



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

Thursday, January 18, 2024 @ 6:00 PM
COUNCIL CHAMBERS

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. 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.

CONSENT AGENDA:

- | | | | |
|----|----------|---|--|
| 1. | Internal | Consideration and action to approve or disapprove the January 04, 2024, Planning and Zoning Commission Regular Meeting Minutes. | Michelle Espie
Community
Development |
| 2. | Internal | Consideration and action to approve or disapprove the January 04, 2024, Planning and Zoning Commission Executive Session Meeting Minutes. | Michelle Espie
Community
Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|--|--|
| 3. | District 4 | Consideration and action regarding a Use-Only Conditional Use Permit (CUP) for a dual licensee marijuana facility use located near the northwest corner of Bell Road and Dysart Road on a vacant 1.11 acres parcel zoned Community Commercial (C-2). FS23-0512 | Chris Sexton
Community
Development |
| 4. | District 4 | Consideration and action regarding a Comprehensive Sign Program (CSP) for the NWC Dysart and Bell aka Bella Fiesta, located at the northwest corner of Bell Road and Dysart Road, zoned Community Commercial (C-2). FS23-0673 | Chris Sexton
Community
Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- G. Other Business and Future Agenda Items
- H. Executive Session

For information purposes: Upon a public majority vote of a quorum ("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. §38-431.03(A)(2));

or discussion or consultation for legal advice with the attorney or attorneys of the public body (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).

I. Adjournment

KRISTI PASSARELLI, CITY CLERK

POSTED: Wednesday, January 10, 2024 @ 5:00 PM

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



CITY OF SURPRISE
Planning and Zoning Commission

Council Meeting Date: January 18, 2024

Contact Person: Michelle Espie, Administrative Specialist

Submitting Department: Community Development District: Internal

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action to approve or disapprove the January 04, 2024, Planning and Zoning Commission Regular Meeting Minutes.

Motion:

I move to approve or disapprove the January 4, 2024 Planning and Zoning Commission Regular Meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 01-04-2024 MINS
-

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

January 04, 2024 / 6:00 PM

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

CALL TO ORDER.

Chair Holland 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 January 4, 2024.

A. ROLL CALL

In attendance were, Commissioner Dennis Bash, Vice Chair Ken Chapman, Chair Jared Holland, Commissioner Dennis Smith, Commissioner Matthew Keating, Commissioner Mitchell Rosenbaum, and Commissioner Jay Leonard.

STAFF PRESENT:

Jeffrey Murray, Deputy City Attorney; Lloyd Abrams, Director of Community Development; Tiffany Copp, Assistant Director of Community Development; Chris Sexton, Current Planner; Michelle Espie, Administrative Specialist; and Patricia Rademacher, Administrative Specialist.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

None.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

Chair Holland opened the call to the public to discuss any items not listed on the agenda. Hearing no requests, Chair Holland closed the call to the public.

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve the Planning and Zoning Commission Meeting dates for 2024.

Commissioner Smith made a motion to approve the Planning and Zoning Commission Meeting dates for 2024. Vice Chair Chapman seconded the motion. Motion passed with 7 votes in favor.

Item 2 – Internal – Consideration and action to approve or disapprove the December 21, 2023 Planning and Zoning Commission Regular Meeting Minutes.

Commissioner Bash made a motion to approve the December 21, 2023, Planning and Zoning Commission Regular Meeting Minutes. Vice Chair Chapman seconded the motion. Motion passed with 6 votes in favor. Commissioner Leonard abstained.

REGULAR AGENDA ITEM – PUBLIC HEARING:

Item 3 – Citywide – Consideration and action pertaining to a Zoning Text Amendment (ZTA) to amend the Surprise Land Development Ordinance (LDO) by removing the development standard restricting marijuana facilities to having a single entrance, thereby bringing the Land Development Ordinance into compliance with Arizona Revised Statutes. Case FS23-0512.

Chris Sexton, Current Planner, presented item 3 to the Commission.

Chair Holland opened the public hearing.

Hearing no further requests, Chair Holland closed the public hearing.

The Commission discussed the following:

- Discussion regarding Single and Dual Entrances
- Specifying Entrance Use

Chair Holland motioned to go into Executive Session and Commissioner Leonard seconded the motion. The motion passed with 6 votes in favor. Commissioner Smith voted against.

Chair Holland called the meeting back into session at 6:32 pm.

The Commission continued to discuss the following:

- Discussion regarding Single and Dual Entrances
- Specifying Entrance Use

Commissioner Keating motioned to approve the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to remove the development standard related to marijuana facilities to a single entrance to City Council. Commissioner Lenard seconded the motion. Motion passed with 5 votes in favor. Chair Holland and Commissioner Bash voted against.

