



CITY OF SURPRISE
Planning and Zoning Commission Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374

Thursday, April 7, 2022 @ 6:00 PM

COUNCIL CHAMBERS

Amended agenda (item #2) - April 5, 2022 at 8:15 AM

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. Planning and Zoning Commission Agenda:

CALL TO THE PUBLIC:

INSTRUCTIONS: In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission only on issues within the jurisdiction of the Board\Commission which are not an item on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

CONSENT AGENDA:

- | | | | |
|----|----------|--|---|
| 1. | Internal | Consideration and action to approve or disapprove the March 17, 2022 Planning and Zoning Commission Minutes. | None

Donna Bunch
Community
Development |
|----|----------|--|---|

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|----------|---|---|
| 2. | Citywide | Consideration and action regarding a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to amend the approval processes for Site Plans and Preliminary Plats. Case FS22-0300. | Trever Fleetham
Community
Development |
|----|----------|---|---|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|------------|---|--|
| 3. | District 6 | Consideration and action regarding the Site Plan for Etico Construction Group. Case FS21-031. | Chris Sexton
Community
Development |
|----|------------|---|--|

- G. Other Business and Future Agenda Items

- H. Executive Session

For information purposes: Upon a public majority vote of a quorum ("Commission"), the Commission may hold an executive session, which will not be open to the public, but for only the following purposes: discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03(A)(2));

or discussion or consultation for legal advice with the attorney or attorneys of the public body (A.R.S. §38-431.03(A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: March 23, 2022 at 9:30 AM

Amended agenda (item #2) - April 5, 2022 at 8:15 AM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: April 7, 2022

Contact Person: Donna Bunch, Administrative
Specialist - Senior

Submitting Department: Community Development District: Internal

Staff Recommendations: None

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action to approve or disapprove the March 17, 2022 Planning and Zoning Commission Minutes.

Motion:

I move to approve/disapprove the March 17, 2022 Planning and Zoning Commission Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 03-17-22 PZ MIN

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

March 17, 2022 / 6:00 PM

**COUNCIL CHAMBERS
16000 North Civic Center Plaza
Surprise, AZ 85374**

CALL TO ORDER.

Chair Dennis Bash, called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on March 17, 2022.

A. ROLL CALL

In attendance was Chair Dennis Bash, Vice Chair Kevin Sartor, Commissioner Dennis Smith, Commissioner Ken Chapman, Commissioner Mitchell Rosenbaum, Commissioner Matthew Keating, and Commissioner Jared Holland.

STAFF PRESENT:

Ellen VanRiper, Chief Deputy City Attorney; Chris Boyd, Community Development Director; Lloyd Abrams, Assistant Director of Community Development; Jason Moquin, Planning Manager; Trevor Fleetham, Current Planner; Chris Sexton, Current Planner; Donna Bunch, Administrative Specialist Senior; and Ashley Labhart, Planning and Zoning Secretary.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

Mr. Boyd provided an update to the Commission on commercial land status that will be covered in the meeting agenda, Item 4.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

Chair Bash opened the call to the public to discuss any items not listed on the agenda.

Hearing no requests, Chair Bash closed the call to the public.

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the March 03, 2022, Planning and Zoning Commission Minutes.

Commissioner Smith made a motion to approve the March 03, 2022, Planning and Zoning Minutes as presented. Commissioner Chapman seconded the motion. Motion passed with 7 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

Item 2 – District 1 – Consideration and action regarding a rezone from Rural Residential (RR) to Community Commercial (C-2) for approximately 10.66 gross acres generally located west of the intersection of Grand Avenue and Happy Valley Road. Case FS21-619.

Trever Fleetham presented item 2 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- Traffic concerns
- Easements
- Property access
- Speculative zoning
- Potential benefit to the area
- Transparency to the public

Commissioner Holland made a motion to recommend denial of the rezone from Rural Residential (RR) to Community Commercial (C-2) due to method in which public outreach was conducted and potential impacts to traffic circulation in the area. Commissioner Rosenbaum seconded the motion. Motion passed with 6 votes in favor of recommending denial. Commissioner Keating voted against.

Item 3 – District 1 – Consideration and action regarding the Conditional Use Permit with Site Plan for QuikTrip. Case FS21-135.

Chris Sexton presented item 3 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

Vice-Chair Sartor made a motion to approve the Conditional Use Permit with Site Plan entitled Quik Trip dated December 15, 2021, subject to stipulations 'a' through 'f'. Commissioner Holland seconded the motion. Motion passed with 7 votes in favor.

Item 4 – District 3 – Presentation and action pertaining to a Major Zoning Amendment to the Greer Ranch PAD to change the land use designation of Parcel 22 from Commercial to Residential High Density for the development of attached and detached multi-family rental community on the northeast corner of Peoria Avenue and Sarival Avenue. FS21-681.

Chris Sexton presented item 4 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- Walking ability
- Housing needs
- Commercial needs and benefit
- General Plan
- Development of County land nearby
- Zoning (existing and proposed)
- Revenue impacts

Kyle Barichello, Project Manager with RVi Planning & Landscape Architecture, was present and provided feedback and additional information in response to questions and comments received.

Commissioner Keating made a motion to approve the Major Zoning Amendment to the Greer Ranch PAD to change the land use designation of Parcel 22 from Commercial to Residential High Density, subject to stipulations 'a' and 'b'. Vice-Chair Sartor seconded the motion. Commissioner Rosenbaum, Commissioner Smith, Commissioner Chapman voted against. Motion passed with 4 votes in favor.

OTHER BUSINESS:

Item 3 – Other Business and Future Agenda Items.

None.

ADJOURNMENT:

Hearing no further business, Chair Bash called for a motion to adjourn. Commissioner Rosenbaum made a motion to adjourn, Vice-Chair Sartor seconded the motion. All voted in favor.

Meeting adjourned at 6:51 p.m.

Dennis M. Bash
Planning and Zoning Commission Chair

The foregoing instrument is a full, true, and correct copy of the original document on file in the office of the City Clerk, City of Surprise, Arizona.

ATTEST BY:

Donna Bunch, Commission Secretary

DATE:



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: April 7, 2022

Contact Person: Trever Fleetham

Submitting Department: Community Development District: Citywide

Staff Recommendations:

Consent: No

Regular: No

Public Hearing: Yes

Report/Discussion: No

Agenda Wording:

Consideration and action regarding a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to amend the approval processes for Site Plans and Preliminary Plats. Case FS22-0300.

Motion:

I move to recommend **approval** to the City Council of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to amend the approval processes for Site Plans and Preliminary Plats.

I move to recommend **denial** to the City Council of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to amend the approval processes for Site Plans and Preliminary Plats.

Background:

During the December 7, 2021 Regular City Council meeting, the Mayor and Council directed staff to analyze the development review process and identify opportunities to increase the speed to market of projects. Staff conducted research and reported back to the City Council during the regular scheduled meeting on February 15, 2022, at which time the Mayor and Council directed staff to pursue the subject Zoning Text Amendment.

Objective Analysis:

Policy Compliant:

Financial Impact:

There is no direct financial impact.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 - FS22-0300 LDO ZTA for Process Amendments - Staff Report - 040722 PZ (3)
 2. 01 - FS22-0300 LDO ZTA for Process Amendments - Legislative Edit
 3. 22.03.22 FS22-0300 LDO ZTA for Process Amendments Presentation
 4. Matt Keating's Thoughts on Commission Changes
-

ZONING TEXT AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS22-0300

Project Name: Zoning Text Amendment for Process Changes

Council District: Citywide

Meeting Date: April 7, 2022

Planner: Trever Fleetham, AICP

Applicant: City of Surprise

Request: Zoning Text Amendment to the Surprise Land Development Ordinances to modify the approval processes for Site Plans and Preliminary Plats

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: Unknown at the time of creation of this Staff Report

Staff Recommendation: Staff recommends the Commission recommend **approval** of FS22-0300 to the Mayor and City Council

PROJECT DESCRIPTION:

The City has initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) in response to a request from the Mayor and Council. In an effort to streamline development review processes and timelines, this proposal would alter the approval processes for both Site Plans and Preliminary Plats.

BACKGROUND:

During the December 7, 2021 Regular City Council meeting, Mayor and Council directed staff to analyze the development review process and identify opportunities to increase projects' speed to market. Staff conducted research and reported back to the City Council during the regular scheduled meeting on February 15, 2022, at which time the Mayor and Council directed staff to pursue the subject Zoning Text Amendment.

ANALYSIS AND DISCUSSION:

Currently, Site Plan processes are divided into Type I (minor) and Type II (major), of which Type II are approved by the Planning & Zoning Commission. The amendment proposes that the decision authority for all Site Plans be the Community Development Director, with the Planning & Zoning Commission as the appeal body.

The approval body for all Preliminary Plats would change from the City Council to the Planning & Zoning Commission, but the City Council would remain as the appeal body. Final Plats will remain as is, with the decision authority being the City Council.

Additionally, this application includes an accompanying City Code amendment. Section 2-301 of the Municipal Code covers the powers, duties, and responsibilities of the Planning & Zoning Commission, as well as appeal processes for decisions made by the Commission. In order to maintain consistency between the LDO and the Municipal Code, a few minor amendments to Section 2-301 are needed to match the proposed changes to the LDO.

The necessary revisions to the LDO to achieve these changes are outlined below:

Table 102-2a: Application Type, Procedure, and Decision Authority Summary								
	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
Site Plan Amendment (minor)					D	A		
Minor land division / Parcel assemblage					D			A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D			A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Site Plan Review					D	A		
Type 2 Applications								
Site Plan Review	X				R	D	A	
Site Plan Amendment (major)	X				R	D	A	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	R-D	D-A	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

102-4.2 — Minor Site Plan Amendment

~~A. Minor Site Plan Amendments are requests to alter or modify an approved site plan described in Section 102-5.1 herein by no more than ten percent (10%) in comparison to the most recent site plan approved by Planning and Zoning Commission and/or City Council and which typically has no significant changes to infrastructure, buildings and structures, circulation, or grading and drainage. Provided the requested changes otherwise meet the requirements of the zoning district in which the property is located, modifications approved under a Minor Amendment may include, but are not limited to, an increase or decrease in floor area; building height; building setbacks; or, the number and location of parking spaces but not their size.~~

102.4.2 SITE PLAN REVIEW

A. INITIAL SITE PLAN. IN ORDER TO FIRST ESTABLISH A DESIGN TO DEVELOP A CURRENTLY UNDEVELOPED PROPERTY, OR REDEVELOP A PROPERTY, A SITE PLAN REVIEW SHALL BE REQUIRED TO BE APPROVED FOR ALL DEVELOPMENT OCCURRING WITHIN EVERY ZONING DISTRICT, EXCEPT FOR INTERIOR TENANT IMPROVEMENTS AND SINGLE-FAMILY RESIDENTIAL SUBDIVISIONS, BUT NOT INCLUDING HOME PRODUCT REVIEWS (SEE PROCEDURES MANUAL FOR SUBMITTAL REQUIREMENTS AND PROCESS).

B. AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR, THE APPLICANT MAY BE REQUIRED TO HOLD A NEIGHBORHOOD MEETING IF IN THE OPINION OF THE DIRECTOR THE PROJECT MAY IMPACT THE ADJACENT NEIGHBORHOOD.

C. ~~Major~~ SITE PLAN AMENDMENT. ~~Substantial~~ AMENDMENTS OR MODIFICATIONS TO AN APPROVED SITE PLAN SHALL BE PROCESSED IN THE SAME MANNER AS THE ORIGINAL APPLICATION. ~~The cumulative effect of multiple minor site plan amendments that exceed the collective change greater than ten (10) percent from the most recent site plan approved by planning and zoning commission and/or city council will require a major site plan amendment.~~

D. LANDSCAPE PLAN. A LANDSCAPE PLAN IS FOCUSED ON PLANT PALETTE, LOCATIONS, AND/OR IRRIGATION PURSUANT TO CHAPTER 107. LANDSCAPE PLANS MAY BE APPROVED CONCURRENTLY WITH OTHER APPLICATIONS OR PROCESSED SEPARATELY UNDER A SEPARATE APPLICATION.

E. VALIDITY LIMITS. APPROVAL OF A SITE PLAN OR AMENDMENTS THERETO, SHALL RUN WITH THE LAND AND MAY CONTINUE TO BE VALID UPON A CHANGE OF OWNERSHIP OF THE SITE OR STRUCTURE FOR A PERIOD OF TWO (2) YEARS FOLLOWING THE DATE OF APPROVAL.

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.1 Site Plan Review PROTECTED DEVELOPMENT RIGHTS PLAN.

104 [Renumbered only; no text changes]

105 **102-5.32 ORIGINAL TOWNSITE INCENTIVE.**

106 [Renumbered only; no text changes]

107 **102.5.43 DEVELOPMENT AGREEMENTS.**

108 [Renumbered only; no text changes]

109 **102.5.54 APPEALS AND WAIVERS.**

110 [Renumbered only; no text changes]

111 **102-5.65 Preliminary plats**

112 A. The *preliminary plats* involve detailed land division planning. The submittal is
113 reviewed by staff and presented to the Planning and Zoning Commission ~~to give a~~
114 ~~recommendation of~~ **FOR AN** approval, approval with conditions, or denial of the
115 *preliminary plat* ~~by the City Council~~. The *applicant* shall provide the City with all
116 information, outlined at the *preliminary plat* concept review meeting and the
117 information listed in Chapter 108 of this Ordinance, essential to determine the
118 character and general acceptability of the proposed development.

119 CHAPTER 106 - ZONING AND USE STANDARDS

120 ARTICLE 5 – MIXED USE ZONING DISTRICTS

121 **106-5.1 General.**

122 D. Process. A Type 3 review is required to establish any of the *Mixed Use zoning*
123 *districts*. All development within a *Mixed Use zoning district* shall require a Type
124 ~~2~~ **1** *Site Plan* Review prior to the submittal for a *building* and/or grading permit.
125 Some proposed *uses* may require a *Conditional Use Permit* (see **Table 106-1c** and
126 **Table 106-1d** in Article 1 herein for requirements).

127 ARTICLE 6 – COMMERCIAL ZONING DISTRICTS

128 **106-6.1 General.**

129 C. Process. A Type 3 review is required to establish a commercial *zoning district*. All
130 development within a commercial *zoning district* shall require a Type ~~2~~ **1** *Site Plan*
131 Review prior to submittal for a *building* and/or grading permit. Some proposed
132 *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c**
133 and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 7 – EMPLOYMENT ZONING DISTRICTS

106-7.1 General.

- D. Review and Process. A Type 3 review is required to establish any of the employment *zoning districts*. All development within the *Business Park zoning district* or any of the Industrial *zoning districts* shall require a Type 2 **1** *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* as identified in **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 8 – CIVIC ZONING DISTRICTS

106-8.1 General

- C. Review and Process. A Type 3 review is required to establish any of the Civic *zoning districts*. All development within the Public Facilities or any of the Open Space *zoning districts* shall require a Type 2 **1** *Site Plan* Review prior to application for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in **Article 1** of this Chapter.

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.2 Accessory Dwelling Units (ADU).

- A. *Single-family residential uses* will be limited to only one (1) *accessory dwelling unit (ADU)* per *lot* of record in the RR, R-1 and R-2, SHD-RO, and TND-R *zoning districts*. A ~~minor~~ *site plan* review shall be required.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 5 – WIRELESS FACILITIES REGULATIONS

107-5.4 Monopoles.

A. Review.

1. New monopole applications will be processed as a Type 2 **1** *site plan* design review, found in article XII of this chapter.
2. Collocations, major modifications, and monopoles on city property will be processed as an administrative Type 1 *site plan* design review, found in article XII of this chapter.
3. Minor modifications will be processed as a building permit.

ARTICLE 2 – RULES OF INTERPRETATION AND GLOSSARY OF TERMS

101-2.2 Glossary of Terms

Plat: A map, survey, plan or *replat* certified by a licensed, registered land survey containing a description of the *subdivided* land with ties to permanent monuments that provides for changes in land *use or ownership*.

2. **Preliminary Plat:** An initial map, including supporting data, ~~recommended by the Planning and Zoning Commission and~~ approved by the **PLANNING AND ZONING COMMISSION** ~~City Council~~, indicating a proposed subdivision design, prepared by a registered civil engineer and a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes. A preliminary *site plan* for a condominium development shall be considered a *preliminary plat*.

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.5 Subdivisions.

C. Preliminary Plat Overview.

1. The *preliminary plat* stage of land division involves detailed land division planning, including the submittal, review **BY STAFF** ~~(by staff and Commission)~~, and approval of the *preliminary plat* by the ~~City Council~~ **PLANNING AND ZONING COMMISSION**. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Article 2 herein, essential to determine the character and general acceptability of the proposed development.

ARTICLE 2 – REPORTS, PLANS, AND DESIGN STANDARDS

108-2.1 General Requirements.

- G. A proposed subdivision name shall not duplicate, or approximate phonetically, the name of any other subdivision located within the city, unless a clear distinction between the two (2) subdivisions is evident. The ~~City Council~~ **PLANNING AND ZONING COMMISSION** shall have final authority to designate the name of the subdivision which shall be determined at the *preliminary plat* approval.

108-2.4 Circulation Design Standards.

E. Street Names and Signage

2. The City's GIS department shall propose the *street* names at the *preliminary plat* submittal stage and the names shall be ~~recommended by~~

April 7, 2022 Planning and Zoning Commission

Case: FS22-0300, ZTA to the LDO

Page 6 of 9

200 ~~the Commission and~~ approved by the ~~Council~~ **PLANNING AND ZONING**
201 **COMMISSION.**

202 Draft revision to the City Code (in conjunction with the LDO amendment regarding Site Plans &
203 Preliminary Plats)

204 Sec. 2-301. - Planning and zoning commission.

205 (a) *Mission.* To promote the health, safety, and beauty of the community, and secure growth
206 and development within the city in conformance with the General Plan. Where necessary for
207 the efficient and cost effective operation of the city, the city council may direct that the
208 planning and zoning commission may also sit as the board of adjustment and/or the board
209 of construction review.

210 (b) *Bylaws.* Unless otherwise delineated within this section, the bylaws contained in section 2-
211 295 apply.

212 (c) *Composition.* Members will represent a cross section of stakeholders in the community,
213 including different professions or occupations, so as to constitute as much as possible equal
214 representation for all areas within the city.

215 (d) *Powers, duties and responsibilities.* The commission will:

216 (1) Recommend to city council a General Plan, specific plans, and amendments thereto;

217 (2) Review, decide, and make recommendations to city council on matters as set forth in
218 the development code, or as otherwise set forth in this Code.

219 (3) Review and make recommendations to city council regarding design guidelines;

220 (4) Review development applications for consistency with applicable zoning and design
221 standards, consistent with the development code.

222 (5) Review and make recommendations to city council regarding the classification of
223 parcels of land from one zoning district to another, the adoption or modification of the
224 zoning map, and text amendments to the development code.

225 (6) Review and make recommendations to city council regarding regulations and
226 restrictions concerning the erection, construction, reconstruction, alteration, repair, or
227 use of buildings, structures, or land.

228 (7) Make recommendations to city council on policy matters regarding the interpretation,
229 enforcement, and administration of the development code.

230 (8) Review and approve or deny applications for **PRELIMINARY PLAT APPROVAL** ~~Site Plan~~
231 ~~approval~~ and Conditional Use Permits, as set forth in the Land Development Code, or as
232 otherwise set forth in this code.

233 (e) All regular meetings of the planning and zoning commission will be televised when
234 reasonably feasible.

235 (f) *Appeals.* Decisions by the Planning and Zoning Commission may be appealed as follows:

(1) Any person aggrieved by the decision of the Planning and Zoning Commission to approve or disapprove an application for a **PRELIMINARY PLAT APPROVAL OR** Conditional Use Permit may appeal the decision to the City Council within 15 calendar days after the Commission has rendered its decision. The aggrieved person, or any municipal officer or official department of the City, or member of City Council, may file an appeal whether or not they were a previous party to the decision. Appeals shall be filed in writing with the office of the City Clerk and shall specify the grounds for the appeal. The decision by the City Council shall be final.

(2) When sitting as either the Board of Adjustment or the Board of Construction Review, decisions of the Planning and Zoning Commission may be appealed as set forth in Section 2-303 or 2-304 as appropriate.

CITIZEN PARTICIPATION:

As of the writing of this staff report, a neighborhood outreach meeting has not yet been held. A meeting is scheduled for Wednesday, March 23, 2022 at 6pm at City Hall. The results of this meeting will be presented to the Planning & Zoning Commission during the scheduled hearing.

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The subject request is consistent with, and will help implement, the Surprise General Plan 2035.

SUMMARY:

This proposed Zoning Text Amendment to the Land Development Ordinances (LDO) will alter the Site Plan approval process so that the decision authority for all Site Plans be the Community Development Director, with the Planning & Zoning Commission as the appeal body. It will also alter the Preliminary Plat approval process so that approval body for all Preliminary Plats would change from the City Council to the Planning & Zoning Commission, but the City Council would remain as the appeal body. Additionally, this application includes an accompanying City Code amendment for consistency throughout the municipal code.

RECOMMENDATION:

Based on the findings noted above, staff recommends the Commission move to recommend **approval** of the subject Zoning Text Amendment request to the City Council.

