



CITY OF SURPRISE
Planning and Zoning Commission Agenda
16000 N. Civic Center Plaza
Surprise, AZ 85374

Thursday, January 22, 2015 @ 6:00 PM
 Council Chambers

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CALL TO ORDER.

- A. Roll Call
- B. Pledge of Allegiance
- C. Current Events and Reports – Pursuant to A.R.S. §38-431.02(k) the chief administrator, presiding officer or a member of a public body may present a brief summary of current events without listing in the agenda the specific matters to be summarized, provided that 1) The summary is listed on the agenda; and 2) The public body does not propose, discuss, deliberate or take legal action at that meeting on any matter in the summary unless the specific matter is properly noticed for legal action.
- D. Staff Reports

Planning and Zoning Commission Agenda:

CALL TO THE PUBLIC:

INSTRUCTIONS: In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission on any item not on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

- E. Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the Board\Commission. There will be no separate discussion on these items unless a board member or commissioner requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

CONSENT AGENDA:

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

STAFF
 RECOMMENDATION/

ITEM #	DISTRICT #	ITEM DESCRIPTION
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PRESENTED BY

- #1 District Internal Consideration and action on the January 8, 2015 Planning and Zoning Commission minutes. Approve
Heather
Donaldson,
Community
Development

REGULAR AGENDA ITEM - PUBLIC HEARING:

			STAFF RECOMMENDATION/
ITEM #	DISTRICT #	ITEM DESCRIPTION	PRESENTED BY
#2	District Citywide	<u>Consideration and action on a zoning text amendment regarding the height of structures within the Industrial General (IG/I-2) zoning district.</u>	Approve Hobart Wingard, Community Development

OTHER BUSINESS:

- #3 District Internal Discussion for future agenda items. No Action
Eric Fitzer,
Community
Development

ADJOURNMENT:

SHERRY ANN AGUILAR, CITY CLERK, CMC

POSTED: January 15, 2015 at 12:50 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Planning and Zoning Commission

January 22, 2015 @ 6:00:00 PM

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Board Meeting Date:	January 22, 2015	Contact Person:	Heather Donaldson, Community Development
Submitting Department:	Planning & Zoning	District:	Internal
Staff Recommendations:	Approve		

Consent	Regular	x	Public Hearing	Report/Discussion
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Agenda Wording:

Consideration and action on the January 8, 2015 Planning and Zoning Commission minutes.

Motion:

I move to approve the January 8, 2014 Planning and Zoning Commission minutes.

Background:

Financial Impact Statement:

No Financial Impact

ATTACHMENTS:

Click to download

☐ [1-8-15 P&Z Meeting Minutes](#)

External Attachment Links:

Meeting Requirements:

Powerpoint	x	Video	White Board	Other	x
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Presentation Speaker Names (spelling and titles for TV captions):

CITY OF SURPRISE

PLANNING AND ZONING COMMISSION 16000 North Civic Center Plaza Surprise, AZ 85374

January 8, 2015

MEETING MINUTES

CALL TO ORDER

Chair Steve Somers called the Planning and Zoning Commission Meeting to order at 6 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on Thursday, January 8, 2015.

ROLL CALL

In attendance were Chair Somers, Vice Chair Ken Chapman and Commissioners Peter Pervi, Dennis Smith, Matthew Bieniek and Mathew Keating. Commissioner Jerry Hoyler was absent.

PLEDGE OF ALLEGIANCE

CURRENT EVENTS REPORT

STAFF REPORT

Community Development Director Eric Fitzer introduced new Commissioner Mathew Keating. He also advised the Commission of upcoming Public meetings for the Major General Plan Amendment as well as the Original Town Site Heritage District and the Public Arts Master Plan. He further advised of a Special Planning and Zoning Commission meeting to take place on Thursday, January 22, 2015 and a Joint Session with Council and the Planning and Zoning Commission to take place on Tuesday, February 3, 2015 during the Council Work Session in regards to the Major General Plan Amendment.

