



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

Thursday, April 5, 2018 @ 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 only on issues within the jurisdiction of the Board\Commission which are not an item 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:

- |                       |                                                                                                                      |                                                           |
|-----------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|
| *#1 District Internal | <u>Consideration and action pertaining to approval of the March 15, 2018 Planning and Zoning Commission Minutes.</u> | None<br>Lorraine<br>Nevarez -<br>Community<br>Development |
|-----------------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|

### REGULAR AGENDA ITEM - PUBLIC HEARING:

|           |               |                                                                                                                                                                                                                       | STAFF<br>RECOMMENDATION/                               |
|-----------|---------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| ITEM<br># | DISTRICT<br># | ITEM DESCRIPTION                                                                                                                                                                                                      | PRESENTED BY                                           |
| #2        | District 6    | <u>Consideration and action on a Conditional Use Permit to allow for a new Day Care Center in Lot 4 of Cactus Plaza within the Rancho Gabriela PAD generally located south of Cactus Road and east of Reems Road.</u> | Approve<br>Sergio Angulo -<br>Community<br>Development |

#### REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

|           |                   |                                                                                                                                                         | STAFF<br>RECOMMENDATION/                                 |
|-----------|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| ITEM<br># | DISTRICT<br>#     | ITEM DESCRIPTION                                                                                                                                        | PRESENTED BY                                             |
| #3        | District Citywide | <u>Presentation and discussion of recent planning efforts to mitigate transportation congestion and improve access for all modes of transportation.</u> | No Action<br>Martin Lucero -<br>Community<br>Development |

#### OTHER BUSINESS:

|    |                   |                                                                    |                                                        |
|----|-------------------|--------------------------------------------------------------------|--------------------------------------------------------|
| #4 | District Internal | <u>Discussion and direction pertaining to future agenda items.</u> | No Action<br>Eric Fitzer -<br>Community<br>Development |
|----|-------------------|--------------------------------------------------------------------|--------------------------------------------------------|

#### EXECUTIVE SESSION:

#### ADJOURNMENT:

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SHERRY ANN AGUILAR, CITY CLERK, CMC

#### POSTED:

For information purposes: Upon a public majority vote of a quorum of the Commission, the Commission may hold an executive session, which will not be open to the public, but for only the following purposes

- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2)); or
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice

from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03 (A)(3).

**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

April 5, 2018 @ 6:00:00 PM

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|                        |                           |                 |                                          |
|------------------------|---------------------------|-----------------|------------------------------------------|
| Board Meeting Date:    | April 5, 2018             | Contact Person: | Lorraine Nevarez - Community Development |
| Submitting Department: | CD Boards and Commissions | District:       | Internal                                 |
| Staff Recommendations: | None                      |                 |                                          |

|         |   |         |                |                   |
|---------|---|---------|----------------|-------------------|
| Consent | x | Regular | Public Hearing | Report/Discussion |
|---------|---|---------|----------------|-------------------|

**Agenda Wording:**

Consideration and action pertaining to approval of the March 15, 2018 Planning and Zoning Commission Minutes.

**Motion:**

I move to approve the consent agenda as presented.

**Background:**

**Financial Impact Statement:**

No Financial Impact

**ATTACHMENTS:**

Click to download

☐ [Minutes - March 15, 2018](#)

**External Attachment Links:**

**Meeting Requirements:**

Powerpoint x Video x White Board x Other x

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

**CITY OF SURPRISE  
PLANNING AND ZONING COMMISSION**

**MEETING MINUTES**

**March 15, 2018 / 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 March 15, 2018.

**A. ROLL CALL**

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

**STAFF PRESENT:**

Community Development Director Eric Fitzer, Deputy City Attorney Ellen Van Riper, Current Planning Supervisor Robert Kuhfuss, and Planning and Zoning Commission Secretary Lorraine Nevarez.

**COUNCIL MEMBERS PRESENT:**

None.

**B. PLEDGE OF ALLEGIANCE**

**C. CURRENT EVENTS REPORT**

None.

**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.

Ed Hanzel, resident, shared his concerns about parks without adequate parking for moms that bring their kids to play. He encourages the commission to review plans for adequate parking and park amenities in future developments.

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

**CONSENT AGENDA:**

**Item 1 – Internal – Consideration and action approving the March 1, 2018 Planning and Zoning Commission Minutes.**

Commissioner Cultum made a motion to approve the consent agenda as presented with the additions for item number 7, the three proposals from Commissioner Norberg, Commissioner Bash, Vice Chair Rosenbaum, Commissioner Keating and Commissioner Cultum be added to the minutes. Vice Chair Rosenbaum seconded the motion. Motion fails with 4 against (Commissioner Bash, Commissioner Smith, Chair Chapman, Commissioner Norberg), 3 in favor.

Commissioner Bash made a motion to approve the consent agenda as presented. Vice Chair Rosenbaum seconded the motion. Motion passes with 6 votes in favor, 1 against (Commissioner Cultum).

#### **REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:**

**Item 2 – District 3 – Consideration and action pertaining to a recommendation regarding the Preliminary plat entitled, “Toll at Prasada” and dated February 12, 2018, a 772 gross acre property generally located between Cactus Road and Peoria Avenue West of Cotton Lane.**

The Commission discussed item 2:

- Road entrances and exists
- On street parking
- Development of Cactus Rd
- Development of Peoria Rd
- Clarified “age qualified”
- Community Outreach process
- Development schedule
- Golf course design
- Preliminary plat stipulations

Commissioner Norberg made a motion to recommend approval of the Preliminary Plat entitled “Toll at Prasada” to the Mayor and City Council, subject to stipulations ‘a’ through ‘i’ as stated in the Staff Report. Commissioner Bash seconded the motion. Motion passes with 7 votes in favor.

#### **OTHER BUSINESS:**

**Item 3 – INTERNAL - Discussion pertaining to future agenda items.**

Commissioner Cultum asked for an update regarding the downtown development presentation with the developer. Commissioner Cultum recommended staff reach out to WeMAR to assist with communication regarding temporary signs and to add to the City website. Commissioner Cultum also requested a copy of the 2<sup>nd</sup> option City Council had to review regarding the Sign Code Ordinance.

#### **ADJOURNMENT:**

Hearing no further business, Chair Chapman adjourned the Planning and Zoning Commission meeting at 6:33 p.m.

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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:

\_\_\_\_\_



CITY OF SURPRISE  
Planning and Zoning Commission

April 5, 2018 @ 6:00:00 PM

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|                        |                           |                 |                                       |
|------------------------|---------------------------|-----------------|---------------------------------------|
| Board Meeting Date:    | April 5, 2018             | Contact Person: | Martin Lucero - Community Development |
| Submitting Department: | CD Boards and Commissions | District:       | Citywide                              |
| Staff Recommendations: | No Action                 |                 |                                       |

|         |         |   |                |                   |
|---------|---------|---|----------------|-------------------|
| Consent | Regular | x | Public Hearing | Report/Discussion |
|---------|---------|---|----------------|-------------------|

**Agenda Wording:**

Presentation and discussion of recent planning efforts to mitigate transportation congestion and improve access for all modes of transportation.

**Motion:**

None Presentation Only

**Background:**

Staff regularly conducts traffic and pedestrian counts to evaluate current conditions. As part of the transportation planning process staff look for grant opportunities that will have a positive impact to the City. Grants help the City establish ADOT numbers and projects that will help facilitate the continuation of the Safe Routes to School initiatives, the paving of dirt roads, the development of Bicycle Pedestrian Plans and the construction of improvements to the transportation network.

Between the years of 2016 – 2022 the City will have completed 22 programs/projects and have received \$3.2 million in Federal Grant Dollars.

**Financial Impact Statement:**

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region. Improving the City's overall transportation network has a positive net effect on the City and its citizens.

**ATTACHMENTS:**

Click to download

☐ [Congestion Mitigation and Multimodal Improvement](#)

**External Attachment Links:**

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**Meeting Requirements:**

Powerpoint    x    Video    x                    White Board    x    Other    x

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

**Martin Lucero**



# Planning & Zoning Commission

Community Development, April 5, 2018

# 2016 – 2022

- 22 Active programmed projects

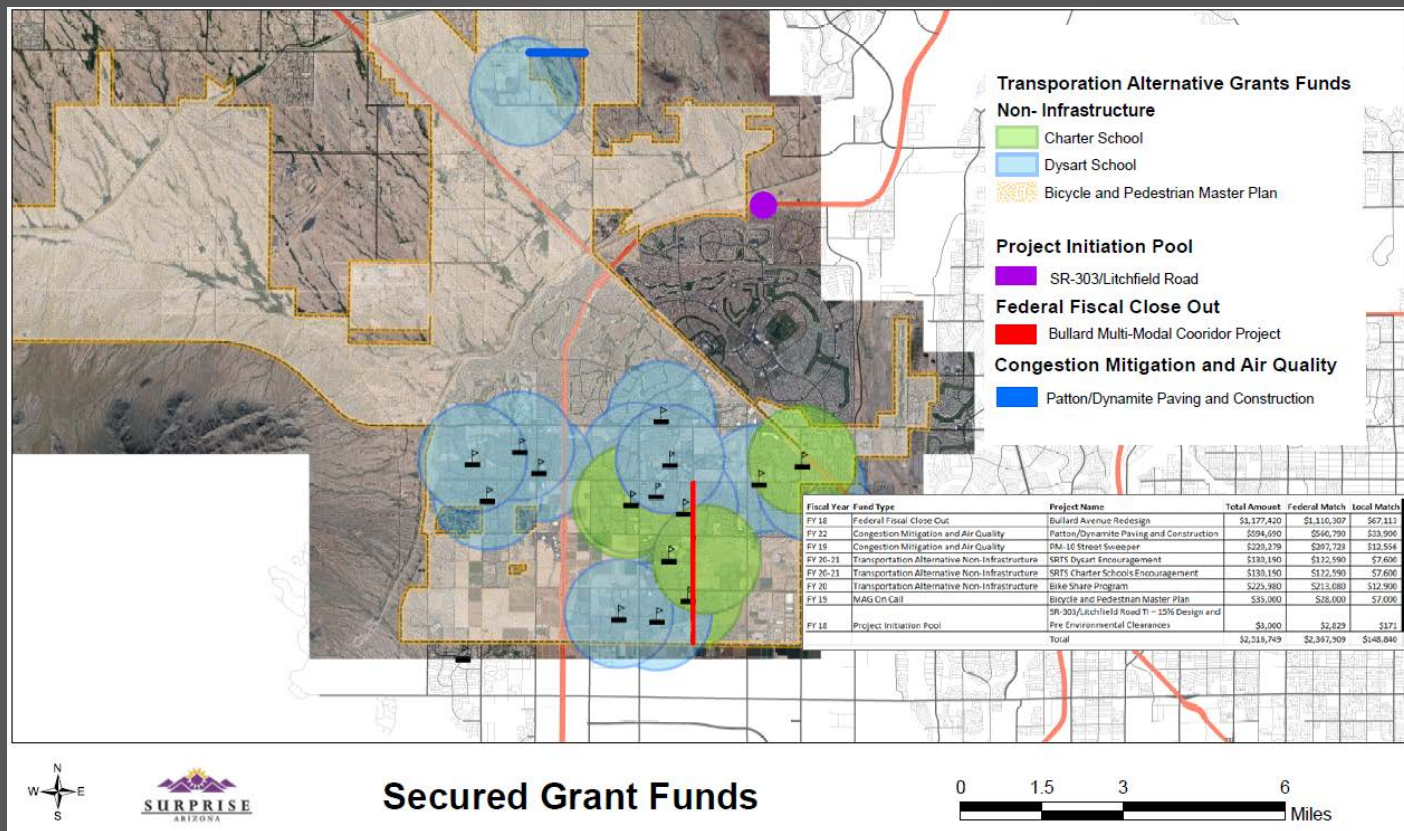
| Year | Schools or Corridors                                                       | Type                                    |
|------|----------------------------------------------------------------------------|-----------------------------------------|
| 2016 | Bullard Avenue Multimodal Corridor Enhancement Project                     | Design                                  |
| 2017 | City Wide Walking/Biking Maps                                              | Procurment                              |
| 2017 | Parkview & Ashton Ranch                                                    | SRTS Studies                            |
| 2017 | Marley & Rancho                                                            | SRTS Studies                            |
| 2017 | Crosswalk Safety                                                           | Procurment                              |
| 2018 | Bullard Avenue Multimodal Corridor Enhancement Project                     | Construction                            |
| 2018 | ACA, Imagine Prep, Imagine Rosenfield Schools                              | SRTS Support Activity Project           |
| 2018 | Ashton Ranch, Countryside, Parkview Elementary                             | SRTS Support Activity Project           |
| 2018 | Kingswood, West Point, and Sonoran Heights Elementary                      | SRTS Studies                            |
| 2018 | Kingswood, West Point, and Sonoran Heights Elementary                      | SRTS Studies                            |
| 2019 | ACA, Imagine Prep, Imagine Rosenfield Schools                              | SRTS Support Activity Project           |
| 2019 | Ashton Ranch, Countryside, Parkview Elementary                             | SRTS Studies                            |
| 2019 | Canyon Ridge, Cimarron Springs, Sunset Hills, and Western Peaks Elementary | Safe Routes to School Studies           |
| 2019 | Kingswood, West Point, and Sonoran Heights Elementary                      | SRTS Support Activity Project           |
| 2020 | ACA, Imagine Prep, Imagine Rosenfield Schools                              | SRTS Support Activity Project           |
| 2020 | Ashton Ranch, Countryside, Parkview Elementary                             | Safe Routes to School Studies           |
| 2020 | Kingswood, West Point, and Sonoran Heights Elementary                      | SRTS Support Activity Project           |
| 2020 | Marley Park and Rancho Gabriella Elementary                                | SRTS Support Activity Project           |
| 2121 | Dysart Unified School District                                             | Safety Routes to School Program Manager |
| 2121 | Charter K-8 SRTS Program Manager                                           | Safety Routes to School Program Manager |
| 2022 | Dysart Unified School District                                             | Safety Routes to School Program Manager |
| 2022 | Charter K-8 SRTS Program Manager                                           | Safety Routes to School Program Manager |

# Overview

- SRTS Programs and related project – \$3.2 Mill programed
- Does not include other planning efforts such as:
  - o Bicycle and Pedestrian Master Plan
  - o Bike Share Program
  - o Kid and Pedestrian Counts
  - o Crosswalk and School Zone Evaluation.



