

CITY OF SURPRISE

PLANNING AND ZONING COMMISSION

12425 West Bell Road, Suite D-100

Surprise, Arizona 85374

July 15, 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, July 15, 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

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 Rein made a motion to approve the **Consent Agenda**. Commissioner Chapman seconded the motion. The motion passed with a vote of 7 ayes.

• **Item 2*:**

Planning and Zoning Commission Minutes for June 16, 2008.

Planning and Zoning Commission Minutes for June 17, 2008

OLD BUSINESS: REGULAR AGENDA ITEM REQUIRING A PUBLIC HEARING

- **Item 3: CUP08-028 – Consideration and Action – Francis and Sons Food Mart/Gas/Car Wash**

Planner Adam Copeland presented the project to the commission. Staff recommended approval of **CUP08-028, Francis and Sons Food Mart/Gas/Car Wash**, subject to stipulations 'a' through 'c.'

Michael Curley, Earl, Curley & LaGarde, representing the applicant, provided additional information, noting that an architect will help redesign the elements staff had concerns about, specifically the canopy and the signage. The suggestion to use solar panels was made by staff and the applicant believes that it will be a good demonstration project for the city.

In response to Commissioner Bieniek, Planner Copeland replied that it is his understanding that a 3-kilowatt solar panel system would power one household. City staff is looking at adding solar panel systems to the city design guidelines.

In response to Commissioner Rein, Planner Copeland stated that there is not an example of the solar panels available at this time. Mr. Curley added that the solar panels would be screened and not visible from the street.

Commissioner Rein stated that he believes this is a good thing for Surprise and looks forward to seeing this on more projects.

Chair Blair opened the meeting for public comment. Hearing no comments from the public, Chair Blair closed the public hearing.

Commissioner Watts made a motion to **approve CUP08-028 – Francis and Sons Food Mart/Gas/Car Wash**, and adopt staff's findings, subject to stipulations 'a' through 'c.' Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 4: 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.'

Michael Curley, representing the applicant, stated that Vestar Development is the largest power center developer in the state, and has been developing shopping centers for 25 years. They agree with the staff report with the exception of the recommended elimination of one freeway sign. He suggested the marketplace dictates that two signs are needed for major anchor tenants. Signage is critical and is a major factor for retailers in choosing a store location. Currently, there are two anchor tenants that have leased the property, JCPenney and Home Depot, and both have insisted that they have their own sign at the top. The sign criterion

is one of the items that Vestar is obligated to produce for both anchor tenants; otherwise, the tenants could break their lease. Many other large shopping centers in the valley have multiple large signs. Vestar's proposal, including the number of signs, height of the signs, and the distance from the freeway, is consistent with what is being done throughout the valley. Westcor's approved sign package for the location across the street includes a 500-foot separation between signs. Westcor will be faced with the same issue when they secure a second anchor tenant and will probably request a second sign as well.

Paul Bleier, Bleier Industries, sign consultant for Vestar, stated that the city sign ordinance does not take into account comprehensive sign packages for projects of this size. Freeway signage is critical to giving name recognition to the development and major tenants. There are two anchor tenants who are very protective of their logos. Signage is critical enough that they will walk away from the deal. The Prasada project is able to have 100-foot signs. Various large shopping centers throughout the valley have large multiple freeway signs. The Prasada project plan shows 16 to 18 signs ranging in height. Staff's comments were interpreted to maintain an 800-foot separation; the sign was moved and now reflects a 950- foot separation. Signs were redesigned to incorporate the project's architectural elements.

It is important to consider the two projects to the north and south. Prasada has approximately two miles of freeway frontage with multiple signs repeating their name. Sycamore Farms will have one sign with their name. Our preference is to move the sign further to the south which decreases separation to 550 feet. Our request is to revise stipulation 'a' to allow two freeway pylons along SR303, with a minimum separation of 500 feet.

Mr. Curley stated that Vestar is willing to sit down with staff to determine the specific location of the signs.