However, should the Commission wish to recommend denial of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

00 Staff Report

279 01 Narrative
280 02 ZTA Legislative Edit
281 PPT

Draft Zoning Text Amendment to the Land Development Ordinances (FS22-0300)

Edits in **red** are deletions; edits **highlighted** are additions

Table 102-2a: Application Type, Procedure, and Decision Authority Summary								
	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
Site Plan Amendment (minor)					D	A		
Minor land division / Parcel assemblage					D			A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D			A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Site Plan Review					D	A		
Type 2 Applications								
Site Plan Review	X				R	D	A	
Site Plan Amendment (major)	X				R	D	A	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	R-D	D-A	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	
Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDO Text Amendments	X	X(1)	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D
Annexation	X	X	X	X	R		D	
Key: X = Required (1) = 1 st Class Letter not required R = Reviews and recommends action to decision-making body D = Decision-making body A = Appeal authority								

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

~~102.4.2~~ ~~Minor Site Plan Amendment~~

- ~~A. Minor Site Plan Amendments are requests to alter or modify an approved site plan described in Section 102-5.1 herein by no more than ten percent (10%) in comparison to the most recent site plan approved by Planning and Zoning Commission and/or City Council and which typically has no significant changes to infrastructure, buildings and structures, circulation, or grading and drainage. Provided the requested changes otherwise meet the requirements of the zoning district in which the property is located, modifications approved under a Minor Amendment may include, but are not limited to, an increase or decrease in floor area; building height; building setbacks; or, the number and location of parking spaces but not their size.~~

102.4.2

SITE PLAN REVIEW

- A. **INITIAL SITE PLAN.** IN ORDER TO FIRST ESTABLISH A DESIGN TO DEVELOP A CURRENTLY UNDEVELOPED PROPERTY, OR REDEVELOP A PROPERTY, A *SITE PLAN REVIEW* SHALL BE REQUIRED TO BE APPROVED FOR ALL DEVELOPMENT OCCURRING WITHIN EVERY *ZONING DISTRICT*, EXCEPT FOR INTERIOR TENANT IMPROVEMENTS AND *SINGLE-FAMILY RESIDENTIAL SUBDIVISIONS*, BUT NOT INCLUDING HOME PRODUCT REVIEWS (*SEE PROCEDURES MANUAL FOR SUBMITTAL REQUIREMENTS AND PROCESS*).
- B. AT THE DISCRETION OF THE COMMUNITY DEVELOPMENT DIRECTOR, THE *APPLICANT* MAY BE REQUIRED TO HOLD A NEIGHBORHOOD MEETING IF IN THE OPINION OF THE DIRECTOR THE PROJECT MAY IMPACT THE ADJACENT NEIGHBORHOOD.
- C. ~~Major~~ **SITE PLAN AMENDMENT.** ~~Substantial~~ *AMENDMENTS* OR MODIFICATIONS TO AN APPROVED *SITE PLAN* SHALL BE PROCESSED IN THE SAME MANNER AS THE ORIGINAL APPLICATION. ~~The cumulative effect of multiple minor site plan amendments that exceed the collective change greater than ten (10) percent from the most recent site plan approved by planning and zoning commission and/or city council will require a major site plan amendment.~~
- D. **LANDSCAPE PLAN.** A LANDSCAPE PLAN IS FOCUSED ON PLANT PALETTE, LOCATIONS, AND/OR IRRIGATION PURSUANT TO CHAPTER 107. LANDSCAPE PLANS MAY BE APPROVED CONCURRENTLY WITH OTHER APPLICATIONS OR PROCESSED SEPARATELY UNDER A SEPARATE APPLICATION.

- E. **VALIDITY LIMITS.** APPROVAL OF A *SITE PLAN* OR AMENDMENTS THERETO, SHALL RUN WITH THE LAND AND MAY CONTINUE TO BE VALID UPON A CHANGE OF OWNERSHIP OF THE SITE OR STRUCTURE FOR A PERIOD OF TWO (2) YEARS FOLLOWING THE DATE OF APPROVAL.

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.1 ~~Site Plan Review~~ **PROTECTED DEVELOPMENT RIGHTS PLAN.**

[Renumbered only; no text changes]

102-5.32 **ORIGINAL TOWNSITE INCENTIVE.**

[Renumbered only; no text changes]

102.5.43 **DEVELOPMENT AGREEMENTS.**

[Renumbered only; no text changes]

102.5.54 **APPEALS AND WAIVERS.**

[Renumbered only; no text changes]

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- A. The *preliminary plats* involve detailed land division planning. The submittal is reviewed by staff and presented to the Planning and Zoning Commission ~~to give a recommendation of~~ **FOR AN** approval, approval with conditions, or denial of the *preliminary plat* ~~by the City Council~~. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Chapter 108 of this Ordinance, essential to determine the character and general acceptability of the proposed development.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 5 – MIXED USE ZONING DISTRICTS

106-5.1 **General.**

- D. Process. A Type 3 review is required to establish any of the *Mixed Use zoning districts*. All development within a *Mixed Use zoning district* shall require a Type ~~2~~ **1** *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a *Conditional Use Permit* (see **Table 106-1c** and **Table 106-1d** in Article 1 herein for requirements).

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- C. Process. A Type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a Type ~~2~~ **1** *Site Plan* Review prior to submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 7 – EMPLOYMENT ZONING DISTRICTS

106-7.1 General.

- D. Review and Process. A Type 3 review is required to establish any of the employment *zoning districts*. All development within the *Business Park zoning district* or any of the Industrial *zoning districts* shall require a Type ~~2~~ **1** *Site Plan* Review prior to the submittal for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* as identified in **Table 106-1c** and **Table 106-1d** in Article 1 of this Chapter.

ARTICLE 8 – CIVIC ZONING DISTRICTS

106-8.1 General

- C. Review and Process. A Type 3 review is required to establish any of the Civic *zoning districts*. All development within the Public Facilities or any of the Open Space *zoning districts* shall require a Type ~~2~~ **1** *Site Plan* Review prior to application for a *building* and/or grading permit. Some proposed *uses* may require a Type 3 review for *Conditional Use Permits* per **Table 106-1c** and **Table 106-1d** in **Article 1** of this Chapter.

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.2 Accessory Dwelling Units (ADU).

- A. *Single-family residential uses* will be limited to only one (1) *accessory dwelling unit (ADU)* per *lot* of record in the RR, R-1 and R-2, SHD-RO, and TND-R *zoning districts*. A ~~minor~~ *site plan* review shall be required.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 5 – WIRELESS FACILITIES REGULATIONS

107-5.4 Monopoles.

- A. Review.

1. New monopole applications will be processed as a Type ~~2~~ **1** site plan design review, found in article XII of this chapter.
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3. Minor modifications will be processed as a building permit.

ARTICLE 2 – RULES OF INTERPRETATION AND GLOSSARY OF TERMS

101-2.2 Glossary of Terms

Plat: A map, survey, plan or *replat* certified by a licensed, registered land survey containing a description of the *subdivided* land with ties to permanent monuments that provides for changes in land *use or ownership*.

2. **Preliminary Plat:** An initial map, including supporting data, ~~recommended by the Planning and Zoning Commission and~~ approved by the **PLANNING AND ZONING COMMISSION** ~~City Council~~, indicating a proposed subdivision design, prepared by a registered civil engineer and a registered land surveyor, in accordance with this Ordinance and the Arizona Revised Statutes. A preliminary *site plan* for a condominium development shall be considered a *preliminary plat*.

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.5 Subdivisions.

- C. Preliminary Plat Overview.
 1. The *preliminary plat* stage of land division involves detailed land division planning, including the submittal, review ~~(by staff and Commission)~~, **BY STAFF**, and approval of the *preliminary plat* by the ~~City Council~~ **PLANNING AND ZONING COMMISSION**. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Article 2 herein, essential to determine the character and general acceptability of the proposed development.

ARTICLE 2 – REPORTS, PLANS, AND DESIGN STANDARDS

108-2.1 General Requirements.

- G. A proposed subdivision name shall not duplicate, or approximate phonetically, the name of any other subdivision located within the city, unless a clear distinction between the two (2) subdivisions is evident. The ~~City Council~~ **PLANNING AND ZONING COMMISSION** shall have final authority to designate the name of the subdivision which shall be determined at the *preliminary plat* approval.

108-2.4 Circulation Design Standards.

E. Street Names and Signage

2. The City's GIS department shall propose the *street* names at the *preliminary plat* submittal stage and the names shall be ~~recommended by the Commission and~~ approved by the ~~Council~~ **PLANNING AND ZONING COMMISSION**.

Draft revision to the City Code (in conjunction with the LDO amendment regarding Site Plans)

Sec. 2-301. - Planning and zoning commission.

- (a) *Mission*. To promote the health, safety, and beauty of the community, and secure growth and development within the city in conformance with the General Plan. Where necessary for the efficient and cost effective operation of the city, the city council may direct that the planning and zoning commission may also sit as the board of adjustment and/or the board of construction review.
- (b) *Bylaws*. Unless otherwise delineated within this section, the bylaws contained in section 2-295 apply.
- (c) *Composition*. Members will represent a cross section of stakeholders in the community, including different professions or occupations, so as to constitute as much as possible equal representation for all areas within the city.
- (d) *Powers, duties and responsibilities*. The commission will:
 - (1) Recommend to city council a General Plan, specific plans, and amendments thereto;
 - (2) Review, decide, and make recommendations to city council on matters as set forth in the development code, or as otherwise set forth in this Code.
 - (3) Review and make recommendations to city council regarding design guidelines;
 - (4) Review development applications for consistency with applicable zoning and design standards, consistent with the development code.
 - (5) Review and make recommendations to city council regarding the classification of parcels of land from one zoning district to another, the adoption or modification of the zoning map, and text amendments to the development code.
 - (6) Review and make recommendations to city council regarding regulations and restrictions concerning the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land.
 - (7) Make recommendations to city council on policy matters regarding the interpretation, enforcement, and administration of the development code.
 - (8) Review and approve or deny applications for **PRELIMINARY PLAT APPROVAL** ~~Site-Plan approval~~ and Conditional Use Permits, as set forth in the Land Development Code, or as otherwise set forth in this code.
- (e) All regular meetings of the planning and zoning commission will be televised when reasonably feasible.
- (f) *Appeals*. Decisions by the Planning and Zoning Commission may be appealed as follows:
 - (1) Any person aggrieved by the decision of the Planning and Zoning Commission to approve or disapprove an application for a **PRELIMINARY PLAT APPROVAL OR** Conditional Use Permit may appeal the decision to the City Council within 15 calendar days after the Commission has rendered its decision. The aggrieved person, or any municipal officer or official department of the City, or member of City Council, may file an appeal whether or not they were a previous party to the decision. Appeals

Draft Zoning Text Amendment to the Land Development Ordinances (FS22-0300)

Edits in red are deletions; edits highlighted are additions

shall be filed in writing with the office of the City Clerk and shall specify the grounds for the appeal. The decision by the City Council shall be final.

(2) When sitting as either the Board of Adjustment or the Board of Construction Review, decisions of the Planning and Zoning Commission may be appealed as set forth in Section 2-303 or 2-304 as appropriate.