# Overview



# Typical Study Tasks & Details

- Anticipated Tasks
  - Meeting 1, Kickoff
  - Assessment of Issues and Barriers
  - Surveys
  - Meeting 2, Walking/Biking Audit and Neighborhood Meeting (Per Identified School)
  - Develop Draft Strategies and Action Steps (Per Identified School)
  - Meeting 3, Action Plan
  - Draft Plan
  - Meeting 4, Draft Plan Review
  - Finalize SRTS Plan Document



# The Importance

- Creating safer routes to and from schools can decrease pedestrian and bicycling related injuries,
    - not just for students, but for the entire community
  - Improve travel within the City
    - 20%-25% of morning traffic is from parents driving children to school (NHTSA 2003; Dept. of Environment)
  - Improve Environmental Impacts and Quality of Life
    - 1996 Summer Olympic Games banned single occupant cars in downtown Atlanta
    - Morning traffic ↓ 23%
    - Peak ozone ↓ 28%
    - Asthma-related events for kids ↓ 42%
- (Journal of the American Medical Association [JAMA], 2001)



**SURPRISE**  
ARIZONA

**QUESTIONS OR  
COMMENTS?**

Thank You



CITY OF SURPRISE  
Planning and Zoning Commission

April 5, 2018 @ 6:00:00 PM

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|                        |                           |                 |                                       |
|------------------------|---------------------------|-----------------|---------------------------------------|
| Board Meeting Date:    | April 5, 2018             | Contact Person: | Sergio Angulo - Community Development |
| Submitting Department: | CD Boards and Commissions | District:       | 6                                     |
| Staff Recommendations: | Approve                   |                 |                                       |

|         |         |                |   |                   |
|---------|---------|----------------|---|-------------------|
| Consent | Regular | Public Hearing | x | Report/Discussion |
|---------|---------|----------------|---|-------------------|

**Agenda Wording:**

Consideration and action on a Conditional Use Permit to allow for a new Day Care Center in Lot 4 of Cactus Plaza within the Rancho Gabriela PAD generally located south of Cactus Road and east of Reems Road.

**Motion:**

I move to approve/deny the Conditional Use Permit to allow for a new Day Care Center in Lot 4 of Cactus Plaza within the Rancho Gabriela PAD generally located south of Cactus Road and east of Reems Road.

**Background:**

On December 4, 2017 Jeffrey Blilie with Beus Gilbert PLLC, submitted a request for a Conditional Use Permit to allow for a new Day Care Center in Lot 4 of Cactus Plaza within the Rancho Gabriela PAD generally located south of Cactus Road and east of Reems Road.

**Financial Impact Statement:**

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

**ATTACHMENTS:**

Click to download

- ☐ [00 - FS17-701 - The Learning Experience Academy of Early Education - Staff Report](#)
- ☐ [01 - FS17-701 - The Learning Experience Academy of Early Education - Vicinity Map](#)
- ☐ [02 - FS17-701 - The Learning Experience Academy of Early Education - Site Plan](#)
- ☐ [03 - FS17-701 - The Learning Experience Academy of Early Education - Landscape Plan](#)
- ☐ [04 - FS17-701 - The Learning Experience Academy of Early Education - Elevations](#)
- ☐ [05 - FS17-701 - The Learning Experience Academy of Early Education - Luke AFB Comments](#)

- ☐ [06 - FS17-701 - The Learning Experience Academy of Early Education - ADOT Comments](#)
- ☐ [07 - FS17-701 - The Learning Experience Academy of Early Education - MWD Comments](#)
- ☐ [08 - FS17-701 - The Learning Experience Academy of Early Education - Citizen Participation Report](#)
- ☐ [09 - FS17-701 - The Learning Experience Academy of Early Education - Presentation](#)

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**External Attachment Links:**

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**Meeting Requirements:**

Powerpoint    x    Video    x                      White Board    x    Other    x

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

**Sergio Angulo, Planner II**

# Conditional Use Permit

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REPORT TO THE PLANNING AND ZONING COMMISSION

|    |                                  |                                                                       |
|----|----------------------------------|-----------------------------------------------------------------------|
| 1  | <b>Case:</b>                     | <b>FS17-701</b>                                                       |
| 2  |                                  |                                                                       |
| 3  | <b>Project Name:</b>             | The Learning Experience Academy of Early Education                    |
| 4  |                                  |                                                                       |
| 5  | <b>Council District:</b>         | <b>6 – Palo Verde</b>                                                 |
| 6  |                                  |                                                                       |
| 7  | <b>Meeting Date:</b>             | <b>April 5, 2018</b>                                                  |
| 8  |                                  |                                                                       |
| 9  | <b>Planner:</b>                  | Sergio Angulo                                                         |
| 10 |                                  |                                                                       |
| 11 |                                  |                                                                       |
| 12 | <b>Owner:</b>                    | DND PROPERTIES LLC                                                    |
| 13 |                                  |                                                                       |
| 14 | <b>Applicant:</b>                | Jeffrey Blilie with Beus Gilbert PLLC                                 |
| 15 |                                  |                                                                       |
| 16 | <b>Request:</b>                  | Conditional Use Permit for a new Child Day Care                       |
| 17 |                                  |                                                                       |
| 18 | <b>Site Location:</b>            | Generally south of Cactus Road and east of Reems Road                 |
| 19 |                                  |                                                                       |
| 20 | <b>Site Size:</b>                | 2 Acres (approx.)                                                     |
| 21 |                                  |                                                                       |
| 22 | <b>General Plan Conformance:</b> | The proposal is consistent with the Surprise General Plan 2035 as     |
| 23 |                                  | proposed under case FS17-701.                                         |
| 24 |                                  |                                                                       |
| 25 | <b>Support/Opposition:</b>       | No opposition is known.                                               |
| 26 |                                  |                                                                       |
| 27 | <b>Staff Recommendation:</b>     | Staff recommends the Commission move to <b>approve</b> case FS17-701, |
| 28 |                                  | subject to stipulations 'A' & 'F'.                                    |

29 **Existing Land Zoning:**



|                |                       |                 |
|----------------|-----------------------|-----------------|
| PAD Commercial | PAD Residential       | PAD Residential |
| PAD Commercial | <b>PAD Commercial</b> | PAD Residential |
| PAD Commercial | PAD Commercial        | PAD Residential |

30 **History:**

31  
32 **May 13, 1999:** The subject parcel was annexed into the City.

33  
34 **July 13, 2000:** The Mayor and City Council approved the Rancho Gabriela Planned Area  
35 Development (PAD).

36  
37 **August 24, 2017:** Staff met with the applicant to discuss the project during a regularly scheduled  
38 Concept Review meeting under CR17-474.

39  
40 **December 4, 2017:** The applicant filed a request for a Conditional Use Permit approval for a new  
41 Day Care Center store.

42  
43 **January 11, 2018:** The applicant held a Citizen Outreach Meeting which was properly advertised.  
44 Two (2) council members and a representative from Kohl's attended the meeting. There were no  
45 concerns with the proposed project.

46 **Project Description:**

47  
48 Jeffrey Blilie with Beus Gilbert PLLC on behalf of DND Properties LLC, requests approval of a  
49 Conditional Use Permit to allow for a new Day Care Center in Lot 4 of Cactus Plaza, generally  
50 located south of Cactus Road and east of Reems Road.

51  
52 The subject property is zoned Planned Area Development (PAD) with a Commercial land use  
53 designation. In parcels designated as Commercial, the Rancho Gabriela PAD allows the Land Uses  
54 permitted in C-2, under Title 17. Under Title 17, a Day Care Center is Conditionally Permitted in C-2  
55 zoning districts but requires an analysis of any proposed Conditionally Permitted Use to be based on  
56 the use specific standards listed under section 17.28.080.C.4 of Title 17. These standards include  
57 the following:

- 58  
59 a. A minimum of seventy-five square feet of outdoor play space per child shall be provided  
60 from which at least fifty square feet of fenced in play space per child shall be provided.  
61 Fenced in, outdoor, play space shall not include driveways, parking areas or land  
62 unsuited by virtue of other usage or natural features for children's play space.  
63 b. At least two hundred fifty square feet of lot area per child shall be provided.  
64

65 This Conditional Use Permit application has been reviewed against those standards. Staff finds that  
66 this Conditional Use Permit application conforms to the requirements set under this section of Title  
67 17.

68  
69 The subject site is approximately 2 acres and it is accessed from Cactus Road through two (2)  
70 existing driveways and through an existing shared driveway that leads to Reems Road to the west.  
71 The site also proposes good pedestrian connectivity to the existing adjacent developments and to  
72 the existing sidewalk along Cactus Road.  
73

74 On site the applicant proposes a 10,000 sq. ft. building and a 16,089 sq. ft. total play area (12,674  
75 sq. ft. enclosed and 3,415 sq. ft. unenclosed) meeting the play space requirements of Title 17. The  
76 proposed building will be located north of the existing Kohl's building and the main entrance will be  
77 located on the north side of the building. The applicant proposes to use the existing parking area  
78 with the exception of 16 spaces that are being removed for additional play space. The proposed  
79 parking (34 spaces) still meets the minimum parking requirements for a Day Care Center.  
80

81 In addition to the existing landscape along Cactus Road, the site will provide additional landscape  
82 areas along the west of the building and in the parking area. **Stipulation F** will require the applicant  
83 to replace the proposed chain link fence with vinyl fencing. Once all stipulations are met, the  
84 proposed landscape will meet the requirements of the Rancho Gabriela PAD and the SUDC.  
85

86 The proposed architecture will complement the existing buildings within the Cactus Plaza. The  
87 proposed building design, materials, and colors will be similar to the ones used on the adjacent  
88 Kohl's building.

The applicant also included a lighting photometric study with the application which will meet the lighting requirements of the SUDC once **Stipulation B** is fulfilled by the applicant.

**Reviewing Agencies:**

In addition to the standard city internal reviewing departments, the Arizona Department of Transportation, Maricopa Water District, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

**Summary:**

Staff believes by accepting and incorporating stipulations 'A' to 'F' the proposed Conditional Use Permit will meet the requirements of the Rancho Gabriela PAD, SUDC, and the General Plan.

**Findings:**

- The proposed Conditional Use Permit is consistent with the Surprise General Plan 2035.
- The proposed Conditional Use Permit will meet the provisions of the PAD and SUDC as applicable once all stipulations are met.

**Recommendation:**

Based on the findings noted above, staff recommends the Commission move to **approve** case FS17-701, subject to stipulations 'A' to 'F' as outlined below:

- A. The Landscape Plan prepared by Harrington Planning + Design, date received February 7, 2018, will label the two refuse enclosure pads as being removed.
- B. The Photometric Plan prepared by Rogue Architecture, Inc., date received February 7, 2018, will show all Light pole fixtures as full cut-off fixtures.
- C. The AutoCAD file received February 7, 2018, shall be revised and submitted for review to include the following modifications:
  1. Include a CAD file containing the Site Plan in the requested coordinate system.
  2. Include a CAD file containing all civil drawings in the requested coordinate system.
  3. Drawings must call out 2 sectional control points.
- D. This Conditional Use Permit is valid for one (1) year after approval by the Planning and Zoning Commission. This Conditional Use Permit shall expire on the one (1) year anniversary of approval, unless construction commences prior to that date.
- E. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.
- F. Replace any chain link fencing on site with vinyl fencing.