In response to Commissioner Watts, Planner Wingard stated that the plan submitted does indicate more than one sign and both are 70 feet tall.

In response to Commissioner Watts, Planner Wingard stated that stipulation 'a' does address the concern of height and the number of signs along the freeway. Prasada was the first development to propose pylon signs and staff worked very closely with them on the signage and spacing. Although the matrix shows a 500-foot separation, all of their plans show an 880-foot separation.

In response to Commissioner Watts, Planner Wingard replied that staff does not have a concern with the sign height. When SR303 is completed, there will be a grade separation when it goes over Cactus Road.

In response to Vice Chair Somers, Planner Wingard stated that although the 880-foot sign separation has been agreed to, there is a possibility that Prasada will want to move their signs closer together. In that case, they would need to obtain approval from the Community Development Director.

In response to Vice Chair Somers, Planner Wingard noted that the development across the street has three smaller signs on Cactus Road and two on Sarival Avenue. Prasada is a larger project; however, Sycamore Farms and Prasada have the same amount of frontage on Cactus Road. Vice Chair Somers voiced a concern regarding the number of 25-foot signs this project shows on their plans. He suggested that a stipulation should be added to reduce the number to 5.

In response to Commissioner Rein, Planner Wingard stated that the concern with the two pylon signs included the spacing on SR303, eliminating clutter along the freeway, and to keep consistency between the projects.

Responding to Commissioner Chapman, Planner Wingard explained that the property to the south of the project has not yet been developed and is zoned medium-density residential.

Commissioner Hallin commented that his major concern is not the freeway signs but the number of 25-foot signs. Mr. Curley stated that the pylon signs on the freeway are so critical that the applicant would be willing to eliminate some of the 25-foot signs if they can get the second freeway pylon sign.

Chair Blair opened the meeting for public comment. Hearing no comments from the public, Chair Blair closed the public hearing.

Vice Chair Somers made a motion to add stipulation 'b' that states there be a maximum of three 25-foot multi-tenant monument signs located on Cactus Road and a maximum of two multi-tenant monument signs on Sarival Avenue. Commissioner Rein seconded the motion.

Chair Blair recommended continuing the project.

Commissioner Bieniek stated that he has no problem with the two freeway signs but also agrees that the seven 25-foot signs are excessive. Commissioner Rein agreed.

Commissioner Hallin made a motion to **continue PADA07-403, Sycamore Farms Towne Center – Sign Program to August 5, 2008**. Commissioner Rein seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 5: RZ07-275 – Consideration and Action – SWC Bell Road and 115th Avenue**

Planner Bart Wingard presented the project to the commission. Staff recommended approval of **RZ07-275, SWC Bell Road and 115th Avenue**.

In response to Commissioner Rein, **Eric Young, the applicant** stated that the only interest that has been shown for this property was a car rental or car satellite sales facility. There are no tenants currently lined up for this property.

Chair Blair opened the meeting for public comment. Hearing no comments from the public, Chair Blair closed the public hearing.

Vice Chair Somers made a motion to **approve RZ07-275, SWC Bell Road and 115th Avenue**, and adopt staff's findings. Commissioner Hallin seconded the motion. The motion passed with a vote of 7 ayes.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

Chair Blair stated that presentations for items 6 and 7 would be combined.

Item 6: RZ07-176 – Consideration and Action – Voyager Surprise 60

Planner Adam Copeland presented the project to the commission. Staff recommended approval of **RZ07-176, Voyager Surprise 60**, subject to stipulations 'a' through 'e.'

Item 7: PP07-177 – Consideration and Action – Voyager Surprise 60

Planner Adam Copeland presented the project to the commission. Staff recommended approval of **PP07-177, Voyager Surprise 60**, subject to stipulations 'a' through 'e.'

In response to Commissioner Rein, Planner Copeland stated that there is a wall surrounding the community; however, a view fence is required adjacent to any open space areas. A technical landscape plan will be submitted with the final plat which will show the placement of every wall within the project.