CALL TO THE PUBLIC

Chair Somers called to the public to discuss any issues not noted on the agenda. Hearing no comments, Chair Somers closed the call to the public.

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.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING

- **Item 1: Consideration and Action – Planning and Zoning Commission Minutes for December 4, 2014.**

Commissioner Smith made a motion to approve the **Planning and Zoning Commission Minutes for December 4, 2014.** Vice Chair Chapman seconded the motion. The motion passed with 6 yes votes and 1 absent vote (Hoyler).

- **Item 2: Consideration and action on the 2015 Planning and Zoning Commission Work Program Calendar.**

Eric Fitzer, Director, presented the Commission with the 2015 Work Plan/Calendar and advised that this year there will be a great number of planning processes in place and as such there may be a need to have two Planning and Zoning Commissions each month.

Commissioner Bieniek made a motion to approve the 2015 Planning and Zoning Commission Work Program Calendar. Commissioner Pervi seconded the motion. The motion passed with 6 yes votes and 1 absent vote (Hoyler).

- **Item 3: Consideration and action on a site plan for The Pottery Place Warehouse generally located on the northwest corner of Norwich Drive and the Grand Avenue Frontage Road.**

Planner Hobart Wingard presented the project to the Commission. Staff recommended approval of a site plan for The Pottery Place Warehouse retail facility subject to Condition ‘a’ of the staff report.

The Commission had some discussion regarding

- Size of the building (covered area)
- Access points (frontage road)
- Number of employees and parking (their vehicles)
- Storage of pallets, etc. as to not encroach on sightline of residential neighborhood around the property
- Additional trees and shrubs (shade and buffer to neighboring community)

Vice Chair Chapman made a motion to approve a site plan for The Pottery Place Warehouse retail facility and to adopt staff’s finding and condition ‘a’ as listed in the staff report. Commissioner Bieniek seconded the motion. The motion passed with 6 yes votes and 1 absent vote (Hoyler).

Item 4 was presented after item 5.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

- **Item 5: Consideration and action on a renewal of a Conditional Use Permit for an ATT Wireless Communications Facility located at 19783 North Remington Drive at the Sun City Grand Desert Springs Golf Club.**

Planner Hobart Wingard presented the project to the Commission. Staff recommended approval of the project.

Chair Somers opened the Call to the Public.

A resident asked how many more poles were going to be put in. Planner Wingard advised that this was just going to be an update to an existing pole with a larger antenna.

Hearing no further comments, Chair Somers closed the Call to the Public.

Commissioner Pervi made a motion to approve a renewal of a Conditional Use Permit for an AT&T Wireless Communications Facility located at 19783 North Remington Drive and to adopt staff's findings as listed in the staff report. Commissioner Smith seconded the motion. The motion passed with 6 yes votes and 1 absent vote (Hoyler).

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING (continued as items taken out of order)

- **Item 4: Presentation and discussion regarding a proposed Zoning Text Amendment pertaining to Assisted Living Facilities.**

Chair Somers commented that this item was noticed at a stakeholder meeting to occur at 7:00 p.m. and it is currently 6:19 p.m. He requested an opinion from the City Attorney as to whether the meeting should be recessed until 7:00 p.m. or to move forward. City Attorney Donna Bronski advised that the meeting was properly noticed and the Commission can choose to move forward if they choose to and see what time the presentation and questions end. Director Eric Fitzer also advised the Commission that this is a discussion only item and staff will come before the Commission requesting action at a later date. The Commission unanimously agreed to move forward with the item at this time.

Planner Robert Kuhfuss presented the proposed Zoning Text Amendment pertaining to Assisted Living Facilities to the Commission and advised that staff was making no recommendations at this time as this is a discussion item only.

The Commission had some discussion regarding

- Grandfathered homes that fall within the existing 600 foot requirement
- The sale of assisted living facilities (change in ownership) and grandfathered in status
- Language within the Personal Care Services section

Chair Somers opened the Call to the Public:

Nunzio Howard, Surprise resident, expressed concerns over certain aspects of the proposed zoning text amendment.