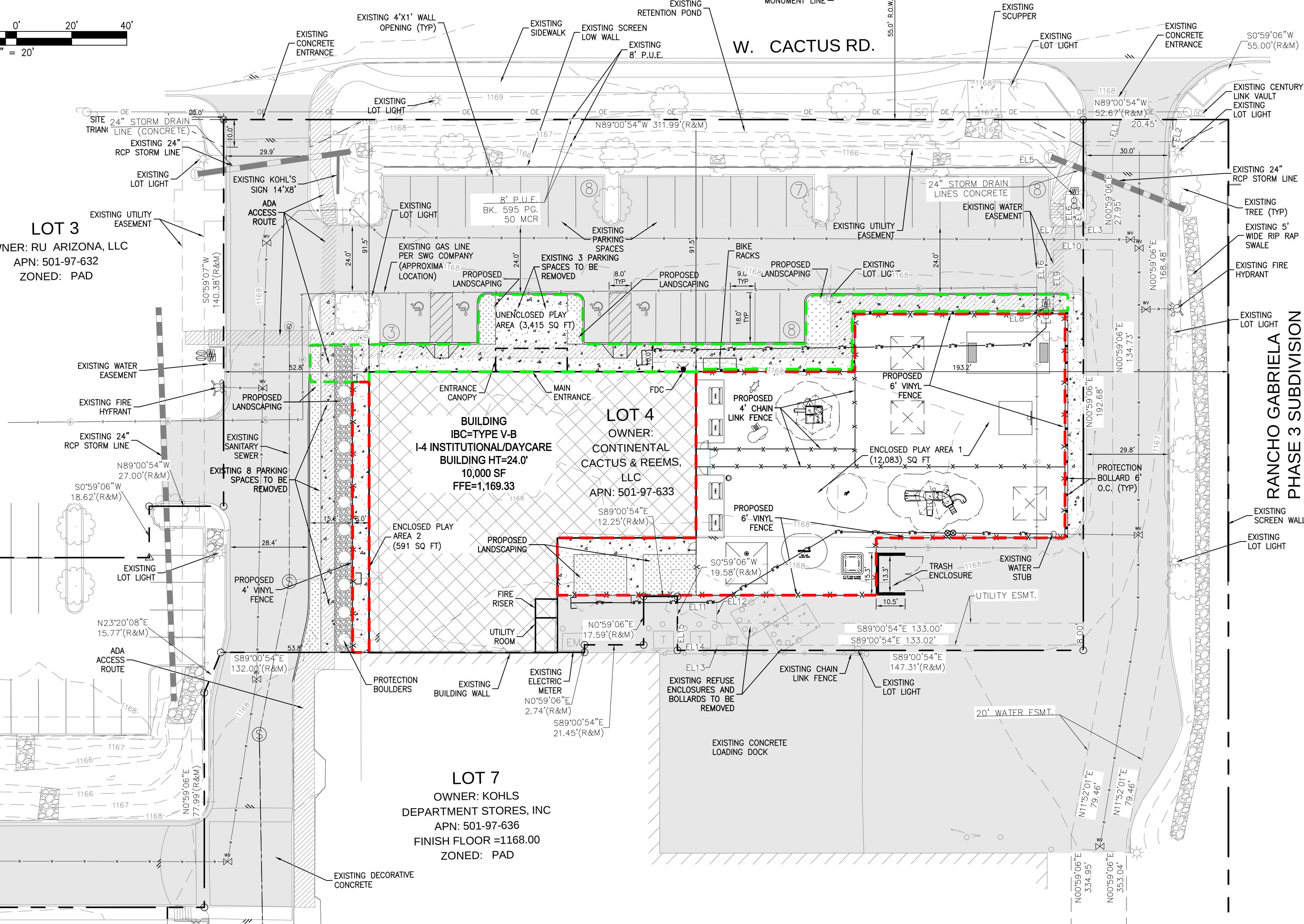
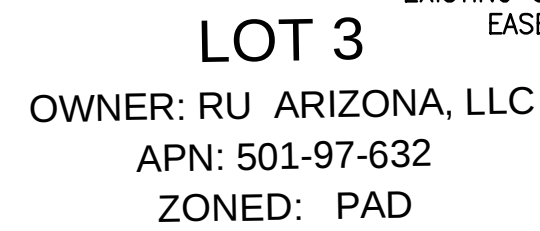
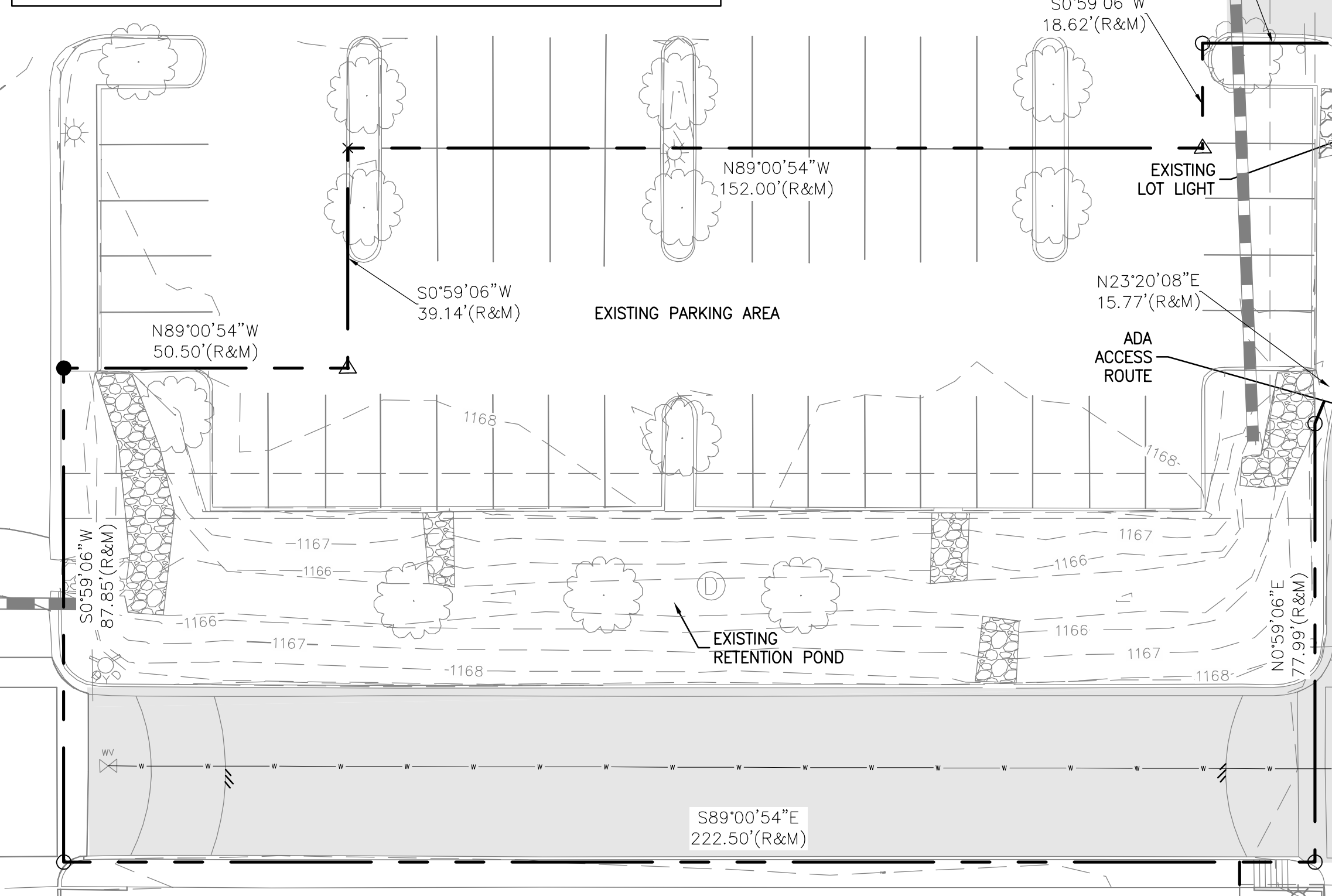
130 However, should the Commission wish to recommend **denial** of the request, the Commission  
131 should make its own findings and base its decision on those alternative findings.  
132

133 **Attachments:**

- 134
- 135 01 Vicinity Map
- 136 02 Site Plan
- 137 03 Landscape Plan
- 138 04 Building Elevations
- 139 05 Luke AFB Comments
- 140 06 ADOT Comments
- 141 07 MWD Comments
- 142 08 Citizen Participation Report

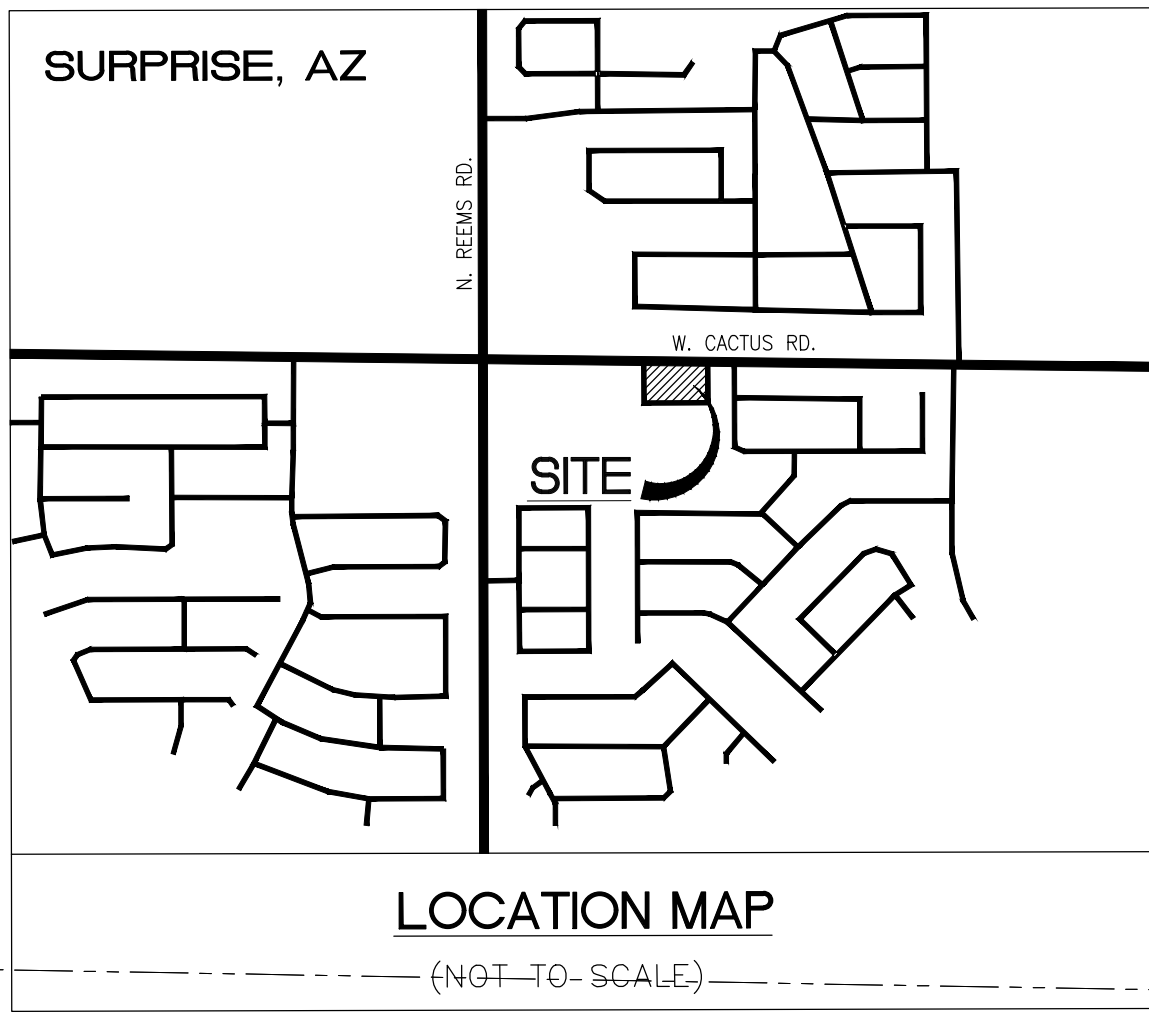
# VICINITY MAP





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This drawing is an instrument of service and the property of Harrington Planning + Design and shall be restricted to the original site for which it was prepared and publication, therefore is expressly limited to such use.



## NOTES

1. FIELD VERIFY EXISTING SITE PRIOR TO BID AND CONSTRUCTION.
2. REFER TO CIVIL ENGINEERING PLANS FOR VERTICAL AND HORIZONTAL CONTROL.
3. ALL UTILITIES TO BE PROTECTED DURING CONSTRUCTION.

## GENERAL NOTES

1. ALL CONSTRUCTION MUST CONFORM TO MARICOPA ASSOCIATION OF GOVERNMENT (MAG) SPECIFICATIONS AND DETAILS AND LATEST REVISIONS UNLESS OTHERWISE STATED ON PLANS.
2. THE ENGINEER WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES OR FOR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH THE WORK, AND THEY WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL OVERHEAD AND UNDERGROUND UTILITY LOCATIONS WHERE CONSTRUCTION OCCURS. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT ALL UTILITIES ARE AVOIDED. UTILITY LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND NOT FOR CONSTRUCTION PURPOSES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AND OR REPLACED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL COMPLY WITH ALL CURRENT ARIZONA UNDERGROUND FACILITIES LAWS (ARIZONA REVISED STATUTES TITLE 40, CHAPTER 2, ARTICLE 6.3, SECTION 40-360.21-32). CALL ARIZONA 811 FOR FIELD LOCATION BY DIAL 811.
4. THE CITY OF SURPRISE ENGINEERING SERVICES OF PUBLIC WORKS SHALL BE NOTIFIED FORTY- EIGHT (48) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK AT 623-222-6150.
5. THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION OR VARIATION FROM THESE PLANS. ANY VARIATION FROM THESE PLANS SHALL BE PROPOSED AND RESUBMITTED FOR REVIEW AND APPROVAL.
6. THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, WHETHER SHOWN OR NOT ON THE DRAWING, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE. EXISTING SURFACE FEATURES AND FENCING SHALL BE REPLACED IN KIND.
7. ANY INSPECTION BY THE CITY, COUNTY, OR THE ENGINEER, SHALL NOT IN ANY WAY RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPLICABLE CODES AND AGENCY REQUIREMENTS.
8. THE CONTRACTOR IS TO LOCATE ALL EXISTING LANDSCAPING, LANDSCAPING IRRIGATION LINES, PROPERTY MONUMENTS, FENCING OR SURFACE FEATURES PRIOR TO CONSTRUCTION. ANYTHING DISTURBED DURING CONSTRUCTION SHALL BE REPLACED IN KIND AT THE CONTRACTOR'S EXPENSE.
9. NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE, NOR SHALL BE CONSTRUED TO CREATE, ANY CONTRACTUAL RELATIONSHIP BETWEEN THE ENGINEER AND THE CONTRACTOR OR ANY SUBCONTRACTOR.
10. ALL CONSTRUCTION WATER USED WITHIN THE CITY OF SURPRISE WATER SERVICE AREA REQUIRES APPROVAL BY THE CITY OF SURPRISE PUBLIC WORKS DEPARTMENT AND MAY BE SUBJECT TO VOLUME AND TIME RESTRICTIONS. PLEASE SEE THE CITY OF SURPRISE CONSTRUCTION WATER GUIDELINES FOR ADDITIONAL INFORMATION. THE GUIDELINES CAN BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT AT 623-222-6000.
11. TRAFFIC CONTROL SHALL BE MAINTAINED IN ACCORDANCE WITH MAG SPECIFICATION 401, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND THE "TEMPORARY WORK ZONE TRAFFIC MANAGEMENT POLICY" (LATEST EDITION).
12. PRIOR TO FINAL APPROVAL AND ACCEPTANCE OF THE WORK, THE DEVELOPER/CONTRACTOR WILL BE REQUIRED TO CLEAN AND REPAIR ADJACENT (OFF-PROJECT) ROADWAYS USED OR DAMAGED DURING THE COURSE OF CONSTRUCTION.
13. EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE DEVELOPER/CONTRACTOR THROUGHOUT THE PROJECT SITE. E.V.A. ROADS AND SIGNAGE SHALL BE MAINTAINED BY THE DEVELOPER/CONTRACTOR AT ALL TIMES. SIGNAGE SHALL BE POSTED AT THE POINT OF ENTRY TO THE SITE AND AT ALL LOCATIONS WHERE A CHANGE IN DIRECTION OCCURS.
14. THE PLANS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT'S ACCESSIBILITY GUIDELINES, AS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 15, 2010.