EXECUTIVE SESSION

Consideration and action to recess in executive session pursuant to A.R.S. § 38-431.03(A)(3)(4) for the purpose of discussion or consultation with the attorneys for the Commission regarding the Commission's review and consideration of compliance with Arizona Revised Statutes.

Chair Holland called the meeting back into session at 6:32 pm.

OTHER BUSINESS AND FUTURE AGENDA ITEMS:

None.

ADJOURNMENT:

Hearing no further business, Chair Holland called for a motion to adjourn. Commissioner Rosenbaum made a motion to adjourn; Vice Chair Chapman seconded the motion. All voted in favor.

Meeting adjourned at 6:41 p.m.

Jared Holland
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: _____
Michelle Espie, Administrative Specialist

DATE: _____



CITY OF SURPRISE
Planning and Zoning Commission

Council Meeting Date: January 18, 2024

Contact Person: Michelle Espie, Administrative Specialist

Submitting Department: Community Development District: Internal

Staff Recommendations:

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action to approve or disapprove the January 04, 2024, Planning and Zoning Commission Executive Session Meeting Minutes.

Motion:

I move to approve or disapprove the January 4, 2024, Planning and Zoning Commission Executive Session Meeting Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Planning and Zoning Commission

Council Meeting Date: January 18, 2024 Contact Person: Chris Sexton
Submitting Department: Community Development District: District 4
Staff Recommendations:

Consent: No	Regular: No	Public Hearing: Yes	Report/Discussion: No
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Agenda Wording:

Consideration and action regarding a Use-Only Conditional Use Permit (CUP) for a dual licensee marijuana facility use located near the northwest corner of Bell Road and Dysart Road on a vacant 1.11 acres parcel zoned Community Commercial (C-2). FS23-0512

Motion:

I move to approve case FS23-0512, a Use-Only CUP for Bella Fiesta Pad B, subject to stipulations 'a' through 'c' as outlined in the staff report.

Background:

The subject request involves a Use-Only CUP for the Bella Fiesta Pad B for an approximate 3,009 square foot dual licensee marijuana facility located near the northwest corner of Bell Road and Dysart Road on a vacant 1.11 acres parcel.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00-FS23-0512 Bella Fiesta Pad B - Use Only CUP - Staff Report
2. 01-FS23-0512 Bella Fiesta Pad B - Use Only CUP - Vicinity Map
3. 02-FS23-0512 Bella Fiesta Pad B - Use-Only CUP - Zoning Map
4. 03-FS23-0512 Bella Fiesta Pad B - Use Only CUP - Conceptual Site Plan

5. 04-FS23-0512 Bella Fiesta Pad B - Use Only CUP - Conceptual Elevations
 6. 05-FS23-0512 Bella Fiesta Pad B- Use Only CUP - Citizen Participation Report
 7. 06-FS23-0512 Bella Fiesta Pad B - Use Only CUP - Affidavit of Sign Posting and Photos
 8. 07-FS23-0512 Bella Fiesta Pad B - Use Only CUP - Letter of Opposition
 9. FS23-0512 Bella Fiesta Pad B - Use-Only CUP - Presentation
-



Case: FS23-0512

Project Name: Bella Fiesta Pad B – Use-Only CUP

Council District: 4 - Mulberry

Meeting Date: January 18, 2024

Planner: Chris Sexton, Planner II

Owner: NWC Dysart & Bell, LLC

Applicant: Lindsay Schube with Gammage and Burnham, PLC

Request: Use-Only Conditional Use Permit (CUP) for a dual licensee marijuana facility

Site Location: Generally located near the northwest corner of Bell Road and Dysart Road

Site Size: 1.11 acres (approx.)

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: One (1) letter of opposition is attached.

