CITY OF SURPRISE

PLANNING AND ZONING COMMISSION

12425 West Bell Road, Suite D-100

Surprise, Arizona 85374

August 5, 2008

REGULAR MEETING MINUTES

CALL TO ORDER

Chair Jan Blair called the Planning and Zoning Commission Meeting to order at 6 p.m. at the Surprise City Hall, 12425 West Bell Road, Suite D100, Surprise, Arizona 85374, on Tuesday, August 5, 2008.

ROLL CALL

In attendance with Chair Blair were Vice Chair Somers, and Commissioners Matthew Bieniek, Ken Chapman, John Hallin, Robert Rein and Fred Watts.

PLEDGE OF ALLEGIANCE

COMMUNITY DEVELOPMENT DEPARTMENT REPORT

Director Jeff Mihelich stated that the City Council unanimously recommended approval of the General Plan and a workshop for implementation strategies is scheduled for Thursday. Staff is working diligently on an update to the sign code and it is expected to be presented to the commission in September.

CONSENT AGENDA

All items listed with an asterisk (*) are considered to be routine by the Planning and Zoning Commission and were approved by one motion. There was no separate discussion of these items during this meeting.

Commissioner Watts made a motion to approve the **Consent Agenda.** Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 2***:

  Planning and Zoning Commission Minutes for July 15, 2008.

  Planning and Zoning Commission Workshop Minutes for July 15, 2008.

  Cancel August 19, 2008 Planning and Zoning Commission Meeting.

OLD BUSINESS: REGULAR AGENDA ITEM REQUIRING A PUBLIC HEARING

- **Item 3: PADA07-403 – Consideration and Action – Sycamore Farms Towne Center – Sign Program**

Planner Bart Wingard presented the project to the commission. Staff recommended approval of **PADA07-403, Sycamore Farms Towne Center – Sign Program**, subject to stipulation ‘a’ and ‘b.’

Michael Curley, Earl, Curley and LaGarde, representing the applicant, stated that the signage for other power centers in the area were reviewed to verify that Vestar was not requesting something out of the ordinary. Vestar is contractually obligated to provide the two major tenants, JCPenney and Home Depot, signage.

In response to Commissioner Hallin, Mr. Curley stated each major tenant requires their own independent sign, with top billing, and this is indicated in their lease. Director Mihelich stated that Vestar has the option to renegotiate that contract with the tenant. Staff is willing to make a compromise and work with the developer to ensure that both anchor tenants have signage on the one large sign.

There was some discussion regarding the revision and update of the sign code, the potential number of signs along SR 303, the sign spacing agreement with Prasada, the distance between requested signs, setting precedent for the area, and the desire to be fair and consistent with other developments along SR 303.

In response to Chair Blair, Director Mihelich stated that this is the third time this project has come before the commission. It is the same petition although some of the stipulations have changed.

In response to Chair Blair, Director Mihelich stated that developers can come back at any time for modification to their PAD, but Prasada has already agreed to 880 feet between signs and staff is hoping that Sycamore Farms will also agree to an 880-foot separation.

In response to Commissioner Rein, Planner Wingard stated that Prasada has frontage of two miles on the SR 303 and Vestar's portion of Sycamore Farms has a quarter-mile of frontage on the SR 303.

Chair Blair opened the meeting for public comment.

Jacquelyn Hordby, Surprise resident, stated that the 5 signs per mile is sufficient to let residents know where the stores are located.

Hearing no further comments from the public, Chair Blair closed the public hearing.

Commissioner Rein made a motion to **approve PADA07-403, Sycamore Farms Towne Center – Sign Program,** and adopt staff's findings, subject to stipulation 'b' and the elimination of stipulation 'a.' Commissioner Bieniek seconded the motion. The motion passed with a vote of 4 ayes and 3 nays (Watts, Somers, and Chapman).

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

Presentations for Items 4, 5, 6, and 7 were combined.

- **Item 4: SP08-081 – Consideration and Action – Pad B at Marley Park Square**

Senior Planner Dennis Dorch presented the project to the Commission. Staff recommended approval of **SP08-081, Pad B at Marley Park Square**, subject to stipulation 'a' and 'b.'

- **Item 5: SP08-046 – Consideration and Action – QuikTrip at Marley Park Square**

Senior Planner Dennis Dorch presented the project to the commission. Staff recommended approval of **SP08-046, QuikTrip at Marley Park Square,** subject to stipulation 'a' and 'b.'

