CITY OF SURPRISE
PLANNING AND ZONING COMMISSION

MEETING MINUTES

July 20, 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 July 20, 2017.

A. ROLL CALL
In attendance were Chair Ken Chapman, Vice Chair Matthew Keating, Commissioners Dennis Bash, Mitchell Rosenbaum, 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 July 6, 2017 Planning and Zoning Commission minutes.

Commissioner Smith made a motion to approve the July 6, 2017 Planning and Zoning Commission minutes. Commissioner Rosenbaum seconded the motion. The motion passes with 7 votes in favor.

Item 2 – INTERNAL – Nomination and selection of the Planning and Zoning Commission Chair.

Commissioner Smith nominated Ken Chapman for position of Chair.

Commissioner Cultum nominated Matthew Keating for the position of Chair.

Chair Chapman called for a motion.

Commissioner Cultum made a motion to nominate Vice Chair Keating for the position of chair for the Planning and Zoning Commission. Commissioner Norberg seconded the motion. Motion failed, 2 votes in favor, 5 against (Commissioner Bash, Commissioner Smith, Commissioner Rosenbaum, Vice Chair Keating, Chair Chapman).

Commissioner Smith made a motion to nominate Ken Chapman for the position of Chair for the Planning and Zoning Commission. Commissioner Rosenbaum seconded the motion. Motion passes, 5 votes in favor and 2 against (Commissioner Cultum and Commissioner Norberg).

Item 3 – INTERNAL – Nomination and selection of the Planning and Zoning Commission Vice Chair.

Chair Chapman nominated Matthew Keating for position of Vice Chair.

Commissioner Norberg nominated Mitchell Rosenbaum for the position of Vice Chair.

Chair Chapman called for a motion.

Commissioner Smith made a motion to nominate Matthew Keating for the position of Vice Chair for the Planning and Zoning Commission. Chair Chapman seconded the motion. Motion failed with 3 votes in favor, 4 against (Commissioner Norberg, Commissioner Rosenbaum, Vice Chair Keating, Commissioner Cultum)

Commissioner Norberg made a motion to nominate Mitchell Rosenbaum for the position of Vice Chair for the Planning and Zoning Commission. Vice Chair Keating seconded the motion. Motion passes with 6 votes in favor and 1 against (Commissioner Smith).

Item 4 – DISTRICT 1 – Consideration and action on the Site Plan for a Comprehensive Sign Program to allow for a free-standing Monument Sign for Salad and Go generally located north of Bell Road and East of Litchfield Road.

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

The Commission discussed item 4:

- This signage is necessary
- Monument Signs
- Managing landscape near the signs
- Length of sign
- Multiple sign pallets vs. single sign pallet

Commissioner Norberg made a motion to approve the Site Plan for a Comprehensive Sign Program to allow or a freestanding Monument Sign for Salad and Go generally located on north of Bell Road and East of Litchfield Road. Commissioner Bash seconded the motion. Motion passes with 7 votes in favor.

Chair Chapman moved item 5 to follow after item 11.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

Item 6 – District 5 – Consideration and action pertaining to Conditional Use Permit (CUP) for Surprise Christian Preschool, located at 14925 West Silverleaf Way in the Kingwood Parke Planned Area Development.

Hobart Wingard, planner, presented item 6 to the Commission.

The Commission discussed item 6:

- Traffic Flow
- Public Comments
- Process for additional grade levels
- Occupancy rating for fire

Chair Chapman opened the call to the public.

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

Commissioner Cultum made a motion to approve a Conditional Use Permit to allow a preschool/daycare facility as the Surprise Christian Preschool in an existing building within Kingswood Parke Planned Area Development. Commissioner Bash seconded the motion. Motion passes 7 votes in favor.

Item 7 – District 1 – Consideration and action pertaining to a Major Amendment to the Asante Planned Area Development (PAD) to Rezone 304.4 acres (approx.) from PAD to RL-5 PUD, RM-6 PUD, RM-9 PUD and Mixed Use PUD, generally located northeast of Grand Avenue approximately 1.5 mile west of 163rd Avenue.

Commissioner Keating made a motion to continue this item until the August 17th Planning and Zoning Commission meeting at the request of the applicant. Vice Chair Rosenbaum seconded the motion. Motion passes 7 votes in favor.

Item 8 – District 5 – Consideration and action pertaining to a Major Amendment to Asante North Planned Area Development (PAD) to Rezone 149.1 acres (approx.) from PAD to RM-6 PUD and RM-9 PUD generally located northeast of Grand Avenue approximately 2.5-miles west of 163rd Avenue.

Commissioner Bash made a motion to continue this item until the August 17th Planning and Zoning Commission meeting at the request of the applicant. Vice Chair Rosenbaum seconded the motion. Motion passes 7 votes in favor.

