

## Minutes Regular Session Oueen Creek Town Council

Queen Creek Town Hall, 22350 S. Ellsworth Road Council Chambers February 21, 2007 7:00 p.m.

## 1. Call to Order

The meeting was called to order at 7:05pm.

## 2. Roll Call

Council Members present: Barney; Mortensen; Wootten and Mayor Sanders.

Council Members absent: Coletto-Cohen – out of Town; Hildebrandt – attending CDBG on behalf of Town and Vice Mayor Valenzuela was ill.

## 3. Pledge of Allegiance

Led by Mayor Sanders

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

None.

**5.** <u>Public Comment:</u> Members of the public may address the Town Council on items not on the printed agenda and during Public Hearings. Please complete a "Request to Speak Card", located on the table at the rear of the Council Chambers and turn it in to the Town Clerk prior to the beginning of the meeting. There is a time limit of three minutes for comments.

None.

- **6.** Consent Calendar: Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.
- A. Consideration and possible approval of the February 7, 2007 Work Study & Regular Session Minutes.
- B. Consideration and possible approval of the February 7, 2007 Special Session Minutes.
- C. Consideration and possible approval of line item budget reallocations.
- D. Consideration and possible approval of the final acceptance of public improvements of the LDS Church on Riggs Road & Lime Drive and begin the one year warranty period.

E. Consideration and possible approval of a contract in the amount of \$26,700 to AMEC Infrastructure, for the design of a temporary traffic signal at Combs and Rittenhouse Roads.

F. Consideration and possible approval of a contract in the amount of \$52,624 to AMEC Infrastructure, for the design of roadway improvements for the Union Pacific Railroad crossing at Ocotillo Road.

G. Consideration and possible approval of **Resolution 646-07** amending the WDP Development Agreement.

H. Consideration and possible approval of appointments to the Parks, Trails and Open Space Committee.

I. Consideration and possible approval of a contract in the amount not to exceed \$244,230 with The Planning Center, to update the Town of Queen Creek General Plan.

J. Consideration and possible approval of the "Map of Abandonment", a request by Thomas Hickcox of Queen Creek Joint Venture, LLC and Wade Kempton of Cresleigh Homes Arizona, Inc., to abandon existing roadway easements along the Chandler Heights and Crismon Road alignments in conjunction with the Hastings Farms project.

K. Consideration and possible approval of the Final Plat for "Queen Creek Equestrian Estates" a request by Todd Allen of Queen Creek Equestrian Estates, LLC. The project is located south of Cloud Road between Power and Sossaman Roads.

L. Consideration and possible approval of traffic calming measures in the Rancho Jardines neighborhood.

M. Consideration and possible approval of a contract in the amount of \$14,122 with SRP for the removal of the utility poles that cross the Library site.

N. Consideration and possible approval of a contract in the amount of \$3,560 with Sigrun Saemundsdottir for the Queen Creek Through the Eyes of Its Youth photography grant from the Arizona Commission on the Arts.

O. Consideration and possible approval of the renewal of the lease agreement with New Life Nazarene Church for the use of Town Hall and Annex facilities for Sunday worship services.

Staff requested Item D removed and continued indefinitely.

**Motion:** Wootten **Second:** Mortensen

To approve the remainder of the Consent Calendar as presented.

**Vote:** Unanimous

**Motion:** Barney **Second:** Wootten

To continue Item D indefinitely.

**Vote:** Unanimous

<u>PUBLIC HEARINGS AND FINAL ACTION</u>: If you wish to speak to the Council on an item listed as a Public Hearing or 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.

**7. Public Hearing, discussion and possible action** on **Resolution 641-07** - regarding the Town of Queen Creek's intention to establish a Designated Management Area pertaining to wastewater service areas.

Management Assistant Young discussed the purpose of establishing a Designated Management Area which would identify and secure the Town's sewer service area. He explained that other providers would be required to receive the Town's permission to provide service within the established area.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

**Motion:** Barney **Second:** Wootten

To approve Resolution 641-07 establishing a Designated Management Area pertaining to wastewater service areas.

**Vote:** Unanimous

**8. Public Hearing, discussion and possible action** on **Ordinance 379-07** increasing the sewer/wastewater rates to cover costs of maintenance, treatment and capital reserve.