## PLANTING MATERIAL LEGEND

| TREES                                                                                      | SIZE     | NOTES               | QTY        |
|--------------------------------------------------------------------------------------------|----------|---------------------|------------|
| Chilopsis linearis<br>Desert Willow<br>Caliper Size: 1.5"                                  | 24" Box  | STD. TRUNK<br>*ADWR | 2          |
| Existing Tree to Remain<br>Protect In Place                                                | Varies   | -                   | -          |
| Pistacia chinensis<br>Chinese Pistache<br>Caliper Size: 1.5"                               | 24" Box  | *ADWR               | 8          |
| GROUNDCOVERS                                                                               |          |                     | QTY        |
| Lantana montevidensis<br>Trailing Lantana                                                  | 5 Gallon | *ADWR               | 22         |
| Myoporum parvifolium<br>Myoporum                                                           | 1 Gallon | *ADWR               | 8          |
| Convolvulus mauritanicus<br>Ground Morning Glory                                           | 1 Gallon | *ADWR               | 8          |
| SHRUBS / ACCENTS                                                                           |          |                     | QTY        |
| Hesperaloe parviflora 'brakeights'<br>Red Yucca 'Brakeights'                               | 5 Gallon | *ADWR               | 20         |
| Justicia californica<br>Chuparosa                                                          | 5 Gallon | *ADWR               | 4          |
| Muhlenbergia capillaris<br>Regal Mist Grass                                                | 5 Gallon | *ADWR               | 12         |
| LANDSCAPE MATERIALS                                                                        |          |                     |            |
| Decomposed Granite, 3/4" screened match on-site color, 2" deep in planting areas per plan. |          |                     | 1,660 s.f. |

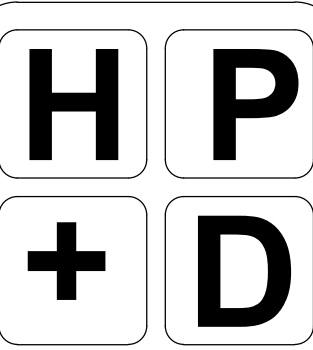
\*ADWR = Arizona Department of Water Resources Approved Low-Water Use Plant

## SITE LANDSCAPE DATA

|                                    |              |
|------------------------------------|--------------|
| EXISTING LANDSCAPE AREA            | 1,434.87 SF  |
| PROPOSED ADDITIONAL LANDSCAPE AREA | 1633.72 SF   |
| TOTAL LANDSCAPE AREA               | 13,068.59 SF |

## LANDSCAPE SITE NOTES

1. UNAUTHORIZED CHANGES TO DRAWINGS - THE LANDSCAPE ARCHITECT SHALL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USE OF DRAWINGS. CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO COMMENCEMENT OF WORK.
2. OWNER SHALL OBTAIN AND PAY FOR ONLY CITY OF SURPRISE ISSUED PERMITS TO COMPLETE WORK. CONTRACTOR SHALL PAY FOR ALL OTHER PERMITS.
3. NOTIFY LANDSCAPE ARCHITECT AT LEAST 4 WORKING DAYS IN ADVANCE PRIOR TO REQUIRED OR DESIRED INSPECTION AT (480) 250-0116.
4. STAKE SITE MATERIALS LOCATION AND RECEIVE LANDSCAPE ARCHITECT APPROVAL PRIOR TO INSTALLATION.
5. PROTECT ALL EXISTING PLANT MATERIALS DURING CONSTRUCTION. REPLACE IN KIND ANY DAMAGED OR DESTROYED MATERIALS.
6. PRESERVE EXISTING IRRIGATION SYSTEM IN PLACE. MAINTAIN IRRIGATION TO EXISTING PLANTS DURING CONSTRUCTION. REPLACE ANY DAMAGED OR DESTROYED EQUIPMENT.



HARRINGTON  
PLANNING + DESIGN  
3116 S. Mill Avenue, Suite 305  
Tempe, Arizona 85282  
Tel: 480-250-0116  
www.HarringtonPlanningDesign.com



THE LEARNING EXPERIENCE  
DAY CARE DEVELOPMENT

SEC of Cactus Rd and Reems Rd  
Surprise, AZ 85379

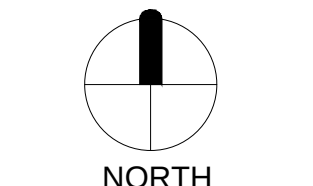
REV. COMMENT DATE

2nd City Submittal  
ISSUE DATE

LANDSCAPE  
PLAN

February 2, 2018

DRAWN BY: DMC  
CHECK BY: JEH  
PROJ. NO.: 2017-026  
CASE NO.: FS17-701

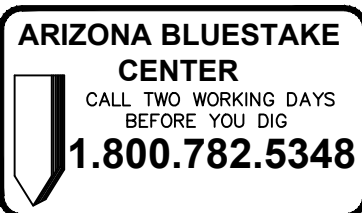


0 10 20 40

LANDSCAPE  
PLAN

L0.2

1 of 1



**ARCHITECTURE**

**4100**  
Wadsworth Boulevard  
Suite 300  
Wheat Ridge  
CO 80033  
720 • 599 • 3330 • P  
303 • 987 • 2304 • X

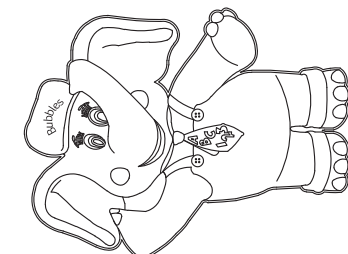
**ROGUE**

**CHALLENGING THE STATUS QUO**

THE LEARNING EXPERIENCE

ACADEMY OF EARLY EDUCATION

SEC OF W. CACTUS ROAD AND N. REEMS RD.  
SURPRISE, ARIZONA



| NO. | DATE       | DESCRIPTION                    | INT |
|-----|------------|--------------------------------|-----|
|     | 10.18.2017 | CUP / SITE PLAN SUBMITTAL      |     |
|     | 01.29.2018 | CUP / SITE PLAN<br>RESUBMITTAL |     |
|     |            |                                |     |
|     |            |                                |     |

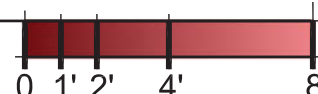
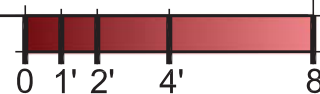
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|                            |                     |
|----------------------------|---------------------|
| Project Number:<br>2017.41 | Scale:<br>AS NOTED  |
| Drawn By:<br>ROGUE         | Approved By:<br>SAB |

|                 |  |
|-----------------|--|
| Drawing Number: |  |
|-----------------|--|

# A-1

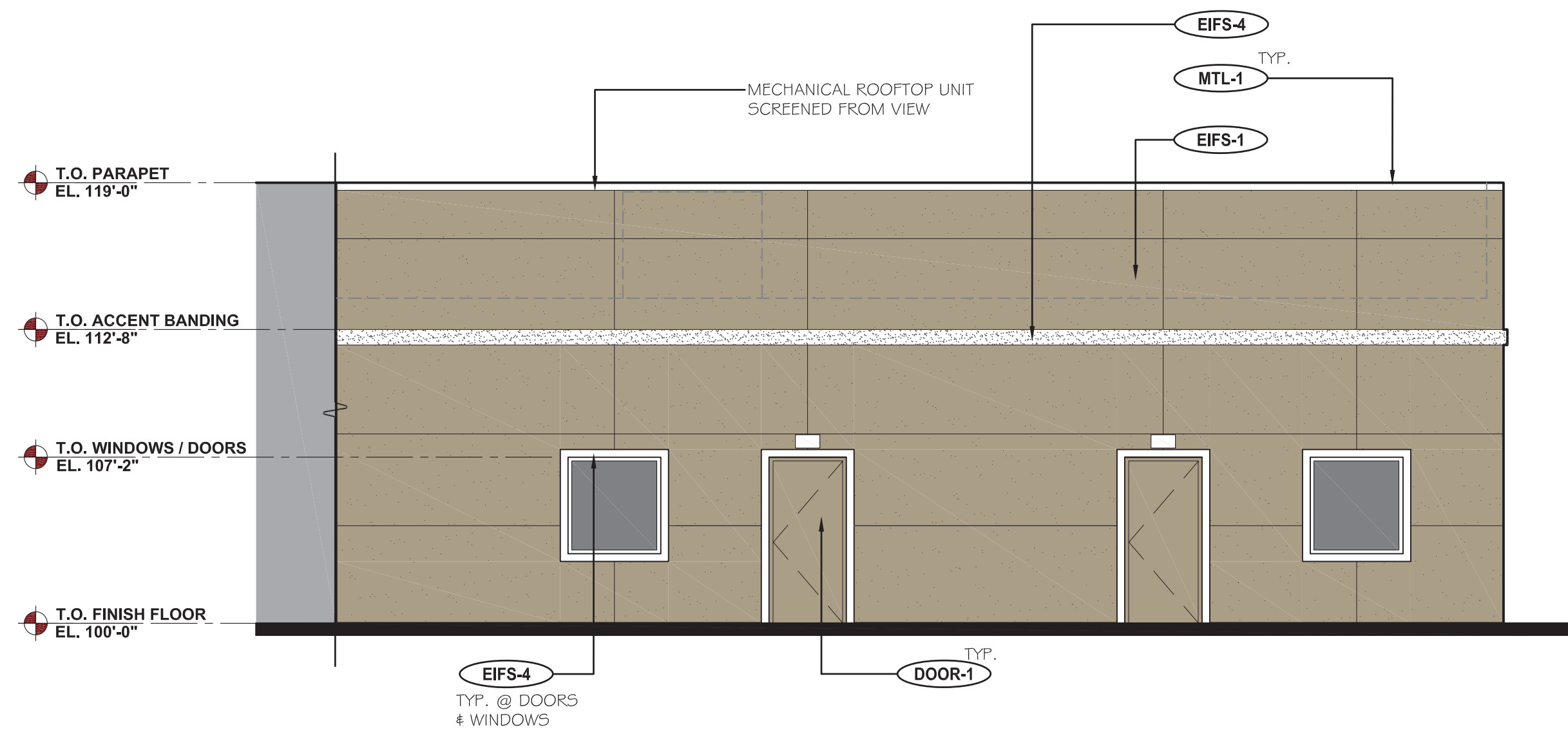
CUP / SITE PLAN RESUBMITTAL - 01.29.2018