In response to Commissioner Rein, **Mark Voigt, the applicant**, stated that a signed agreement was submitted to Nadaburg Schools in January 2008. Approval was scheduled on two occasions; however, due to a change in Nadaburg School's superintendent, the agreement was delayed and still needs a superintendent's signature.

In response to Commissioner Chapman, Planner Copeland stated that the adjacent property is zoned for residential land use and is equivalent to an R1-8.

In response to Commissioner Hallin, Planner Copeland stated that Montgomery Road is a high volume residential collector with two lanes in each direction.

Chair Blair opened the meeting for public comment. Hearing no comments from the public, Chair Blair closed the public hearing.

Vice Chair Somers made a motion to **approve RZ07-176, Voyager Surprise 60**, and adopt staff's findings, subject to stipulations 'a' through 'e.' Commissioner Bieniek seconded the motion. The motion passed with a vote of 7 ayes.

Commissioner Hallin made a motion to **approve PP07-177, Voyager Surprise 60**, and adopt staff's findings, subject to stipulations 'a' through 'e.' Commissioner Watts seconded the motion. The motion passed with a vote of 7 ayes.

Chair Blair stated that the presentations for items 8 and 9 will be combined.

Item 8: PAD07-341 – Consideration and Action – Zanjero Trails

Planner Adam Copeland presented the project to the commission. Staff recommended approval of **PAD07-341, Zanjero Trails**, subject to stipulations 'a' through 'h.'

- **Item 9: PP07-346 – Consideration and Action – Zanjero Trails**

Planner Adam Copeland presented the project to the commission. Staff recommended approval of **PP07-346, Zanjero Trails**, subject to stipulations 'a' through 'g.'

Steven Anderson, representing the applicant, stated that the primary owner is the Maricopa Water District (MWD). A major water treatment plant is located adjacent to the property and is being developed in cooperation with Arizona American Water Company. The goal is to bring water from the canal to the treatment plant to allow Arizona American Water to accommodate the growing needs of the community. There are also three smaller property owners: Dysart School District, Property Reserve Arizona, and Cactus, LLC. MWD landholdings include 2600 acres located from Bell Road to Peoria Avenue. 880 acres of the property are in the Surprise long-term planning area but not yet in the city. Annexation of this area is pending. Other plans in the area include a county library and a high school. The PAD proposal is primarily zoned R-1-8 and R-1-5. There is open space and mini-parks throughout the project, in addition to trails and equestrian uses. Specific efforts have been made to provide buffers from the Waddell Hacienda subdivision with approximately 100 yards of open space. The proposed preliminary plat includes 907 single-family residential lots. Expect development to begin at the south portion of the site, then the Bell Road properties at the north end, with the Greenway Road properties to be developed last.

In response to Commissioner Rein, Planner Copeland stated that stipulation 'g' addresses the concern regarding the amount of grass throughout the project. Grass will only be allowed in active recreation areas. Synthetic turf, granite, and low water use plants will be allowed in the medians and right of way.

In response to Commissioner Chapman, Planner Copeland stated that the General Plan approved the area for low-density residential land use. The preliminary plat cannot exceed five dwelling units per acre. The multi-family parcels, commercial parcels, and the school are not part of that calculation. As those parcels come in, they cannot exceed the density as allocated in the PAD and the density is tracked as the project continues.

In response to Commissioner Chapman, Planner Copeland replied that there is not a multi-family site plan or platting proposed at this time. Any multi-family project will come before the commission for review and approval.

In response to Commissioner Hallin, Planner Copeland stated that the zoning includes the property located along Peoria Avenue to Bell Road.

In response to Commissioner Hallin, Planner Copeland noted that staff will add a stipulation that a multi-use path along Peoria Avenue be reflected on the landscape plan at the time of final plat review. The applicant agreed to this stipulation.

In response to Commissioner Hallin, Planner Copeland stated that the trail along the canal will be a 30-foot area and will be reviewed on the landscape plan.