William Burnette, Surprise resident, expressed concerns over certain aspects of the proposed zoning text amendment.

Hearing no further comments, Chair Somers closed the Call to the Public.

OTHER BUSINESS

- **Item 6: Discussion for future agenda items.**

None

ADJOURNMENT

Hearing no further business, Chair Somers adjourned the Planning and Zoning Commission meeting at 6:54 p.m.

STAFF PRESENT:

Community Development Director Eric Fitzer, Deputy City Attorney Donna Bronski, Assistant Department Director Chris Boyd, Planner Hobart Wingard, Planner Robert Kuhfuss, Planner Jackie Keller and Planning and Zoning Commission Secretary Heather Donaldson.

COUNCIL MEMBERS PRESENT:

None

Eric Fitzer
Community Development Director

Steve Somers, Chair
Planning and Zoning Commission

The foregoing instrument is a full, true and correct copy of the original document on file in the office of the City Clerk, City of Surprise, Arizona.

ATTEST BY: _____
Heather Donaldson, Commission Secretary

DATE: _____



CITY OF SURPRISE
Planning and Zoning Commission

January 22, 2015 @ 6:00:00 PM

+ Back Print

Board Meeting Date:	January 22, 2015	Contact Person:	Hobart Wingard, Community Development
Submitting Department:	CD Boards and Commissions	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	x	Report/Discussion
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Agenda Wording:

Consideration and action on a zoning text amendment regarding the height of structures within the Industrial General (IG/I-2) zoning district.

Motion:

I move to recommend approval to the City Council of a zoning text amendment regarding the height of structures within the Industrial General (IG/I-2) zoning district and the inclusion of Regional Commercial (CR/C-3) Zoning Districts within the Employment Character Pattern.

Background:

Due to various requests from prospective industrial businesses, staff is proposing this zoning text amendment to increase the building height from 60 to 85 feet in Industrial General (IG/I-2) zoning districts.

Financial Impact Statement:

This zoning text amendment will provide additional opportunities for prospective industrial businesses to maximize the use of the land while provide various jobs and economic opportunities for the residents of the City of Surprise.

ATTACHMENTS:

Click to download

- ☐ [FS14-449 - Industrial Height Zoning Text Amendment - Ordinance](#)
- ☐ [FS14-449 - Industrial Height Zoning Text Amendment - Staff Report](#)
- ☐ [FS14-449 - Industrial Height Zoning Text Amendment - Legislative Format](#)

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):

Hobart Wingard - Planner II

Eric Fitzer - Director

Lloyd Abrams - Long Range Planning Manager

ORDINANCE 2015-XX

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A TEXT AMENDMENT TO THE SURPRISE UNIFIED DEVELOPMENT CODE AS IT RELATES TO INDUSTRIAL BUILDING HEIGHT AND REGIONAL COMMERCIAL ZONING DISTRICTS.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the existing language in the Surprise Uniform Development Code is obsolete with respect to the height of structures within the Industrial General Zoning District;

WHEREAS, the existing language in the Surprise Uniform Development Code is deficient in regards to the location of Regional Commercial Zoning Districts;

WHEREAS, on January 8, 2015, the Planning and Zoning Commission recommended approval of the proposed Text Amendment.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. Section 122-36, Employment Character Pattern, of the Surprise Uniform Development Code is hereby amended as per the attached document, a copy of which was included in the report to Council for this item, is approved and incorporated by this reference.

Section 4. This ordinance will be codified.

Signatures on next page

APPROVED AND ADOPTED this _____ day of _____ 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney



COMMUNITY DEVELOPMENT DEPARTMENT

Date: January 22, 2015

To: Planning and Zoning Commission

From: Eric Fitzer, Director
Lloyd Abrams, Long Range Planning Manager
Hobart Wingard, Planner
hobart.wingard@surpriseaz.gov 623-222-3156

Re: **FS14-449, Zoning Text Amendment for Structures Located Within Industrial General (IG/I-2) Zoning Districts**

Introduction

Attached is the proposed zoning text amendment for the Commission's consideration and action to address recent requests increasing the height of Industrial General (IG/I-2) zoning districts in the City of Surprise.

