**CITY OF SURPRISE**

**PLANNING AND ZONING COMMISSION**
**12425 West Bell Road, Suite D-100**
**Surprise, Arizona 85374**

**June 17, 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, June 17, 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

## PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT REPORT

Acting Community Development Director Kathy Rice stated that Jeff Mihelich, the new Community Development Director, will arrive on July 7, 2008 and the new City Manager will arrive July 1, 2008.

In your packets, there was a memorandum from the city attorney's office and a handout from Dysart schools.

The drive-thru white paper report is ready for your review. A discussion will take place at the next meeting to cover both drive-thrus and conditional uses.

## 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.

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

- **Item 2***:
  **Planning and Zoning Commission Minutes for June 3, 2008.**

## AGENDA ITEMS CONTINUED

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

- **Item 6: PADA07-403 – Consideration and Action – Sycamore Farms Towne Center – Sign Program**

- **Item 10: GPA08-038 – Consideration and Action – Surprise Airpark**

Commissioner Bieniek made a motion to **continue CUP08-028 – Francis and Sons Food Mart/Gas/Car Wash to July 15, 2008, PADA07-403, Sycamore Farms Towne Center – Sign Program, to July 15, 2008, and GPA08-038, Surprise Airpark until September 16, 2008.** Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

**REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING**

**Item 4: CUP07-438 – Consideration and Action – Orchards Assisted Living**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **CUP07-438, Orchards Assisted Living**, subject to stipulations 'a' through 'e.'

**Jeff Blilie, representing the applicant**, stated that different locations were reviewed for the project with the assistance of staff. There is some open space between the lake and the facility, approximately 50 feet, which will be landscaped and maintained by the applicant. The facility will utilize a portion of that space for a driveway turnaround. The well site is located at the southwest corner of the property; however, it will be relocated to allow the city paved access. Stipulation 'd' in the staff report states that an easement will be dedicated for the reclaimed water line prior to pulling a building permit. Would like to add the words 'if necessary' to the stipulation.

In response to Commissioner Rein, Mr. Blilie stated that the parking is over minimum standards, which is one parking spot for every 11 residents. This project currently has .75 parking spaces per unit and there will be sufficient ADA spaces, as well.

In response to Commissioner Hallin, Planner Copeland stated that the word change in stipulation 'd' is acceptable with staff and has been reviewed with the water services department.

In response to Commissioner Watts, Planner Copeland explained that the municipal code requires a conditional use, as well as the PAD approved in 2003.

In response to Commissioner Bieniek, Mr. Blilie stated that emergency vehicles will access Young Street once every two to three weeks. The residents do not usually drive. The facility provides a car service to the residents as part of their monthly fee.

In response to Chair Blair, Mr. Blilie stated that employee parking has not been designated on the site plan; however, it is included in the calculations.

Chair Blair opened the meeting for public comment.

In response to **Jenifer Krichbaum, Surprise resident**, Mr. Blilie stated that the main unit is one story and the other buildings are two stories. Construction will take approximately nine months to complete.

**Jon Ruiz, Surprise resident**, stated that he opposes the project. He feels that medical assistance is not close enough and believes the emergency vehicles will increase more than once every couple of weeks. Mr. Ruiz also feels that this facility may affect the home values in the area. Mr. Blilie stated that this site is zoned for multi-family and could house an apartment complex and feels that an assisted living facility is a better option for the area.

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

Vice Chair Somers made a motion to **approve CUP07-438, Orchards Assisted Living,** and adopt staff's findings, subject to stipulations 'a' through 'e' with the modification to stipulation 'd.' Commissioner Rein seconded the motion. The motion passed with a vote of 7 ayes.

**Item 5: CUP07-379 – Consideration and Action – Smith RV Garage**

Planner Dennis Dorch presented the project to the Commission. Staff recommended approval of **CUP07-379, Smith RV Garage**, subject to stipulation 'a.'

In response to Commissioner Watts, Planner Dorch indicated that there are homes in the area; however, they are all on one acre lots.

In response to Commissioner Somers, **Madelyn Smith, applicant**, stated that the propane tank will serve the house on the property.

Chair Blair opened the meeting for public comment.

**Lori Graham, Surprise resident** and owner of 10 acres of land just south of this project stated that she has no objection. She stated that in the next year she hopes to bring a similar project forward.

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

Commissioner Hallin made a motion to **approve CUP07-379, Smith RV Garage,** and adopt staff's findings, subject to stipulation 'a.' Commissioner Chapman seconded the motion. The motion passed with a vote of 7 ayes.