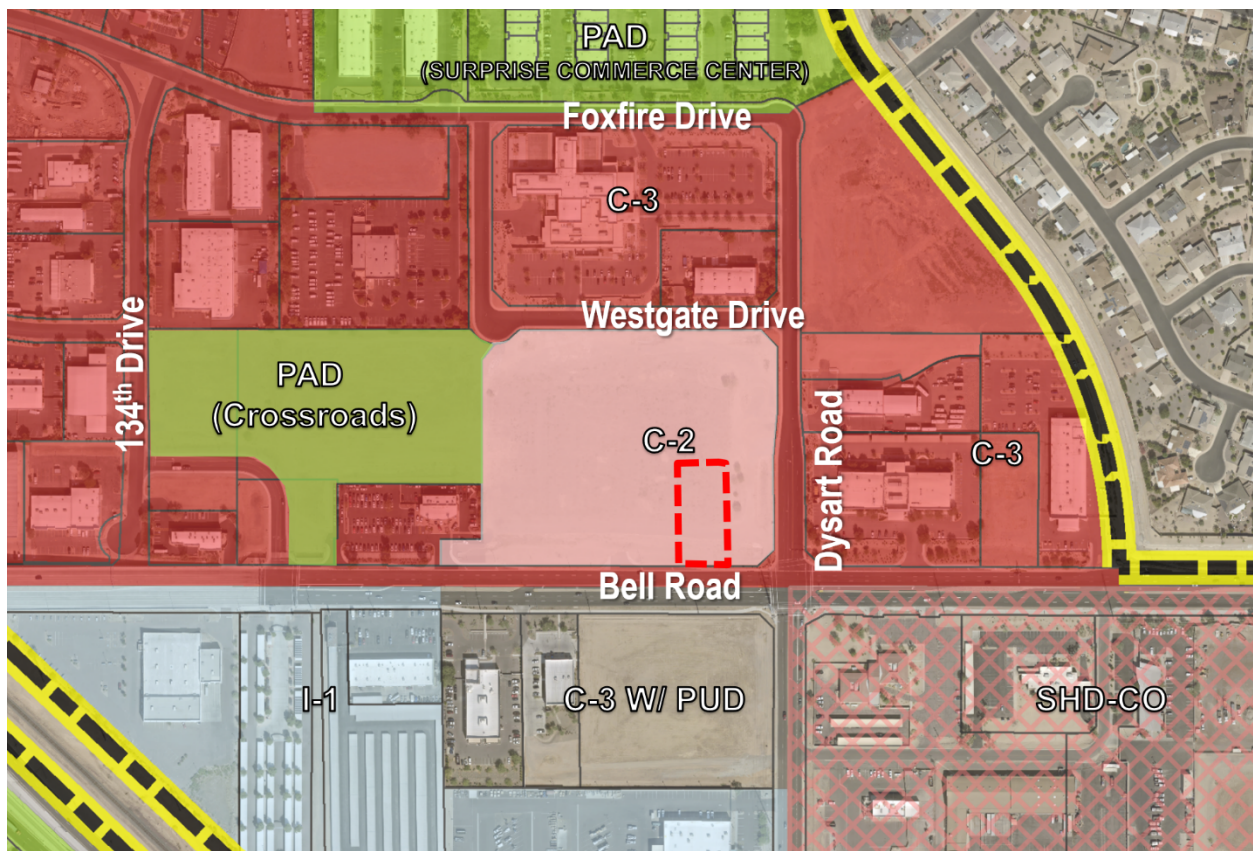
Staff Recommendation: Staff recommends the Commission **approve** the subject Use-Only CUP, case FS23-0512, subject to stipulations 'a' through 'c'.

PROJECT DESCRIPTION:

The subject request involves a Use-Only CUP for an approximately 3,000 square foot dual licensee marijuana facility located near the northwest corner of Bell Road and Dysart Road on an approximate 1.11 acre vacant parcel.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surroundings.



Regional Commercial (C-3)	Regional Commercial (C-3)	Regional Commercial (C-3)
Crossroads PAD	Community Commercial (C-2)	Regional Commercial (C-3)
Light Industrial (I-1)	Regional Commercial with PUD (C-3 with PUD)	Surprise Heritage District Commercial Overlay (SHD-CO)

BACKGROUND:

May 23, 1996: The subject parcel was annexed into the City under Ordinance 96-08.

September 20, 2022: The Mayor and City Council approved a Zone Change from C-3 to C-2 under case FS22-0438, on the subject parcel.

March 9, 2023: A Concept Review meeting was held under case, CR23-0165.

June 23, 2023: The applicant submitted the Use-Only CUP under the subject case.

September 5, 2023: City Council approved the Final Plat to split one (1) 10-acre vacant parcel into five (5) parcels under case, FS22-1224.

September 19, 2023: The applicant submitted for the Zone Text Amendment to remove an existing development standard to reflect the Arizona Revised Statutes.

January 18, 2024, Planning and Zoning Commission
Case: FS23-0512 Bella Fiesta Pad B - Use-Only CUP
Page 2 of 9

59 **ANALYSIS AND DISCUSSION:**

60
61 The subject request involves the approval of a Use-Only CUP for a dual licensee
62 marijuana facility.

63
64 **Evaluative Criteria**

65 The granting of a Use-Only Conditional Permit requires compliance with the regulations and
66 evaluative criteria as specified in the applicable code, in this case the LDO. Sections 102-6.2
67 and 106-10.27 of the LDO sets forth the criteria for CUPs and requirements for marijuana
68 facilities that fall under the LDO's jurisdiction. The criteria for the CUP and requirements for
69 a marijuana facility as stated in the LDO are as follows, with commentary following each
70 section as appropriate:

71
72 Below are the use requirements from Section 102-6.3(A) of the LDO for a dual licensee
73 marijuana facility:

74 A. Location and character of the use shall not burden or conflict with the established uses
75 of surrounding area. Commercial uses in residential zoning districts must have direct
76 access or access through another commercial property to an arterial right-of-way.