Dan Jackson, of Economists.com, the Town's consultant, gave a brief update on the wastewater rate study. He discussed inflation, cost of business, replacing old systems, and environmental requirements all contribute to rates. Mr. Jackson reviewed the long term rate plan approved by the Council in 2005 and presented a comparison of statewide rate averages, showing Queen Creek is in the lower half.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

**Motion:** Mortensen **Second:** Barney

To approve **Ordinance 379-07** increasing the sewer/wastewater rates to cover costs of maintenance, treatment and capital reserve.

**Vote:** Unanimous

**9. Public Hearing, discussion and possible action** on **Resolution 645-07** to amend the FY 2005-2009 Five-Year Consolidated Plan for Maricopa County Community Development.

Community Development Director Condit reviewed the recommendations for the amendment to the Five-Year Consolidated Plan. Those recommendations are included in the Parks & Recreation Priorities, specifically a restroom at Founders Park; Community Center remodeling; and converting the existing library to a Senior Center.

The Public Hearing was opened. No one came forth and the Public Hearing was closed.

Motion: Barney Second: Wootten

To approve **Resolution 645-07** amending the FY2005-2009 Five-Year Consolidated Plan for Maricopa County Community Development.

**Vote:** Unanimous

**10. Public Hearing, discussion and possible action** on **RZ06-001/SD06-020** (Ordinance 377-06) "Belle Estates" a request submitted by Matt Everling of PlanRight Consulting, LLC for a rezoning from R1-54 to R1-35 PAD, preliminary plat and landscape approval for an eight (8) lot single-family subdivision on approximately 8.61 acres. The property is located approximately ½ mile south of the southwest corner of Hunt Highway and Bell Road.

Planner Chambers reviewed the rezoning request of R1-54 to R1-35 for eight (8) lots on 10 acres. Ms. Chambers discussed staff's concerns regarding the PAD requests in order to meet the requirements for one-acre minimum lot size; lot layout and compatibility with other approved projects adjacent. The Planning and Zoning Commission recommended approval subject to stipulations that were included in the staff report.

The Public Hearing was opened.

Mark Sargent, applicant, spoke in support of the project, stating that they performed due diligence with hiring engineers, providing drainage reports, compliance with the General Plan and have 100% support from the neighbors as well as a unanimous recommendation from Planning and Zoning.

Frank Shepherd, spoke in support.

Kelly Shepherd, applicant, spoke in support.

Micah Slade, applicant, spoke in support.

Gene Kilber, spoke in opposition.

Anne Reed, spoke in opposition.

Kathy Eichberger, spoke in opposition.

Gordon Brown, spoke in opposition.

Alden Rosbrook, submitted written comments in opposition.

Regina Whitman, submitted written comments in opposition.

Thomas Lang, submitted written comments in opposition.

Randy Hall, spoke in support.

Hank Mason, spoke in support.

The Public Hearing was closed.

Sean Lake, of Pew & Lake, representing the applicant, discussed the Planning and Zoning Commission's recommendation for approval and gave a presentation on the following:

- Tree-lined streets; tot-lot and horse trail
- Deviation requested for open space tract on four sides Planning and Zoning Commission recommended approval for the north and south boundaries.
- Open view fencing along perimeter of each lot
- Wash amenity
- Horse trail along Bell Road
- Drainage issues resolved
- Wash design
- General Plan designation of Very Low Density 0-1 dua with the Belle Estates proposal being .8 with R1-35 zoning
- Rural preservation accomplished by 43,560 sq. ft lots with the bufferyard deviation
- Letters of support from adjoining property owners
- Road improvements to Bell Road

Council discussed further the unresolved concerns regarding rezoning from R1-54 to R1-35; expectations of property owners to receive rezoning approval and speculative property purchases.

Mr. Lake responded that the property owners want to live on the property. Mr. Lake asked for a continuance.

Council stated that the issue is with the number of lots requested, not the proposed development itself.

**Motion:** Mortensen **Second:** Wootten

To continue **RZ06-001/SD06-020** (Ordinance 377-06) "Belle Estates" indefinitely.

**Vote:** Unanimous

The meeting was recessed from 8:15 - 8:35 pm.

**11. Discussion and possible action** on **SP06-015** "Town Center Apartments" a request by David Parker of Archicon, L.C., for site plan, landscape plan and building elevation approval for 176 apartments on 12 acres zoned R-4 Residential. The property is located east of Ellsworth Road, south of Ocotillo Road on 209<sup>th</sup> Way.

Planner Ramos reviewed the site plan and building elevations. Mr. Ramos discussed the Planning and Zoning Commission's recommendation to enhance some architectural details in relation to the amount of stucco.