Regarding the Peoria Avenue Trail, Mr. Anderson mentioned that the trail be provided adjacent to single-family homes and commercial lots and that staff work with the Dysart School District to see if the trail can be accommodated.

Chair Blair opened the meeting for public comment.

Rebecca Sidnor, Surprise resident, stated that she just received her public notice on this project Friday and some of her neighbors did not receive a notice. The Surprise General Plan that was put out for comment stated residents wanted to keep the area as open space with no residential or commercial development. The zoning of R-1-8 due west of Surprise Farms was for 8,000 lots with single-family homes; however, on the website it discusses having duplexes. One concern is if height restrictions are in place. Another concern is transportation. Transportation is an issue now in Surprise and she is very curious to see if the infrastructure added to accommodate 27,000 new people moving into this development. There is a very small strip of land between Surprise Farms and new development and she is wondering if there will be any buffering between the two communities.

In response, Planner Copeland stated that there is a buffer between the property and existing homes in the Surprise Farms area. There are height restrictions for single-family residential land use which cannot exceed 30 feet. The duplexes are not proposed on the R1-8 land use classification. They are in the MUPD land use classifications, which is located adjacent and to the west of the Surprise Farms project.

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

Commissioner Hallin made a motion to **approve PAD07-341, Zanjero Trails**, and adopt staff's findings, subject to stipulations 'a' through 'h.' Commissioner Rein seconded the motion. The motion passed with a vote of 7 ayes.

Commissioner Bieniek made a motion to **approve PP07-346, Zanjero Trails**, and adopt staff's findings, subject to stipulations 'a' through 'g.' Commissioner Chapman seconded the motion.

Vice Chair Somers reminded the commission about the addition of the stipulation for a multi-use path. Planner Copeland added stipulation 'h.'

Stipulation H:

At the time of final plat review and approval, a multi-use path will be installed along Peoria Avenue. The portion adjacent to the planned high school site will require additional review and approval by Dysart School District and the city.

Commissioner Bieniek made a motion to **approve PP07-346, Zanjero Trails**, and adopt staff's findings, subject to stipulations 'a' through 'h,' as amended. Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 10: PADA08-037 – Consideration and Action – Surprise Farms Gateway**

Planner Bart Wingard presented the project to the commission. Staff recommended approval of **PADA08-037, Surprise Farms Gateway**.

In response to Commissioner Hallin, Planner Wingard stated that there is a residential property located 80 feet from the signage. Commissioner Hallin voiced concerns about the size and proximity to the residential property.

Sean Lake, representing the applicant, stated that they would be willing to work with staff on moving the sign further away from the residential area. They do have frontage to the freeway and believe tenants will be looking for signage the same as any other shopping center and feel that the signage is warranted due to other centers in the area. The stores may not be regional in nature; however, they will want the exposure for their store.

Chair Blair stated that she agreed that signage should be consistent, regardless of the size of the retailer.

In response to Vice Chair Somers, **Charlie Gibson, representing a sign company**, stated that the panel structure is aluminum and the background is opaque and only the letters will illuminate.

Vice Chair Somers voiced a concern about the size of the sign in comparison to other projects presented tonight. He recommends stipulation 'a' be revised to read, the area for the 65-foot multi-tenant center identification monument sign be reduced in size by narrowing the sign copy area from 20 feet to 16 feet. The applicant agreed to the stipulation.

In response to Commissioner Rein, Planner Wingard stated that the sign code is being reviewed and the goal is to have it completed in September.

Chair Blair opened the meeting for public comment.

Rebecca Sidnor, Surprise resident, expressed concern about the height of the sign if SR303 is going under Bell Road. Planner Wingard stated that this is something that the city is reviewing in the new sign program.

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

Vice Chair Somers made a motion to **approve PADA08-037, Surprise Farms Gateway**, and adopt staff's findings, with the modification to stipulation 'a.' Commissioner Watts seconded the motion. The motion passed with a vote of 5 ayes and 2 nays (Hallin, Bieniek).

