

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

July 15, 2021 / 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 July 15, 2021.

A. ROLL CALL

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

STAFF PRESENT:

Ellen VanRiper, Chief Deputy City Attorney; Chris Boyd, Community Development Director; Lloyd Abrams, Assistant Director of Community Development; Robert Kuhfuss, Current Planner; Sergio Angulo, Current Planner; Trever Fleetham, Current Planner and Ashley Labhart, Planning and Zoning Secretary.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

Mr. Boyd provided a reminder that the FY21 Planning and Zoning update for the Commissioners will occur during the August 5, 2021 Planning and Zoning Commission meeting.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

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

Joan Carlson – Surprise, AZ – Conveyed concerns regarding traffic and pedestrian safety in the area of Vista Ranch Road and the proposed roadway extension in the area. *(Comment received via email, read into the record by the Planning and Zoning Commission Secretary)*

Melinda Gayle Gill – Surprise, AZ – Conveyed concerns regarding approval of additional homes being built in Mountain Vista Ranch, impacts on traffic, safety of children and water conservation. *(Comment received via email, read into the record by the Planning and Zoning Commission Secretary)*

Michael Yokubison – Surprise, AZ – Was in search of details regarding low income housing and the potential development near Cotton and Waddell.

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

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the June 17, 2021 Planning and Zoning Commission Minutes.

Commissioner Smith made a motion to approve the June 17, 2021, Planning and Zoning Commission Minutes as presented.

Commissioner Chapman seconded the motion. Commissioner Krous abstained. Motion passes with 6 votes in favor.

Item 2 – Internal – Consideration and action to approve or disapprove the June 17, 2021 Planning and Zoning Executive Session Minutes.

Commissioner Chapman made a motion to approve the June 17, 2021, Planning and Zoning Executive Session Minutes as presented.

Chair Bash seconded the motion. Commissioner Krous abstained. Motion passes with 6 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

ITEM: 3 – Citywide - Consideration and action to recommend approval or disapproval of a Zoning Text Amendment allowing dual licensees to sell recreational marijuana within medical marijuana facilities. (Case FS20-619)

Robert Kuhfuss, Current Planner, presented item 3 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- Dual licensees
- City ordinance
- Designated areas and separation requirements
- PAD allowance
- Drive-thru allowance and parameters

Chair Bash made a motion to recommend approval of the proposed Text Amendment to Chapters 102 and 106 of the Surprise Land Development Ordinance regarding Recreational Marijuana, as amended, to include drive-thru allowance, hours of operation extending from 8:00 am to 9:00 pm and separation distance requirements specific to residential uses within a PAD.

Commissioner Sartor seconded the motion. Motion passes with 7 votes in favor.

ITEM: 4 – District 2 - Consideration and action to approve or disapprove a Conditional Use Permit for a new accessory detached garage in lot 127 of Stonebrook Phase 2, and Site Plan entitled “Hornberger Residence New Garage”, date received April 20, 2021, located on the northeast corner of Parkview Place and 144th Avenue in the Park Place PAD. (Case FS21-118)

Sergio Angulo, Current Planner, presented item 4 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

Mark Hornberger, Property Owner, was present and responded to questions from the Commissioners regarding an HOA in the area.

The Commission discussed the following:

- Use of the proposed garage
- HOA and neighborhood requirements

Vice Chair Keating made a motion to approve the Conditional Use Permit for a new accessory detached garage in lot 127 of Stonebrook Phase 2, and Site Plan entitled “Hornberger Residence New Garage”, date received April 20, 2021, subject to stipulations “a” through “d” as memorialized in the staff report.

Chair Bash seconded the motion. Motion passes with 7 votes in favor.

ITEM: 5 – District 1 - Consideration and action to recommend approval or disapproval of a proposed rezoning of approximately 19.896 acres from Rural Residential (RR) to Residential Low Density (R-1), generally located north of Happy Valley Road and west of the 151st Avenue alignment. (Case FS21-208)

Commissioner Krous recused himself and did participate in or vote upon this agenda item.

Sergio Angulo, Current Planner, presented item 5 to the Commission.

Chair Bash opened the public hearing.

Gayle Wyman - Conveyed concerns regarding rezoning of the area due to potential flooding impacts, flood plain concerns and jurisdictional responsibility. *(Comment received via email, read into the record by the Planning and Zoning Commission Secretary)*

Hearing no additional requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- Access points
- Emergency access
- Easements

Commissioner Smith made a motion to recommend approval to the Mayor and City Council of the Zone Change of approximately 19.896 acres from Rural Residential (RR) to Residential Low Density (R-1), subject to stipulation “a” and “b” as memorialized in the staff report.

Commissioner Rosenbaum seconded the motion. Motion passes with 6 votes in favor.