77 **Commentary:** The use designation for this property is Community Commercial (C-2) and
78 is surrounded by properties with the same land use designation. The proposed use will
79 be located either in a stand-alone pad building or in a suite within a pad building in the
80 greater Bella Fiesta commercial center. Direct access to the site is provided from Bell
81 Road and indirect access from Dysart Road.

82 B. The proposed use shall not impair the integrity or character of the community nor shall
83 it be detrimental to the public health, safety or general welfare of the City;

84 **Commentary:** The proposed use will not impair the integrity or character of the
85 community, nor shall it be detrimental to the public health, safety or general welfare of the
86 City. The proposed use is a legal use within a commerce center. In November of 2010,
87 Arizona voters approved Prop 203 which allows for the legal use of marijuana for medical
88 purposes. On November 3, 2020, Arizona residents voted to allow the recreational use of
89 limited amounts of marijuana by adults. In doing so, the voters signaled their view that
90 Arizona's well-regulated medical marijuana system has been a safe and healthy
91 endeavor. There are no significant public safety issues or detrimental effects from these
92 establishments.

93 C. The proposed use shall conform to the goals and policies of any specific district or
94 plans for the area;

95 **Commentary:** The project is not located within a specific district or planned area.

96 D. The proposed use shall conform to any applicable Use Specific Standards outlined in
97 **Article 10, Chapter 106** of this Ordinance;

98 **Commentary:** The proposed use conforms to the applicable Use Specific Standards in
99 Article 10, more specifically Chapter 106-27 Marijuana facility uses of the LDO as shown

in this staff report.

D. The proposed use shall conform to the development standards of the zoning district and shall take into account the following factors:

- a. Site and building design;
- b. Sensitivity to existing natural features;
- c. Volume or character of traffic;
- d. Circulation patterns;
- e. Connectivity;
- f. Parking and loading;
- g. Screening and buffering of uses;
- h. Landscaping;
- i. Exterior lighting;
- j. Signage;
- k. Stormwater retention and drainage;
- l. Damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination;
- m. A demonstrated need for such use.

Commentary: The site is part of a larger commercial development that received Final Plat approval on September 5, 2023. The site and building design of the proposed use will be architecturally compatible with other buildings within the commerce center. There are no existing natural features on the site. The volume and character of traffic is typical for a commerce center. A Traffic Impact Assessment (TIA) was prepared by Civil Group for future retail uses in the overall commerce center. The TIA was submitted to the City for review by the Transportation Department for the entire commerce center and was approved therefore no additional traffic studies are necessary for Parcel B. Parking, loading, landscaping and exterior lighting will be reviewed under the Site Plan. Signage will be reviewed against the proposed Comprehensive Sign Plan. Currently, there are no marijuana facilities located within the City of Surprise and at only 156 licenses available in the State of Arizona for marijuana facilities, there will not be an over concentration of the facilities anywhere in the State of Arizona.

E. The proposed use shall have adequate ingress and egress to property and proposed structures, pedestrian and vehicular circulation with particular reference to emergency service access;

Commentary: The proposed use is located within a commerce center. There is direct access from Bell Road and indirect access from Dysart Road. The Site Plan will be reviewed by the City's Fire Prevention Department to ensure the emergency access will be accommodated.

F. Adequate utilities, access roads, drainage sanitation; and/or,

Commentary: The proposed use is located within a commerce center that was recently approved therefore will be providing adequate utilities, access roads and drainage sanitation.

G. Necessary facilities will be provided and the use will not contribute toward an

overburdening of municipal services;

Commentary: All required landscaping and improvements for the facility will be provided by the developer and the retail use will not contribute to an overburdening of municipal services.

Below are the Use Specific Standards as listed in Section 106-10.27 Marijuana facility uses of the LDO.

- A. All marijuana facility uses shall comply with laws pursuant to Arizona Revised Statutes and all regulations issued by the DHS. The following provisions will not be construed as permitted any use or act which is otherwise prohibited or made punishable by law.

Commentary: The facility will comply with laws pursuant to ARS and all regulations issued by the DHS.

- B. Any marijuana facility shall meet the following requirements:

1. Be located in a permanent building and may not be located in a trailer, cargo, container, storage unit, or motor vehicle.