Background

The current Surprise Municipal Code provides a maximum height of structure in the Industrial General (IG/I-2) zoning district. This district, described as areas for concentrated manufacturing, fabrication, and other industrial uses. The city currently has a limited area of Industrial General zoned property located in the southeastern corner of the city. This area is buffered by less intense zoning districts that maintain a wide separation from residentially zoned property.

Proposal

The proposed amendment will allow for buildings in the Industrial General (IG/I-2) to reach the height of 85 feet. This proposal will also allow for an additional 20 feet of height in all industrial districts if the entire portion that exceeds the maximum building height is so constructed that it cannot be used or occupied by humans for any purpose and The Planning and Zoning Commission approves the increased height.

Staff has also taken this opportunity to correct an oversight in the present Surprise Unified Development Code (SUDC) where Regional Commercial (RC/C-3) was inadvertently left out of the Employment Character Pattern.

Recommendation

Staff recommends approval of FS14-449, a zoning text amendment to increase the building height from 60 to 85 feet in Industrial General (IG/I-2) zoning districts and to include Regional Commercial (CR/C-3) Zoning Districts within the Employment Character Pattern.

Attachment

Zoning text amendment and Ordinance

Zoning Text Amendment

Structural Height in Industrially Zoned Properties and the Inclusion of Regional Commercial Zoning Districts in the Employment Character Pattern

Section 122-36 – Employment Character Pattern

- (a) *Purpose.* The purpose of the employment character pattern is to provide standards for large-scale employment uses that would not normally be appropriate in residential-based neighborhood districts due to the large size or possible intrusive nature of the employment.

Employment character pattern standards are designed to:

- (1) Ensure compatibility with adjacent land uses through both integrated and individual sites;
- (2) Buffer industrial uses from potentially incompatible uses;
- (3) Ensure adequate access for employees, freight, and products;
- (4) Allow a mix of uses within principal buildings; and
- (5) Provide a wide range of services and amenities for employees.

Emphasis shall be placed on ensuring that adequate transportation routes and regional transit services are available to and within the employment character pattern.

- (b) *Zoning districts allowed.* The following zoning districts (refer to article VI) are allowed within an employment character pattern:

- (1) Business park (BP).
- (2) Industrial performance (IP).
- (3) Industrial general (IG).
- (4) Industrial land and mineral extraction (ILM).
- (5) Neighborhood commercial (CN).
- (6) Community commercial (CC).

(7) REGIONAL COMMERCIAL (CR).

- (8)** ~~(7)~~ Public facilities (PF).

- (9)** ~~(8)~~ Open space (OS).

- (10)** ~~(9)~~ Limited residential uses may be allowed. Development projects with proposed residential uses will be reviewed on a case-by-case basis to ensure compatibility with neighboring uses and overall district.

(c) *Character form:*

(1) *Location:*

- a. Employment character patterns shall be allowed in all General Plan Villages.
- b. Employment character patterns shall be located near major transportation routes.
- c. Employment character patterns shall be located in areas having an existing or proposed concentration of population to make more efficient use of the infrastructure, except in those cases when the employment district is specifically created for such less intense employment uses as warehousing.

(2) *Dimensional requirements:*

- a. There are no specific size requirements for the employment district.
- b. Industrial district dimensional requirements:
 1. Any use and/or dimensional requirement not in compliance with the standards for each zoning district shall be a violation of this ordinance.