Item 9 – District 5 – Consideration and action pertaining to a Major Amendment to Asante North Planned Area Development (PAD) to Rezone 149.1 acres (approx.) from PAD to RM-6 PUD and RM-9 PUD generally located northeast of Grand Avenue approximately 2.5-miles west of 163rd Avenue.

Commissioner Norberg made a motion to continue this item until the August 17th Planning and Zoning Commission meeting at the request of the applicant. Commissioner Bash seconded the motion. Motion passes 7 votes in favor.

Item 10 – District 1 – Consideration and action regarding a Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay for Bonita Ranch Parcel A.

Robert Kuhfuss, planner, presented item 10 and 11 to the Commission.

The Commission discussed item 10 and 11:

- SUDC
- PUD Overlay
- Landscape
- Water/Sewer
- Roadways
- Wildlife
- Annexation

Chair Chapman opened the call to the public for items 10 and 11.

Ray Moran, property owner, had a series of questions about an impact study regarding water supply, wells being in jeopardy, undeveloped roads, dust control, highway improvements and wildlife. Mr. Moran does not want to annex into the city. There is a concern for all the residents that live in that area.

Diane Hudgens, property owner, asked the Commission about the sewage, water supply, and roads. Ms. Hudgens noted the current roads cannot handle additional traffic.

Billy Hunter, property owner, noted his concern about desert dumping and the wildlife in the area.

Rob Lytle & Alison York, property owners, discussed moving away from the city because of crime and their concern regarding the water.

Andy Cepon, resident, discussed that growth is inevitable. The property owner went above and beyond the requested accommodations from the residents. The county is responsible for the water.

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

Commissioner Bash made a motion to recommend approval to the Mayor and City Council regarding a Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay for Bonita Ranch Parcel A, subject to stipulations "a" through "e" as listed in the staff report. Commissioner Keating seconded the motion. Motion passes 7 votes in favor.

Item 11 – District 1 – Consideration and action regarding a Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay for Bonita Ranch Parcel B and C.

Robert Kuhfuss, planner, presented item 11 to the Commission simultaneously with item 10.

The Commission discussed item 11 with item 10:

Public comments were heard simultaneously with item 10.

Commissioner Cultum moved to recommend approval to the Mayor and City Council regarding a Zone change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay for Bonita Ranch Parcel B & C, subject to stipulations "a" and "b" as listed in the staff report. Commissioner Bash seconded the motion. Motions passes 7 votes in favor.

Item 5 – Citywide – Presentation and discussion regarding a proposed Text Amendment to Chapter 113, Signs of the Surprise Municipal Code.

Robert Kuhfuss, planner, presented item 5 to the Commission.

The Commission discussed item 5:

- Billboards
- Aesthetics of signs
- Off-premise vs. On-premise signage
- Content vs. structure
- Static billboards vs. Electronic Messaging
- Marketing the City/Partnerships

- 8 vs 12 sec rule
- Locations of billboards
- Separation language for Billboard & Freeway Signs
- Prasada signage
- Conformity of signage design
- More detailed language regarding EMC

Chair Chapman opened the call to the public for item 11.

Andy Cepon, resident, shared with the Commission that electronic billboards are needed within the city. It could benefit the city to create partnerships to bring money into the city and to market the City of Surprise. Billboards should not be overlooked.

Liz Recchia, West Maricopa Association of Realtors, shared that there should be adequate, visible and legible signage. The language in the code regarding "environmentally sensitive areas" is not defined. There is no "environmentally sensitive areas" designated within the city. This term becomes arbitrary and could potentially be unequal treatment or enforcement issues for business. If there are concerns that are trying to be addressed, the city should be more specific with the language. The Commission should also reconsider the language regarding federally registered trademarked business only being legally protected. These should not be the only business acknowledged. What about Arizona registered trademarked business. Lastly, the Commission should review the language about lit signs being prohibited from 10pm – 6am near residential zoned areas. The Commission should think about what if a hospital is built.

Kurt Jones, Tiffany & Bosco, noted the city should consider billboards. Billboards can benefit the city. There can be a limit to the number of billboards within the city. It a good way to market the city.

James Carpentier, International Sign Association and Arizona Sign Association, discussed traffic safety regarding glance rates at electronic signage. He noted research has indicated there is not a direct correlation between electronic signage and increased traffic accidents.

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

OTHER BUSINESS:

Item 5 – INTERNAL - Discussion pertaining to future agenda items.

Commissioner Smith asked for an update to the northwest area of 163rd Avenue. He would like an update on current population, housing, traffic issues, roads and information regarding schools in the area.

Commissioner Bash asked for an update regarding the joint meeting with City Council.

ADJOURNMENT:

Hearing no further business, Chair Chapman adjourned the Planning and Zoning Commission meeting at 8:33 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: _____