**Item 7: RZ08-010 – Consideration and Action – Rezone Grand Avenue and 193rd Avenue**

Planner Lance Ferrell presented the project to the Commission. Staff recommended approval of **RZ08-010, Rezone Grand Avenue and 193rd Avenue.**

In response to Commissioner Hallin, Planner Ferrell stated that a C-3 zone is a more intense use and may have businesses that operate with a higher noise level. For example, at Grand Avenue and Bell Road intersection, the Olive Garden/Red Lobster corner is zoned C-2 and the corner with the U-Haul storage facility is zoned C-3.

In response to Commissioner Rein, **Janette Baranski, representing the applicant**, stated that the owner has not decided whether the property will be sold.

In response to Commissioner Rein, Ms. Baranski stated that there are no other C-3 zoned properties in the area.

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

Commissioner Hallin made a motion to **approve RZ08-010, Rezone Grand Avenue and 193rd Avenue,** and adopt staff's findings. Commissioner Watts seconded the motion. The motion passed with a vote of 6 ayes and 1 nay (Rein).

- **Item 8: GPA08-019 – Consideration and Action – Cotton Lane North and South**

Planner Vineetha Kartha presented the project to the Commission. Staff recommended approval of **GPA08-019, Cotton Lane North and South.**

**Jason Walborn, representing applicant,** stated that the goal of this amendment is to set the stage for a sensitive and vivacious shopping park by embracing the history and the future growth.

In response to Commissioner Bieniek, Mr. Walborn stated that they are looking for a variety of tenants; restaurants, entertainment, and shopping. However, at this time, there are no specific tenants.

Chair Blair opened the meeting for public comment.

**Jacquelyn Nordby, Surprise resident**, stated that she and her husband wrote the letter that Planner Kartha referred to in her presentation. The residents are very concerned about anything on the site that increases traffic, pollution, and noise. They prefer a park like setting with no drive-thrus. Think about something different, not a common, ordinary area and make it more appealing and pleasant.

In response to Ms. Murphy, Mr. Walborn stated that the goal is to do something unique with the property; such as a ranch-style living and creating an inviting atmosphere that showcases the historical atmosphere of the area.

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

Commissioner Watts made a motion to **approve GPA08-019, Cotton Lane North and South.** Commissioner Bieniek seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 9: GPA08-033 – Consideration and Action – Grand Oasis**

Planner Vamshee Kovuru presented the project to the Commission. Staff recommended approval of **GPA08-033, Grand Oasis.**

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

Commissioner Chapman made a motion to **approve GPA08-033, Grand Oasis.** Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 11: GPA08-041 – Consideration and Action – Lake Pleasant 5000**

Planner David Neal presented the project to the Commission. Staff recommended approval of **GPA08-041, Lake Pleasant 5000.**

In response to Commissioner Rein, Planner Neal stated that the contextual map does indicate a small parcel of land not included in the project because it is still state lands. State Lands Department has an auction process when acquiring properties.

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 GPA08-041, Lake Pleasant 5000.** Commissioner Chapman seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 12: GPA08-036 – Consideration and Action – Major General Plan Amendment**

Planner Janice See presented the project to the Commission. Staff recommended approval of **GPA08-036, Major General Plan Amendment.**

Commissioner Chapman stated that he wanted to commend staff on the work completed on the General Plan.

Commissioner Hallin stated his concerns with the General Plan including: village concept with developers, industrial job goal, land use at uptown Grand Avenue and 211$^{th}$ Avenue, maintaining minimum amounts of land as rural residential, goals and policies on land use to minimize strip malls, residential street landscapes, commuter rail project, incorporating HOV lanes or bus system, bike lanes on arterials, and bringing a trauma center to the city.

Commissioner Watts stated that he was impressed with the forward thinking comments on the plan and wanted to commend staff on their work.

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 GPA08-036, Major General Plan Amendment.** Commissioner Rein seconded the motion. The motion passed 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.

**Mike Deefendorf, Surprise resident**, stated that he has a concern with Sarival Avenue, which is one lane each way with many potholes. Once the mall opens, Sarival Avenue will see more traffic and will need improvements. In addition, Jenna Road fronts an apartment complex and then ends, leaving only one way to get in and out of the apartment complex.

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

**CURRENT EVENTS REPORT:** The July 1, 2008 meeting has been cancelled and the next meeting will be held July 15, 2008.

**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, June 17, 2008, at 7:11p.m.

**STAFF PRESENT:**

Assistant City Attorney Jim Gruber, Fire Marshall Doug Helbig, Planner Adam Copeland, Senior Planner Dennis Dorch, Senior Planner Janice See, Planner Lance Ferrell, Planner Nicole Green-Catten; Planner Vamshee Kovuru; Planner David Neal, Planner Vineetha Kartha; Planning and Development Services Manager Berrin Nejad, Acting Community Development Director Kathy S. Rice, and Planning and Zoning Commission Secretary Debbie Perry.

**COUNCIL MEMBERS PRESENT:** None

Kathy S. Rice, Acting Director
Community Development Department

Jan Blair, Chair
Planning and Zoning Commission