Community Development Director, Jeff Mihelich, stated that staff will be prepared to offer specific standards and different options available in regard to signage along SR303 in September.

- **Item 11: PAD08-015 – Consideration and Action – Truman Ranch Marketplace AKA Cotton Lane North and South**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **PAD08-015, Truman Ranch Marketplace AKA Cotton Lane North and South**, subject to stipulations 'a' through 'j.'

Jason Walborn, representing the applicant, stated that the property is in a very unique location considering its history. To the east there are 320 acres of car dealerships. The key to this project is to be able to shelter the tranquility of the area. The goal is to create an inviting retail park that is sensitive to the history. During the outreach, the community requested higher end retail use.

Commissioner Bieniek stated that he likes the performance standards set and that we are trying to do something different than a power center or strip mall.

In response to Vice Chair Somers, Planner Copeland stated that the zoning classifications can be mixed and they seem appropriate for the area.

In response to Vice Chair Somers, Planner Copeland stated that when a site plan is submitted, a master site plan will be required. If only one anchor store comes in then it will be required to plan the entire site.

Chair Blair opened the meeting for public comment. Hearing no comments from the public, she closed the public hearing.

Commissioner Bieniek made a motion to **approve PAD08-015, Truman Ranch Marketplace AKA Cotton Lane North and South**, and adopt staff's findings, subject to stipulations 'a' through 'j.' Commissioner Chapman seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 12: Impacts of Drive-Throughs – Discussion Only**

Planner Janice See opened the discussion regarding the impacts of drive-throughs. In June 2008, staff had presented two white papers on drive-throughs including Environmental Effects of Drive-throughs and Regulation of Drive-throughs.

Pros of drive-throughs – They are convenient and people love them. Customers that are out with children don't have to take them out of the car; they provide faster service, and prevent you from having to bear the brunt of the elements in bad weather. They also provide security for employees that work 24 hours, and security for customers that stop late in the evening.

Cons of drive-throughs – They may increase traffic, congestion, or air pollution. We see the air pollution effects mainly in the higher altitude areas. There are also pedestrian conflicts.

Looking at design, there are two elements: form and function. Form – there is franchise architecture and it will not have a unique look. Function – auto dependant; designed for the vehicles.

In regards to health and wellness, drive-throughs discourage walking, linked to obesity, asthma, noise, light, and air pollution.

Drive-throughs are regulated and require a conditional use permit. They are allowed in C2 and MUPD areas. We require a 50 foot building buffer and a 15 foot parking buffer from any residential area.

When looking at traffic, it would be necessary to consider stacking. Want to make sure that no matter how many cars are lined up at the drive-through, it does not create congestion and lines in the parking lots. Pedestrian and bicycle safety – verify there is a curb to separate the driver from anyone walking. When adjacent to residential properties, additional buffering can be required.

Considering community wellness, we are starting to see two drive-throughs, which eliminates problems with stacking and allows them to serve more people.

Staff recommends several code changes including:

Drive-throughs conditionally permitted only in C2/C3.

Develop a drive-through facility design manual, based on existing code requirements, engineering standards, and planning design guidelines.

Look for strong pedestrian districts in future planning, which will not permit drive-throughs.

In response to Commissioner Rein, Planner See stated that C3 is usually regional commercial. Will have a more intense use and often located along a freeway.

Commissioner Hallin stated that he wanted to thank staff for the work on this and would like to see it adopted.

Commissioner Somers would like to see regulations in the design guidelines covering light from the facility and sound from the speakers when located near residential areas.

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, July 15, 2008, at 8:52 p.m.

STAFF PRESENT:

Assistant City Attorney Jim Gruber, Fire Marshal Doug Helbig, Planner Adam Copeland, Senior Planner Dennis Dorch, Senior Planner Janice See, Planner Bart Wingard, Planner Nicole Catten-Green, Permit Technician Jamie Sullivan, Water Services Manager Jim Swanson, Traffic Engineer Tracy Eberlein, 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