S U R P R I S E

A R I Z O N A

Planning & Zoning Commission

April 7, 2022

Land Development Ordinance

Zoning Text Amendment

FS22-0300



Background

December 7, 2021

- Mayor & Council directed staff to identify opportunities to increase projects speed to market

December – February

- Staff conducted research and analyzed:
 - Development review processes
 - Timelines
 - Decision authorities
 - Other cities

February 15, 2022

- Staff presented its findings to Council
- Mayor & Council directed staff to pursue a Zoning Text Amendment

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 2 – PROCEDURE TYPES AND SUBMITTALS

- Removal of ‘minor’ and ‘major’ Site Plan Amendments
- Move ‘Site Plan Review’ to Type 1
 - Appeals go to Commission
- Change decision-making body for Preliminary Plats to Commission
 - Appeals go to Council

Table 102-2a: Application Type, Procedure, and Decision Authority Summary

	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
Site Plan Amendment (minor)					D	A		
Minor land division / Parcel assemblage					D			A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D			A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Site Plan Review					D	A		
Type 2 Applications								
Site Plan Review	X				R	D	A	
Site Plan Amendment (major)	X				R	D	A	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	D	A	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	
Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDOT Text Amendments	X	X ⁽¹⁾	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D
Annexation	X	X	X	X	R			D

Key:
X = Required
(1) = 1st Class Letter not required
R = Review and recommends action to decision-making body
D = Decision-making body
A = Appeal authority

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

~~102-4.2—Minor Site Plan Amendment~~

- ~~A. Minor Site Plan Amendments are requests to alter or modify an approved site plan described in Section **102-5.1** herein by no more than ten percent (10%) in comparison to the most recent site plan approved by Planning and Zoning Commission and/or City Council and which typically has no significant changes to infrastructure, buildings and structures, circulation, or grading and drainage. Provided the requested changes otherwise meet the requirements of the zoning district in which the property is located, modifications approved under a Minor Amendment may include, but are not limited to, an increase or decrease in floor area; building height; building setbacks; or, the number and location of parking spaces but not their size.~~

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

102.4.2 **SITE PLAN REVIEW**

- A. INITIAL SITE PLAN. IN ORDER TO FIRST ESTABLISH A DESIGN TO DEVELOP A CURRENTLY UNDEVELOPED PROPERTY, OR REDEVELOP A PROPERTY, A *SITE PLAN* REVIEW SHALL BE REQUIRED TO BE APPROVED FOR ALL DEVELOPMENT OCCURRING WITHIN EVERY *ZONING DISTRICT*, EXCEPT FOR INTERIOR TENANT IMPROVEMENTS AND *SINGLE-FAMILY RESIDENTIAL SUBDIVISIONS*, BUT NOT INCLUDING HOME PRODUCT REVIEWS (*SEE PROCEDURES MANUAL FOR SUBMITTAL REQUIREMENTS AND PROCESS*).
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CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 4 – TYPE 1 APPLICATION AND REQUESTS

102.4.2 SITE PLAN REVIEW

- C. ~~Major~~ SITE PLAN AMENDMENT. ~~Substantial~~ AMENDMENTS OR MODIFICATIONS TO AN APPROVED SITE PLAN SHALL BE PROCESSED IN THE SAME MANNER AS THE ORIGINAL APPLICATION. ~~The cumulative effect of multiple minor site plan amendments that exceed the collective change greater than ten (10) percent from the most recent site plan approved by planning and zoning commission and/or city council will require a major site plan amendment.~~
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- E. VALIDITY LIMITS. APPROVAL OF A *SITE PLAN* OR *AMENDMENTS* THERETO, SHALL RUN WITH THE LAND AND MAY CONTINUE TO BE VALID UPON A CHANGE OF *OWNERSHIP* OF THE SITE OR *STRUCTURE* FOR A PERIOD OF TWO (2) YEARS FOLLOWING THE DATE OF APPROVAL.

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 5 – TYPE 2 APPLICATION AND REQUESTS

102-5.1 ~~Site Plan Review~~ PROTECTED DEVELOPMENT RIGHTS PLAN.

[Renumbered only; no text changes]

102-5.32 ORIGINAL TOWNSITE INCENTIVE.

[Renumbered only; no text changes]

102.5.43 DEVELOPMENT AGREEMENTS.

[Renumbered only; no text changes]

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CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

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- A. The *preliminary plats* involve detailed land division planning. The submittal is reviewed by staff and presented to the Planning and Zoning Commission ~~to give a recommendation of~~ **FOR AN** approval, approval with conditions, or denial of the *preliminary plat* ~~by the City Council~~. The *applicant* shall provide the City with all information, outlined at the *preliminary plat* concept review meeting and the information listed in Chapter 108 of this Ordinance, essential to determine the character and general acceptability of the proposed development.

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2. The City's GIS department shall propose the *street* names at the *preliminary plat* submittal stage and the names shall be ~~recommended by the Commission and~~ approved by the ~~Council~~ **PLANNING AND ZONING COMMISSION.**

Sec. 2-301. - Planning and zoning commission.

(d) *Powers, duties and responsibilities.* The commission will:

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Citizen Participation

Neighborhood Outreach Meeting:

- When: March 23, at 6 p.m.
- Where: City Hall & WebEx
- Attendance:
- Feedback:



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

Matt Keating's thoughts on taking site plan approval away from the P&Z Commission

Dear Fellow Commissioners,

I will be out of town for the meeting at which this is discussed. Thank you for considering my thoughts in your discussion and recommendation to the City Council.

I think giving the P&Z Commission the right for final approval for preliminary plats makes good sense. The City Council will see and approve the final plat. It saves time and money for both the city and developers.

Taking away site plan approval from the Commission is more complicated.

PROS:

Saves time and money for the city and for developers.

Gives an additional sense of certainty for developers. No commission to potentially deny or recommend changes to the site plans if all the requirements are met.

CONS:

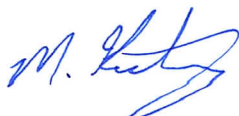
There could be a perception from residents that they no longer have a forum for their concerns of the projects and the site plans.

Accountability of staff. I trust our current staff implicitly! This decision could affect how the city does business permanently moving forward. What if we have staff 5 or 10 years down the road that are not as precise and careful as the current staff? Presenting site plans to the Commission in a public forum means that the staff have a high degree of accountability. Human nature leads people to sometimes take shortcuts if they feel no one is watching.

Commission ignorance of what is being built in Surprise. If the Commission does not see site plans, how will the members know what is being built in our city? No one can be expected to know everything that is being built by merely driving around. Knowing what is happening in our city is critical for future decisions of zoning changes.

Sincerely,

Matt Keating



4-4-2022



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: April 7, 2022 Contact Person: Chris Sexton
Submitting Department: Community Development District: District 6
Staff Recommendations:

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action regarding the Site Plan for Etico Construction Group. Case FS21-031.

Motion:

Motion to approve the Site Plan for Etico Construction Group subject to stipulations 'a' through 'e'.

Background:

Gary Burleson with Stegar LLC and Etico Construction Group requests a Site Plan approval for the construction of an 11,088 square foot office building and 10,828 square foot warehouse with maintenance yard on approximately 3.23 acres. The vacant parcel is located within the Skyway Business Park PAD at the northeast corner of Solar Canyon Way and Desert Cove Road.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 - FS21-031 Etico Construction Group - Staff report
2. 01 - FS21-031 Etico Construction Group - Vicinity Map
3. 02 - FS21-031 Etico Construction Group - Zoning Map
4. 03 - FS21-031 Etico Construction Group - Site Plan
5. 04 - FS21-031 Etico Construction Group - Landscape Plan

6. 05 - FS21-031 Etico Construction Group - Elevations
 7. FS21-031 Etico Construction Group - Presentation
-

SITE PLAN

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-031

Project Name: Etico Construction Group

Council District: 6 – Palo Verde

Meeting Date: April 7, 2022

Planner: Chris Sexton, Planner II

Owner: Gary Burleson with Stegar LLC

Applicant: Gary Burleson with Etico Residential LLC

Request: Site Plan approval for an office and warehouse building.

Site Location: Generally, located at the northeast corner of Solar Canyon Way and Desert Cove Road

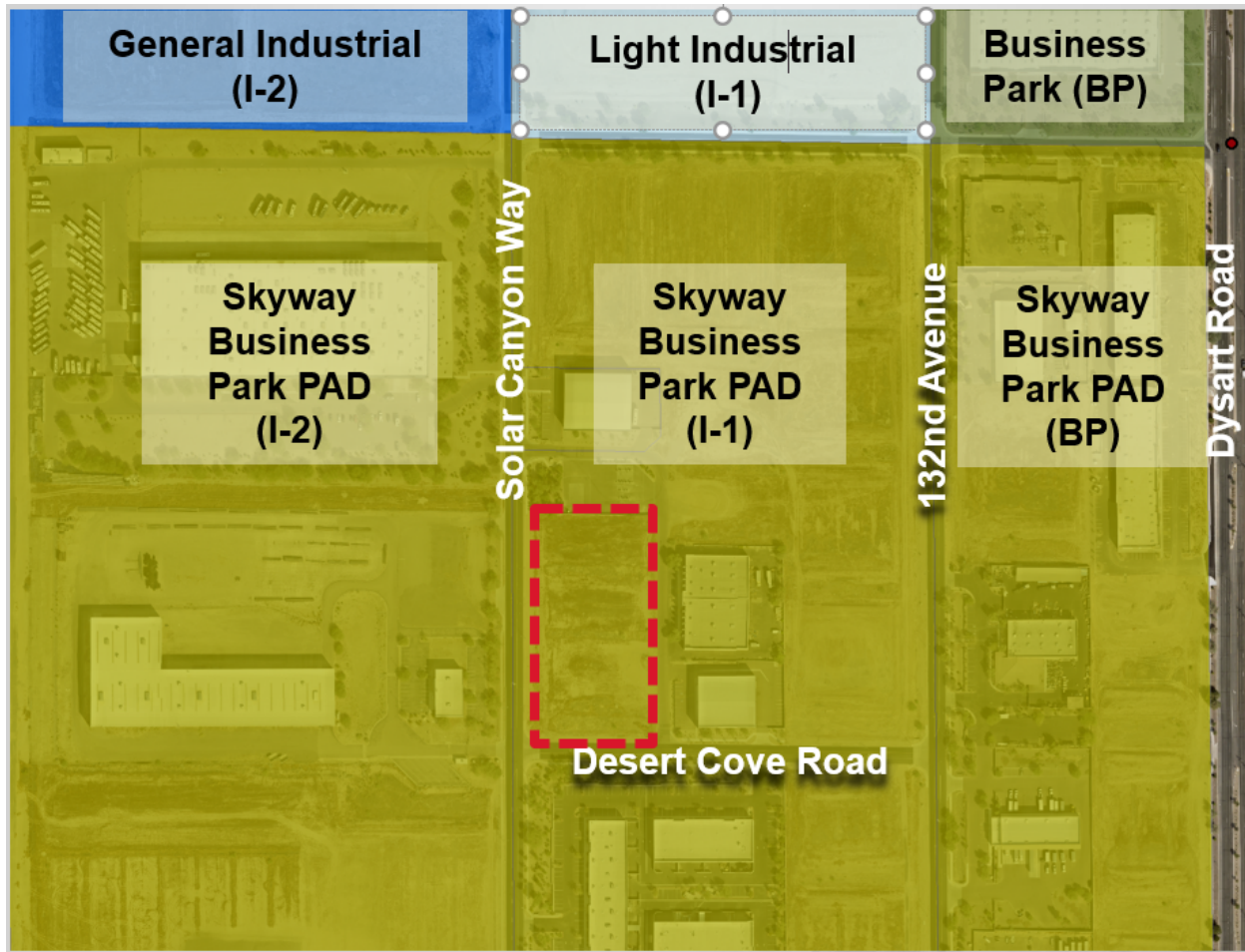
Site Size: 3.23 gross acres (approx.)

