incompatible with the surrounding neighborhoods. During the Planning and Zoning meeting on Dec 9, 2020, Mr Pew finally agreed to limit buildings in the MDR section to 2 stories and limit the single-family homes on the west border of the property to single story.

- To ensure compatibility with the surrounding neighborhood as well as the proposed section of C-1 zoning on the SW corner of Ocotillo and Power Rds, I'm requesting the council stipulate that all structures on the 147 acre property be limited to no more than 30 feet in height and include this stipulation in Exhibit B, Conditions of the Approval.

The general traffic access point on Brooks Farm Rd is unnecessary and will exacerbate current cut-through traffic and related safety issues in neighborhoods to the south of the property proposed for rezoning. Based on data from a traffic study completed by Maricopa County Department of Transportation, in March 2019, on average there were nearly 1000 cars per day on Brooks Farm Rd and nearly 500 cars per day each on 180th and 182nd St, many traveling well above the posted speed limit of 25 mph. There are fewer than 50 homes on 180th and 182nd Streets whose residents must travel these streets to access either Brooks Farm or Chandler Heights Rds. It should be noted 180th and 182nd streets are narrow and typically require one vehicle to travel partially on the shoulder to pass an on-coming vehicle. The pavement is uneven due to ruts and potholes, there are no safety improvements such as streetlights, curbs, sidewalks, or road striping and there is no plan by MCDOT to upgrade the road or add any safety improvements to 180th and 182nd Streets, or the south half of Brooks Farm Rd.

- I'm requesting the council designate this access point for emergency vehicle use only or remove it entirely and include this designation in Exhibit B, Conditions of the Approval.

The proposal states the overall density of the project is 3.8 du/ac. This includes MDR at 12.8-14.0 du/ac, R1-5 at 3.2-3.8 du/ac, R1-9 at 2.2-2.8 du/ac, R1-12 at 1.4-2.1 du/ac. When all sections are combined, including C-1, the overall density ranges from 3.6 du/ac to 4.3 du/ac. It should be noted that if the MDR section were to exceed 12.8 du/ac, the remaining single-family sections would cause the project to exceed 3.8 du/ac if they are collectively above the median of the proposed range of density for each section (example: MDR at 12.8 du/ac, R1-5 at 3.6 du/ac, 2.5 du/ac, R1-12 at 1.7 du/ac results in 147 ac at 3.9 du/ac).

- I'm requesting the council designate maximum overall density of the project not to exceed 3.8 du/ac and include this designation in exhibit B, Conditions of the Approval.

Sincerely,

1/21/2021

Town of Queen Creek Mail - Town council meeting Jan 20, 2021 - Sossaman Farms West

Shawnalea Shelly
23015 S 182nd St
Gilbert AZ



Maria Gonzalez <maria.gonzalez@queencreek.org>

Sossaman Farms West

1 message

Heather Stevens <treefamilyforever@gmail.com>
To: PublicComment@queencreek.org

Tue, Jan 19, 2021 at 4:24 PM

To whom it may concern;

I am writing to ask for further changes to the current Sossaman Farms West rezoning proposal that is to be reviewed on Jan 20, 2021.

A few of my concerns are:

*The land is already zoned R9-R43 (reflecting the surrounding areas) and when I purchased my home, I bought into the community based on current zoning.

*The number of homes proposed is almost double what it is currently zoned for. We ask that further adjustments be made so the number proposed decreases significantly.

*Medium Density Residential being proposed on the furthest boundary of QC is not compatible with the surrounding area. Even with a 2-story height limit, the number of residences zoned MDR was not decreased (currently it was 2 and 3 story buildings). There are amazing locations in Queen Creek to place MDR. This is not a compatible area.

*Going from appx 300 currently zoned homes to over 525 residences **plus** Commercial affects the local quality of life of the surrounding area.

*Brooks Farm and the feeder roads of 180th and 182nd Street cannot handle the increased traffic. Though the proposal will improve the North side of Brooks Farm Rd, there is no improvement to the other roads or the South side of Brooks Farm. This is a safety issue for the community children and families. I personally have experience with this problem. A few years ago my daughter was almost run over by a bus when her bike tipped over on Brooks farm. These are tiny narrow streets. Traffic is already a serious problem for the Auxier students and neighborhood. The Principal at the time witnessed it and also shared the concern of narrow roads and traffic problems. The current proposal will increase traffic on Brooks Farm causing potential tragedy.

*With the proposed rezoning of C1 there is not enough detail of what may be placed there, the proposed design shows a small retail space but C1 zoning allows for much more.

Change is good but changing in a way that is compatible to the community is imperative for quality of life for all Queen Creek and surrounding residents. I plead with you to continue to ensure a high quality of life. Please support the community by keeping the existing zoning or changing the proposal to better reflect the surrounding. Thank you!

--

Heather Stevens



Maria Gonzalez <maria.gonzalez@queencreek.org>

Sossaman Farms West Re-Zoning

1 message

cara wescott <cwescott@live.com>

Tue, Jan 19, 2021 at 2:55 PM

To: "towncouncil@queencreek.org" <towncouncil@queencreek.org>, "PublicComment@queencreek.org" <PublicComment@queencreek.org>

Re: Sossaman Farms West Re-Zoning Request
Please read the following at the meeting.

