



**Minutes**  
**Town Council Regular Session**  
Community Chambers, 20727 E. Civic Parkway  
Wednesday, October 19, 2022  
6:30 PM

**1) Call to Order:**

The meeting was called to order at 6:30 p.m.

**2) Roll Call:**

**PRESENT:**

Jeff Brown, Vice Mayor  
Robin Benning, Council Member  
Leah Martineau, Council Member  
Dawn Oliphant, Council Member  
Julia Wheatley, Mayor-Elect

**ABSENT:**

Emilena Turley, Council Member

Council Member Oliphant attended virtually.

**3) Pledge of Allegiance:**

Led by Mayor-Elect Wheatley.

**4) Invocation/Moment of Silence:**

A moment of silence was held for men and women in uniform and first responders.

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

**5.A) Presentation of awards related to communication efforts**

Communications and Marketing Manager Constance Halonen-Wilson recognized the Communication and Marketing team for their communication and outreach efforts and said they were recently honored with several awards.

The Town received the Award of Excellence from 3CMA for our Town

postcard and the Silver Circle Award from 3CMA for our Queen Creek Police Department (QCPD) outreach campaign. Three Awards of Merit were received from the Public Relations Society of America (PRSA) Phoenix for public relations efforts related to the QCPD launch, the QCPD cruiser video and women in law enforcement. Ms. Halonen-Wilson said that Queen Creek won the highest honor with the PRSA Phoenix Copper Anvil Award for Diversity with our 30x30 initiative related to recruitment of women in the police department.

Ms. Halonen-Wilson presented the awards to Council and thanked all departments involved for their support.

5.B) Recognition of Town Clerk Maria Gonzalez for obtaining her Master Municipal Clerk certification.

Council recognized Town Clerk Maria Gonzalez for obtaining her Master Municipal Clerk Certification from the International Institute of Municipal Clerks and congratulated her for her educational accomplishments.

6) **Committee Reports:**

6.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.

Committee Reports 

6.B) Committee and outside agency reports (only as scheduled): None

7) **Public Comments:**

None.

8) **Consent Agenda:**

8.A) Consideration and possible approval of the October 5, 2022 Regular Session minutes.

**Department:** Town Clerk's Office


Staff Report 

10-05-22 Minutes 

8.B) Consideration and possible approval of Expenditures \$25,000 and over, pursuant to Town Purchasing Policy. (FY 22/23 Budgeted Items)

**Department:** Finance


[Staff Report](#) 

[Expenditures over \\$25k - 101922.pdf](#) 


- 8.C) Consideration and possible approval of the "Final Plats" for Legado West Phases 1 and 2, a request by Pulte Group.

**Department:** Development Services

[Staff Report](#) 

[Aerial Exhibit - Legado West.pdf](#) 


[Final Plat - Legado West Phase 1.pdf](#) 

[Final Plat - Legado West Phase 2.pdf](#) 

- 8.D) Consideration and possible approval of a Professional Services Contract with Hazen and Sawyer in an amount not to exceed \$44,506 for Pretreatment Support Services. (FY 23 Budgeted Item)

**Department:** Utilities

[Staff Report](#) 

[Professional Services Agreement - Hazen and Sawyer](#) 

- 8.E) Consideration and possible approval of a professional services contract with Periscope Holdings, Inc. in an amount not to exceed \$59,026 to review and recommend updates to the Town's Purchasing Policy. (FY 22/23 Budgeted Item)

**Department:** Finance

[Staff Report](#) 


[Professional Services Contract - Periscope Holdings Inc.pdf](#) 


- 8.F) Consideration and possible approval of an Amendment #1 to Delegation Resolution 1488-22 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Mansel Carter Oasis Park Phase 2 (CIP Project No. P0615), increasing the total Resolution amount by \$4,694,407 for a total amended Resolution not to exceed \$13,251,033; and necessary budget adjustments.


**Department:** Capital Improvement Projects

[Staff Report](#) 

Fiscal Impact Attachment 1 

Project Location Exhibit 

Project Site Location 

DR 1488-22 Amendment #1 

*Consent Agenda Item 8(F) was pulled by Council Member Martineau for a separate vote.*


- 8.G) Consideration and possible approval of Delegation Resolution #1499-22 authorizing and directing the Town Manager and/or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of the Heavy Equipment Washout Facility (CIP Project No. MF012) in an amount not to exceed \$949,592; and necessary budget adjustments.