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Staff Recommendation: Staff recommends the Commission **approve** the proposed Site Plan for Etico Construction Group located within the Skyway Business Park Planned Area Development (PAD) zone, subject to stipulations ‘a’ through ‘e’

EXISTING ZONING:

The following map and table depict the existing zoning of the subject site and its surroundings:



General Industrial (I-2)	Light Industrial (I-1)	Business Park (BP)
Skyway Business Park PAD (I-2)	Skyway Business Park PAD (I-1)	Skyway Business Park PAD (BP)
Skyway Business Park PAD (I-2)	Skyway Business Park PAD (I-1)	Skyway Business Park PAD (BP)

BACKGROUND:

June 26, 1997: The subject parcel was annexed into the City by Ordinance 97-11.

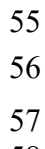
April 2, 2020: A Concept Review meeting was held for the current proposal under case CR20-193.

January 11, 2021: The applicant submitted for a Site Plan for new office and warehouse buildings under Case FS21-031, the subject case.

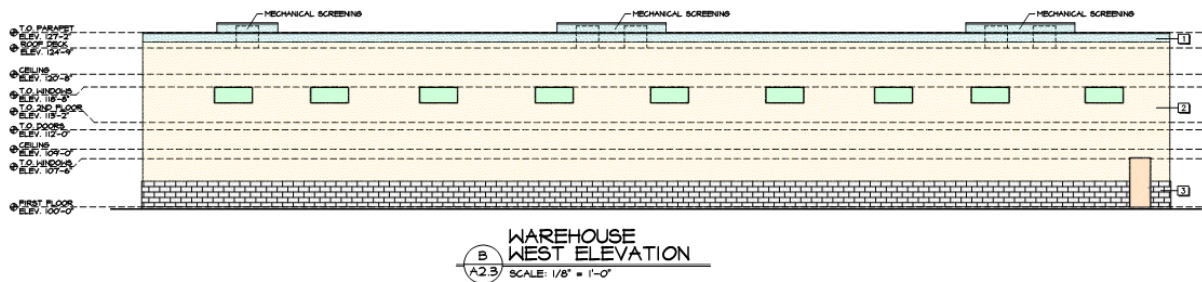
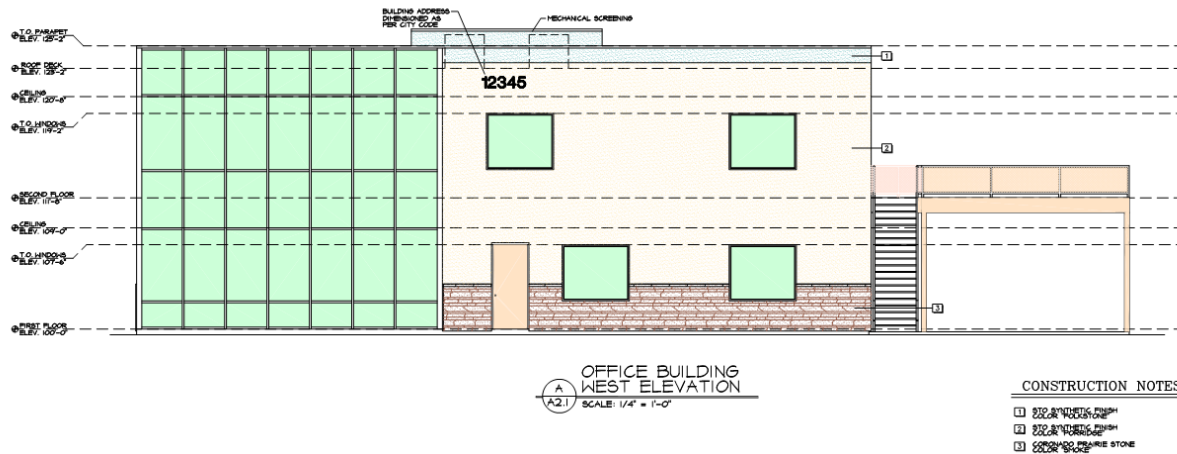
August 9, 2021: Under Case FS21-198, a parcel assemblage was approved administratively to combine three (3) lots into one (1) lot.

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The proposed architecture of the office building will be stucco with a four-foot high stone veneer at the base. Full height curtain wall will make up the main entry to the building with large window at the first and second floor offices. A balcony landing is proposed on the back elevation providing a second egress for the second floor and doubles as a patio cover at the first level.

The warehouse will have a stucco exterior and a CMU masonry block wall up to four feet high at the base to protect from equipment at the interior working area. Proposed are high bay transom windows to provide natural light for the work area. A mezzanine will be located at the south end of the warehouse for storage of archived records.

101 **SUMMARY:**

102 Staff believes by accepting and incorporating stipulations “a” – “e,” the proposed Site Plan
103 will meet the requirements of the General Plan, the Skyway Business Park PAD and the
104 Surprise Municipal Code.
105

106 **FINDINGS:**

- 107 • The proposed Site Plan demonstrates compliance with the General Plan.
- 108 • The proposed Site Plan demonstrates compliance with the Skyway Business Park
109 PAD.
- 110 • The proposed Site Plan demonstrates compliance with the Surprise Municipal Code.
- 111 • The reviewing agencies have indicated no objections to the request.
112

113 **RECOMMENDATION:**

114 Based on the findings noted above, staff recommends the Commission **approve** the subject
115 Site Plan Case FS21-031, subject to stipulations ‘a’ through ‘e’.

- 116 a. Development and use of the site shall be consistent with the Site Plan entitled “Etico
117 Construction Group” consisting of one (1) sheet prepared by JMK & Associates, Inc.
118 and stamped received February 16, 2022.
- 119 b. Landscaping of the site shall be consistent with the Landscape Plan entitled “Etico
120 Construction Group” consisting of two (2) sheets prepared by JMK & Associates, Inc.
121 and stamped received January 7, 2022.
- 122 c. Building elevations shall be consistent with the Elevations entitled “Etico Construction
123 Group” consisting of two (2) sheets prepared by JMK & Associates, Inc. and stamped
124 received January 7, 2022.
- 125 d. This Site Plan is valid for one (1) year after approval by the Planning and Zoning
126 Commission. This Site Plan shall expire on the one (1) year anniversary of approval,
127 unless construction commences prior to that date.
- 128 e. Non-compliance with the approved plan for this case will be treated as a violation in
129 accordance with the provisions of Article XIV of the Surprise Unified Development
130 Code.

131 However, should the Commission wish to **deny** the request, the Commission should make
132 its own findings and base its decision on those alternative findings.

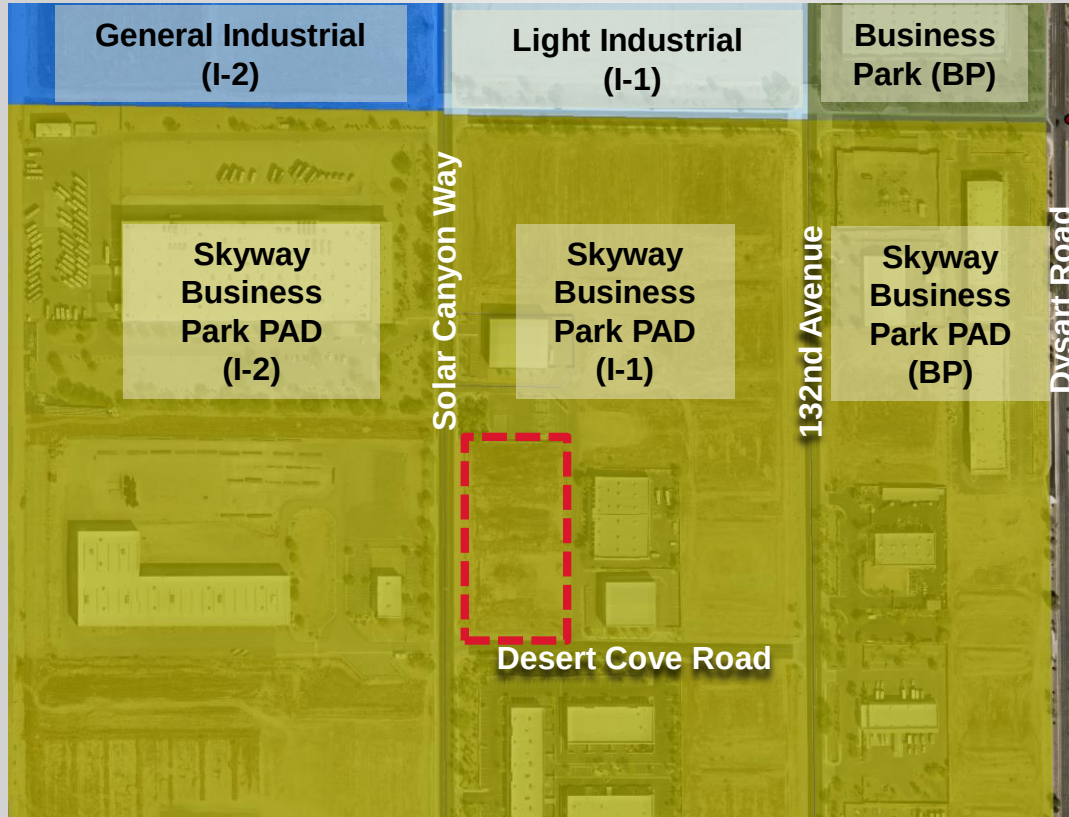
133 **ATTACHMENTS:**

134 00 Staff Report
135 01 Vicinity Map
136 02 Zoning Map
137 03 Site Plan
138 04 Landscape Plan
139 05 Elevations
140 PPT

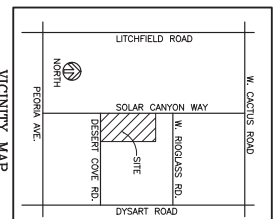
VICINITY MAP



SURROUNDING ZONING



SURPRISE INVESTORS LLC
APN 509-18-965



VICINITY MAP
OWNER/DEVELOPER
STEGAR, LLC
12455 N. 92ND DR.
PEORIA, AZ 85381
602-694-3571

ENGINEER
JMK & ASSOCIATES
10421 N. 92ND AVE.
SUITE 100
PEORIA, AZ 85381
602-694-3571

TOTAL AREA
APN 510-03-081 10,254 sqft / 5,354 sq. ft.

