

CITY OF SURPRISE

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

January 6, 2009

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, January 6, 2009.

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 reported that staff presented a streamlined development review process to City Council in a work session last month. The council was receptive to the idea and has given authorization to move forward with the process. In conjunction with that, staff will be completing a rewrite of the development code. In the months to come, staff will be presenting a Unified Development Code, which will contain all regulations in one code, making it easier for commission, staff, and developers to follow.

On Thursday, staff will meet with City Council to request approval to move forward with the village planning process. The two villages that will start with a neighborhood plan will be Grand Avenue/Original Town Site/Surprise Center area and the White Tank area.

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

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

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING

- **Item 3: SP07-434 – Consideration and Action – Cactus Ward LDS Church (Prasada PAD)**

Senior Planner Dennis Dorch presented the project to the Commission. Staff recommended approval of **SP07-434, Cactus Ward LDS Church (Prasada PAD)**, subject to stipulations 'a' through 'h.'

In response to Commissioner Rein, Senior Planner Dorch stated that the amount of parking spaces is a zoning requirement based on the maximum seating capacity.

In response to Commissioner Rein, Senior Planner Dorch stated that stipulation 'e' is a requirement from the Water Services Division and has to do with the type of sewer connections and manholes required at installation.

In response to Commissioner Chapman, Senior Planner Dorch stated that staff has not indicated a time requirement for the applicant to connect to sewer service once available. Director Mihelich stated that a specific time frame could be added to the stipulation. Stipulation 'g' would read as follows: As soon as the service line is available for individual service connections in Cactus Road, the developer shall connect into the sewer service within 90 days and abandon all temporary sanitary sewer facilities in accordance with all applicable state, county and local codes.

In response to Commissioner Bieniek, Director Mihelich stated that if the church is unwilling or unable to make the sewer connection, the city has two options for recourse. The applicant can be cited for criminal violations of the conditional use permit or the project could be brought back to the commission for revocation of the conditional use permit.

In response to Commissioner Watts, Senior Planner Dorch stated that the adjacent properties are zoned residential and water is available to the church.

Responding to Commissioner Blair, Senior Planner Dorch indicated that the Fire Department is located approximately 200 feet from Sarival Road.

Commissioner Rein made a motion to approve **SP07-434, Cactus Ward LDS Church (Prasada PAD)**, and adopt staff's findings, subject to stipulations 'a' through 'h', as amended. Commissioner Hallin seconded the motion. The motion passed with a vote of 7 ayes.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

- **Item 4: CUP08-260 – Consideration and Action – Carden Elementary School**

Planner Lance Ferrell presented the project to the Commission. Staff recommended approval of **CUP08-260, Carden Elementary School**, subject to stipulations 'a' through 'd.'

Nick Wood, Snell and Wilmer, representing the applicant, stated that the original plan was to add a high school on the 20-acre site; however, Carden will now be focusing only on the K-8 school. Due to economic constraints and a declining credit market, the applicant is unable to commit to any short-term progress or building. Mr. Wood stated that staff's stipulation 'b' with a deadline to begin construction of June 30, 2010, is a very tight schedule. The applicant would like to request the timeline be extended to June 30, 2011. Staff agreed that this is a reasonable compromise.

In response to Commissioner Chapman, Mr. Wood stated that during construction the temporary parking will be located on the applicant's property just to the north of the site.

There was some discussion regarding the school operating outside of the stipulations of the previous conditional use permit.

Commissioner Watts requested that stipulation 'b' be reworded as it is a little ambiguous. The stipulation was reworded as follows: All portable classrooms must be removed from the subject property by June 30, 2011. However, if a building permit has been issued and vertical construction of permanent classroom space has commenced prior to June 30, 2011, then the portable classrooms may remain on site until September 1, 2012, but under no circumstances shall the portable classrooms remain on the subject property after September 1, 2012.

Responding to Commissioner Bieniek, Planner Ferrell explained that the temporary parking surface is a new surface and not sure how it will withstand wear and tear. Stipulation 'c' states that if the surface needs to be redone, it can be approved administratively rather than through a conditional use permit.

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 **CUP08-260, Carden Elementary School**, and adopt staff's findings, subject to stipulations 'a' through 'd,' as amended. Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 4: TA08-338 – Consideration and Action – Text Amendment to Chapter 125-224 Single-Family Home Product Design Review**

Director Jeff Mihelich presented the amendment to the commission. Staff recommended approval of **TA08-338, Text Amendment to Chapter 125-224 Single-Family Home Product Design Review**.

In response to Vice Chair Somers, Director Mihelich stated that a covered portal is not part of the program; however, a two percent grade, pulling away from the home, is a requirement in the ordinance to prevent any flooding.

In response to Commissioner Rein, Director Mihelich explained that the affordable homes that the city is planning to build, pending HUD approval, will have all visitability features. Any new model homes constructed by home builders are only required to have the 'zero-step' entry. They will not be required to display all features due to the up-front costs and resale concerns.

There was some discussion regarding the 'zero-step' entry requirement for all model homes.

Chair Blair opened the meeting for public comment.

Denise Pankerton, resident, lived in Oregon for a number of years. In Oregon this visitability idea is well known and successful. A 'zero-step' entry is beneficial for mothers with strollers, wheelchair accessibility, and moving furniture.

In response to Commissioner Rein, Director Mihelich stated that Pima County and the City of Tucson have a more extensive visitability program.

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

Commissioner Rein made a motion to approve **TA08-338, Text Amendment to Chapter 125-224 Single-Family Home Product Design Review**, and adopt staff's findings, with the removal of the 'zero-step' entry requirement for all new home models. No second was made.

Vice Chair Somers made a motion to approve **TA08-338, Text Amendment to Chapter 125-224 Single-Family Home Product Design Review**, and adopt staff's findings. Commissioner Bieniek seconded the motion. The motion passed with a vote of 6 ayes and 1 nay. (Rein)

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:

Commissioner Rein stated that the Parks and Trails Master Plan was presented to the Sun City Grand Hiking Club and was very well received.

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 at 7:11 p.m.

STAFF PRESENT:

Community Development Director Jeff Mihelich, City Attorney Jim Gruber, Fire Marshal Doug Helbig, Traffic Engineer Tracy Eberlein, Planning Manager Berrin Nejad, Senior Planner Dennis Dorch, Planner Lance Ferrell, and Planning and Zoning Commission Secretary Deb Perry.

COUNCIL MEMBERS PRESENT: None

Jeffrey J. Mihelich, Director
Community Development Department

Jan Blair, Chair
Planning and Zoning Commission