**Motion:** Mortensen **Second:** Barney

To approve **SP06-015.** 

**Vote:** Unanimous

**12. Discussion and possible action** on **Ordinance 380-07** an amendment to the Town Code Chapter 2, Article 2 Mayor's Duties.

Motion: Barney Second: Wootten

To continue **Ordinance 380-07** indefinitely.

**Vote:** Unanimous

**13. Discussion and possible action** on **Resolution 647-07** amending the Standard Form Bylaws for Town Committees pertaining to Chair and Vice-Chair appointments.

Motion: Barney Second: Wootten

To continue **Resolution 647-07** indefinitely.

**Vote:** Unanimous

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

**14. Discussion** on **SP06-120** "Pendragon Industrial Building" a request from Don Foster of Synebox, LLC, for site plan, landscape plan and building elevation approval for an Office/Warehouse building at Lot 25 of Power Marketplace Business Park. The proposal consists of approximately 20,000 sq. feet of industrial use on a site with existing I-1 zoning. The project is located ¼ mile east of Power Road, between Germann and realigned Rittenhouse Roads.

Planner Chambers gave a brief overview of the location and zoning for Items 14, 15, and 16. Ms. Chambers presented the proposed building elevations, site plan and Planning and Zoning Commission's recommendation for approval.

**15. Discussion** on **SP06-105** "Empire Service Facility" a request from Alisa Petterson-Dangelo of Saemisch-DiBella Architects on behalf of Empire Southwest LLC, for site plan, landscape plan and building elevation approval for an Office/Warehouse building at Lots 1 & 2 of Power Marketplace Business Park. The proposal consists of approximately 16,000 sq. feet of industrial use on a site with existing I-1 zoning. The project is located ¼ mile east of Power Road, between Germann and realigned Rittenhouse Roads.

Ms. Chambers presented the proposed building elevations, site plan and Planning and Zoning Commission's recommendation for approval.

**16. Discussion** on **SP06-109** "Preventative Pest Control" a request from Kurt Hunter of Stone Kat Development on behalf of Hunt, Olsen & Bradshaw LLC, for site plan, landscape plan and building elevation approval for an Office/Warehouse building at Lot 7 of Power Marketplace Business Park. The proposal consists of approximately 11,481 sq. feet of industrial use on a site

with existing I-1 zoning. The project is located ¼ mile east of Power Road and north of

Germann Road.

Ms. Chambers presented the proposed building elevations, site plan and Planning and Zoning

Commission's recommendation for approval.

Council discussed a policy for staff approval of site plans in approved business parks/industrial

complexes.

17. COMMITTEE REPORTS

A. Parks, Trails and Open Space Committee – February 13, 2007 – The Committee discussed the Five-Park Master Planning Open House results and heard public comment from Chair Lisa

Coletto-Cohen in regard to her serving as Chair of the committee. The next meeting is March 6,

2007.

B. Queen Creek Youth Commission – February 7, 2007 – the Commission members discussed

attending the Recreation Advisory Board meeting on February 27; continued planning the Town Hall Forum and made plans to attend the Youth Leadership Day at the Capitol on March 1. The

next meeting is scheduled for March 7, 2007.

C. Transportation Advisory Committee – February 8, 2007 – The Committee appointed a new

Chair and Vice-Chair; and had status reports on "Traffic Posse", donated traffic signals, implementation of the short term transportation improvements and the Ellsworth Loop Road

project. The next meeting is scheduled for March 8, 2007.

D. Recreation Advisory Board - January 23, 2007 - In addition to CIP and Recreation updates,

the Board approved the Recreation Division Goals; Field Allocations for leagues and decided to follow the established lighting code in the Zoning Ordinance. The next meeting is February 27,

2007.

**Motion:** Wootten

**Second:** Mortensen

To reconvene to Executive Session at 8:50 pm.

**Vote:** Unanimous

18. ADJOURNMENT

**Motion:** Wootten

**Second:** Barney

To adjourn the Regular Session at 9:55pm.

**Vote:** Unanimous

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	TOWN OF QUEEN CREEK
	Arthur M. Sanders, Mayor
Attest:	
Jennifer F. Robinson, CMC	
I, Jennifer F. Robinson, do hereby certify that, to the beforegoing Minutes are a true and correct copy of the Min Session of the Queen Creek Town Council. I further certify that a quorum was present	utes of the February 21, 2007 Regular
	Jennifer F. Robinson, CMC
Passed and approved on March 7, 2007.	