ITEM: 6 – District 5 - Consideration and action to approve or disapprove a Conditional Use Permit for the expansion of the existing Sierra Verde Self-Storage Facility, and Site Plan entitled “Sierra Verde Self Storage RV Addition” prepared by EAPC and received May 7, 2021, generally located north of Waddell Road and east of 140th Drive. (Case FS20- 702)

Commissioner Krous recused himself and did participate in or vote upon this agenda item.

Sergio Angulo, Current Planner, advised this item was to be continued to the August 5, 2021 Planning and Zoning Commission meeting agenda.

Vice Chair Keating made a motion to continue the Conditional Use Permit for the expansion of the existing Sierra Verde Self-Storage Facility and Site Plan entitled "Sierra Verde Self Storage RV Addition" prepared by EAPC and received May 7, 2021.

Commissioner Smith seconded the motion. Motion passes with 6 votes in favor.

ITEM: 7 – Citywide - Consideration and action to recommend approval or disapproval of a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs. (Case FS21-372)

Robert Kuhfuss, Current Planner, presented item 7 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

The Commission discussed the following:

- 1,000 ft Rule
- Clustering/spacing
- Effort and review put forth for the current sign code
- Distraction
- Visibility
- Effect on business owner(s)
- Business license requirements
- Exemptions

No motion was made for this item.

ITEM: 8 – Citywide - Consideration and action to recommend approval or disapproval of a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Billboard Signs (Case FS21-147).

Robert Kuhfuss, Current Planner, presented item 8 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the public hearing.

Kurt Jones of Tiffany and Bosco and Rhett Cooney with Boulevard Media provided feedback and information in response to questions and comments received.

Commissioner Sartor called for an Executive Session at 7:36 P.M.

Vice Chair Keating seconded the motion. All voted in favor.

Chair Bash made a motion to adjourn from Executive Session.

Commissioner Smith seconded the motion.

Chair Bash made a motion to resume the regular meeting.

Vice Chair Keating seconded the motion.

The Planning & Zoning regular meeting reconvened at 7:46 P.M.

The Commission discussed the following:

- Applicant driven requests
- Size of proposed signs
- Historic billboard review by the Planning and Zoning Commission
- Benefit to the City and property owner
- Revenue share to the City
- Trips per day
- Corridor distance
- Sign spacing
- City-owned property and lease options
- Wall height near residential area

Commissioner Sartor made a motion to recommend approval of the proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs to the City Council as amended to allow one (1) sign at 45'.

Commissioner Chapman seconded the motion. Commissioner Smith voted against. Motion passes with 6 votes in favor.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

ITEM: 9 – District 1 - Consideration and action to recommend approval or disapproval of the preliminary plat for Windstone Ranch. (Case FS20-596)

Commissioner Krous recused himself and did participate in or vote upon this agenda item.

Sergio Angulo, Current Planner, presented item 9 to the Commission.

Kent Xander of KAX Group provided feedback and information in response to questions and comments received.

The Commission discussed the following:

- Setbacks
- Zoning approval

Vice Chair Keating made a motion to recommend approval of the preliminary plat entitled “Preliminary Plat for Windstone Ranch” subject to stipulations “a” through “d” as memorialized in the staff report. Commissioner Rosenbaum seconded the motion. Motion passes with 6 votes in favor.

ITEM: 10 – District 3 - Consideration and action to recommend approval or disapproval of a Preliminary Plat entitled “Preliminary Plat Unit G - Phase 3 - Toll at Prasada”. (Case FS21- 061)

Commissioner Krous recused himself and did participate in or vote upon this agenda item.

Trever Fleetham, Current Planner, presented item 10 to the Commission.

Commissioner Rosenbaum made a motion to recommend approval of the Preliminary Plat entitled “Preliminary Plat Unit G - Phase 3 - Toll at Prasada” subject to stipulations “a” through “c”. Vice Chair Keating seconded the motion. Motion passes with 6 votes in favor.

ITEM: 11 – Internal - Nomination and selection of the Planning and Zoning Commission Chair.

Dennis Smith made a motion to nominate Dennis Bash for the position of Chair for the Planning and Zoning Commission. Commissioner Chapman seconded the motion. Motion passes with 7 votes in favor.

ITEM: 12 – Internal - Nomination and selection of the Planning and Zoning Commission Vice Chair.

Matthew Keating made a motion to nominate Kevin Sartor for the position of Vice Chair for the Planning and Zoning Commission. Dennis Bash seconded the motion. Motion passes with 7 votes in favor.

OTHER BUSINESS:

Item G – Other Business and Future Agenda Items.

Chair Bash reminded the Commissioners it was inappropriate to discuss future known agenda items with members of the public prior to Planning and Zoning Commission meetings and encouraged members of the Commission to keep this in mind when interacting with the public.

ADJOURNMENT:

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

Meeting adjourned at 8:10 P.M.

Dennis 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: _____
Ashley Labhart, Commission Secretary

DATE: _____