Table 5-11 Industrial District Dimensional Requirements						
Industrial Zoning Districts						
Zoning District	Min. Lot Size	Min. Lot Width	Min. Building Setback (Front and Rear)	Min. Side Building Setback (Each Side)	Min. Yard Setback From Residential	Maximum Building Height
IP	20,000 sq. ft.	50'	35'	15'	25'	40'
IG	5 acres	100'	35'	25'	50'	60' 85'
ILM	40 acres	—	50'	50'	50'	40'

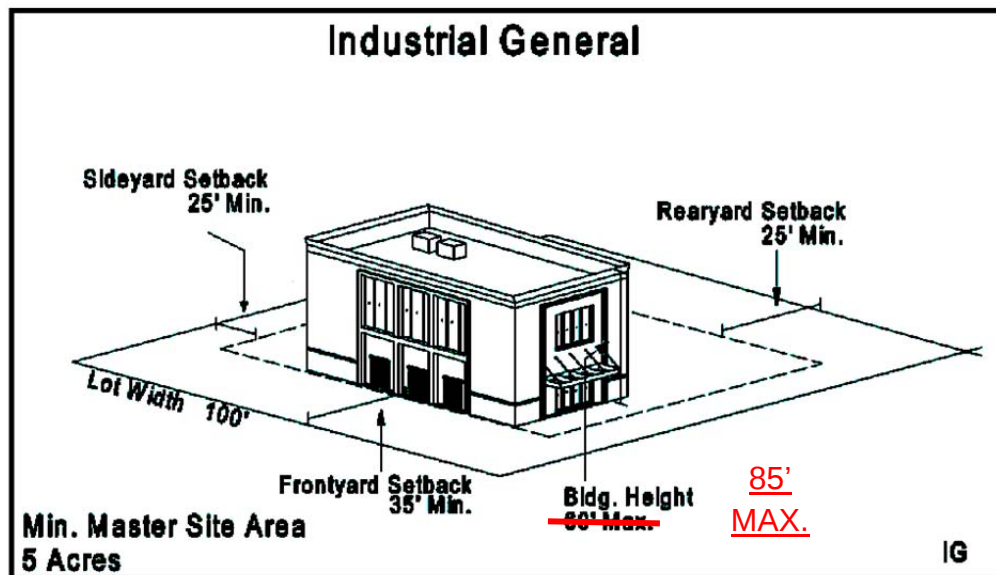
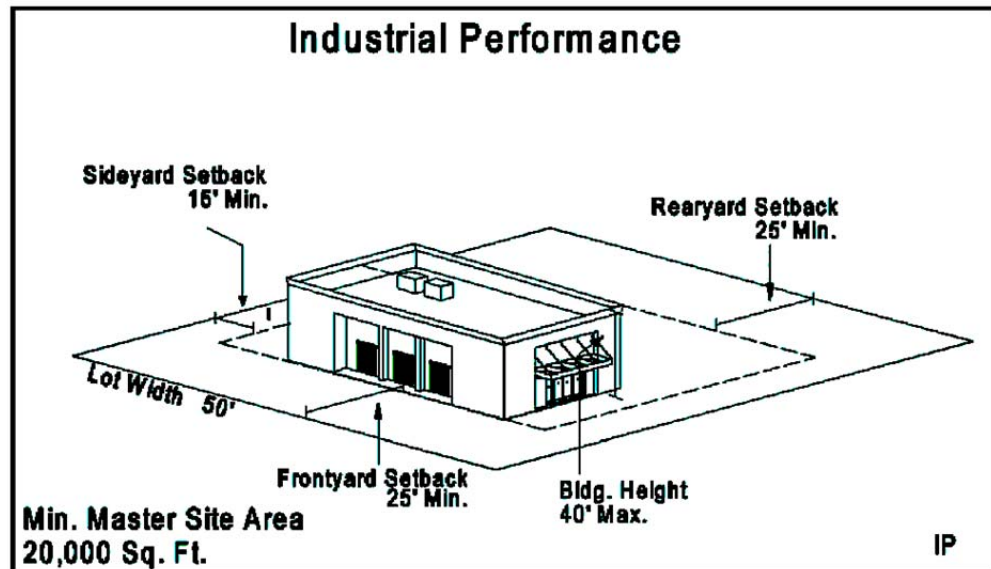
2. Any dimensional requirement not in compliance with the standards in the chart above shall be a violation of this ordinance.