ZONING
PUD-SMART BUSINESS PARK

BENCHMARK
27.8646 DEGREE EAST OF NORTH POINT.
CITY OF SURPRISE BENCHMARK
LOCATED ON TOP OF CONCRETE SCULPTURE
INTERSECTION OF FEDERAL AVE. AND
ELEVATION 1089.96 VAND 88 DUTCH (LOS)

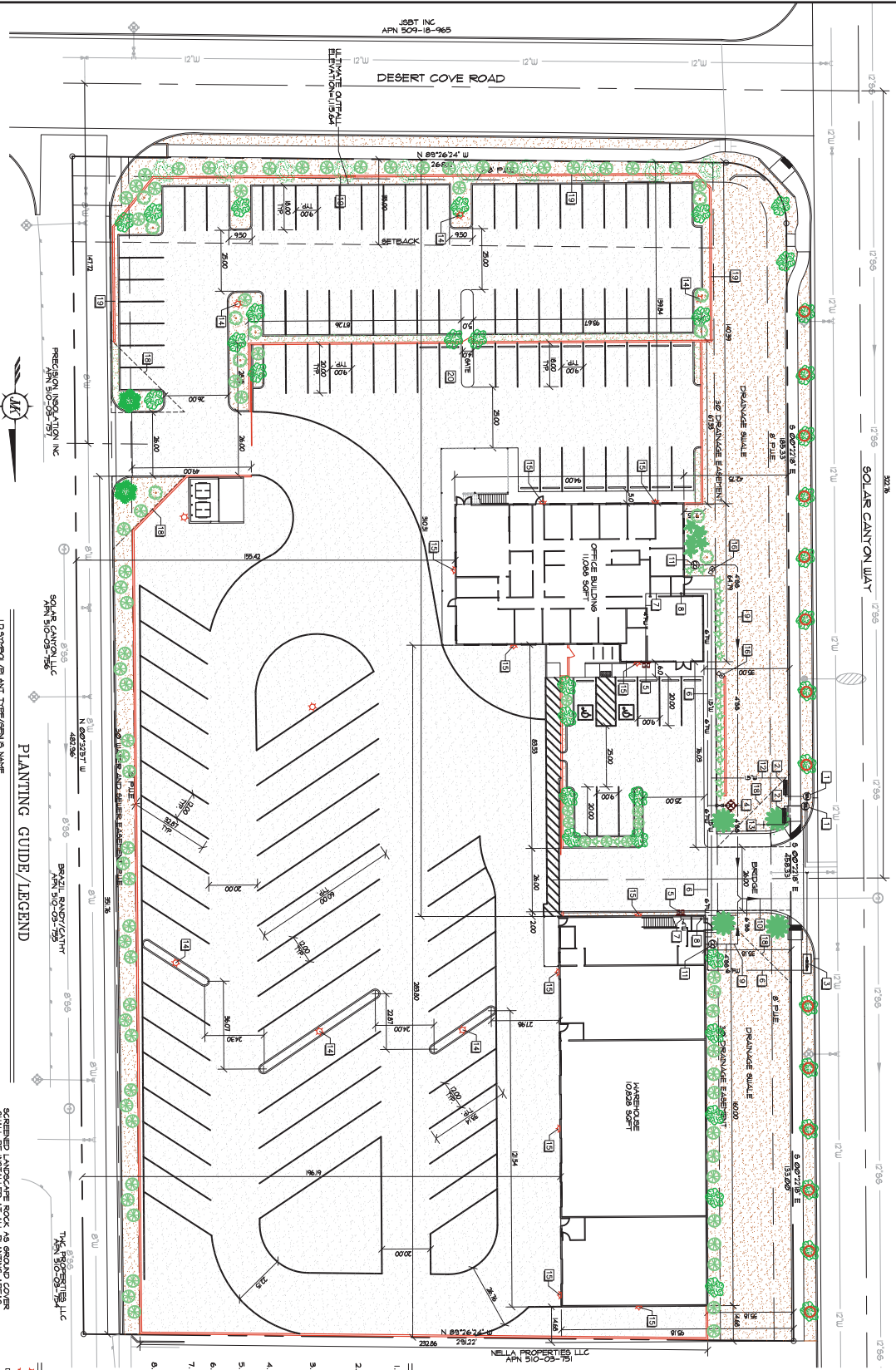
BASIS OF BEARING
BASIS OF BEARING BEING THE CENTRLINE
BEING SOUTH 0 DEGREES 22 MINUTES 0

LEGAL DESCRIPTION
LOT 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 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NOTE:
SITE PLANTING REQUIREMENTS ON MATERIALS AND COLLECTIONS WILL ADHERE TO SURPRISE DESIGN L-4-01
OR EXISTING REQUIREMENTS IN SURPRISE DESIGN L-4-01 AND L-4-02. THESE SCHEDULES AND OTHER LANDSCAPE
ARE NOT BEYOND 30 INCHES OR ABOVE 64 INCHES PER SURPRISE DESIGN

STARRING INVESTMENTS, LLC
APR 2024-2025

UTILITY SERVICES
WATER AND SEWER BY CITY OF SURPRISE



CALL TWO WORKING DAYS
BEFORE YOU DIG
602-263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

LANDSCAPE PLAN
ETICO CONSTRUCTION GROUP
Lots 1,2,3, Skyway Business Park
SURPRISE, ARIZONA

PLANTING GUIDE/LEGEND

TREES	SYMBOL/PLANT TYPE/GENUS NAME	SIZE	NUMBER	ORNAMENTAL, GROUND COVER, SHRUBS	SIZE	NUMBER
ASH	FRAXINUS OXYPHYLLA	24" BOX	99	TEXAS RANGER SILVERLEAF	5 GAL.	80
SILVER-LEAFED OAK	QUERCUS LAEVOGEMMATA	36" BOX	10	COASTAL PRICKLY PEAR CACTUS	5 GAL.	5
MEXICAN FAN PALM	WASHINGTONIA ROBERTA	36" BOX	2	COASTAL PRICKLY PEAR CACTUS	5 GAL.	5
PALM	DATE PALM	36" BOX	4	DESERT LAVENDER	1 GAL.	35

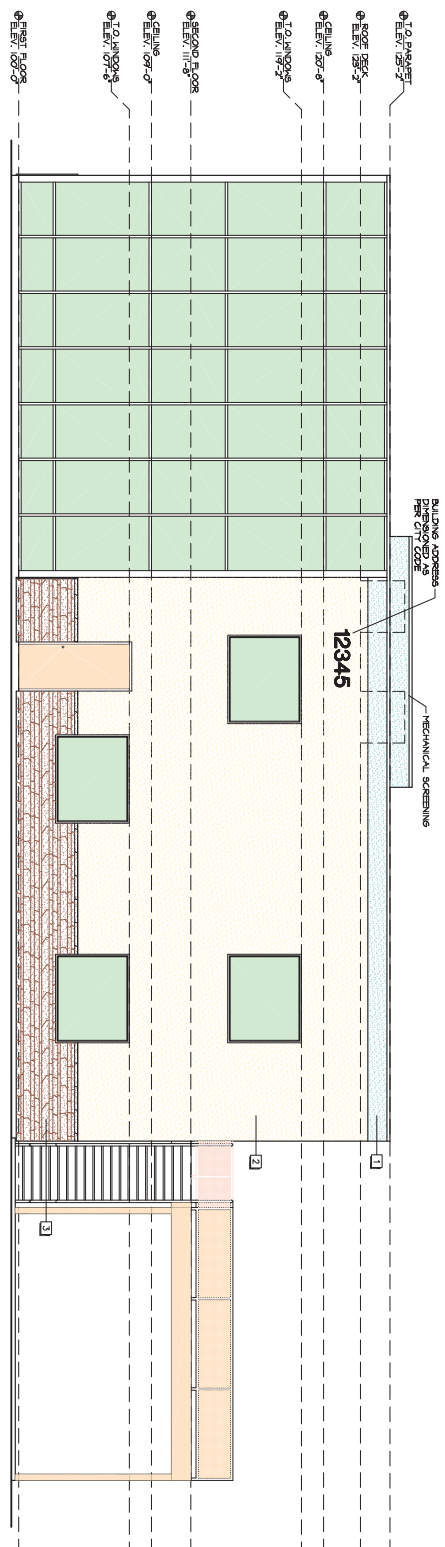
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PALM	DATE PALM	36" BOX	4	DESERT LAVENDER	1 GAL.	35

SCALED LANDSCAPE PLAN AS SHOWN ON SITE
NOTES:
1. SEE PLANTING DETAIL W/32
2. SEE PLANTING DETAIL W/32
3. SEE PLANTING DETAIL W/32
4. SEE PLANTING DETAIL W/32
5. SEE PLANTING DETAIL W/32
6. SEE PLANTING DETAIL W/32
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LEGEND

NEH 25' POLE LIGHT	NEH 25' POLE LIGHT
NEH 12' POLE LIGHT	NEH 12' POLE LIGHT
NEH 6' POLE LIGHT	NEH 6' POLE LIGHT
NEH 3' POLE LIGHT	NEH 3' POLE LIGHT
NEH 1.5' POLE LIGHT	NEH 1.5' POLE LIGHT
NEH 0.75' POLE LIGHT	NEH 0.75' POLE LIGHT
NEH 0.375' POLE LIGHT	NEH 0.375' POLE LIGHT
NEH 0.1875' POLE LIGHT	NEH 0.1875' POLE LIGHT
NEH 0.09375' POLE LIGHT	NEH 0.09375' POLE LIGHT
NEH 0.046875' POLE LIGHT	NEH 0.046875' POLE LIGHT
NEH 0.0234375' POLE LIGHT	NEH 0.0234375' POLE LIGHT
NEH 0.01171875' POLE LIGHT	NEH 0.01171875' POLE LIGHT
NEH 0.005859375' POLE LIGHT	NEH 0.005859375' POLE LIGHT
NEH 0.0029296875' POLE LIGHT	NEH 0.0029296875' POLE LIGHT
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**OFFICE BUILDING
WEST ELEVATION**

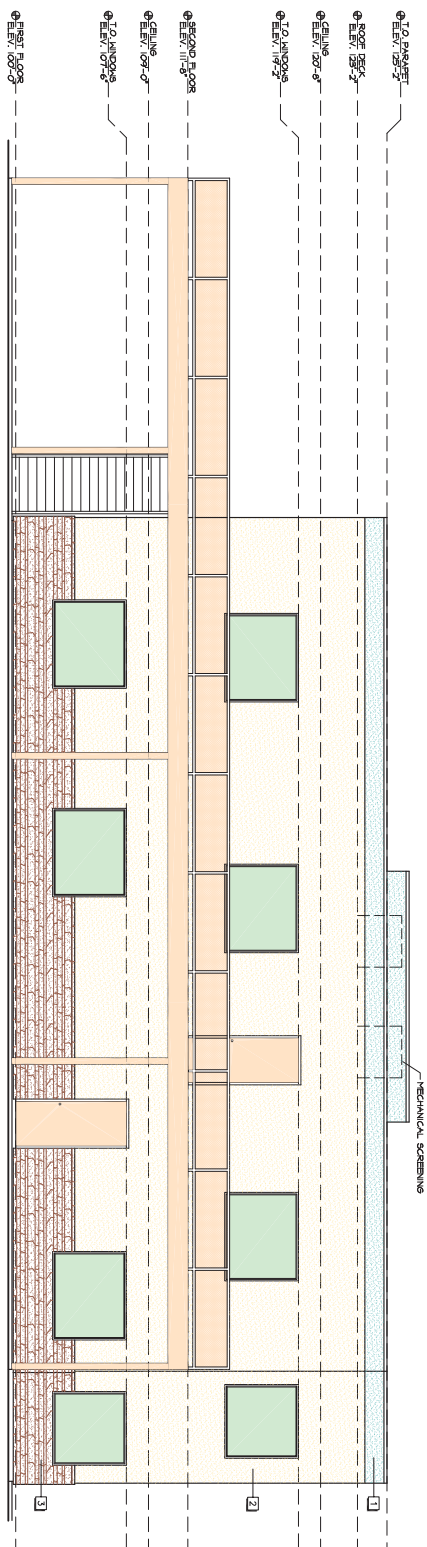
WEST ELE

A
A2.1

SCALE: 1/4" = 1'-0"