Commentary: The proposed use will be in a permanent building that is proposed to be approximately 3,000 square feet in area. The applicant will submit a Site Plan application for staff to review the site, building and elevations for the proposed use.

2. The business location shall not exceed a maximum of two thousand five hundred (2,500) gross square feet, except that a co-located medical marijuana dispensary and marijuana retail establishment operated by a dual licensee may be a maximum size of five thousand (5,000) gross square feet.

Commentary: Upon formal submittal of a Site Plan, staff will ensure the marijuana facility will not exceed the maximum size requirements.

3. May have a drive-through service per Section 106-10.17.

Commentary: The dual licensee marijuana facility is not proposing a drive-through.

4. Not emit dust, fumes, vapors, or odors into the environment.

Commentary: The proposed use will not emit dust, fumes, vapors or odors into the environment.

5. Not provide off-site delivery of marijuana or marijuana products.

Commentary: The proposed use will not provide any off-site delivery of marijuana or marijuana products.

6. Prohibit consumption of marijuana on the premises.

Commentary: The consumption of marijuana on the premises is prohibited.

7. Not have outdoor seating areas.

Commentary: Outdoor seating is not proposed.

8. Disposal of marijuana remnants, by-products, and/or infused products shall not to be placed within exterior refuse containers.

Commentary: Marijuana remnants, by-products, and/or infused products will not be placed within exterior refused containers.

9. The secure storage area for the marijuana stored at a marijuana facility operated by a dual licensee shall not exceed twenty (20) percent of the maximum gross floor area of the marijuana facility.

Commentary: The secure storage area for the marijuana will not exceed twenty (20) percent of the maximum gross floor area. City staff will review the floor plan upon submittal with the Site Plan.

10. The permitted hours of operation of a marijuana facility operated by a dual licensee shall be limited to 8:00 a.m. to 9:00 p.m.

Commentary: The facility's hours will conform to the LDO as the operating hours are proposed to be Monday through Sunday 8:00 a.m. to 9:00 p.m.

11. The operator of a marijuana facility shall provide unrestricted access to city code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.

Commentary: Unrestricted access will be provided to city code enforcement officers or police officers who request admission to ensure compliance with these standards.

12. Within a marijuana facility there shall be a secure storage area sufficient to deter and prevent theft.

Commentary: With the submittal of a Site Plan, a floor plan will be reviewed by City staff to ensure that the facility will have a secure storage area.

13. All marijuana and marijuana products shall be securely locked within the secured storage area at any time the medical marijuana dispensary and marijuana facility operated by a dual licensee is not open for business.

Commentary: Marijuana and marijuana products will be securely locked within a secured storage area at any time the facility is not open for business.

225 14. A medical marijuana dispensary or marijuana facility operated by a dual licensee
226 shall have secure entrances to the building and implement appropriate security
227 measures to deter and prevent the theft of marijuana and unauthorized entrance
228 into areas containing marijuana pursuant to A.R.S. §36-2806(c).
229

230 **Commentary:** With the submittal of a Site Plan, a floor plan will be reviewed by City staff to
231 ensure that the facility has secure entrances.
232

233 15. A marijuana facility shall have an alarm system with a redundant power supply
234 and circuitry to prevent deactivation.
235

236 **Commentary:** The proposed marijuana facility will have an alarm system with a redundant
237 power supply and circuitry to prevent deactivation.
238

239 16. A marijuana facility shall have a video surveillance system that at all times records
240 all interior areas and the exterior perimeter.
241

242 **Commentary:** The proposed marijuana facility will have a video surveillance system that will
243 record all interior and exterior areas.
244

245 17. A marijuana facility shall have adequate exterior security light, which also
246 complies with **Chapter 107, Article 3** of this ordinance.
247

248 **Commentary:** Upon submittal of the Site Plan, a lighting plan will be included for staff review
249 to ensure the lighting plan complies with Chapter 107, Article 3.
250

251 18. The operator of a marijuana facility shall develop and maintain a security plan
252 which demonstrates compliance with all of the minimum standards specified
253 herein.
254

255 **Commentary:** The applicant submitted a security plan that demonstrates compliance with
256 all of the minimum standards specified herein.
257

258 C. Any marijuana facility shall meet the following minimum separations, measured
259 in a straight line from the boundary of the parcel containing the marijuana
260 facility location to the boundary of the parcel containing any uses as listed
261 below (see **Table 106-10c**). If either the marijuana facility or buffered use is in a
262 commerce center development, the separation requirements shall be measured
263 from the boundary of the commerce center.

264 D. Marijuana retail establishments are prohibited, except that a marijuana retail
265 establishment is permitted when it is operated in the same building on the same
266 property with a medical marijuana dispensary by a dual licensee who has an
267 active, valid medical marijuana dispensary registration from DHS as well as a
268 marijuana retail establishment license issued by DHS.