- **Item 6: CUP08-082 – Consideration and Action – Pad E at Marley Park Square**

Senior Planner Dennis Dorch presented the project to the commission. Staff recommended approval of **CUP08-082, Pad E at Marley Park Square**, subject to stipulations 'a' and 'b.'

- **Item 7: CUP08-083 – Consideration and Action – Pad C at Marley Park Square**

Senior Planner Dennis Dorch presented the project to the commission. Staff recommended approval of **CUP08-083, Pad C at Marley Park Square**, subject to stipulations 'a' and 'b.'

In response to Commissioner Rein, Senior Planner Dorch stated that an environmental study on emissions has not been done in the area.

In response to Commissioner Hallin, Senior Planner Dorch stated that ADA parking criteria is reviewed during the building permit review process and is based on square-footage of a building and the number of tenants.

Chair Blair opened the meeting for public comment.

Jacquelyn Hordby, Surprise resident, voiced concern about the number of drive-throughs and gas stations in the area and would like the city to consider not allowing any future drive-throughs to help reduce the amount of pollution.

Hearing no further comments from the public, Chair Blair closed the public hearing.

Vice Chair Somers made a motion to **approve SP08-081, Pad B at Marley Park Square**. Commissioner Bieniek seconded the motion. The motion passed with a vote of 7 ayes.

Commissioner Hallin made a motion to **approve SP08-046, QuikTrip at Marley Park Square,** and adopt staff's findings, subject to stipulation 'a' and 'b.' Commissioner Watts seconded the motion. The motion passed with a vote of 7 ayes.

Commissioner Bieniek made a motion to **approve CUP08-082, Pad E at Marley Park Square,** and adopt staff's findings, subject to stipulations 'a' and 'b.' Commissioner Chapman seconded the motion. The motion passed with a vote of 6 ayes and 1 nay (Rein).

Commissioner Hallin made a motion to **approve CUP08-083, Pad C at Marley Park Square,** and adopt staff's findings, subject to stipulations 'a' and 'b.' Vice Chair Somers seconded the motion. The motion passed with a vote of 6 ayes and 1 nay (Rein).

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING

Item 8: LPD08-146 – Consideration and Action – 2008 Annexation Policy Document Revision

Senior Planner Janice See presented the project to the commission. Staff recommended approval of **LPD08-146, 2008 Annexation Policy Document Revision.**

In response to Commissioner Rein, Senior Planner See stated that the current planning area for the city is approximately 310 square miles. Currently the incorporated area is 92 square miles.

In response to Commissioner Watts, Senior Planner See stated that after approval by the Planning and Zoning Commission, the next step is to take the document to City Council for approval.

In response to Chair Blair, Senior Planner See stated that the 310 square miles of the planning area is what the city eventually intends to annex. The original annexation document was passed in 2002 and updated in 2007.

Commissioner Hallin made a motion to **approve LPD08-146, 2008 Annexation Policy Document Revision,** and adopt staff's findings. Commissioner Bieniek seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 9: Discussion regarding possible cancellation of September 2, 2008 Planning and Zoning Commission Meeting.**

Chair Blair opened the discussion stating that the meeting date could be changed or cancelled.

Vice Chair Somers stated that if it is a light agenda then the project could move to the next meeting. Chair Blair stated that there is only one item scheduled for September 2.

The commission decided to cancel the September 2, 2008 Planning and Zoning Commission Meeting with a vote of 7 ayes.

OPEN CALL TO PUBLIC

Chair Blair called to the public to discuss any issues not noted on the agenda.

Hearing no comments from the public, Chair Blair closed the call to the public.

CURRENT EVENTS REPORT:

CONSIDERATION AND ACTION TO HOLD AN EXECUTIVE SESSION

Pursuant to A.R.S. § 38-431.03(A)(3), the Planning and Zoning Commission may go into executive session with the City Attorney for legal advice on any item listed on the agenda.

No request was made to call for an executive session.

ADJOURNMENT

Hearing no further business, Chair Blair adjourned the regular Planning and Zoning Commission meeting, Tuesday, August 5, 2008, at 7:11 p.m.

STAFF PRESENT:

Deputy City Attorney Julie Kriegh, Fire Marshal Doug Helbig, Planner Bart Wingard, Senior Planner Dennis Dorch, Senior Planner Janice See, Civil Engineer Suneel Garg, Planning and Development

Services Manager Berrin Nejad, Community Development Director Jeffrey Mihelich, and Planning and Zoning Commission Secretary Debbie Perry.

COUNCIL MEMBERS PRESENT: None

Jeffrey J. Mihelich, Director

Community Development Department

Jan Blair, Chair

Planning and Zoning Commission