CITY OF SURPRISE

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

April 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, April 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

Chair Blair asked for a moment of silence for Mayor Joan Shafer who passed away this morning.

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT REPORT

Acting Community Development Director Kathy Rice announced that there will be a memorial service for Mayor Joan Shafer at the stadium on Friday, May 9, 2008 at 9 a.m. Family has asked that in lieu of flowers, a check may be sent to the Surprise Sundancers for DreamCatcher Park. There is a guest book on AZcentral.com.

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 requested that Items 2, 3, and 5 be removed from the consent agenda.

Vice Chair Somers made a motion to approve the **Consent Agenda with items 2, 3, and 5 removed.** Commissioner Hallin seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 4*: SP07-145 – Consideration and Action – Surprise Village Marketplace Apartments,** stipulations ‘a’ through ‘j.’

AGENDA ITEMS REMOVED FROM CONSENT

- **Item 2***:
  Planning and Zoning Commission Minutes for April 1, 2008.
  Planning and Zoning Commission Workshop Minutes for March 18, 2008.
  2008 Planning and Zoning Commission Workshop Topics List

Vice Chair Somers suggested the following changes to the 2008 Planning and Zoning Commission Workshop Topics List:

June 3:	No workshop
September 16:	Code Enforcement
TBD:	Bus Tour

- **Item 3: SP07-439 – Consideration and Action – Restaurants at Stadium Village**

Vice Chair Somers suggested modifying Stipulation B as follows:

> Stipulation B: Require a shared parking agreement prior to the issuance of a building permit should there be more restaurant space than can be supported by the proposed onsite parking.

Planner Adam Copeland indicated that the applicant does support the modified stipulation.

Vice Chair Somers made a motion to **modify Stipulation B.** Commissioner Hallin seconded the motion. The motion passed with a vote of 6 ayes and 1 abstained (Rein).

- **Item 5*: SPA07-296 – Consideration and Action – Palm Vista Baptist Church,** stipulations 'a' through 'i.'

Vice Chair Somers voiced a concern regarding the architecture of the building and suggested continuing the project to work with the architect to improve the design.

James Klein, architect, representing applicant, responded to questions from Vice Chair Somers regarding the balcony and vertical elements.

Vice Chair Somers made a motion to **continue SPA07-296, Palm Vista Baptist Church.** . Commissioner Rein seconded the motion. The motion failed with a vote of 3 ayes and 4 nays (Hallin, Watts, Bieniek, Blair).

Commissioner Watts made a motion to **approve SPA07-296, Palm Vista Baptist Church, subject to stipulations 'a' through 'i.'** Commissioner Bieniek seconded the motion. The motion passed with a vote of 4 ayes and 3 nays (Somers, Rein, Chapman).

Vice Chair Somers made a motion to **approve the remainder of the Consent Agenda (Items 2 and 3)**. Commissioner Hallin seconded the motion. The motion passed with a vote of 7 ayes.

OLD BUSINESS: REGULAR AGENDA ITEM REQUIRING A PUBLIC HEARING

Item 6: CUP07-274 – Consideration and Action – Storage West – Surprise

Planner Adam Copeland presented an update of the project to the Commission. Staff recommended approval of **CUP07-274, Storage West - Surprise,** subject to stipulations 'a' through 'h.'

In response to Commissioner Hallin, Planner Copeland explained that projects are often built in phases. In this case, the storage facility will be built in the first phase.

Scott McCoy, representing applicant, answered questions from Commissioners, explaining that a zero-foot setback makes sense for this project. He emphasized that they have met all requirements for a conditional use permit.

Responding to Commissioner Watts, Mr. McCoy pointed out that they have worked on the design and set back the building quite a distance from Bell Road.

In response to Commissioner Bieniek, Mr. McCoy stated that this area is zoned C-2 which does permit the use presented for this project. This is a low impact use project with limited hours of operation, highly secured, and a 24-hour onsite manager.

Chair Blair opened the meeting for public comment.

Roger Neumann, Council President, Shepherd of the Valley Lutheran Church, voiced his concern as follows:

- Zero setback.

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

Vice Chair Somers made a motion to **approve CUP07-274, Storage West - Surprise,** and adopt staff's findings, subject to stipulations 'a' through 'h.' Commissioner Hallin seconded the motion. The motion passed with a vote of 6 ayes and 1 nay (Rein).

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

Item 7: PADA08-048 – Consideration and Action – Surprise Pointe Signage

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **PADA08-048, Surprise Pointe Signage**, subject to stipulations 'a' through 'e.' Planner Wingard requested that stipulation 'e' be removed.

In response to Commissioner Hallin, Planner Wingard indicated that staff determined that the 25-foot sign could be allowed because of the intensity of the project.