- E. A marijuana facility lawfully operating is not rendered in violation of these provisions by the subsequent location of a new use established closer than the outlined below in **Table 106-10c**.

Commentary: Below is a table submitted the applicant indicating the separation distance from a specific land use to the required and actual separation from the marijuana facility. The dispensary is a dual licensee who will have an active, valid medical marijuana dispensary registration from DHS as well as a marijuana retail establishment licensed issued by DHS.

Separation Distances for any Marijuana Facility		
Land Use	Distance Required	Distance Measured
From any parcels that are residentially zoned or designated residential land use within an approved PAD	500 feet	1,080 feet
From any place of worship	500 feet	1,878 feet
From any dwelling unit	500 feet	1,135 feet
From any public or private charter, primary, or secondary school	1,500 feet	3,000 feet
From any public or provide day care, preschool, or kindergarten facility	1,500 feet	3,675 feet
From any public park or playground or usable open space	1,500 feet	3,050 feet
From any entertainment establishment	1,500 feet	2,600 feet
From any other marijuana facility of any type	3,000 feet	6,775 feet
From any sexually oriented business	3,000 feet	6.3 miles
from any residential substance abuse facility	3,000 feet	6,235 feet

Citizen Participation Meeting: The applicant held a Citizen Participation Meeting for the subject property at the Surprise Regional Library on August 23, 2023. Six (6) members of the general public were present. The proposed development was discussed and questions were answered. Staff received one email in opposition to the proposed use which is attached. The Outreach Meeting, along with the subject Planning and Zoning Commission hearing, were advertised in accordance with state and local requirements. The Outreach Summary is included as an attachment to this report.

CONFORMANCE WITH ADOPTED PLANS:

The proposal is consistent with the Surprise General Plan 2035. The subject property is within the Commerce and Office Character Area, which supports uses such as that proposed.

The proposed development adheres to the Commerce and Office Character Area Development by providing supporting commercial uses to serve workers and patrons.

REVIEWING AGENCIES:

In addition to the standard City reviewing agencies, who indicate no objections to the requests, Luke Air Force Base and Maricopa County Department of Transportation were included in the routing of this case. These agencies also indicate no objections.

Transportation:

At the request of the City's Transportation Department, the applicant submitted a Traffic Impact Analysis (TIA) with the Final Plat. The TIA was reviewed and approved during the Final Plat

Summary:

The subject Use-Only CUP meets the applicable requirements as set forth in the LDO and is consistent with the Surprise General Plan 2035. All City reviewing departments have reviewed the request and expressed no concerns.

Recommendation:

Based on the findings noted above, staff recommends the Commission move to approve case FS23-0512, subject to stipulations 'a' through 'c' as outlined below:

- a. Following approval of this Use-Only CUP, the applicant shall submit a Type-1 Site Plan application to be approved by the Community Development Director and City Engineer.
- b. The applicant shall obtain a building permit for the subject facility within two (2) years of the effective date of Planning and Zoning Commission approval of this Conditional Use Permit. If the applicant does not obtain said building permit within the specified time, this Conditional Use Permit shall be deemed null and void.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