Dear Town Council ,

This is in response to the Sossaman Farms West (Power and Ocotillo) rezoning request. I am very concerned with the re-zoning plans due to the negative impact that it will have on the current residents' safety and way of life.

The number of homes proposed is almost double what is currently zoned. The entry and exit points for the Sossaman Farms West area requires the use of the roads on our properties (180th Street and 182nd Street). These roads are not designed to accommodate the level of traffic that the re-zoning plans would create. 180th Street is not wide enough for two cars to pass each other. There are power poles in the way. One car has to pull off to the side of the road to allow the other to pass. These streets are narrow, do not have street lights, sewers, or sidewalks. These streets are not safe for pedestrians or vehicles.

The Medium Density Residential being proposed does not fit in the surrounding area. Apartments should be close to the town center, not at the edge of town.

With the proposed rezoning of C1, there is not enough detail of what may be placed there. The proposed design shows a small retail space, but C1 zoning allows for much more.

The current zoning is similar to the zoning of the surrounding area. This allows our residents to continue their way of life. The current residents chose to live here because of the horse property. People like to ride their horses through our neighborhood. This will no longer be possible with the amount of traffic created in the re-zoning plans.

The equestrian way of life is Queen Creek's history and is what makes it unique. Please do not approve Medium Density Residential in Sossaman Farms West. Apartments should be near the town center, not near horse properties. The re-zoning of Sossaman Farms West will have a detrimental effect on our safety and the equestrian way of life in our community.

Thank you for taking the time to listen to the concerns of myself and my neighbors.

Sincerely,

Cara Wescott
22415 S 178th Place



Maria Gonzalez <maria.gonzalez@queencreek.org>

Sossaman Farms West Proposal to Rezone

1 message

'Tracey Warren-Hein' via publiccomment <publiccomment@queencreek.org>

Mon, Jan 18, 2021 at 4:46 PM

Reply-To: Tracey Warren-Hein <traceywh@yahoo.com>

To: "TownCouncil@QueenCreek.org" <TownCouncil@queencreek.org>

Cc: "PublicComment@QueenCreek.org" <PublicComment@queencreek.org>

Town Council,

It has been over a year since I voiced my many concerns over the Sossaman Farms West Rezoning to the Town Council members. During that time, I have been in constant communication with the Town's Zoning Department (Erik and Steven are awesome at responding) and attempted communication (never any response) with Pew and Lake and Sossaman Holdings. I am attaching one of my attempts to reach Sossaman Family Holdings through Pew and Lake.

Though there have been several community meetings on the rezoning of ALREADY ZONED land, the proposals never changed to reflect the surrounding communities' concerns. The minor changes that have been made since the original proposal are a result of the very communitive and helpful Zoning Department. The 2-story max on apartments and 1-story bordering homes was at the request of the Zoning Commission. While I appreciate these changes, they are not a result of any consideration of the surrounding community.

I attempted to speak via WebEx at the Zoning Commission Meeting, not realizing there was a 3-minute limit. As a result, I did not get to counterpoint the proposal. I have attached what I was hoping to present at that meeting.

I ask you to take time to review the 150+ people, Brooks Farm Property Owners, that have signed the petition submitted earlier in this process. After reviewing the Traffic Study that was submitted earlier, I ask you take a moment to drive our Brooks Farm community's narrow streets and see the 1-4.5 acres lots with horses/cows/goats bordering the already zoned land. Across from the future Sossaman Farms West (East of Power Rd), there is Rancho Jardines, also R43 and greater properties. Brooks Farm Property Owners are particularly concerned that there is an entrance to Sossaman Farms West off Brooks Farm Rd. The South side of Brooks Farm Rd and 180/182nd Street will not be improved and the county has no plan to do so,

We invested in our forever home researching the existing zoning and recognizing there will be homes eventually on the existing farm land. The **existing** zoning allots for appx **300** homes. The current zoning has R43 bordering the existing R43 and gradually step down to R12. The proposal before you has **338** homes plus **225** apartments and **10 acres of commercial**, jamming more residences (proposed R12 bordering existing R43 and going down to R5) into smaller spaces, neither reflects the surrounding communities' quality of life, nor reflects Queen Creek's own goal of retaining its small-town feel.

Please continue to ensure a high quality of life, promote a strong sense of community, protect our residents, and provide world-class public service by either keeping the existing zoning or

changing the proposal to better reflect the surrounding area.

Thank you,
Tracey Warren-Hein
[17920 E Sanoque Blvd](#)
Gilbert, AZ 85298

PS I would like to attend the Town Council meeting on the 20th of January. How can I request one of the 25 spaces? So my family can watch, can you please direct me on how to attend the meeting virtually? The Link on the website is not for the 20ths meeting. Thank you

2 attachments

 **Zoning Commission.docx**
16K

 **RezoneSossamanFamily.docx**
14K