



**Minutes**  
**Regular Session**  
**Queen Creek Town Council**  
Queen Creek Town Hall, 22350 S. Ellsworth Road  
Council Chambers  
December 2, 2009  
7:00 p.m.

**1. Call to Order**

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

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

Council Members present: Barnes, Benning, Brown, Hildebrandt, Wootten (telephone), Vice Mayor Mortensen and Mayor Sanders (telephone). Vice Mayor Mortensen conducted the meeting.

**3. Pledge of Allegiance:** Led by Council Member Barnes.

**4. Invocation:** Pastor Daniel Voss, Mountain View Family Church

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

A. Swearing in of Council Member Robin Benning: MCSO Deputy Mike Lucas provided the Oath of Office to newly appointed Council Member Robin Benning.

**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; CAAG. 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.

Town Manager Kross reported that Pinal County Supervisor Bryan Martin gave an update on the San Tan Valley incorporation efforts, and there was some discussion on Superstition Vistas and State Trust Land reform at the East Valley Partnership meeting.

B. Town Center Committee – November 24, 2009: Committee Chair Cynthia Buffington reported on the Committee’s discussion and recommendation for a Mixed Use definition and statement and implementation strategy.

**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.

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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.

B. Consideration and possible approval of Amendment #1 to the Design and Utility Relocation IGA with Maricopa County Flood Control District for the channelization of the Sonoqui Wash from Chandler Heights to Crismon Roads.

C. Consideration and possible approval of the Town's 2010 State Legislative Agenda.

D. Consideration and possible approval of a Professional Services Contract in the amount not to exceed \$54,000 with Williams and Associates for state lobbying services.

E. Consideration and possible approval of **Resolution 794-09** modifying assessments and assessment diagrams for ID001-Ellsworth Road/Rittenhouse Road Improvement District (Assessment #10-LMQCM, LLC)

F. Consideration and possible approval of **Resolution 815-09** allowing Utilities Services Division to fund a \$12,000 HOA Grant Program for the purchase of Smart Controllers and forming a partnership with SRP to hold a water conservation event.

G. Consideration and possible approval of **Resolution 816-09** adopting the revised "Town Council Meeting Procedures and Policies Handbook".

H. Consideration and possible approval of the appointment of Council Members Jeff Brown and Jon Wootten and Vice Mayor Gordon Mortensen to a new subcommittee called Solid Waste Public Comment Review Committee for the purpose of certifying public comments received on the proposed Solid Waste Program.

I. Consideration and possible approval of a 5-year Pavement Management Plan setting forth strategies to extend pavement service life of Town roads.

J. Consideration and possible approval of **Resolution 805-09** declaring as a public record that certain document titled "Amendments to the Town Code, Chapter 7, Article 6 "Buildings and Building Regulations" Sections 7-6-2, 7-6-3, 7-6-4, 7-6-5, 7-6-6 and 7-6-7, amending and establishing fees rendered by or through the Town of Queen Creek Community Development Department."

K. Consideration and possible approval of **Ordinance 463-09** amending and establishing fees for services related to engineering review, construction monitoring, planning and zoning services and other services and fees rendered by or through the Town of Queen Creek Community Development Department.

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L. Consideration and possible approval of **SP09-034** “San Tan Heights Baptist Church”, a request by Stacey Ford, of San Tan Heights Baptist Church for site plan, landscape plan and building elevation approval for San Tan Heights Baptist Church. The proposed church complex consists of a sanctuary building, an administration office, classrooms, parking and other ancillary buildings on an 11-acre site with existing R1-43 zoning. The project borders the west side of Signal Butte Road approximately one-quarter (1/4) mile south of Ocotillo Road.