**2 RIGHT SIDE**  
SCALE: 3/16"= 1'-0"

| LABEL                                      | MANFR.                   | SIZE/TYPE                                                                       | FINISH COLOR                                                                  |
|--------------------------------------------|--------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| <b>(STRTF-1)</b><br>ALUMINUM<br>STOREFRONT | KAWNEER                  | TRIFAB 45 I                                                                     | <u>COLOR:</u> BONE WHITE                                                      |
| <b>(DOOR-1)</b><br>DOOR                    | -                        |                                                                                 | FACTORY PRIMED<br><u>COLOR:</u> BENJAMIN MOORE<br>TO MATCH MONASTERY<br>BROWN |
| <b>(DOOR-2)</b><br>DOOR                    | -                        |                                                                                 | FACTORY PRIMED<br><u>COLOR:</u> BENJAMIN MOORE<br>IRON GATE 1545              |
| <b>(WIN-1)</b><br>WINDOW                   | ANDERSEN<br>100 SERIES   |                                                                                 | <u>COLOR:</u> WHITE                                                           |
| <b>(TILE-1)</b><br>TILE                    | ARIZONA TILE<br>OR EQUAL | <u>SIZE:</u> 12"x24"<br><u>PATTERN:</u> STRETCHER BOND                          | <u>COLOR:</u> DARK COLOR (GREY)<br>SEMI-POLISHED                              |
| <b>(TILE-2)</b><br>TILE                    | ARIZONA TILE<br>OR EQUAL | <u>SIZE:</u> 12"x24"<br><u>PATTERN:</u> STRETCHER BOND                          | <u>COLOR:</u> LIGHT COLOR (TAN)<br>MATTE                                      |
| <b>(EIFS-1)</b><br>EIFS / STUCCO           | DRYWIT OR<br>SIMILAR     | <u>FINISH:</u> SANDPEBBLE                                                       | <u>COLOR:</u> MONASTERY BROWN<br>(#3811)                                      |
| <b>(EIFS-2)</b><br>EIFS / STUCCO           | DRYWIT OR<br>SIMILAR     | <u>FINISH:</u> SANDPEBBLE                                                       | <u>COLOR:</u> SPECTRUM BROWN<br>(#142)                                        |
| <b>(EIFS-3)</b><br>EIFS / STUCCO           | DRYWIT OR<br>SIMILAR     | <u>FINISH:</u> TERRA NEO                                                        | <u>COLOR:</u> SERENGETI (#202)                                                |
| <b>(EIFS-4)</b><br>EIFS / STUCCO           | DRYWIT OR<br>SIMILAR     | <u>FINISH:</u> SANDPEBBLE                                                       | <u>COLOR:</u> LIGHT SERENITY<br>(#300)                                        |
| <b>(MTL-1)</b><br>COPING CAP               | MBCI                     | PRE-FINISHED                                                                    | <u>COLOR:</u> BONE WHITE                                                      |
| <b>(MTL-2)</b><br>COPING CAP               | MBCI                     | PRE-FINISHED                                                                    | <u>COLOR:</u> ALMOND                                                          |
| <b>(MTL-3)</b><br>METAL SUN<br>SCREENS     |                          | PAINTED                                                                         | FACTORY PRIMED<br><u>COLOR:</u> BENJAMIN MOORE<br>TO MATCH WHITE COPING       |
| <b>(KBOX-1)</b><br>KNOX BOX                | KNOX                     | KNOX BOX 3200 SERIES W/<br>RECESSED MOUNT FLANGE<br>HINGE DOOR & TAMPER SWITCH. | MAIN ENTRY                                                                    |
| <b>(KBOX-2)</b><br>KNOX BOX                | KNOX                     | KNOX BOX 1650 SERIES W/<br>RECESSED MOUNT FLANGE<br>HINGE DOOR & TAMPER SWITCH. | FIRE RISER ROOM                                                               |

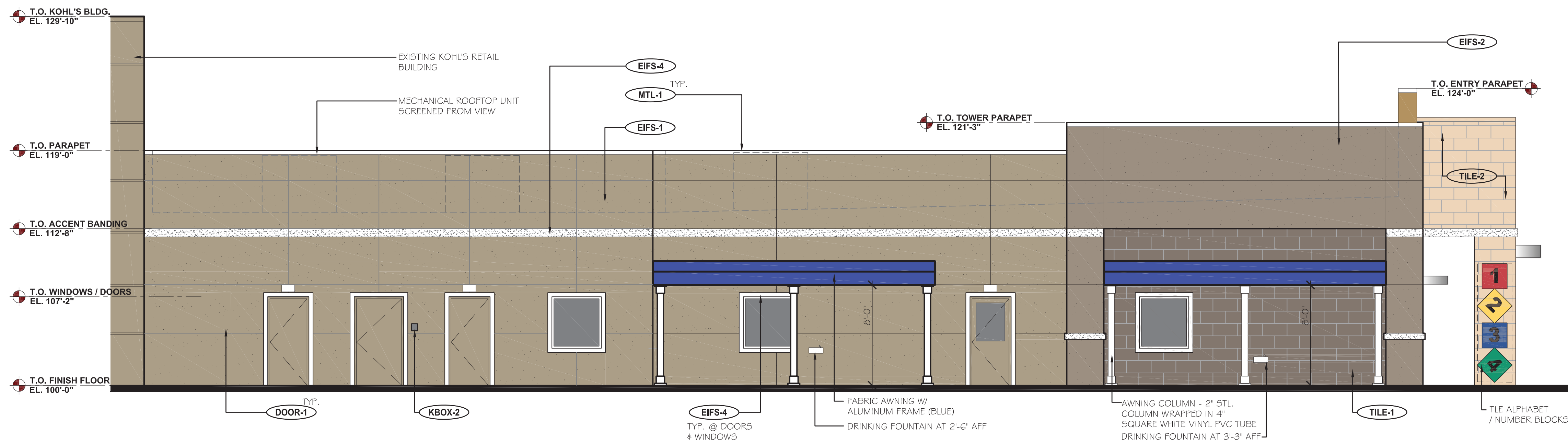
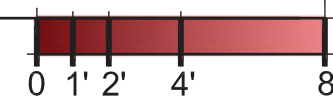
NOTE: ALL SIGNAGE WILL BE APPROVED  
UNDER A SEPARATE SIGN PERMIT



## 2 BACK SIDE ELEVATION (SOUTH)

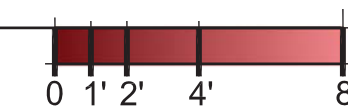
SCALE: 3/16"= 1'-0"

SCALE: 3/16"= 1'-0"



**1 LEFT SIDE ELEVATION (EAST)**  
SCALE: 3/16"= 1'-0"

SCALE: 3/16"= 1'-0"



**THE LEARNING EXPERIENCE**

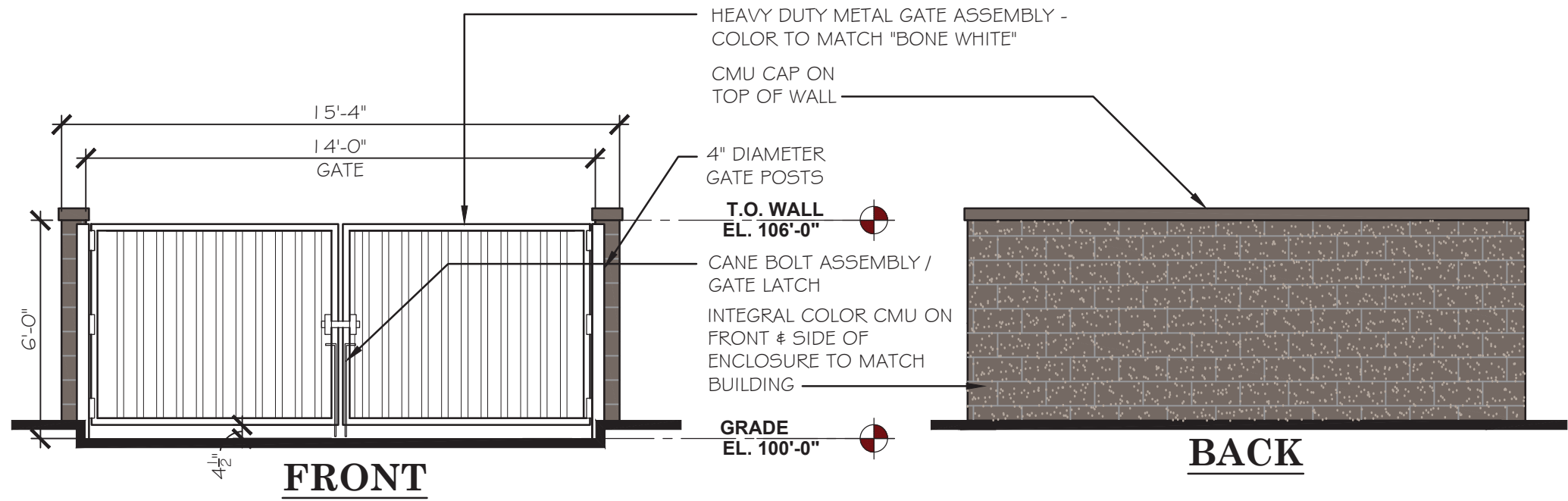
ACADEMY OF EARLY EDUCATION

SEC OF W. CACTUS ROAD AND N. REEMS RD  
**SURPRISE, ARIZONA**

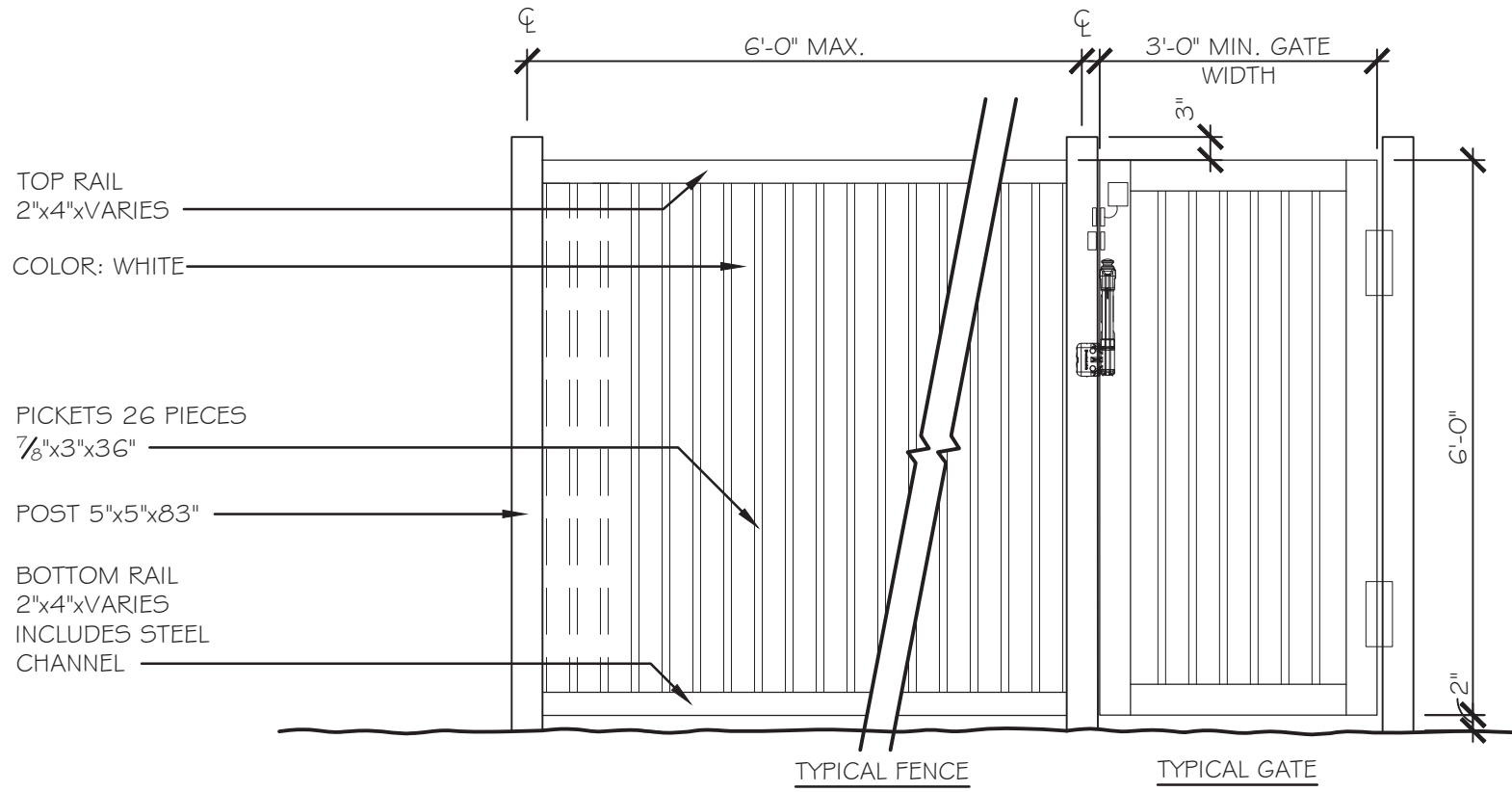
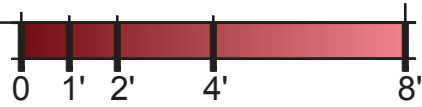
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|                                                     |                     |
|-----------------------------------------------------|---------------------|
| Project Number:<br>2017.41                          | Scale:<br>AS NOTED  |
| Drawn By:<br>ROGUE                                  | Approved By:<br>SAB |
| Drawing Name:<br><br><b>EXTERIOR<br/>ELEVATIONS</b> |                     |
| Drawing Number:<br><br><b>A-2</b>                   |                     |