**Department:** Capital Improvement Projects

Staff Report 

Project Location Exhibit 

Project Site Exhibit 

Delegation Resolution #1499-22 Exhibit 1 

**MOTION:** To approve the Consent Agenda less item 8(F).

**RESULT:** Approved unanimously (5-0)

**MOVER:** Julia Wheatley, Mayor-Elect

**SECONDER:** Robin Benning, Council Member

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

**ABSENT:** Emilena Turley, Council Member

**MOTION:** To approve Consent Agenda Item 8(F) an Amendment #1 to Delegation Resolution 1488-22 authorizing and directing the Town Manager and /or Capital Improvement Projects Department Director to take any and all action necessary; and to sign any and all documents, contracts, and/or agreements related to construction and completion of Mansel Carter Oasis Park Phase 2 (CIP Project No. P0615), increasing the total Resolution amount by \$4,694,407 for a

total amended Resolution not to exceed \$13,251,033; and necessary budget adjustments.

**RESULT:** Approved (4-1)

**MOVER:** Robin Benning, Council Member

**SECONDER:** Julia Wheatley, Mayor-Elect

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

**NAYS:** Leah Martineau, Council Member

**ABSENT:** Emilena Turley, Council Member


9) **Public Hearing Consent Agenda:**

- 9.A) Public Hearing and possible action on Ordinance 796-22, P22-0061 and P22-0062 Sparrow SFG PAD Rezone and Site Plan, a request for a PAD Rezone from C-2 (General Commercial) to MDR/PAD (Medium Density Residential) and Site Plan approval of a 110-unit, multi-family development located on approximately 11 acres west of the northwest corner of Ironwood and Ocotillo roads.


**Department:** Development Services


Staff Report 

Aerial Exhibit.pdf 

General Plan Exhibit.pdf 

Current Zoning Exhibit.pdf 

Proposed Zoning Exhibit.pdf 


Site Plan.pdf 

Landscape Plan.pdf 

Elevations and Floor Plans.pdf 

Project Narrative.pdf 

Neighborhood Meeting Summary.pdf 

Ordinance 796-22.docx 

Sparrow SFG PAD Rezone and Site Plan - Staff Presentation.pptx 

Vice Mayor Brown opened the public hearing for Public Hearing Consent Agenda Item 9(A). There were no comments and the public hearing was closed.

**MOTION:** To approve Ordinance 796-22, P22-0061 and P22-0062 Sparrow SFG PAD Rezone and Site Plan, subject to the Conditions of Approval included in this report.

**RESULT:** Approved unanimously (5-0)

**MOVER:** Robin Benning, Council Member

**SECONDER:** Leah Martineau, Council Member

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

**ABSENT:** Emilena Turley, Council Member

- 9.B) Consideration and possible approval of Ordinance 797-22 amending the Queen Creek Town Code, Chapter Seven, Article 7.1 "Administration" and Article 7.2 "Amendments"; adopting updated Building Construction Codes and Standards; providing for penalties and enforcement; repealing all Ordinances of The Town of Queen Creek in conflict therewith and setting an effective date.

**Department:** Development Services

Staff Report 


Ordinance 797-22.docx 

Exhibit A to Building Code Amendment Ordinance.docx 

Council Member Martineau removed Public Hearing Consent Agenda Item 9(B) for discussion. Vice Mayor Brown opened the public hearing for Item 9(B).

Rusdon Ray, 19520 E Aster Dr, Queen Creek commented in opposition of the ICC codes.

In response to Vice Mayor Brown, Michael Williams, Building Official provided a brief presentation depicting outreach efforts and details of the proposed code adoptions. Mr. Williams said the Town sought extensive feedback from contractors, stakeholders, architects, engineers and the Homebuilders Association. Mr. Williams said the Homebuilders Association of Central Arizona support this amendment.

There were no other public comments and Vice Mayor Brown closed the public hearing.

Council Member Martineau thanked Mr. Williams for his efforts and was in agreement with some of the amendments but said she is not in support of the item at this time.

Vice Mayor Brown said he relies on information from staff and the professionals on the impact of the adoption of the code.

