

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

August 17, 2017 / 6:00 PM

**COUNCIL CHAMBERS
16000 North Civic Center Plaza
Surprise, AZ 85374**

CALL TO ORDER.

Chair Ken Chapman called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on August 17, 2017.

A. ROLL CALL

In attendance were Chair Ken Chapman, Vice Chair Mitchell Rosenbaum, Commissioners Dennis Bash, Matthew Keating, Dennis Smith, Gisele Norberg and Eric Cultum.

STAFF PRESENT:

Community Development Director Eric Fitzer, Deputy City Attorney Ellen Van Riper, Planner Robert Kuhfuss, Planner Sergio Angulo, Planner Hobart Wingard and Planning and Zoning Commission Secretary Lorraine Nevarez.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

Chair Chapman opened the call to the public to discuss any items not listed on the agenda.

Hearing no comments, Chair Chapman closed the call to the public.

CONSENT AGENDA:

No items.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

Item 1 – Internal – Consideration and action pertaining to approval of the August 3, 2017 Planning and Zoning Commission minutes.

Commissioner Smith made a motion to approve the August 3, 2017 Planning and Zoning Commission minutes. Vice Chair Rosenbaum seconded the motion. The motion passes with 7 votes in favor.

Item 2 – District 5 – Presentation and action approving a Site Plan for In-N-Out Burger located on the southwest corner of Bell Road and Civic Center Drive within the Surprise Center Planned Area Development (PAD).

Hobart Wingard, planner, presented item 2 to the Commission.

The Commission discussed item 2:

- Extending the drive through
- Stop light on Elm Street
- Queueing distance

Chair Chapman opened the call to the public for item 2.

Kim Davies, resident, shared that this is a good project.

Thaddeus Dobson, resident, shared this is an exciting project and the public is behind it.

Donna Bronski, resident, shared her excitement regarding the project. Ms. Bronski noted her concern regarding the layout of the Site Plan. There will be a long line of cars visible to the people entering the city. Ms. Bronski suggested the Site Plan be flipped.

Hearing no further comments, Chair Chapman closed the call to the public.

Commissioner Norberg made a motion to approve the Site Plan for In-N-Out Burger located on the southwest corner of Bell Road and Civic Center Drive within the Surprise Center Planned Area subject to stipulations (a) through (c) as listed in the staff report. Commissioner Keating seconded the motion. Motion passes with 7 votes in favor.

Item 3 – District 6 – Consideration and action regarding a Site Plan for the Christopher Todd Collection at Marley Park.

Commissioner Keating recused himself from this item because he purchased property in Marley Park.

Robert Kuhfuss, planner, presented item 3 to the Commission.

The Commission discussed item 3:

- Market Benefit of proposed 1 & 2 bedroom units

- Leasing amount
- Parking ratios
- Single Ownership vs. Condominiums
- Sidewalks and pathways
- Entry Monument
- Square footage of the units
- Gated community

Chair Chapman opened the call to the public for item 3.

Martin Barclay, resident, noted his concerns regarding this project. He has lived in Marley Park for three years. He is concerned there will not be enough adequate parking. The number of garages is inadequate. This will cause an increase in crime because of the number of vehicles not garaged. Cars will park along the streets causing safety issues for children in the neighborhood. Mr. Barclay is asking the commission to deny this project.

Billy Bungert, resident, has lived in Marley Park for 11 years. Ms. Bungert's concern is traffic and safety. During school pickup and drop off the streets are filled to their capacity. The Marley Park Community was told they would be a part of a Safe Routes to School Survey; however, this will not happen until 2018. Ms. Bungert is asking the commission to deny the project.

Bill Adams, resident, noted his concerns regarding this project. Mr. Adams has lived in Marley Park for nine years. He shared that perception is reality. Mr. Adams is a member of the Protect Marley Park Vision, that expressed their concerns over this project to city. The presented attributes of the project are not in accordance with the PAD.

Robert Oliver, resident, discussed the Westside Linear Park. He notes the PAD requires the linear park. The planning proposal discusses the pavement, sidewalk, and walkways should be on the west side. Planning staff suggested the units face the western side. The developer did not turn the units towards the walkway. Further, this will create crime and mischief.

Ann Allen, has been a resident of Marley Park for eight years. Ms. Allen discussed the southern linear park. It is not being completed. Ms. Allen likes to ride her bike with her son. The boundaries have already been developed. The area with the solar panels was designated initially for the park. Ms. Allen is asking the Commission to deny this project.

Jon O'Leary, resident/10-year veteran of Maricopa Planning Department, has consulted with other planning professionals regarding the Marley Park PAD. Marley Park has open spaces as stated in the entitlement. The calculations used by the developer regarding open space was incorrect. The developer must contribute more acres of open space. Mr. O'Leary asks the Commission to deny this project.

Gena O'Leary, resident of Marley Park for 5 years, is part of the Protect Marley Park Vision. Ms. O'Leary noted a formal response was provided to the city regarding concerns of this project. Concerns consist of the units not being oriented correctly and units missing porches. Ms. O'Leary noted that governments have a legal and moral duty to the communities. Ms. O'Leary shared that 94% of residents do not want the Christopher Todd project.

Richard Randall, resident, shared his concern regarding open space. Mr. Randall noted private yards should not be considered open space. Open space should be accessible. Mr. Randall asks the Commission to deny this request.

Donna Bronski, resident, shared this is a nice project. Ms. Bronski noted there are variances with the PAD and it does require the houses face Old Oak and Whisper Woods. Ms. Bronski stated the developer has made a lot of progress by addressing the neighborhood concerns. DMB has provided a letter that outlines items that need to be considered by the developer. Ms. Bronski is requesting the Commission to add two additional stipulations to the motion that will require the developer comply with those items.