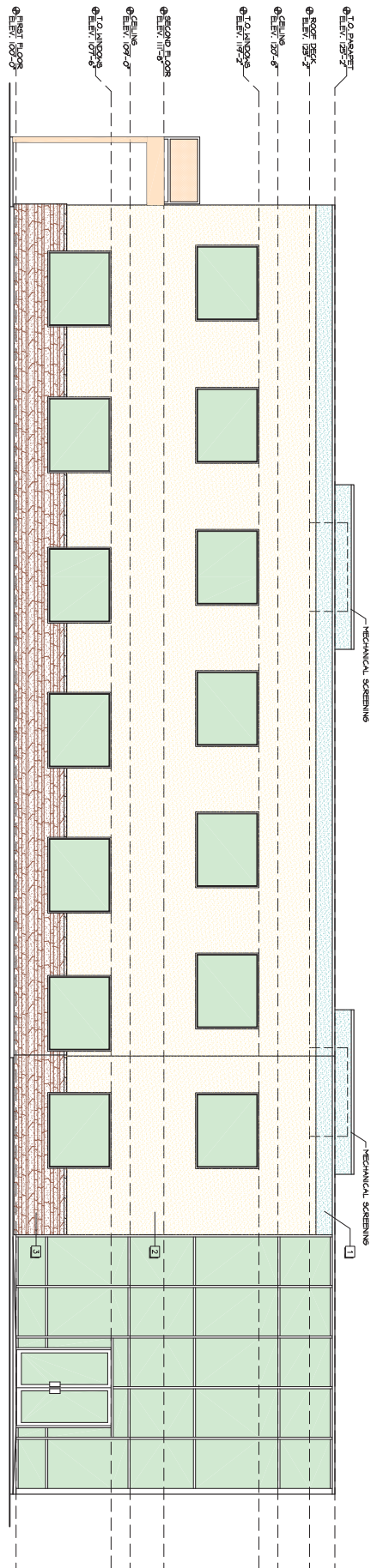
CONSTRUCTION NOTES

- 1 STO SYNTHETIC FINISH
COLOR POLKSTONE
- 2 STO SYNTHETIC FINISH
COLOR PORRIDGE
- 3 CORONADO PRAIRIE STONE
COLOR SMOKE



B
A2.1 OFFICE BUILDING
EAST ELEVATION
SCALE: 1/4" = 1'-0"

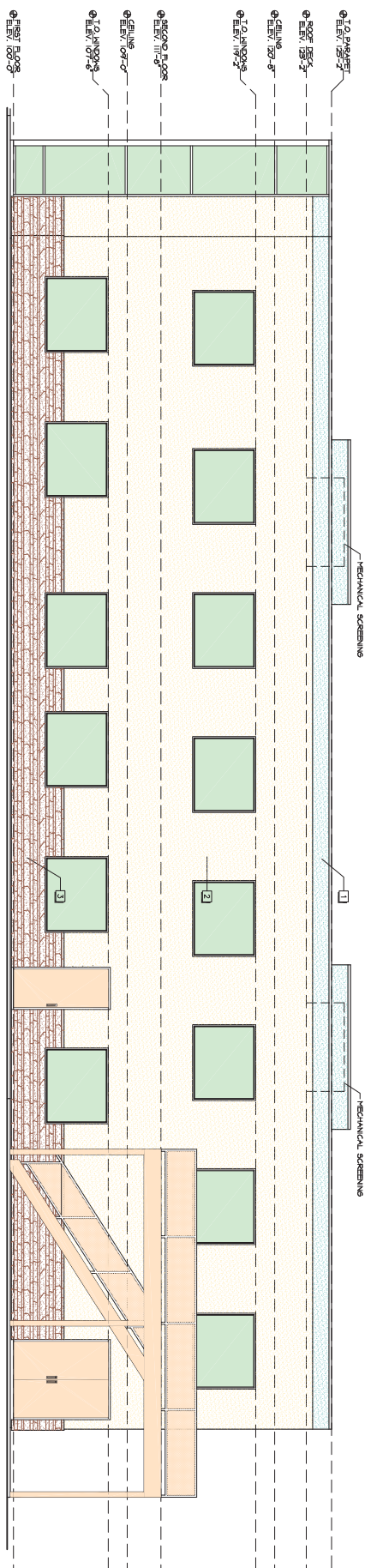
B EAST ELE
A2.1 SCALE: 1/4" = 1'-0"



OFFICE BUILDING
A NORTH ELEVATION
 A2.2 SCALE: 1/4" = 1'-0"

CONSTRUCTION NOTES

- 1 3/4" SQUARE RISER
- 2 3/4" SQUARE RISER
- 3 3/4" SQUARE RISER



OFFICE BUILDING
B SOUTH ELEVATION
 A2.2 SCALE: 1/4" = 1'-0"

REVISIONS



ETICO Construction Group
 Lots 1,2,3, Skyway Business Park
 Surprise, Arizona

Stegar, LLC
 12455 N. 92nd Dr., Bldg C
 Peoria, AZ 85381
 623-694-3571

JMK & ASSOCIATES, INC.
 10421 N. 161st Ave.
 Surprise, Arizona 85374
 (602) 251-5148

Date: 6/26/21
 Drawn: AS SHOWN
 Check: JMK

A2.2



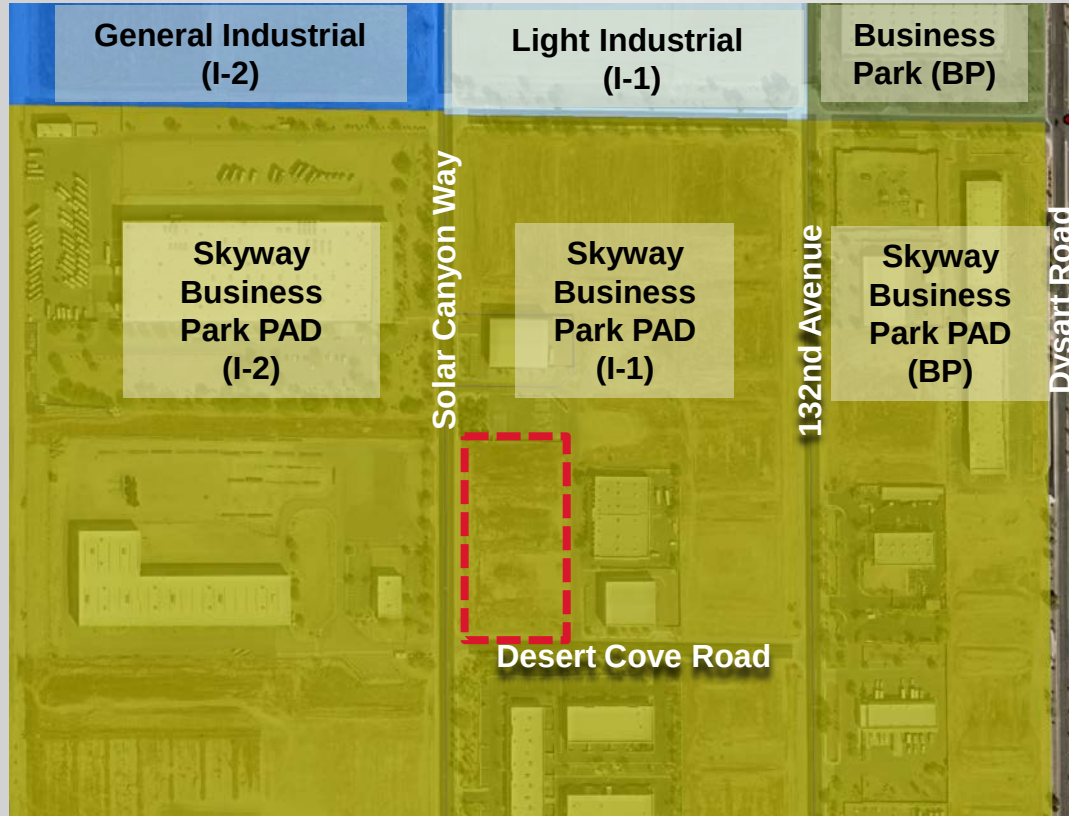
Etico Construction Group FS21-031 Site Plan

Planning & Zoning Commission – April 7, 2022

VICINITY MAP



SURROUNDING ZONING

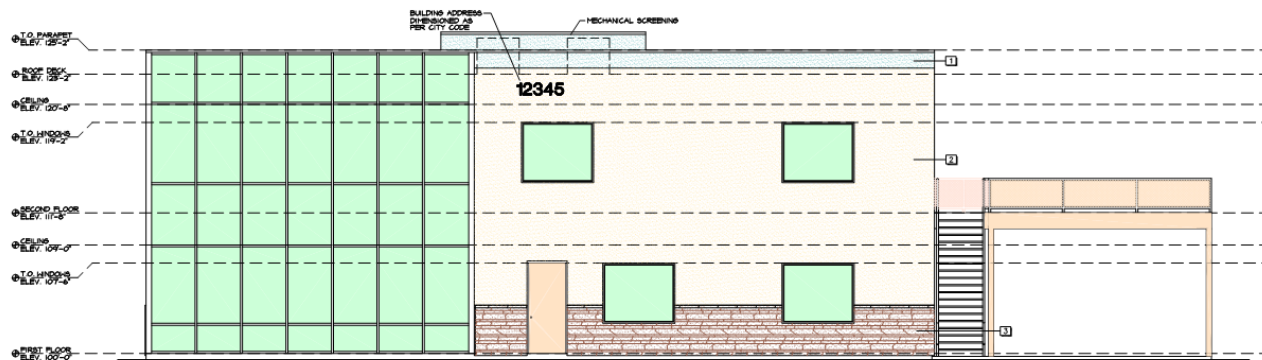


11,088 sq ft
office
building
10,828 sq ft
warehouse

Parking:
50 Required
60 Provided



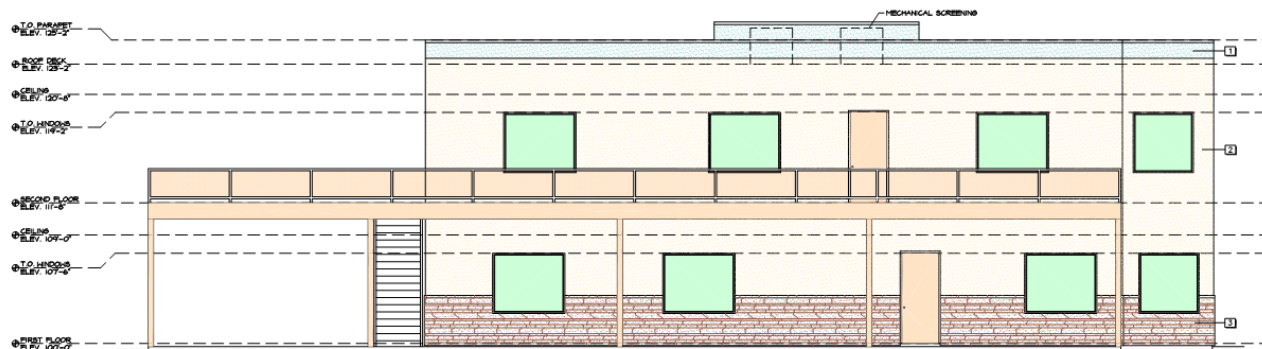
SITE PLAN
ETICO CONSTRUCTION GROUP
Lots 1,2,3, Skyway Business Park
SURPRISE, ARIZONA