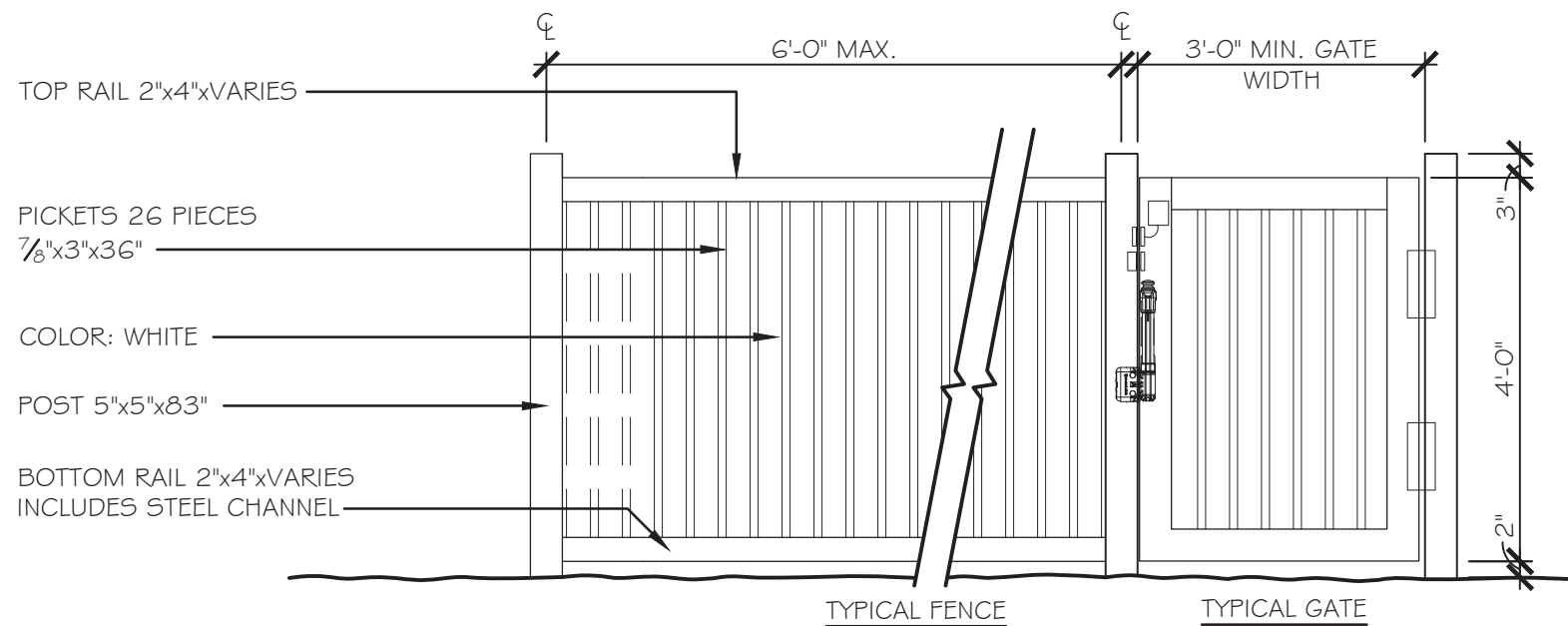
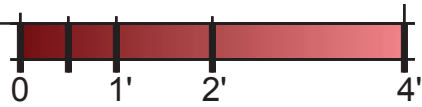
R:\PROJECTS\2017.41 - DOUD - TLE SURPRISE, AZ\CAD\SITE PLAN - CUP SUBMITTAL\TLE SURPRISE, AZ - A-3 - SITE DETAILS.DWG SKEOUGH PLOTTED: 02/01/2018



**3 TRASH ENCLOSURE ELEVATIONS**  
SCALE: 1/4"= 1'-0"



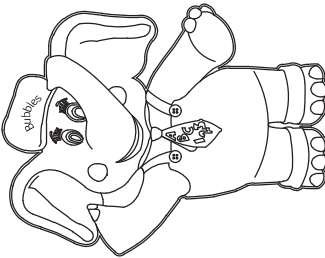
**2 TYPICAL PVC PLAYGROUND FENCING**  
SCALE: 1/2"= 1'-0"



**1 TYPICAL PVC PERIMETER SIDEWALK FENCING**  
SCALE: 1/2"= 1'-0"



THE LEARNING EXPERIENCE



ACADEMY OF EARLY EDUCATION  
SEC OF W. CACTUS ROAD AND N. REEMS RD.  
SURPRISE, ARIZONA

ISSUE

| NO.        | DATE | DESCRIPTION                 | INT. |
|------------|------|-----------------------------|------|
| 10.18.2017 |      | CUP / SITE PLAN SUBMITTAL   |      |
| 01.29.2018 |      | CUP / SITE PLAN RESUBMITTAL |      |
|            |      |                             |      |
|            |      |                             |      |

REVISION

| NO. | DATE | DESCRIPTION | INT. |
|-----|------|-------------|------|
|     |      |             |      |
|     |      |             |      |
|     |      |             |      |
|     |      |             |      |



Exp. 03.31.2019

|                            |                     |
|----------------------------|---------------------|
| Project Number:<br>2017.41 | Scale:<br>AS NOTED  |
| Drawn By:<br>ROGUE         | Approved By:<br>SAB |

Drawing Name:

SITE DETAILS

Drawing Number:

A-3



**DEPARTMENT OF THE AIR FORCE  
AIR EDUCATION AND TRAINING COMMAND**

13 December 2017

Mr. James R. Mitchell  
Director, Community Initiatives Team  
56th Fighter Wing  
14185 West Falcon Street  
Luke AFB AZ 85309-1629

Ms. Heather Donaldson  
Development Services Project Coordinator  
City of Surprise Planning Department  
16000 N. Civic Center Plaza  
Surprise AZ 85374

Re: Case #FS17-701; The Learning Experience Academy of Early Education

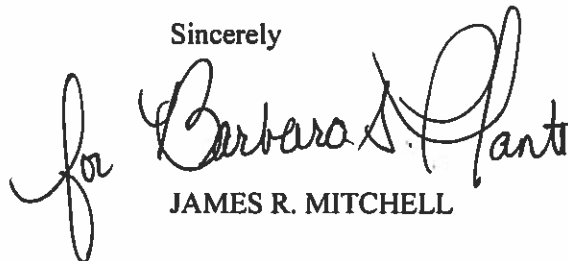
Dear Ms. Donaldson

Thank you for the opportunity to provide comments on the Conditional User Permit for The Learning Experience Academy of Early Education. The property is located on approximately two acres of vacant land at 15351 W. Cactus on lot four of the existing Cactus Plaza Subdivision in Surprise AZ. The development includes a 10,006 square foot, single story building and a 6,080 sf playground area within a 6'-0" high solid fence. The site is approximately 0.76 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

As described in the narrative, the request to run a daycare facility, at the location listed above will not negatively impact the flying operations at Luke AFB. Since the site is located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform parents about Luke AFB operations.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante, at (623) 856-9981.

Sincerely

  
JAMES R. MITCHELL

cc:

Colonel Michael S. Richardson, Vice Commander, 56th Fighter Wing  
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

**From:** [Michael Wilson](#)  
**To:** [Heather Donaldson](#)  
**Cc:** [Vanessa Nunez](#); [Michael Wilson](#)  
**Subject:** FW: FS17-701 - The Learning Experience Academy of Early Education Electronic Submittal  
**Date:** Wednesday, December 06, 2017 8:46:30 AM  
**Attachments:** [image003.jpg](#)  
[image001.jpg](#)  
[FS17-701 - The Learning Experience Academy of Early Education Electronic Submittal.pdf](#)  
[Declined FW CR17-474 - The Learning Experience Academy of Early Education Concept Meeting.msg](#)

---

**Heather**

**No additional comments to add to those submitted on 8/11/17.....thx.....Mike**

**Michael (Mike) Wilson, SR/WA**

Contract ADOT ROW Project Coordinator

Contract LPA (Local Public Agency) R/W Coord.

205 S. 17<sup>th</sup> Ave. MD: 612E

Phoenix, AZ 85007

Ph# 602-712-7175

[WWW.AZDOT.GOV](http://WWW.AZDOT.GOV)



---

**From:** Vanessa Nunez  
**Sent:** Wednesday, December 06, 2017 7:41 AM  
**To:** Michael Wilson  
**Subject:** FW: FS17-701 - The Learning Experience Academy of Early Education Electronic Submittal

Red Letter – SR303L

Please respond accordingly, thank you.

**Vanessa Nuñez**

**R/W Administrative Assistant III**

MD 612E, Room 331

205 South 17th Avenue

Phoenix, Arizona 85007-3212

602.712.7184

[www.azdot.gov](http://www.azdot.gov)



---

**From:** Heather Donaldson [<mailto:Heather.Donaldson@surpriseaz.gov>]  
**Sent:** Tuesday, December 05, 2017 12:36 PM  
**To:** 'Barbara Plante - Luke'; 'Chris Cain - MWD'; Christina Betz; Daniel Trujillo; 'Debbie Trasancos - MWD'; 'Denise Lacey'; Don - USPS; Donna Miller; Ernest (USPS); Ibeth - USPS; 'Leslie - MWD'; 'Mark Frago'; Mary Orta - Surprise Chamber; 'Paul Jackson'; Redletter; Raoul Sada - Surprise Chamber; Sandy Simmons; Timothy Klarkowski; 'Vern Wolfley - MAG'  
**Cc:** Sergio Angulo; Jamie Sullivan  
**Subject:** FS17-701 - The Learning Experience Academy of Early Education Electronic Submittal

Good Afternoon,

Attached please find the submittal documents for the above referenced project. Please do not hesitate to contact me if you have any questions or need further clarification.

Thank you,

***Heather Donaldson***

Planning Project Coordinator  
City of Surprise | Community Development  
16000 N. Civic Center Plaza | Surprise AZ | 85374

[www.surpriseaz.gov](http://www.surpriseaz.gov)

623.222.3133 t

623.222.3001 f

City of Surprise offices open at 8 a.m. and close at 5 p.m. Monday through Friday. More info at [www.surpriseaz.gov](http://www.surpriseaz.gov).

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05 Dec 2017 19:35:58 -0000

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**From:** [Debbie Trasancos](#)  
**To:** [Heather Donaldson](#)  
**Cc:** [Chris Cain](#); [Leslie Jarrell](#)  
**Subject:** RE: FS17-701 - The Learning Experience Academy of Early Education Electronic Submittal  
**Date:** Tuesday, December 05, 2017 1:17:07 PM

---

Heather,

Thank you for providing the electronic submittal for The Learning Experience Academy of Early Education (FS17-701).

Maricopa Water District (MWD) has reviewed this submittal and determined this lies outside the current boundaries of MWD.

Thanks again,

**Debbie Trasancos**  
Property & Contracts Specialist  
**Maricopa Water District**  
14825 W. Grand Ave.  
Surprise, AZ 85374  
623/546-8266  
fax 623/584-2536  
[debbiet@mwdaz.com](mailto:debbiet@mwdaz.com)

---

**From:** Heather Donaldson [mailto:Heather.Donaldson@surpriseaz.gov]  
**Sent:** Tuesday, December 05, 2017 12:36 PM  
**To:** 'Barbara Plante - Luke' <barbara.plante@us.af.mil>; Chris Cain <ChrisC@mwdaz.com>; Christina Betz <Christina.Betz@surpriseaz.gov>; Daniel Trujillo <Daniel.Trujillo@surpriseaz.gov>; Debbie Trasancos <DebbieT@mwdaz.com>; 'Denise Lacey' <deniselacey@mail.maricopa.gov>; Don - USPS <Primitivo.D.Romero@usps.gov>; Donna Miller <Donna.Miller@surpriseaz.gov>; Ernest (USPS) <Ernest.L.James@usps.gov>; Ibeth - USPS <Ibeth.L.Roman@usps.gov>; Leslie Jarrell <LeslieJ@mwdaz.com>; 'Mark Frago' <fragom@mail.maricopa.gov>; Mary Orta - Surprise Chamber <mary.orta@surpriseregionalchamber.com>; 'Paul Jackson' <paul.j.jackson@usps.gov>; 'Project Coordinator' <redletter@azdot.gov>; Raoul Sada - Surprise Chamber <raoul@surpriseregionalchamber.com>; Sandy Simmons <Sandy.Simmons@surpriseaz.gov>; Timothy Klarkowski <Timothy.Klarkowski@surpriseaz.gov>; 'Vern Wolfley - MAG' <vwolfley@azmag.gov>  
**Cc:** Sergio Angulo <Sergio.Angulo@surpriseaz.gov>; Jamie Sullivan <Jamie.Sullivan@surpriseaz.gov>  
**Subject:** FS17-701 - The Learning Experience Academy of Early Education Electronic Submittal

Good Afternoon,

Attached please find the submittal documents for the above referenced project. Please do not hesitate to contact me if you have any questions or need further clarification.

# **PUBLIC PARTICIPATION REPORT**

## **THE LEARNING EXPERIENCE ACADEMY OF EARLY EDUCATION**

**(CASE #: FS17-701)**

**Submitted: March 15, 2018**

**Submitted By:  
Beus Gilbert PLLC  
c/o Andrew J. Armstrong  
(480) 429-3060  
aarmstrong@beusgilbert.com**

### **Introduction:**

The purpose of this Citizen Participation Report is to report the citizen review process and efforts that have been undertaken by the applicant to ensure the following aspects have been satisfied:

1. Ensure applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;
2. Ensure that the citizens and property owners of the city have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and
3. Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

### **Outreach Efforts & Summary:**

1. Details of techniques used to involve the public:

The public has been or will be notified and invited to participate in the public participation in multiple ways which includes the following:

- A notification letter was mailed by the City of Surprise seven (7) days prior to neighborhood review meeting by the City of Surprise to the listings noted on the attached notification list, consisting of approximately 35 total listings. *(See Exhibit A: Meeting Notification Letter & Notification List)*
- An advertisement was placed in the newspaper on December 27, 2017 to notify the community of the upcoming neighborhood meeting *(See Exhibit B: Newspaper Posting)*. Additionally, the City will be posting a notice for the upcoming hearing on March 20<sup>th</sup> and March 28<sup>th</sup>.
- The site was posted on December 27, 2017 with two (2) signs informing the community of the upcoming neighborhood meeting and again in March 2018 to provide notice of the public hearing and details. *(See Exhibit C: Sign Posting)*. Additionally, the site sign postings will be updated no later than March 21<sup>st</sup> to inform the community of the upcoming hearing details.

- The applicant and representatives held a neighborhood meeting to discuss the proposal at the date, time, and location listed below:

*Neighborhood Meeting Location & Details:*

Thursday, January 11, 2018 at 5:00 PM

Residence Inn Marriott Phoenix/NW Surprise  
16418 N. Bullard Avenue (Saguaro Room)  
Surprise, AZ 85374

The applicant and representatives were available at the location, date, and time listed above to meet and discuss the proposal with interested parties from 5:00 to 6:00 PM and one (1) community member, the owner of the Kohl's department store attended the neighborhood meeting. Additionally, two (2) City Council members attended the meeting. All three (3) people in attendance were there for informational purposes and did not have any objections or concerns with the proposed use.

Additionally, the applicant's representatives have been available by phone or email to discuss the proposal or any questions with the community.