**MOTION:** To approve Ordinance 797-22, amending the Queen Creek Town Code, Chapter Seven, Article 7.1 "Administration" and Article 7.2

**“Amendments”**; adopting updated building construction codes and standards; providing for penalties and enforcement; repealing all ordinances of the Town of Queen Creek in conflict therewith and setting an effective date of January 1, 2023, with a 90-day grace period.

**RESULT:** Approved (4-1)

**MOVER:** Robin Benning, Council Member

**SECONDER:** Julia Wheatley, Mayor-Elect

**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

**NAYS:** Leah Martineau, Council Member

**ABSENT:** Emilena Turley, Council Member

- 9.C) Public Hearing and possible action on Ordinance 799-22, Case P22-0116 Meridian Rezone, a request by Dorothy Shupe, Sketch Architecture Company, to rezone 17.69 acres from R1-54 to C-3, located immediately south of SR24 at the southeast corner of Meridian Road and SR24.


**Department:** Development Services


Staff Report 


Meridian Rezone Aerial.pdf 


Meridian Rezone General Plan Exhibit.pdf 

Meridian Rezone Current Zoning Exhibit.pdf 

Meridian Rezone Proposed Zoning Exhibit.pdf 

Narrative.pdf 

Site Plan.pdf 

Neighborhood Meeting Summary.pdf 

Ordinance 799-22.docx 

Council Member Benning declared a conflict and recused himself from Item 9(C). Vice Mayor Brown opened the public hearing for Public Hearing Consent Agenda Item 9(C). There were no comments and the public hearing was closed.

**MOTION:** To approve Ordinance 799-22, P22-0116 Meridian Rezone, subject to the Conditions of Approval outlined in this report.

**RESULT:** Approved unanimously (4-0)

**MOVER:** Julia Wheatley, Mayor-Elect

**SECONDER:** Leah Martineau, Council Member


**AYES:** Jeff Brown, Vice Mayor, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect  
**ABSENT:** Emilena Turley, Council Member

- 9.D) Public Hearing and possible action on Ordinance 800-22, P22-0207 Landscape Medians Text Amendment, a staff initiated text amendment to Article 5.3 Landscaping Standards of the Zoning Ordinance addressing installation and maintenance of landscaping medians and a mechanism for addressing lack of maintenance.

**Department:** Development Services

Staff Report 

Proposed Zoning Ordinance - Redline.pdf 

Proposed Zoning Ordinance - Clean.pdf 

Ordinance 800-22.docx 

Vice Mayor Brown opened the public hearing for Public Hearing Consent Agenda Item 9(D). There were no public comments and the public hearing was closed.

**MOTION:** To approve Ordinance 800-22, P22-0207 Landscape Medians Text Amendment.  
**RESULT:** Approved unanimously (5-0)  
**MOVER:** Leah Martineau, Council Member  
**SECONDER:** Julia Wheatley, Mayor-Elect  
**AYES:** Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect  
**ABSENT:** Emilena Turley, Council Member

10) **Public Hearings:**

- 10.A) Public Hearing and possible action on Ordinance 798-22, Volare Estates PAD Rezone and Site Plan (Cases P22-0089 & P22-0091), a request from Sean Lake, Pew and Lake PLC, to rezone approximately seven acres of property in Pegasus Airpark from R1-43 to MU PAD, and approval of the associated site plan, to allow for the construction of 34 hangars, located east of the northeast corner of Empire Blvd and Ellsworth Road.

**Department:** Development Services

Pegasus Airpark Staff Report 

Aerial 

Current Zoning Map 



Proposed Zoning Map 

Site Plan 

Elevations 


Landscape Plan 


Project Narrative 

Citizen Participation Report 

Letter of Support Pegasus Homeowner's Association 

Public Comments 

Pegasus Airpark Operating Rules and Regulations and related noise/safety documents 

Ordinance 798-22.docx 

Staff Presentation 

Mallory Ress, Planner II, summarized the project location and site plan for a rezone of approximately 7 acres inside the Pegasus Airpark and for the construction of 34 hangars. Ms. Ress outlined the elevations and layout of the hangars and said a portion of the hangars are proposed to be built with a residential component.

Ms. Ress noted that a neighborhood meeting was held and 15 members of the public were in attendance and there was general support for the project. The HOA Board provided a letter of unanimous approval and the Planning and Zoning Commission approved the project (6-1). Staff received 16 letters of support and 3 letters in opposition.