A
A2.1
OFFICE BUILDING
WEST ELEVATION
SCALE: 1/4" = 1'-0"

CONSTRUCTION NOTES

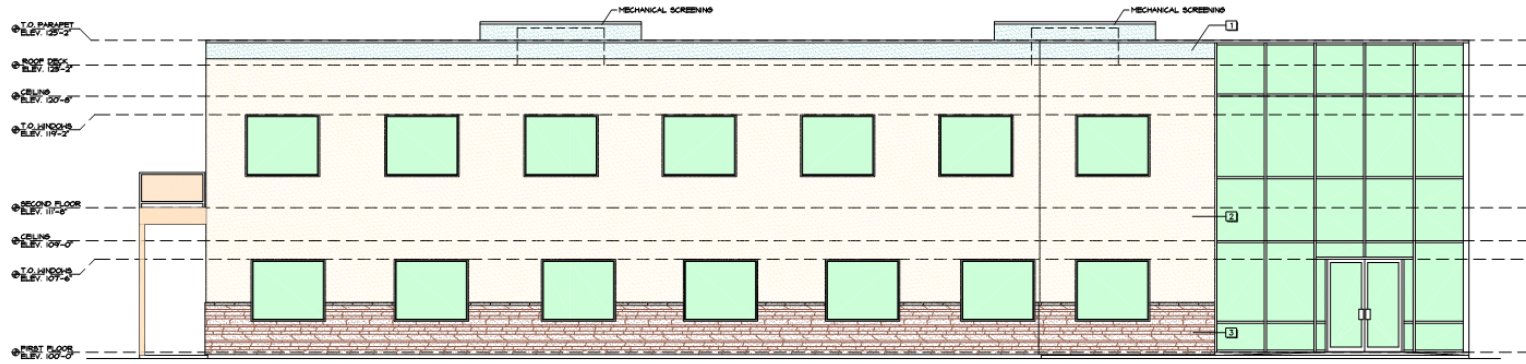
- 1 STC 5" INTERIOR FINISH
- 2 STC 5" INTERIOR FINISH
- 3 CORONA PRABHU STONE
- 4 COLOR STONE



B
A2.1
OFFICE BUILDING
EAST ELEVATION
SCALE: 1/4" = 1'-0"

ELEVATIONS

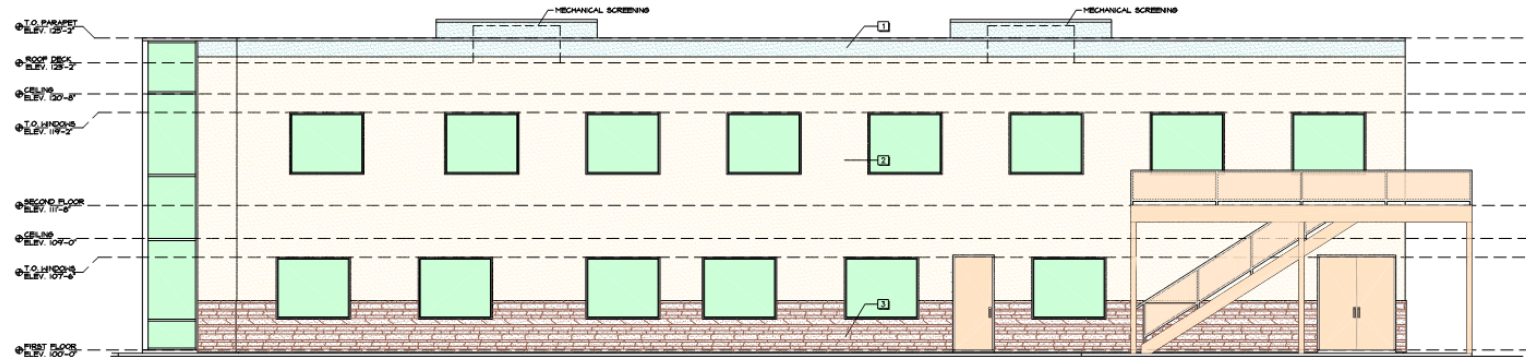
ELEVATIONS



OFFICE BUILDING
NORTH ELEVATION
A
A2.2 SCALE: 1/4" = 1'-0"

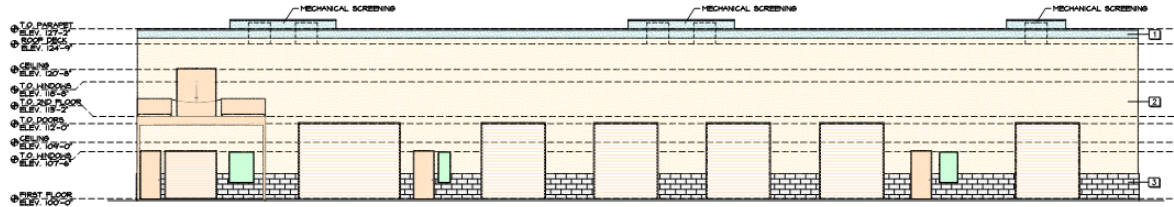
CONSTRUCTION NOTES

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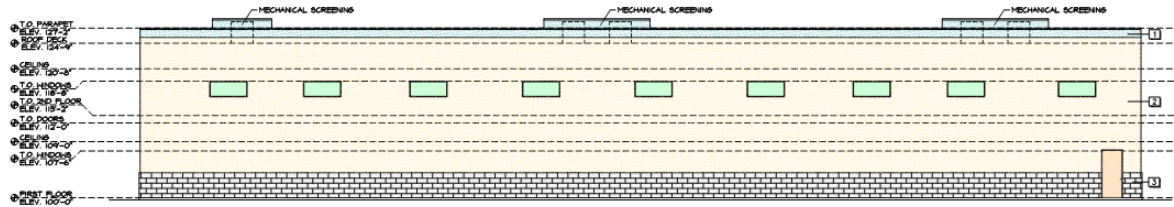


OFFICE BUILDING
SOUTH ELEVATION
B
A2.2 SCALE: 1/4" = 1'-0"

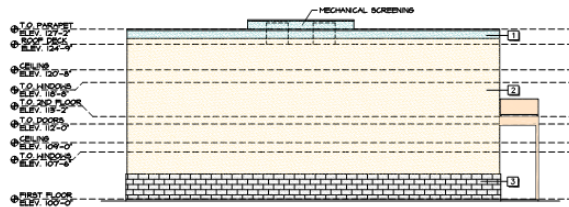
ELEVATIONS



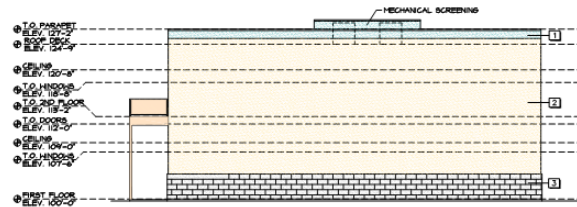
**WAREHOUSE
EAST ELEVATION**
A
A2.3 SCALE: 1/8" = 1'-0"



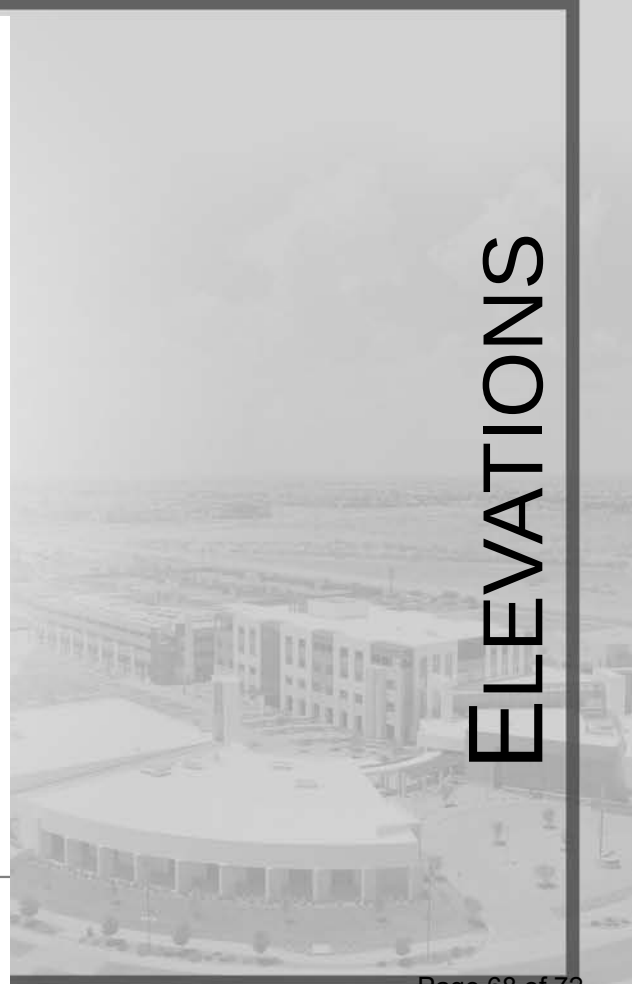
**WAREHOUSE
WEST ELEVATION**
B
A2.3 SCALE: 1/8" = 1'-0"



**WAREHOUSE
SOUTH ELEVATION**
C
A2.3 SCALE: 1/8" = 1'-0"



**WAREHOUSE
NORTH ELEVATION**
D
A2.3 SCALE: 1/8" = 1'-0"



RECOMMENDATION:

Staff Recommendation:

Approve subject to Stipulations 'a' through 'e'



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

a. Development and use of the site shall be consistent with the Site Plan entitled “Etico Construction Group” consisting of one (1) sheet prepared by JMK & Associates, Inc. and received February 16, 2022.

b. Landscaping of the site shall be consistent with the Landscape Plan entitled “Etico Construction Group” consisting of two (2) sheets prepared by JMK & Associates, Inc. and received January 7, 2022.

c. Building elevations shall be consistent with the Elevations entitled “Etico Construction Group” consisting of two (2) sheets prepared by JMK & Associates, Inc. and received January 7, 2022.

d. This Site Plan is valid for one (1) year after approval by the Planning and Zoning Commission. This Site Plan shall expire on the one (1) year anniversary of approval, unless construction commences prior to that date.

e. Non-compliance with the approved plan for this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.