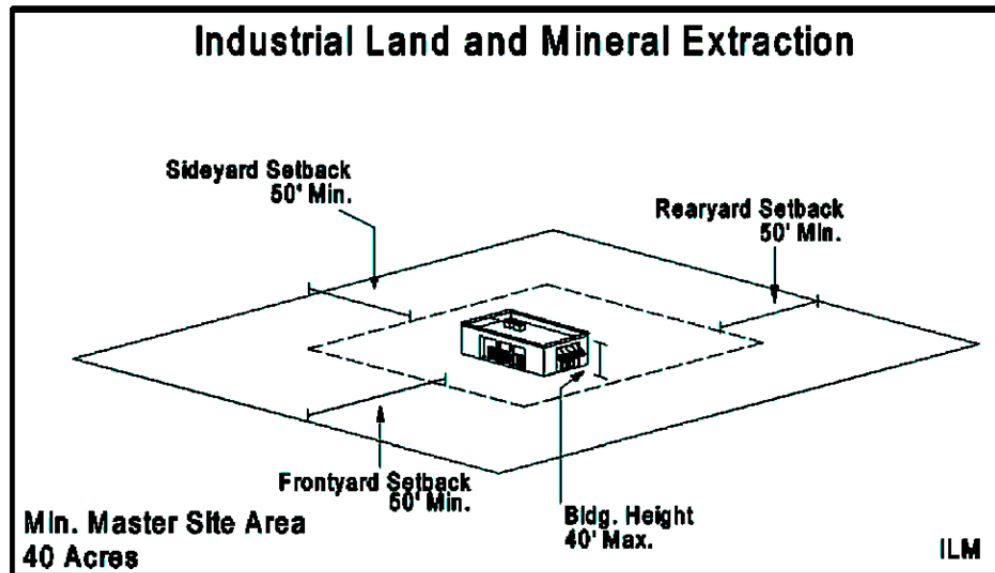
3. THE MAXIMUM BUILDING HEIGHT CAN BE INCREASED BY 20 FEET IF:

- I. IF THE ENTIRE PORTION THAT EXCEEDS THE MAXIMUM BUILDING HEIGHT IS SO CONSTRUCTED THAT IT CANNOT BE USED OR OCCUPIED BY HUMANS FOR ANY PURPOSE; AND
- II. THE PLANNING AND ZONING COMMISSION APPROVES THE INCREASED HEIGHT. IN DETERMINING WHETHER TO APPROVE A HEIGHT EXTENSION, THE PLANNING AND

ZONING COMMISSION SHALL CONSIDER WHETHER THE PROPOSED INCREASED WILL POSE AN UNREASONABLE RISK OF INJURY TO PERSONS OR PROPERTY IN LIGHT OF THE CITIES FIREFIGHTING EQUIPMENT AND CAPABILITIES.

4. 2. Graphic interpretation. The tabular format shall prevail in case of any conflict between the table and graphic.





c. Commercial district dimensional requirements:

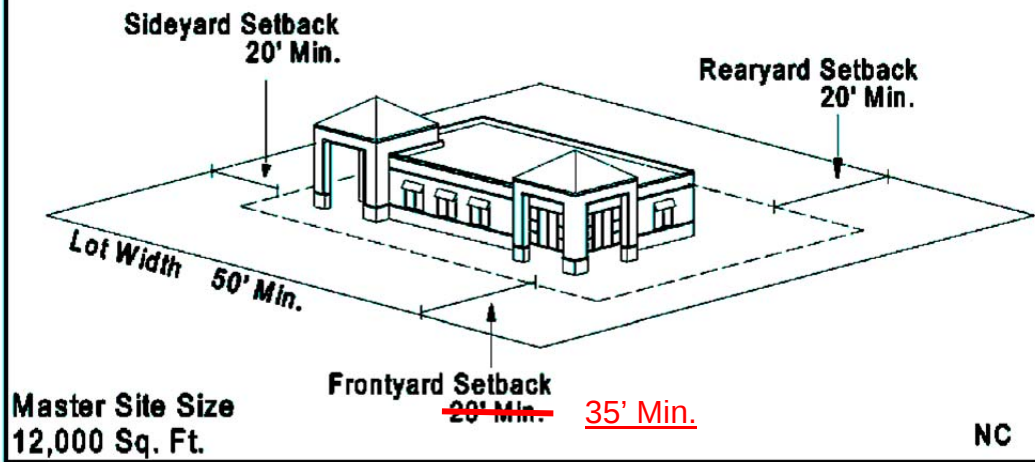
1. Any use and/or dimensional requirement not in compliance with the standards for each zoning district shall be a violation of this ordinance.