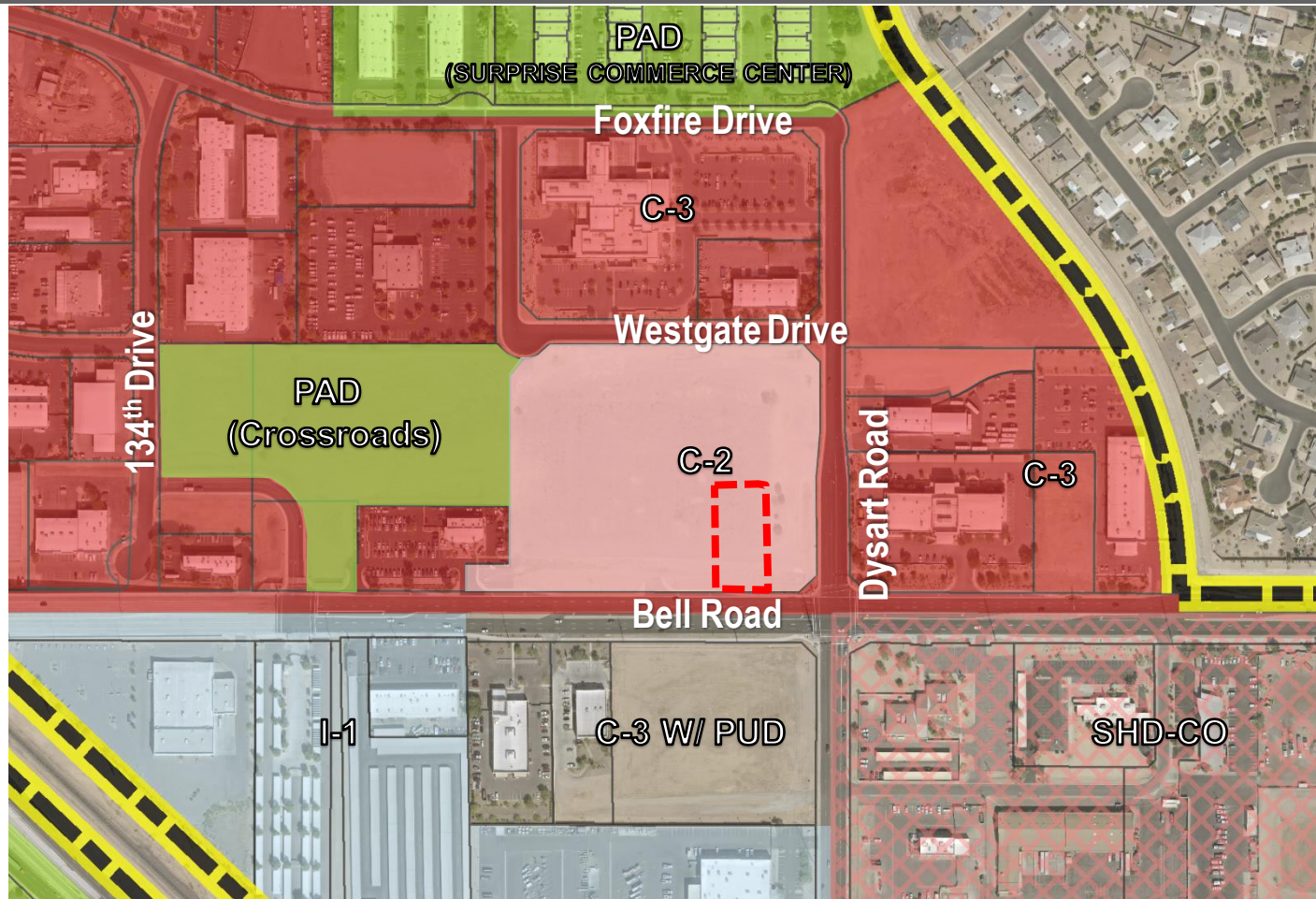
However, should the Commission wish to **deny** the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

01 Vicinity Map
02 Zoning Map
03 Conceptual Site Plan
04 Conceptual Elevations
05 Citizen Outreach Report - REDACTED
06 Affidavit of Site Posting
07 Letter of Opposition
PPT

