

CITY OF SURPRISE

PLANNING AND ZONING COMMISSION

12425 West Bell Road, Suite D-100

Surprise, Arizona 85374

January 15, 2008

REGULAR MEETING MINUTES

CALL TO ORDER:

Vice Chair Blair called the Planning and Zoning Commission Meeting to order at

6:00 p.m. at the Surprise City Hall, 12425 West Bell Road, Suite D100, Surprise, Arizona 85374, on Tuesday, January 15, 2008.

SWEARING-IN OF NEWLY APPOINTED COMMISSIONERS

Sherry Ann Aguilar, City Clerk, swore in the following commissioners: Matthew Bieniek, Ken Chapman, and Robert Rein.

ROLL CALL:

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

PLEDGE OF ALLEGIANCE:

ELECTION OF CHAIRMAN

Commissioner Somers made a motion to nominate Vice Chair Blair as Chairman of the Planning and Zoning Commission. Commissioner Watts seconded the motion and closed the nominations. The motion to close the nominations passed with a voice vote of 7 ayes. The motion to nominate Vice Chair Blair as Chairman passed with a vote of 7 ayes.

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.

Chairman Blair asked if the Commissioners would like to pull any items from the consent agenda.

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

- Approved **Item 2***: **Planning and Zoning Commission Minutes for December 18, 2007.**

- Approved **Item 3***: **SP07-384 – Consideration and Action – Surprise Valley – Trader Joe’s and Shops**, Stipulations ‘a’ through ‘g.’

- Approved **Item 4*: SPA07-316 – Consideration and Action – Parkway Christian Church**, Stipulations ‘a’ through ‘l.’
- Approved **Item 5*: SP07-194 – Consideration and Action – FirstBank Holding Company**, Stipulations ‘a’ through ‘h.’

OLD BUSINESS: REGULAR AGENDA ITEM REQUIRING A PUBLIC HEARING

Item 6: PADA07-155 – Consideration and Action – Sycamore Farms

Parcel 12

Planner Bart Wingard announced that the project has been withdrawn by the applicant.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

Item 7: CUP07-328 – Consideration and Action – Montessori of Surprise

Planner Lance Ferrell presented the project to the Commission. Staff recommended approval of **CUP07-328, Montessori of Surprise**, subject to stipulations ‘a’ through ‘f.’

In response to Commissioner Rein, **Jamie Evans, representing applicant**, indicated that there will be staggered drop-off and pick-up times at the school to assist with alleviating traffic problems. Only seven parents would be picking up and dropping off children at any given time. Approximately 24 children will be outside in the play area at any given time.

Chairman Blair opened the meeting for public comment.

Jim Olmsted, Surprise resident, voiced the following concerns:

- Handicap accommodations for children with disabilities.
- Need to ensure this is done correctly, because so many are not.

Roy Bade, developer, stated that they will meet all the handicap code requirements throughout the interior and exterior of the facility.

Mr. Olmsted provided additional information, specifically noting that there are varying degrees of accommodations needed for the children with disabilities.

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

Commissioner Watts made a motion to **approve CUP07-328, Montessori of Surprise**, subject to stipulations 'a' through 'f.' Commissioner Somers seconded the motion. The motion passed with a vote of 7 ayes.

Item 8: CUP07-210 – Consideration and Action – Montessori Children's Garden

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **CUP07-210, Montessori Children's Garden**, subject to stipulations 'a' through 'i.' Planner Copeland recommended adding stipulation 'j' – Gates shall be added to both entrances per Fire Department standards. The gates will be closed during non-business hours.

Cecilia Smith, applicant, provided additional information about the project, specifically addressing the email sent to the commissioners from an adjacent property owner concerning the parking lot facing their property. She pointed out that the area will be fenced and landscaped.

In response to Commissioner Rein, Ms. Smith provided further information about phase two of the project which would include expanding the garden area. However, there are no current plans to expand the building.