Table 5-12 Commercial District Dimensional Requirements

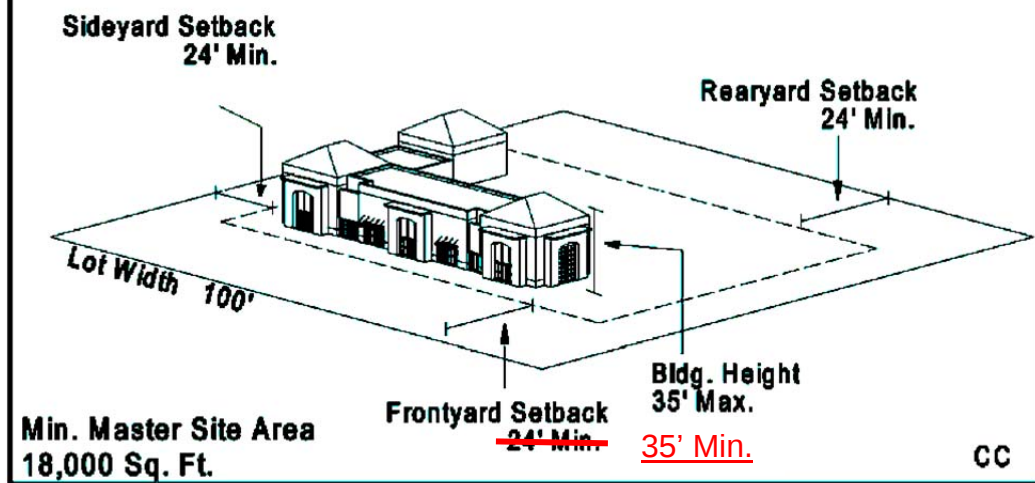
Zoning District	Min. Lot Area	Min. Lot Width	Min. Front Yard Setback	Min. Yard Setback (Side and Rear)	Maximum Building Height
NC	12,000 sq. ft.	50'	35'	20'	30'
CC	18,000 sq. ft.	100'	35'	24'	35'
<u>CR</u>	<u>18,000 SQ. FT.</u>	<u>100'</u>	<u>35'</u>	<u>24'</u>	<u>35'</u>

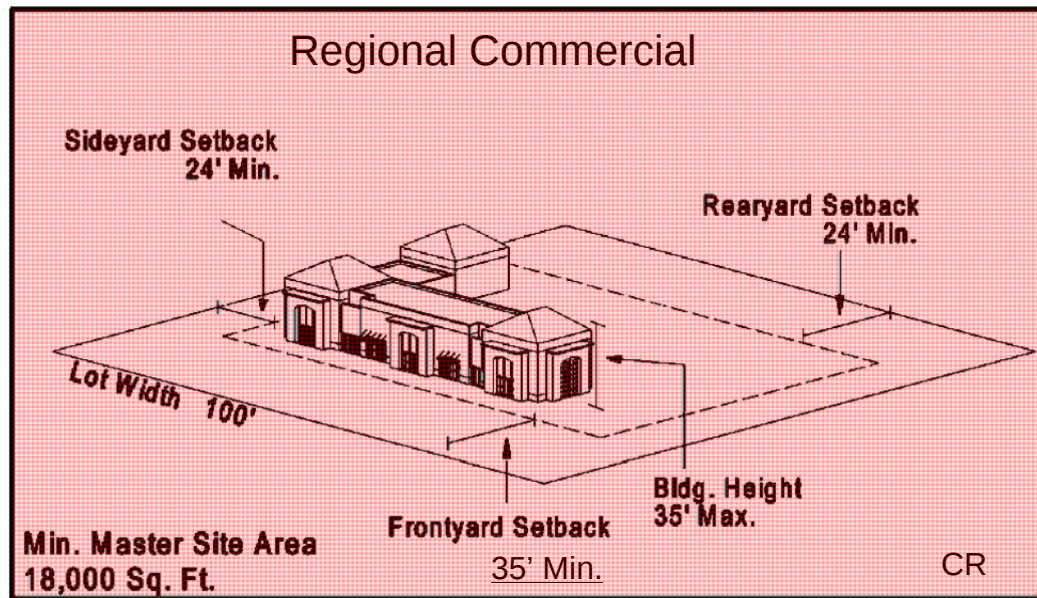
2. Any dimensional requirement not in compliance with the standards in the chart above shall be a violation of this ordinance.
3. 2. Flexibility in setbacks may be allowed if shown on a master plan as approved by planning and zoning commission.
4. 3. Graphic interpretation. The tabular format shall prevail in case of any conflict between the table and graphic.