Sean Lake, Pew & Lake, was present on behalf of the applicant to answer questions. Council Member Benning asked about aesthetics and design and asked if the project meets the quality standards of Queen Creek. Mr. Lake discussed the location and the hangar elevations and said the look is meant to distinguish itself from Pegasus and have a resort business park feel. He said it is not intended to look like residential homes and the project will be attractively landscaped and well maintained and they have reached an agreement with the HOA.

Vice Mayor Brown opened the public hearing.

There were no comments and Vice Mayor Brown closed the public hearing.

**MOTION:**

To approve Ordinance 798-22, Volare Estates PAD Rezone and Site Plan (Case P22-0089 and P22-0091), subject to the Conditions of Approval included in this report.

Approved unanimously (5-0)

Jeff Brown, Vice Mayor

Julia Wheatley, Mayor-Elect

Jeff Brown, Vice Mayor, Robin Benning, Council Member, Leah Martineau, Council Member, Dawn Oliphant, Council Member, Julia Wheatley, Mayor-Elect

Emilena Turley, Council Member

MOVER:

SECONDER:

AYES:

ABSENT:

**11) Items for Discussion:**


- 11.A) Discussion on a follow-up from the 2022 Council Strategic Planning Session on the topic of multi-family development.

**Department:** Development Services

REVISED Final Staff Report - 2022 CSPA Staff Report - Multi-Family.pdf 

Land Use Balance and Fiscal Impact Report.pdf 

Map 1 - Existing Approved Multi-Family Developments by Type.pdf 


Map 2 - Existing Approved & Zoned Multi-Family Developments by Type.pdf 

Map 3 - Existing Zoned and Proposed MF Development By Type.pdf 

Map 4 - MF Project Status.pdf 

Map 5 - Vacant Land and GP Land Use MF Permitted.pdf 

Map 6 - Vacant Land and GP Land Use.pdf 

8. Map 7 - Vacant Land and GP Land Use with Existing and Proposed MF.pdf 

Oct. 19 Council Meeting PPT - MF.pptx 

Development Services Director Brett Burningham introduced the discussion on the increase of multi-family and medium-density development in Queen Creek and said this is a follow up item from Council's Strategic Planning Session. He said the objective is to help staff evaluate planning and zoning requests. Mr. Burningham introduced consultants from Applied Economics to provide an update on the results of a recent market analysis.

Rick Brammer, from Applied Economics, presented information on the surge of multi-family projects in the region and the fiscal impacts. He said that Queen

Creek has some of the highest rents in the area mainly because all of our products are new. He said a lack of apartments and rentals in general, is a stumbling-block to economic development. He provided a comparison of housing and commercial land uses in Queen Creek to other neighboring cities and said it is important to match the need as our employer base grows.

Sarah Murley, from Applied Economics, reported on the fiscal impacts of different types of residential development. She said the rentals being developed in Queen Creek tend to be high quality complexes and are attracting "renters by choice" who seek certain amenities. She said the income of rental residents are very similar to single-family home residents. She discussed the revenue impact generated by residents, and said that apartments may generate more revenue for the Town based on density and that residential rental tax adds to our sales tax. Ms. Murley said that based on the impact of increasing housing prices the need for affordable units is likely to increase.

Council commented on the current market conditions and median household income to rental price ratio and had concerns about affordability of rents in Queen Creek.

Senior Planner Sarah Clark discussed the different types of multifamily zoning in Queen Creek. She showed examples of Medium Density Residential (MDR) and High Density Residential (HDR) products and provided examples of projects located in Queen Creek.

Ms. Clark presented several maps depicting the amount of existing and approved multi-family units currently in the Town along with proposed projects submitted and vacant land located in the General Land Use areas. She said there is currently 2,825 acres of vacant land in the Neighborhood category where multifamily is permitted with conditions. Ms. Clark concluded with a brief overview on the review process for multi-family developments and asked Council for feedbacks or questions.

Mayor-Elect Wheatley commented that multi-family is an important element in the community and makes sense in certain areas such as Town Center and employment corridors. She had concerns about the amount of multi-family requests we are receiving. She said our General Plan was well intended to allow flexibility but it did not envision the current trends and is a departure from our original vision. Mayor-Elect Wheatley said that she would like staff to come back with an option to amend the General Plan to specifically eliminate the multi-family land use allowed within the Neighborhood classification and any related verbiage changes as needed in an efficient schedule. She added that she is not recommending that we undo any approved zoning.