\*M. Public Hearing, consideration and possible approval of **Ordinance 465-09 – RZ09-039/SP09-04-/CU-09-041** “Rock Point Church” a request by Stan Thompson of Todd & Associates, Inc., on behalf of Rock Point Church, for a Planned Area Development (PAD), site plan, landscape plan, building elevation plan and Conditional Use Permit approval for Rock Point Church. The proposed church complex consists of a chapel, worship center, administration building, multi-use building and playfield, nursery and other ancillary buildings on a 33-acre site with existing R1-43 zoning. The project is located at the southeast corner of Power and Cloud Roads.

Items E, G, H and M were pulled for discussion.

**Motion to approve the remainder of the Consent Calendar** (Brown/Barnes/Unanimous)

**Item E:** Staff requested an indefinite continuance.

**Motion to continue Item E indefinitely** (Brown/Benning/Unanimous)

**Item G:** Council requested additional revisions be made to the Council Meeting Procedures and Policies Handbook. Those revisions were under 1) Council Meetings; 2) Notice of Meetings; 9) Conflict of Interest; 14) Council Meeting Agenda; and 16) Committees.

**Motion to continue Item G to the December 16, 2009 Work Study and Regular Session** (Brown/Sanders/Unanimous)

**Item H:** Council requested a report on the proposed Solid Waste Public Comment Review Committee.

Town Manager John Kross stated the purpose of the committee would be to review the public comments received regarding the proposed solid waste program, especially those comments that weren't clearly in support or opposed of the program.

**Motion to approve Item H** (Barnes/Benning/Unanimous)

**Item M:** Planner Mike McCauley gave an overview of the rezoning request. He explained that the previous rezoning was for 11 acres and the new request is for 33 acres at the southeast corner of Cloud and Power Roads. The applicant is proposing six phases with a congregation building included in Phase 1. Mr. McCauley said the applicant is also requesting a reduced amount of parking lot lights because of the clustered building design. He also explained that the conditional use permit is required to allow the main congregation building to exceed the 40' maximum

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height as well as the increased seating capacity over 1,500 and larger directional signs. Mr. McCauley stated that the reduced lighting is supported with the clustered building design.

A neighborhood meeting was held and concerns were noted in regard to view of the mountains, increased traffic and compliance with the dark sky ordinance. Council asked what the radius was for sending out notices. Mr. McCauley replied 1,200 feet from the perimeter. Council also asked how many were in attendance at the neighborhood meeting.

Stan Thompson, representing the applicant, replied that 50 people attended and concerns were in regard to the lighting and no other negative comments were noted.

Council asked how the landscaped retention basin might impact the water flows down Cloud Road. Mr. McCauley replied the drainage plan was reviewed and approved by Engineering. Community Development Director Tom Condit provided additional information on the Cloud Road water flow and diversion.

Additional discussion and comments were in regard to neighborhood concerns about the height of the buildings during the previous rezoning process; reduced parking lot lighting and increased sign sizes. Mr. Thompson referred to the lighting plan and compliance with the dark sky ordinance. There was additional discussion on possible light shielding along Cloud Road and adding times on the lights. Mr. Thompson clarified that the request for increased size of directional signs are internal to the site and the signs along main roads are in compliance with the sign code.

There was no public comment.

**Motion to approve Ordinance 465-09 – RZ09-039/SP09-04-/CU-09-041 “Rock Point Church”**  
(Barnes/Sanders/Unanimous)

**PUBLIC HEARINGS:** If you wish to speak to the Council on an item listed as a Public Hearing, please complete a Request to Speak Card and turn it in to the Town Clerk. Speakers will be called upon in the order in which their cards are received. Speakers are limited to three (3) minutes each.

**9. Public Hearing, discussion and possible action on Resolution 813-09/Ordinance 466-09 - 2009 Major General Plan Amendment GP09-57/RZ09-59** a request by Ralph Pew on behalf of Taylor Morrison Homes to amend the General Plan Land Use Map for 125± acres (Victoria Parcels 10 & 11) at the northeast corner of Ocotillo and Hawes Roads from Medium Density Residential (2-3 dwellings per acre) to Medium High Density Residential-A (3-5 dwellings per acre).