Neighborhood Commercial



Community Commercial





- (3) *Building form and architecture.* The provisions in article VIII shall apply.
- (4) *Open space and common areas.* The provisions in the parks and trails master plan and article X shall apply with the following additions:
- A minimum of 30 percent of the gross land area of the employment character pattern shall be open space.
 - An open space area shall be located within 660 feet of a principal building entrance.
 - Public open space shall conform to the goals and standards of the parks and trails master plan.
- (5) *Circulation.* The provisions in article VI shall apply with the following additions:
- Primary site access shall be designed so major vehicular traffic shall gain access to the site from a major roadway rather than through any adjacent residential areas.
 - In addition to a primary service route, employment character patterns should also have direct access from a minimum of two residential areas within the city unless environmental constraints prohibit the connections. The access shall be designed to move residential neighborhood traffic to and from the employment character pattern.
 - Transit stop(s) and amenities such as shelters, benches, lighting shall be located within 1,320 feet of each principal building entrance. Development projects shall provide transit related site design features and amenities for transit riders such as shelters, benches and lighting.
 - Vehicular and pedestrian circulation between workplace uses and abutting support uses including retail and service commercial establishments is

required, through parking lot connections, hard surface walkways, and similar measures.

- e. Vehicle access points shall be located to minimize conflict between internal traffic and traffic on adjacent streets.
- f. Clearly defined and safe pedestrian access is required from parking areas and adjacent public right-of-way to building entrances.

(6) *Parking and loading.* The provisions in article IX shall apply.

(7) *Landscaping, buffering and screening.* The provisions in the article X shall apply with the following additions.

- a. A buffer area shall be designated along the perimeter of any employment character pattern that adjoins an existing or platted residential area.
 - 1. Principal buildings shall be located no closer than 100 feet of the district boundary.
 - 2. Buildings within 300 feet of the district boundary shall not exceed 35 feet in height.

(8) *Lighting.* The provisions in article IX shall apply.

(9) *Signage.* The provisions in chapter 113 of the Surprise Municipal Code shall apply.

(10) *Grading and drainage.* The provisions in engineering development standards shall apply.

(Ord. No. 09-12, § 2(Exh. A), 5-14-09)



CITY OF SURPRISE
Planning and Zoning Commission

January 22, 2015 @ 6:00:00 PM

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Board Meeting Date:	January 22, 2015	Contact Person:	Eric Fitzer, Community Development
Submitting Department:	Planning & Zoning	District:	Internal
Staff Recommendations:	No Action		

Consent	Regular	Public Hearing	Report/Discussion
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Agenda Wording:

Discussion for future agenda items.

Motion:

Background:

Financial Impact Statement:

No Financial Impact

ATTACHMENTS:

[Click to download](#)

No Attachments Available

External Attachment Links:

Meeting Requirements:

Powerpoint	x	Video	White Board	Other	x
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Presentation Speaker Names (spelling and titles for TV captions):