2. Content:

The City mailed the required notification as noted above (7) days prior to the neighborhood meeting to property owners within 300 feet, village committee or special community group located in the area, and the head of any homeowner's association or registered neighborhood group within the public notice area. (*See Exhibit A: Meeting Notification Letter*)

3. Summary of Concerns or Issues:

- a. To date, there have not been any inquiries by any means of communication utilized to provide outreach with the public. We have not received any correspondence, concerns, or interest in the request and have remained available to for communication throughout the process.

# **Exhibit A**

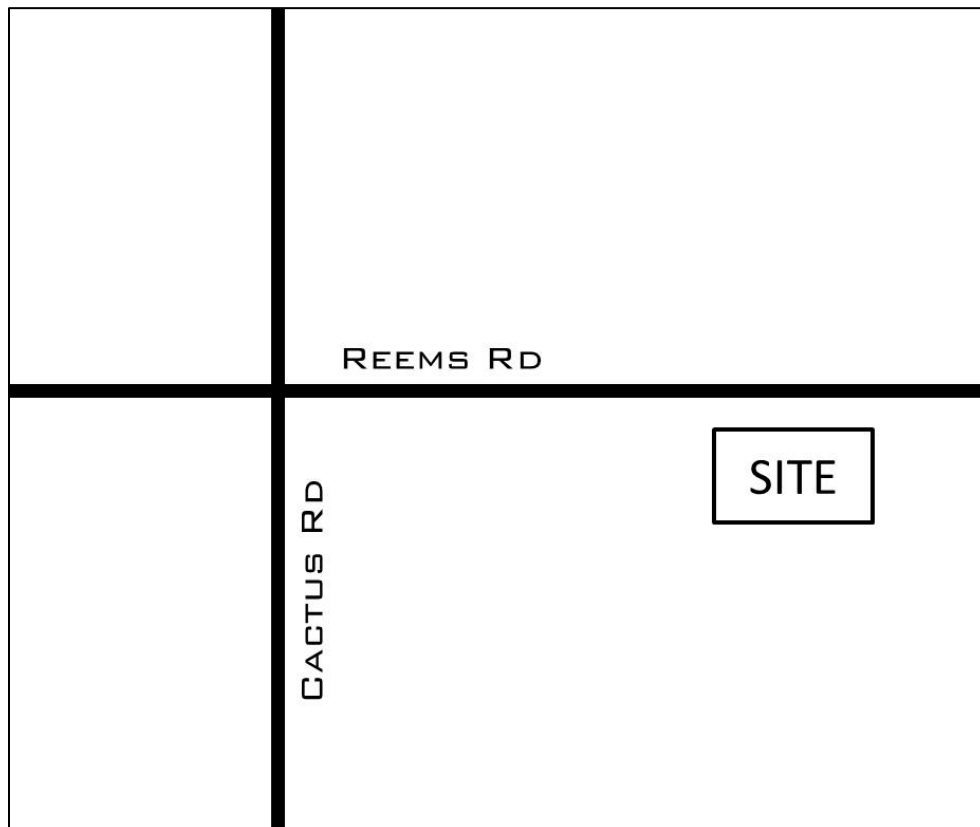
## *Meeting Notification Letter & Notification List*

**CITY OF SURPRISE**  
**PUBLIC NOTICE**

Take notice that at the date, time, and location listed below, the City of Surprise Planning and Zoning Commission will hold a Public Hearing at the request of Beus Gilbert, PLLC, relating to a Conditional Use Permit (case FS17-701) for a new Day Care Center in Cactus Plaza, generally located south of Cactus Road and east of Reems Road in Surprise, Arizona.

Legal Description: Located in a portion of the northwest quarter of the of Section 20, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, City of Surprise, Maricopa County, Arizona.

**Project Location**



**Planning and Zoning Commission**

Date: April 5, 2018

Time: 6:00 p.m.

Location: Surprise City Hall

16000 N. Civic Center Plaza

Surprise, AZ 85374

At this meeting any member of the public may appear and be heard relative to this petition or may submit written comments at any time prior to the Public Hearing. All written comments regarding this petition will be made part of the record of the City. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall.

**CITY OF SURPRISE**  
**CITIZEN REVIEW MEETING**

Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below referenced project. At this meeting, any of the public may appear and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

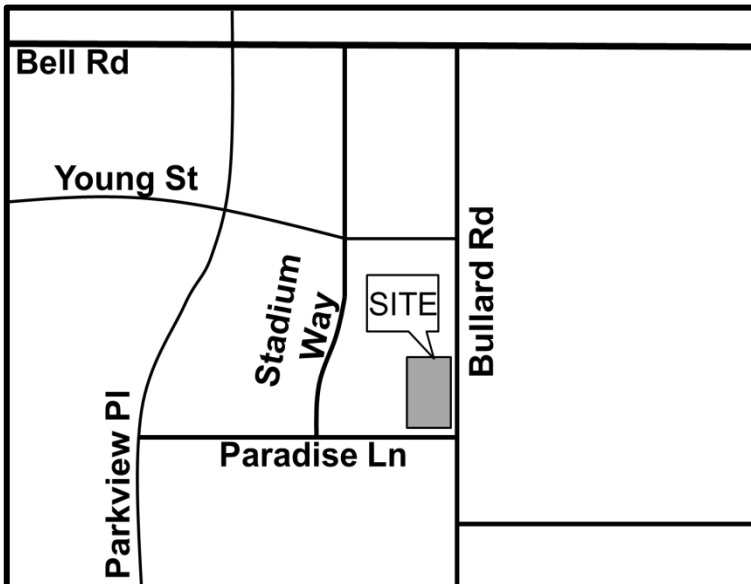
City of Surprise Planner: Sergio Angulo  
623-222-3155

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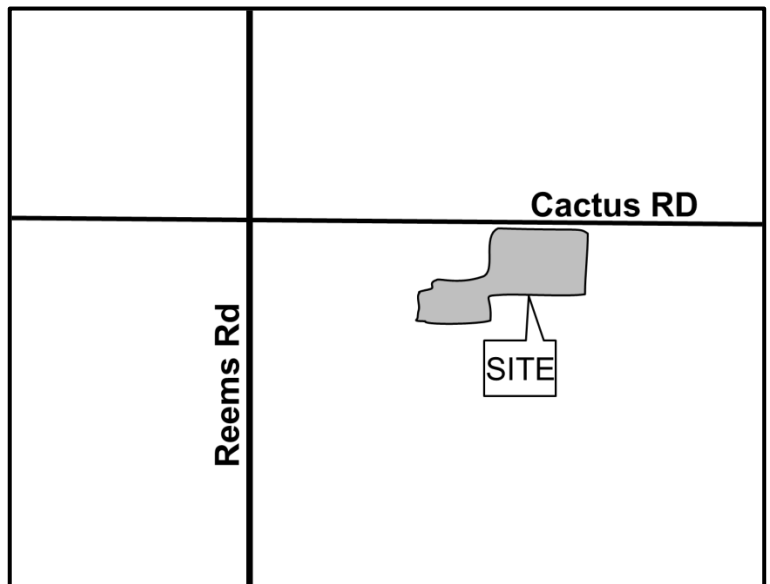
**CITIZEN REVIEW MEETING DETAILS**

DATE: Thursday, January 11, 2018  
TIME: 5:00 PM to 6:00 PM  
LOCATION: Residence Inn  
16418 N. Bullard Ave  
Surprise, Arizona 85374

Meeting Location



Project Location



**PROJECT DESCRIPTION:** The applicant is requesting approval of a Conditional Use Permit for a Day Care Center on approximately 2 acres generally located east of Reems Road and south of Cactus Road within the Rancho Gabriella Planned Area Development.

Owner

ADELMAN ERIKA  
ALCALA BRANDON M/CALLAHAN MICHAEL M  
BLACK ROBERT/NELSON SAMANTHA  
CASTO TERRY J/CURLESS MARGARET C  
CELAYA MARISSA R/CHAGOLLA JOSHUA P  
CONFER KRISTIAN H/CHARLOTTE  
CONTINENTAL CACTUS & REEMS LLC  
DEDRICK DONALD H/JANELLE G  
DND PROPERTIES LLC  
FAWCETT IAN  
GODBEHERE KEVIN  
GRAZE SCOTT R  
HARDY LESLIE A  
HOLM MARISSA/AARON B  
IH5 PROPERTY PHOENIX LP  
KAMINSKI OLGA T  
KIRBY JASON R/KIDD SHELBI C  
KOHLS DEPARTMENT STORES INC  
LAMPHIER KELSEY S  
LOPER ERIN H  
LOPEZ CAROLINE MERCEDES  
LOPEZ JESSIE C  
MARLEY PARK COMMUNITY ASSOCIATION INC  
MICKEY MELISSA L  
PATRICIA D BRUBAKE LIVING TRUST  
PB AND J XIV LLC  
RANCHO GABRIELA HOMEOWNERS ASSOCIATION  
RU ARIZONA LLC  
SCHULTZ LINDA ANTOINETTE  
SOLIS ANGELICA M/BALDERAS JOSE JAIME  
TAYLOR EUGENE  
TRUST AGREEMENT OF ROBIN & MAJEANA HALLSTROM  
WATSON ALVA V III/MARCY C  
WHITE GEORGE E/GYLES-WHITE SHAWN M  
XIAN HELEN H TR

MAIL\_ADDR1

14859 ACAPULCO LN  
15309 W WETHERSFIELD RD  
363 N LAKE RD  
15369 W WETHERSFIELD RD  
15363 W WETHERSFIELD RD  
15327 W WEATHERSFIELD RD  
W134 N8675 EXECUTIVE PARKWAY  
15351 W WETHERSFIELD RD  
25528 GENESEE TRAIL RD  
12170 N 153RD AVE  
15279 W SHAW BUTTE DR  
15357 W WETHERSFIELD RD  
12154 N 153RD AVE  
15333 W WETHERSFIELD RD  
1325 N FIESTA BLVD SUITE 103  
15321 W WEATHERSFIELD RD  
15345 W WETHERSFIELD RD  
N 56 W 17000 RIDGEWOOD DR  
12178 N 153RD AVE  
15284 W DESERT HILL DR  
15387 W WETHERSFIELD RD  
12162 N 153RD AVE  
6720 N SCOTTSDALE RD STE 261  
15280 W SHAW BUTTE DR  
12146 N 153RD AVE  
150 S WACKER DR STE 2900  
6303 S RURAL RD STE 3  
6306 VIA CATALDO ST  
15381 W WETHERSFIELD DR  
12194 N 153RD AVE  
15286 W SHAW BUTTE DR  
23284 GLINDER DR  
7338 W ALEXANDRIA WAY  
15339 W WETHERSFIELD RD  
2754 ST GILES LN

| MAIL_CITY       | MAIL_STAT | MAIL_ZIP |
|-----------------|-----------|----------|
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| BIRMINGHAM      | AL        | 35242    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| MENOMONEE FALLS | WI        | 53051    |
| SURPRISE        | AZ        | 85379    |
| GOLDEN          | CO        | 80401    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| GILBERT         | AZ        | 85233    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| MENOMONEE FALLS | WI        | 53041    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SCOTTSDALE      | AZ        | 85253    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| CHICAGO         | IL        | 60606    |
| TEMPE           | AZ        | 85283    |
| MALIBU          | CA        | 90265    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| SURPRISE        | AZ        | 85379    |
| PARK RAPIDS     | MN        | 56470    |
| PEORIA          | AZ        | 85381    |
| SURPRISE        | AZ        | 85379    |
| MOUNTAIN VIEW   | CA        | 94040    |

## **Exhibit B**

### *Newspaper Posting*

**CITY OF SURPRISE**  
**CITIZEN REVIEW MEETING**

Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below referenced project. At this meeting, any of the public may appear and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

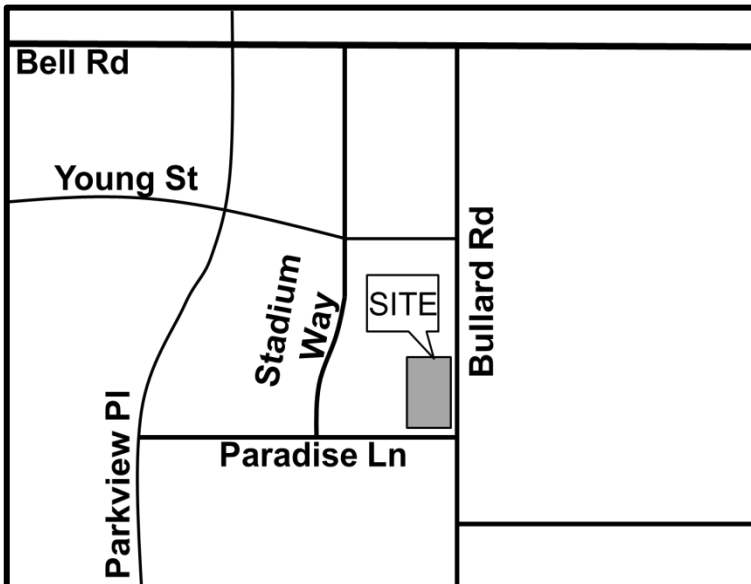
City of Surprise Planner: Sergio Angulo  
623-222-3155

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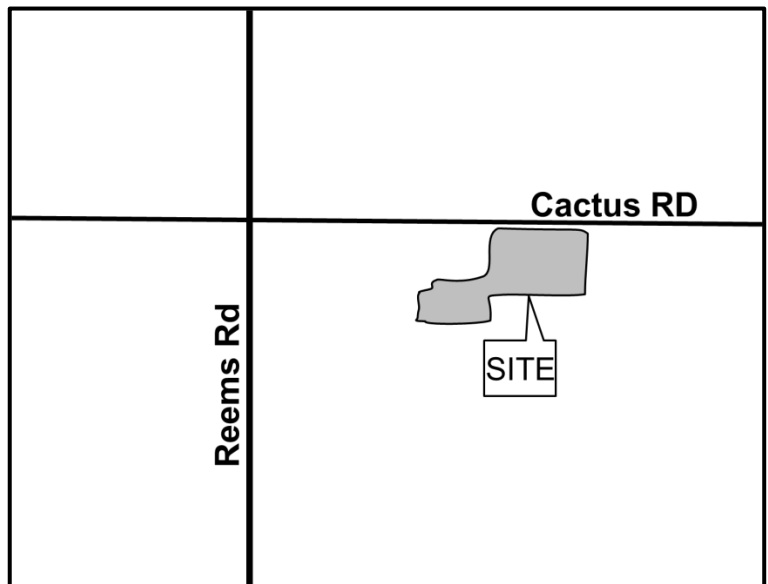
**CITIZEN REVIEW MEETING DETAILS**

DATE: Thursday, January 11, 2018  
TIME: 5:00 PM to 6:00 PM  
LOCATION: Residence Inn  
16418 N. Bullard Ave  
Surprise, Arizona 85374

Meeting Location



Project Location



**PROJECT DESCRIPTION:** The applicant is requesting approval of a Conditional Use Permit for a Day Care Center on approximately 2 acres generally located east of Reems Road and south of Cactus Road within the Rancho Gabriella Planned Area Development.