Vice-Mayor Brown said he was cognizant of the resident's sentiments and said some medium density products are favorably looked upon. He recommended fewer submissions of HDR in the remaining Neighborhood area categories and would like to see some options that narrow down HDR options to only certain areas such as Town Center, freeway corridors and job centers. Vice-Mayor

Brown asked Ms. Clark if this would require a change to the General Plan or the Zoning Ordinance and how we would separate MDR vs. HDR.

Ms. Clark said it would be a Major General Plan Amendment request to change the parameters of what would be allowed within the Neighborhood category and as part of this request staff will analyze options and schedules for presentation to council for formal adoption.

Council Member Benning said he concurs with Mayor-Elect Wheatley and commented that the voter approved General Plan did not anticipate the shift in market conditions that would make apartment development so attractive to applicants. Council Member Benning said we should go back to the General Plan process, whether staff initiated, and take it back to our voters to provide solutions. He had concerns about affordability in the housing market and in Queen Creek.

Council Member Martineau appreciated the information provided and said she advocates for property rights, the free market and what is in demand.

Council Member Oliphant commented on the different types of multifamily and the importance of diverse housing options in the community to provide some affordability to residents. She said she is In favor of looking at different areas for these uses and having additional discussion.

Council had additional discussion on affordability and providing a balance of housing to support future employment. Council discussed high-density vs. medium density and providing options that align with the Queen Creek vision and still allow for flexibility. There was discussion on HDR in certain areas only and protecting neighborhood categories from multi-family.

Planning Administrator Erik Swanson reported on multi-family projects adjacent to the Town in San Tan Valley and Pinal County that would add additional multi-family units to the area if approved.

Council Member Martineau asked for more information on by-right zoning. Mr. Burningham said the General Plan Neighborhood Use designation is not particularly "by-right". He said an application is still needed along with other criteria, including public hearings, to be considered for approval for a rezone. The burden is on the applicant to ask for a rezone or a Major General Plan Amendment.

Town Manager John Kross clarified the definition of by-right. He said preferred land uses are adopted by the Town and applicants must ask for a rezone to get the by-right privilege to build.

- 11.B) Property Tax Recommendations to 1.) eliminate Streetlight Improvement Districts (SLIDs) beginning in FY 23/24, and 2.) maintain the same Primary Property Taxes for existing taxpayers beginning in FY 23/24 for five years.

**Department:** Finance

Staff Report

Presentation: Property Tax Policy Reductions

Finance Director Scott McCarty provided background history and detailed information on three recommendations to provide financial relief to Utility customers and taxpayers beginning in FY 2023-24. The three items are:

1. Eliminate Streetlight Improvement District (SLID) Taxes (keep SLIDs in place; just eliminate the assessment of taxes)
2. Create a new financial policy to maintain the same Primary Property Taxes for existing taxpayers for five years. Mr. McCarty discussed criteria that will allow the taxes to remain at the same rate in regards to the levy rate and public safety expenses. He provided revenue and expenditure projections for public safety and the percent of expenses covered by property taxes. Mr. McCarty said if approved this would start July 1, 2023.
3. Reduce water replenishment fees by \$0.6M.

Council was in favor of the three items proposed to save taxpayers money and appreciated the innovative efforts by staff. Council directed staff to move forward with the items and noted the ability to revisit items if needed for public safety purposes.

Mr. McCarty said this was possible due to the growth and development in Town from our sales tax base, our fully funded pension and the flexibility and direction from Council. Mr. McCarty said the items will be evaluated and discussed annually during the budget process and adjustments can be made if needed. He said the next step will be enacting the legislation at the November 2nd Town Council meeting for approval.

**12) Final Action:**

None.

**13) Adjournment:**


Council reconvened to Executive Session at 9:20 p.m. The Regular Session reconvened and adjourned at 10:18 p.m.

TOWN OF QUEEN CREEK



Jeff Brown, Vice Mayor

ATTEST:

  
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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 Town Council Regular Session Minutes of the October 19, 2022 Town Council 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: 11-2-22