

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

April 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 April 20, 2017.

A. ROLL CALL

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

STAFF PRESENT:

Community Development Director Eric Fitzer, Assistant Director Lloyd Abrams, Deputy City Attorney Donna Bronski, Planner Hobart Wingard, Planner Robert Kuhfuss, Planner Sergio Angulo 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 April 6, 2017 Planning and Zoning Commission minutes.

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

Item 2 – DISTRICT 4 – Consideration and action on the Site Plan for a Behavioral Health Hospital generally located north of Westgate Drive and west of Dysart Road.

Sergio Angulo, planner, presented item 2 to the Commission.

The Commission discussed item 2:

- Jobs coming into the City of Surprise
- Parking spaces
- Mental health facilities coming to the west valley

Commissioner Norberg made a motion to approve the Site Plan for a Behavioral Health Hospital generally located north of Westgate Drive and west of Dysart Road. Commissioner Rosenbaum seconded the motion. Motion passes 7 votes in favor.

Item 3 – DISTRICT 6 – Consideration and action approving a Site Plan for Milam Glass at Skyway Business Park generally located 450 linear feet north of the northeast corner of Peoria and 132nd Avenues.

Hobart Wingard, planner, presented item 3 to the Commission.

The Commission discussed item 3:

- Possible opportunities for internships
- Good addition to the area

Commissioner Rosenbaum made a motion to approve the Site Plan for Milam Glass at Skyway Business Park. Commissioner Rosenbaum seconded the motion. Motion passes 7 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

Item 4 – DISTRICT 1 – Consideration and action approving a Site Plan for Hayashi Restaurant at Surprise Village Marketplace generally located on the southeastern corner of Bell Road and State Route 303.

Hobart Wingard, planner, presented item 4 to the Commission.

The Commission discussed item 4:

- Stop light timing for those turning left onto Bell
- Placement of Stop Signs in the area

Chair Chapman opened the call to the public for item 4.

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

Commissioner Norberg made a motion to approve the Site Plan for Hayashi Restaurant at Hayashi Restaurant at Surprise Village Marketplace, subject to stipulations 'A' through 'E' as listed in the staff report. Commissioner Bash seconded the motion. The motion passes with 7 votes in favor.

Chair Chapman moved item 5 to the end of item 7.

Item 6 – DISTRICT 5 – Presentation and action regarding a Rezone with PUD overlay for Paradise Acres commercial center, generally located along the eastern edge of Reems Road between Paradise Lane to the north and Tierra Buena Lane to the south.

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

Chair Chapman opened the call to the public for item 6.

James Holman, resident, noted he does not agree with the 8ft wall and is concerned with the wall adjoining his property line. Mr. Holman would like to have the animal hospital or any boarding facility excluded. He would like these concerns to be addressed.

The Commission discussed item 5:

- 8-foot wall and 24-foot setback (landscape buffer)
- Exclusion of animal hospitals or boarding facilities

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

Chair Chapman called for a motion to include stipulation (d) that states no animal hospitals, clinics or boarding facilities shall be allowed in this PAD.

Commissioner Smith made a motion to approve stipulation (d) as stated and was seconded by Vice Chair Keating. The motion passes with 7 votes in favor.

Chair Chapman called for motion to include stipulation (e) the eight-foot perimeter wall on the east side of the property shall be no closer than 12 feet from the property line.

Commissioner Bash made a motion to approve stipulation (e) as stated and was seconded by Vice Chair Keating. The motion passes with 7 votes in favor.

Chair Chapman called for a motion to consider the agenda item.

Commissioner Cultum made a motion to recommend approval to the Mayor and City Council regarding the Rezone with PUD Overlay for Paradise Acres Commercial Center, subject to Stipulations A, B, and C, as listed in the staff report with the addition of stipulations D and E. Vice Chair Keating seconded the motion. The motion passes with 7 votes in favor.

Item 7 – DISTRICT 5 – Consideration and action on the Conditional Use Permit to allow for a new Mini-Warehouse facility in Sierra Verde Parcel 11 generally located north of Waddell Road and west of Litchfield Road.

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

Chair Chapman opened the call to the public for item 7.

James Frizzle, resident, noted his concern regarding the impact traffic has on residents in that area. He noted there is no stop light to get onto Bell Road. He would like these concerns to be considered.

Bill Allison, attorney for applicant, noted that stipulation A limits the time for approval to start construction to one year. The applicant is on schedule for construction; however, there may be circumstances out of the applicants control that could preclude the applicant from beginning construction. Mr. Allison is requesting a 1-year extension to begin construction.

Erica Martinez, resident, noted her concern of additional traffic in the area. The exit of the storage facility is near the school bus stop. There is also a park nearby. Having the storage facility at that location takes away from the sense of a residential community. Ms. Martinez suggested another location would be better suited for this type of facility.

The Commission discussed item 7:

- Setting precedence of a 1-year extension for time of construction
- Location of the facility
- Egress on 140th Drive
- Bus stop location
- Shared access
- Chained linked fence

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

Chair Chapman called for a motion to include an amendment to stipulation (a) that states this Conditional Use Permit is valid for one (1) year after approval by the Planning and Zoning Commission with a one-year extension upon application to the Director of Community Development. This Conditional Use Permit shall expire on the one (1) year anniversary of approval, unless a one-year extension has been granted prior to that date.

Vice Chair Keating made a motion to approve stipulation (a) as stated and was seconded by Commissioner Rosenbaum. The motion passes with 7 votes in favor.

Chair Chapman called for a motion to consider the agenda item with the amendment to stipulation (a).

Commissioner Bash made a motion to approve the Conditional Use Permit to allow for a New Mini-Warehouse facility in Sierra Verde Parcel 11 generally located north of Waddell Road and west of Litchfield Road subject to stipulations amended A, B and C as stated in the staff report. Commissioner Norberg seconded the motion. The motion passes with 7 votes in favor.

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

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

The Commission discussed item 5 regarding Temporary Signs:

- Commercial speech vs noncommercial speech
- Temporary signs and considering timeframes
- Administrative Appeal process
- Notification process
- Information regarding signage and HOA's

Commissioner Bash suggested staff provide direction on sections that may need specific review from the commission. The commission would like to receive a comparison matrix that would show how other cities are approaching this issue.

OTHER BUSINESS:

Item 6 – INTERNAL - Discussion pertaining to future agenda items.

None.

ADJOURNMENT:

Hearing no further business, Chair Chapman adjourned the Planning and Zoning Commission meeting at 8:28 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: _____