In response to Commissioner Hallin, Planner Copeland indicated that the maximum occupancy for this building is 36 students. There was some discussion regarding street improvements throughout the area. He mentioned that a community outreach meeting was held with approximately eight residents attending with no opposition to the project.

In response to Commissioner Watts, Planner Copeland explained the zoning of the various surrounding projects. He also pointed out that the Commission would be required to review and approve the addition of phase two, as well as another outreach meeting would need to be held.

In response to Commissioner Somers, Planner Copeland noted that horses are allowed on the adjacent properties.

In response to Chairman Blair, Planner Copeland stated that he would research the number of Montessori Schools in Surprise and provide that information to the Commissioners.

Chairman Blair opened the meeting for public comment.

Jeanmarie Elkins, Surprise resident, spoke in favor of the school:

- There are very few cultural opportunities for preschool children in Surprise.
- This school is exceptional.

Jim Olmsted, Surprise resident, voiced his concerns as follows:

- Concerns are the same as with the previous school.

- Specifically addressing the needs of the handicapped children.
- It is very important that they have the same capabilities as the able-bodied children.
- Recommend that a high fence be erected around the facility.

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

In response to Chairman Blair, Assistant City Manager Rice stated that all projects are reviewed and approved by the Building Safety plans examiners following the guidelines set forth in the international code.

Commissioner Rein made a motion to **approve CUP07-210, Montessori Children's Garden**, subject to stipulations 'a' through 'j' as amended. Commissioner Watts seconded the motion. The motion passed with a vote of 5 ayes and 2 nays (Blair, Somers).

Item 9: TA07-368 – Consideration and Action – Text Amendment to Chapter 125

Assistant City Manager Rice asked that this project be continued to March 18, 2008 to allow for staff to conduct a workshop with the Planning and Zoning Commission

Commissioner Watts made a motion to **continue TA07-368, Text Amendment to Chapter 125** to March 18, 2008 and hold a workshop on February 5, 2008.

Commissioner Somers seconded the motion. The motion passed with a vote of 7 ayes.

Chairman Blair asked that Commissioners prepare questions to be presented at the workshop.

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

Assistant City Manager Rice announced that a Planning and Zoning Commission Workshop will be held on February 19, 2008 to discuss the General Plan.

At the next Commission meeting, she will provide an update of major projects in the city.

OPEN CALL TO PUBLIC:

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

Jim Olmsted, Vice Chair, Disabilities Commission, invited members of the Commission meet with the disabilities advocate, Nanette Bowles.

Jeanmarie Elkins, Surprise resident, mentioned that she has a wheelchair, noting that she cannot use it in Sun City Grand because all the sidewalks slant. Have lost control of the wheelchair and found herself in the road on occasion.

Ms. Elkins also talked briefly about design – buildings should be a little more creative. Too many strip malls with no imagination.

Shawn Salazar, Surprise resident, voiced concerns regarding Sycamore Farms:

- Road size; fire truck access. Encourage staff to review this situation.
- Community park.

- Replanning of the PAD.

Dion Garcia, Surprise resident, voiced concerns regarding Sycamore Farms:

- He was told there would be a park in his area.

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

CURRENT EVENTS REPORT:

Chairman Blair welcomed the new commissioners.

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, Chairman Blair adjourned the regular Planning and Zoning Commission meeting, Tuesday, January 15, 2008, at 6:49 p.m.

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

STAFF PRESENT:

Assistant City Attorney Jim Gruber, Fire Marshall Doug Helbig, Assistant Fire Chief Clint Mills, City Planner Adam Copeland, City Planner Lance Ferrell, City Planner Bart Wingard, City Planner Dennis Dorch, Planning & Development Services Manager Berrin Nejad, and Planning and Zoning Commission Secretary Carol Dager.

COUNCIL MEMBERS PRESENT: None

Kathy S. Rice, Acting Director

Community Development Department

Jan Blair, Chairman

Planning and Zoning Commission