## **Exhibit C**

### *Sign Posting*

**AFFIDAVIT OF POSTING**

Application No: FS17-701  
Applicant Name: Beus Gilbert PLLC  
Location: Southeast Corner of Reems and Cactus Rds  
Date Site Posted: December 27, 2017

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett  
Applicant/Representative Signature

12/27/17  
Date

This instrument was acknowledged before me on this 27<sup>th</sup> day of December

2017, and by Meghan Liggett. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad  
Notary Public

10.25.20  
My commission expires



CITY OF SURPRISE

# Notice of Public Hearing

## City of Surprise

### Neighborhood Meeting Planning & Zoning

Date: January 11, 2018  
Time: 5:00 P.M.  
Location: Residence Inn Marriott  
Phoenix NW/Surprise  
16418 N Bullard Avenue  
Surprise, AZ 85374

### City Council

Date: TBD  
Time: 6:00 P.M.  
Location: Surprise City Hall  
16000 N Civic Ctr Plaza  
Surprise, AZ 85374

Case #: FS-17-701

The Learning Academy of Early Education  
A request for a Conditional Use Permit for a 10,006 square foot  
single story childcare building with 16,086 square feet of play area.

Please call to confirm dates:  
623-222-3011



12/27/17 15:32:04

# Notice of Public Hearing

## City of Surprise

### Neighborhood Meeting Planning & Zoning

Date: January 11, 2018  
Time: 5:00 P.M.  
Location: Residence Inn Marriott  
Phoenix NW/Surprise  
16418 N Bullard Avenue  
Surprise, AZ 85374

### City Council

Date: TBD  
Time: 6:00 P.M.  
Location: Surprise City Hall  
16000 N Civic Ctr Plaza  
Surprise, AZ 85374

Case #: FS-17-701

The Learning Academy of Early Education  
A request for a Conditional Use Permit for a 10,006 square foot  
single story childcare building with 16,086 square feet of play area.

Please call to confirm dates:  
623-222-3011



12/27/17 15:32:14

# Notice of Public Hearing City of Surprise

## Neighborhood Meeting Planning & Zoning

Date: January 11, 2018

Time: 5:00 P.M.

Location: Renaissance Inn Marriott  
Phoenix NW/Surprise

16418 N. Bulard Avenue  
Surprise, AZ 85374

## City Council

Date: TBD

Time: 6:00 P.M.

Location: Surprise City Hall

16000 N. Civic Ctr. Plaza  
Surprise, AZ 85374

Case #: FS17-701

Case: FS-17-701 (The Learning Academy of Early Education)  
A request for a Conditional Use Permit for a 10,006 square foot  
single story childcare building with 16,066 square feet of play area.

Please call to confirm dates:  
623-222-3011



12/27/17 15:55:30



**SURPRISE**

ARIZONA

**FS17-701**

# **The Learning Experience Academy of Early Education**

Planning and Zoning Commission

April 5, 2018

# VICINITY MAP



# SURROUNDING ZONING

**PAD – C2**

**PAD – Single Family**

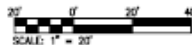
**PAD – C2**

**PAD  
Single Family**

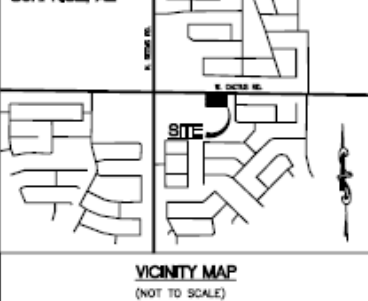
# SITE PLAN

## LEGEND

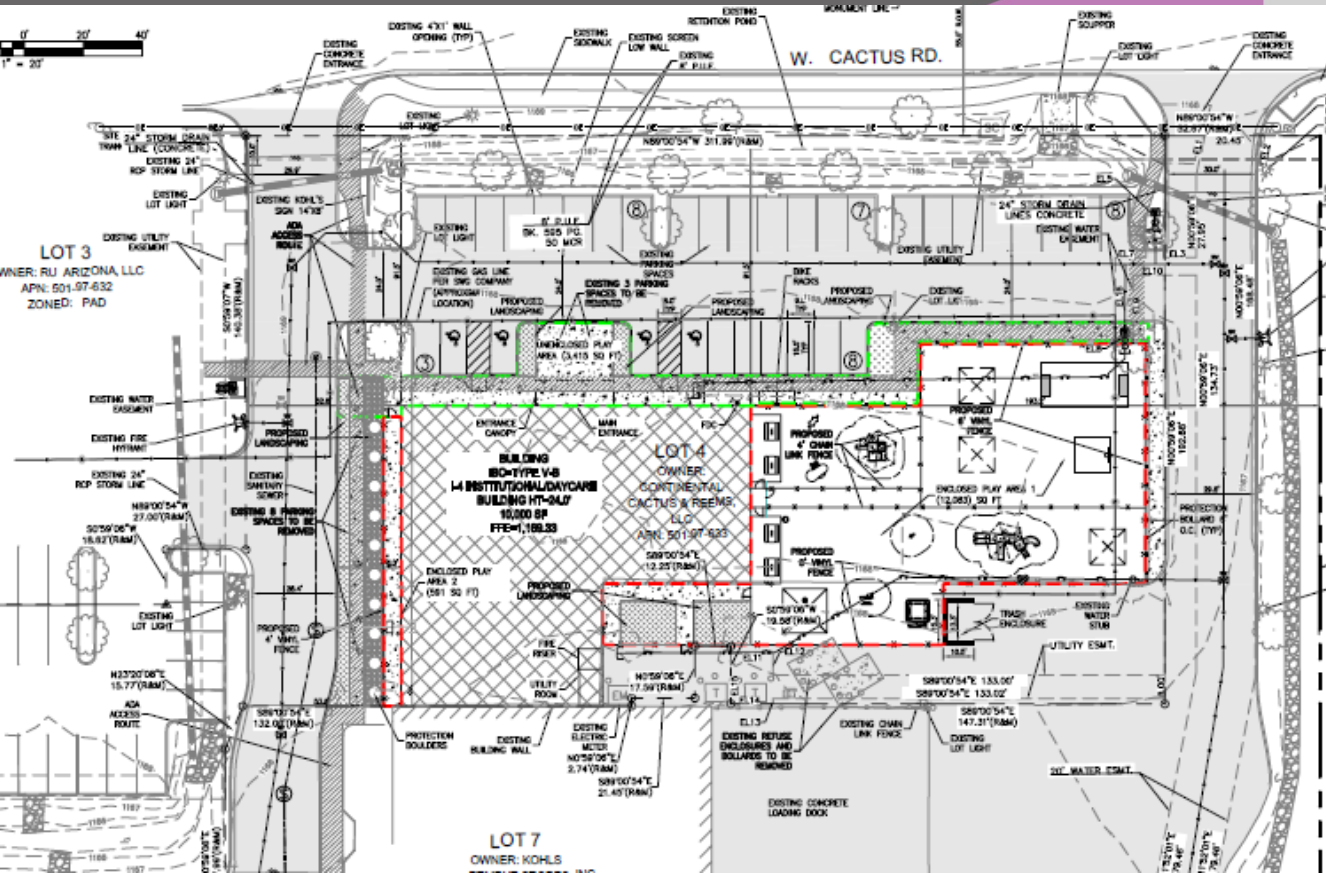
- ACCESSIBLE ROUTE
- EXISTING PAVEMENT
- PROPOSED BUILDING
- PARKING SPACES FOR ROW
- PROPOSED ENCLOSED PLAY AREA
- PROPOSED UNENCLOSED PLAY AREA
- FIRE DEPARTMENT CONNECTION



SURPRISE, AZ



**LOT 3**  
OWNER: RU ARIZONA LLC  
APRIL 501-97-632  
ZONED: PAD

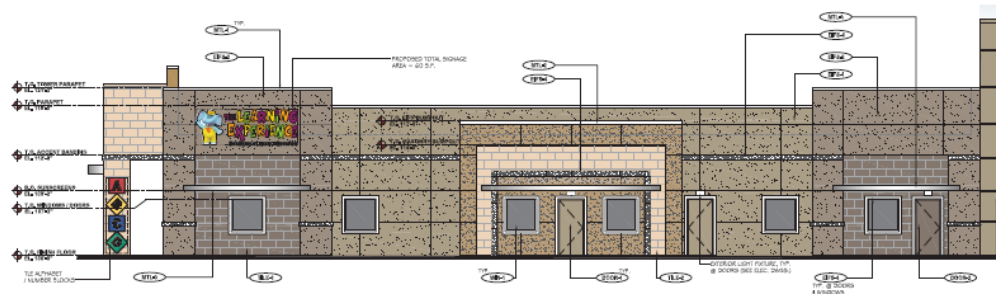


[illegible]

# ELEVATIONS

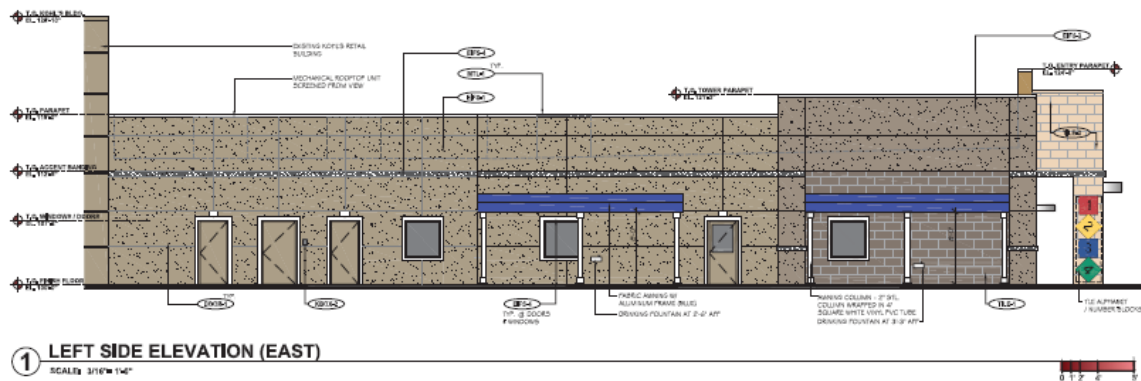
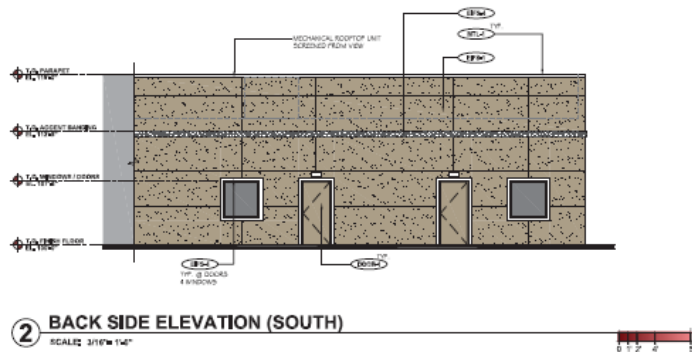


**3 FRONT SIDE ELEVATION (NORTH)**  
SCALE: 3/16"=1'-0"



**2 RIGHT SIDE ELEVATION (WEST)**  
SCALE: 3/16"=1'-0"

# ELEVATIONS





# Citizen Outreach

January 11, 2018:

- No concerns



# STAFF RECOMMENDATION

## Staff Recommendation:

- Approval subject to Stipulations 'A' and 'F'





**SURPRISE**  

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ARIZONA

**QUESTIONS OR  
COMMENTS?**

**Thank You**



**CITY OF SURPRISE**  
Planning and Zoning Commission

April 5, 2018 @ 6:00:00 PM

[Back](#) [Print](#)

|                        |                           |                 |                                     |
|------------------------|---------------------------|-----------------|-------------------------------------|
| Board Meeting Date:    | April 5, 2018             | Contact Person: | Eric Fitzer - Community Development |
| Submitting Department: | CD Boards and Commissions | District:       | Internal                            |
| Staff Recommendations: | No Action                 |                 |                                     |

|         |         |                |                   |
|---------|---------|----------------|-------------------|
| Consent | Regular | Public Hearing | Report/Discussion |
|---------|---------|----------------|-------------------|

**Agenda Wording:**

Discussion and direction pertaining to 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   x   White Board   x   Other   x

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