Planning Manager Wayne Balmer gave a presentation on the major general plan amendment application for an active adult community (55+) with 475 lots. The Planning and Zoning Commission recommended approval with stipulations that a development agreement be approved to ensure the active adult community designation and that all future phases require Town Council approval.

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Ralph Pew, representing the applicant, said there was a procedure issue with the zoning ordinance and the public notice doesn't refer to all of the zoning categories (R1-4 & R1-5) and requested a continuance to the January 20, 2010 meeting. Town Attorney Bisman concurred.

Council requested the proposed amendment be presented in January.

There was no public comment.

**Motion to continue Resolution 813-09/Ordinance 466-09-2009 Major General Plan Amendment GP09-57/RZ09-59 to January 20, 2010 (Brown/Hildebrandt/Unanimous)**

**10. Public Hearing, discussion and possible action on Resolution 814-09/Ordinance 467-09 - 2009 Major General Plan Amendment GP09-58/RZ09-60** a request by Ralph Pew on behalf of Barney Farms to amend the General Plan Land Use Map designation for 257 acres at the northwest corner of Queen Creek and Meridian Roads from Employment Type B to Employment Type A (20 acres), Community Commercial (20 acres), Medium High Density Residential-A (3-5 dwellings per acre)(138 acres) and Medium High Density Residential-B (5-8 dwellings per acre) (79 acres).

Planning Manager Wayne Balmer provided an overview of the major general plan amendment request and the impacts on the master-planned "East Park", transportation circulation plan and the future "802" freeway. Mr. Balmer also provided information on future Meridian Road, freeway interchange with Signal Butte and the corridor study underway through MAG. Mr. Balmer said an alternative transportation plan was developed to comply with the Council adopted Resolution 780-09 but requires a redesign/relocation of the East Park which would have the same acreage but different shape. The Planning and Zoning Commission recommended continuance to allow further study on the transportation and park plans. Mr. Balmer presented to time-lines to allow public meetings, including committee meetings, during the continuance period.

Ralph Pew, representing the applicant, requested a continuance to May 5, 2010 and stated that revisions have already began including a change to lower density (Medium High A) for the residential areas and development of a scope of work for the possible park redesign.

Additional discussion was in regard to right-of-way dedication; land trade; a development agreement and detailed employment study. Mr. Pew indicated that an update could be provided in February or March.

Jason Barney, representing applicant, asked the Council to make any concerns known as soon as possible in order to prepare to fully address them at the May 5, 2010 meeting.

The Public Hearing was opened.

Scott McCoy, representing CMC Arizona Steel, stated agreement with the proposal for an alternate design/plan but can't support residential areas within a ¼ mile radius of an intense industrial use. He said he has been working with the applicant.

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The Public Hearing was closed.

Town Attorney Bisman stated that only the General Plan amendment as filed could be discussed.

There was further discussion on the continuance timeline and allowing adequate time in case an additional continuance is needed, benefits of the employment study and Signal Butte Road. Mr. Balmer stated that receipt of all revised materials or studies is dependent upon the applicant and would need to be timely in order to meet deadlines for staff reports and Council Meetings.

**Motion to continue Resolution 814-09/Ordinance 467-09 - 2009 Major General Plan Amendment GP09-58/RZ09-60 to the April 21, 2009 Council Meeting with a Work Study presentation at a February 2010 meeting (Brown/Barnes/Unanimous)**

**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.

*None.*

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

*None.*

**11. Adjournment**

The meeting was adjourned at 8:52pm.

TOWN OF QUEEN CREEK

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Arthur M. Sanders, Mayor

Attest:

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Jennifer F. Robinson, MMC

I, Jennifer F. Robinson, do hereby certify that, to the best of my knowledge and belief, the foregoing Minutes are a true and correct copy of the Minutes of the December 2, 2009 Regular Session of the Queen Creek Town Council. I further certify that the meeting was duly called and that a quorum was present.

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Jennifer F. Robinson, MMC

Passed and approved on January 20, 2010.