Hearing no further comments, Chair Chapman closed the call to the public.

The Commission added stipulation f and g as stated:

Stipulation f: Development of the site plan shall be consistent with FS-17-164 entitled Christopher Todd Communities at Marley Park except that within 30 days of approval by the planning and zoning commission the applicant shall submit a revised site plan in accordance with the letter DMB approval letter dated July 31, 2017.

Stipulation g: Provide two additional pedestrian access points from Old Oak Lane to the development.

Commissioner Bash made a motion to approve the Site Plan for the Christopher Todd Project at Marley Park, subject to stipulations (a) through (e) as listed in the staff report and stipulations (f) and (g) as stated. Commissioner Smith seconded the motion. Motion passes with 6 votes in favor.

Item 4 – District 5 – Consideration and action on the Site Plan to allow for a new Hilton Garden Inn Hotel with a Restaurant in Stadium Village located on the southeast corner of Stadium Way and Young Street.

Sergio Angulo, planner, presented item 4 to the Commission.

The Commission discussed item 4:

- Orientation of location
- Amenities of Hotel

Vice Chair Rosenbaum made a motion to approve the Site Plan to allow for a new Hilton Garden Inn Hotel with a Restaurant in Stadium Village located on the southeast corner of Stadium Way and Young Street, subject to stipulations (a) through (c) as listed in the staff report. Commissioner Cultum seconded the motion. Motion passes with 7 votes in favor.

Item 5 – District 1 – Consideration and action on a Major Amendment to the Asante Planned Area Development (PAD) to Rezone 220.1 acres (approx.) from PAD to RM-6, RM-9, and Mixed-Use PUD generally located north of Grand Avenue approximately 1.5 miles west of 163rd Avenue.

Sergio Angulo, planner, presented item 5 to the Commission.

The Commission discussed items 5, 6 and 7 simultaneously:

- Number of units/residence
- Open space
- Golf course/lake
- Pedestrian and bike access
- Acreage for schools

Chair Chapman opened the call to the public for item 5, 6, and 7.

Hearing no comments, Chair Chapman closed the call to the public.

Commissioner Cultum made a motion to recommend approval to the Mayor and City Council on a Major Amendment to the Asante Planned Area Development (PAD) to Rezone 220.1 acres (approx.) from PAD to RM-6 PUD, RM-9 PUD, and Mixed-Use PUD generally located north of Grand Avenue approximately 1.5 miles west of 163rd Avenue. Vice Chair Rosenbaum seconded the motion. Motion passes with 7 votes in favor.

Item 6 – District 1 – Consideration and action on a Major Amendment to the Asante North Planned Area Development (PAD) to Rezone 149.1 acres (approx.) from PAD to RM-6 PUD and RM-9 PUD generally located north of Grand Avenue approximately 2.5 miles west of 163rd Avenue.

Sergio Angulo, planner, presented item 6 to the Commission.

The Commission discussed item 6 with item 5.

Call to the public was held with item 5.

Commissioner Cultum made a motion to recommend approval to the Mayor and city Council on a Major Amendment to the Asante North Planned Area Development (PAD) to Rezone 149.1 acres (approx.) from PAD to RM-6 PUD and RM-9 PUD generally located north of Grand Avenue approximately 2.5 miles west of 163rd Avenue. Vice Chair Rosenbaum seconded the motion. Motion passes with 7 votes in favor.

Item 7 – District 1 – Consideration and action on a Planned Unit Development (PUD) Overlay District over approximately 369.2 acres of property proposed to be Rezoned (cases FS17-011 and FS17-012) from PAD to Residential Medium Density with a PUD Overlay (RM-9 PUD), Residential Medium Density with a PUD Overlay (RM-6), and Mixed-Use with a PUD Overlay (MU PUD) generally located north of Grand Avenue approximately 1.5 miles west of 163rd Avenue.

Sergio Angulo, planner, presented item 7 to the Commission.

The Commission discussed item 7 with item 5.

Call to the public was held with item 5.

Commissioner Norberg made a motion to recommend approval to the Mayor and City Council on a Planned Unit Development (PUD) Overlay District over approximately 369.2 acres of property proposed to be Rezoned (cases FS17-011 and FS17-012) from PAD to Residential Medium Density with a PUD Overlay (RM-9 PUD), Residential Medium Density with a PUD Overlay (RM-6 PUD), and Mixed-Use with a PUD Overlay (MU PUD) generally located north of Grand Avenue approximately 1.5 miles west of 163rd Avenue. Commissioner Keating seconded the motion. Motion passes with 7 votes in favor.

OTHER BUSINESS:

Item 8 – INTERNAL - Discussion pertaining to future agenda items.

Director Fitzer informed the Commission staff is still coordinating the joint meeting with City Council. The week of the September 25th is being considered.

Director Fitzer noted a map was provided to the Commission regarding the Spa 2 area. The map shows the developments and number of units in the area. Staff will give a presentation at the next meeting. Staff is also preparing a presentation regarding landscaping and what is currently in code. Staff would like input from the Commission regarding the design standards for landscaping. This presentation will be given at the 2nd meeting in September.

ADJOURNMENT:

Hearing no further business, Chair Chapman adjourned the Planning and Zoning Commission meeting at 8:22 p.m.

Eric Fitzer
Community Development Director

Ken Chapman
Planning and Zoning Commission Chair

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: _____
Lorraine Nevarez, Commission Secretary

DATE: _____