In response to Commissioner Watts, Planner Wingard stated that staff reviewed Scottsdale's sign program and since this project fell into one of the categories in their code, it was determined to allow the 25-foot sign as an exception to the Surprise code.

Vice Chair Somers indicated that he felt the sign should remain at 15 feet.

In response to Commissioner Rein, Planner Wingard noted that there has not been any opposition from the surrounding residents. He pointed out where the taller signage will be permitted.

In response to Commissioner Chapman, Planner Wingard replied that the sign code will be reanalyzed.

Chair Blair commented that she prefers the larger signs. Planner Wingard stated that when an applicant asks for a sign higher than the ten-foot code requirement, the request requires Commission approval.

Armand Milazzo, applicant, provided additional information, noting that the highest point on one of the buildings in this project is 60 feet.

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 PADA08-048, Surprise Pointe Signage,** and adopt staff's findings, subject to stipulations 'a' through 'd.' Commissioner Bieniek seconded the motion. The motion passed with a vote of 6 ayes and 1 nay (Somers).

Item 8: PAD07-228 – Consideration and Action – Grand Vista

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **PAD07-228, Grand Vista**, subject to stipulations 'a' through 'u.'

Paul Gilbert, Beus Gilbert, representing applicant, provided additional information about the project, specifically noting that they have negotiated a development agreement which will go before the City Council on May 8, along with the annexation and PAD. He provided a handout and referred to it several times, explaining various items throughout such as the master plan and village concept. He mentioned that the amenities will be paid for and constructed by the developer prior to dedication to the city. He emphasized that the developer is very conscientious about education, dedicating five elementary school sites and one high school site.

Mr. Gilbert mentioned that Toll Brothers and Meritage Homes are partners in this project together with Simon Property Group bringing all their collective expertise to provide this high-quality project to the city.

In response to Vice Chair Somers, Mr. Gilbert replied that the local streets will not be designed until later which will be brought back to the Commission for approval at that time.

There were questions about sidewalks in various areas. It was determined that the details of the sidewalks will be submitted at the preliminary plat stage. It was noted that this would be something that the Commission will be looking at when the preliminary plat is submitted.

There was discussion about the regulatory process, to which Mr. Gilbert responded that they will be following the regulatory process for most the project. However, the nonresidential phase will be expedited. To counter some of the concerns, Mr. Gilbert suggested that any building larger than 100,000 square feet could be brought back to the Commission for approval.

With further explanation, Mr. Gilbert indicated that the nonresidential phase will typically be reviewed and approved at the director's level. However, the director does have the discretion to bring those projects to the Commission for approval at anytime.

Mr. Gilbert stated that they would agree that any building over 100,000 square feet could be brought to the Commission for review.

To assist in accommodating this concern, Vice Chair Somers felt that a stipulation should be added to eliminate Appendix "E" and Section 21.

> Stipulation V: Eliminate Appendix "E" and rewrite Section 21 to provide for normal City of Surprise review and approval process.

Mr. Gilbert stated that they would be comfortable with the addition of the stipulation.

Commissioner Rein commented that he supports the stipulation.

Commissioner Chapman stated that he commends the developer for bringing this project to the city and working with the schools.

Commissioner Hallin voiced concerns about bike lanes and only one westerly access to this property because of the gated community. Mr. Gilbert noted the concerns, explaining that they are aware of providing good traffic circulation.

Randy Overmyer explained that the Dove Valley Parkway will have a traffic interchange with US 60 and that the site is bounded by parkways on the east and west.

Responding to Commissioner Watts, Planner Wingard noted that Stipulation 'q' has been submitted by county flood control and thus would require their approval prior to any modifications.

Stipulation V was reread for the motion:

> Stipulation V: Eliminate Appendix "E" and rewrite Section 21 to provide for normal City of Surprise review and approval process.

Vice Chair Somers made a motion to **add Stipulation V**. Commissioner Watts seconded the motion. The motion passed with a vote of 7 ayes.

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 PAD07-228, Grand Vista,** and adopt staff's findings, subject to stipulations 'a' through 'v' as amended. 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. Hearing no comments from the public, Chair Blair closed the call to the public.

CURRENT EVENTS REPORT: None

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, April 15, 2008, at 7:43 p.m.

STAFF PRESENT:

Assistant City Attorney Jim Gruber, Fire Inspector Marvin Rose, City Planner Adam Copeland, City Planner Bart Wingard, City Planner Dennis Dorch, Planner Nicole Green-Catten; Planner Vamshee Kovuru; Planner Randy Overmyer; Planning and Development Services Manager Berrin Nejad, Acting Community Development Director Kathy S. Rice, and Planning and Zoning Commission Secretary Carol Dager.

COUNCIL MEMBERS PRESENT: Mayor Lyn Truitt

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Kathy S. Rice, Acting Director
Community Development Department

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Jan Blair, Chair
Planning and Zoning Commission