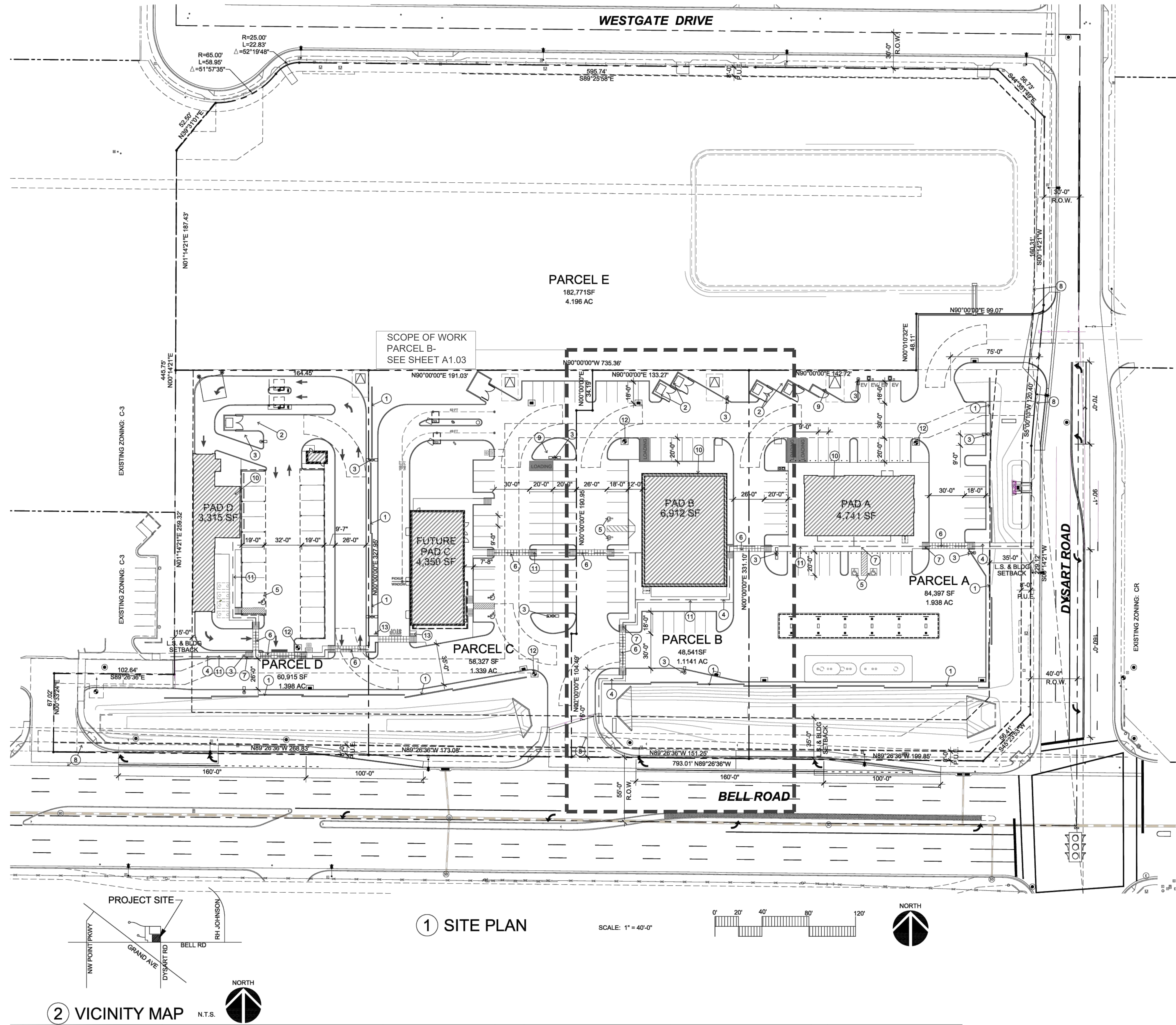


VICINITY MAP



EXISTING ZONING

CONCEPTUAL SITE PLAN



OWNER:
DERITO DEVELOPMENT
9120 EAST TALKING STICK WAY
SUITE E1
SCOTTSDALE, ARIZONA
CONTACT: IVER BOWDEN
PH: 480.834.8500
EMAIL: iver.bowden@derito.com

ARCHITECT:
ARCHICON ARCHITECTURE
AND INTERIORS, L.C.
5055 E. WASHINGTON ST.
SUITE 200
PHOENIX, AZ 85034
CONTACT: JEFFREY A KOSKI
PH: 602.222.4266
EMAIL: jeffk@archicon.com

PROJECT DESCRIPTION:

THIS PROJECT WILL CONSIST OF 4 NEW GROUND UP BUILDINGS. A NEW C-STORE ALONG WITH THE ADDITION OF A GAS FUELING CANOPY, A RETAIL BUILDING, A FUTURE RESTAURANT AND A CAR WASH

EXISTING ZONING: C-2
APN: 503-66-596

PROJECT DATA

APPROX. SITE AREA:	434,861.00 S.F.	NET ACRES	9.99
TOTAL BUILDING AREA:	22,036 S.F.		
APPROX % OF COVERAGE:	5.07 %		

PARKING

TOTAL REQUIRED SPACES	64 SPACES		
TOTAL PROVIDED SPACES	133 SPACES		
PARKING RATIO	1 SPACE PER 6.04 / 1,000	S.F.	
PARKING RATIO			

HANDICAPPED

REQUIRED	7 SPACES	10.94%
PROVIDED	7 SPACES	10.94%

PARCEL DATA

PAD A - CONVENIENCE STORE WIGAS FUEL CANOPY		
PARCEL AREA (APPROX.)	64,397.00 S.F.	1.94 AC.
BUILDING AREA	4,741 S.F.	
CANOPY AREA	2,720 S.F.	
COVERAGE	8.64 %	

TOTAL PARKING REQUIRED:	VEHICLE FUELING STATION 1 PER 300 SF RETAIL AREAS		
TOTAL PARKING REQUIRED	15.80 SPACES		
TOTAL PARKING PROVIDED	16 SPACES		
HANDICAP SPACES REQUIRED	2 SPACES		
HANDICAP SPACES PROVIDED	2 SPACES	5.00%	
PARKING RATIO	1 SPACE PER 118.5	S.F.	
PARKING RATIO	6.44 / 1,000	S.F.	
BICYCLE PARKING REQUIRED	2 BIKES		
BICYCLE PARKING PROVIDED	2 BIKES		

PAD B - RETAIL BUILDING

PARCEL AREA (APPROX.)	48,541.00	S.F.	1.11	AC.
BUILDING AREA	6,912	S.F.		
COVERAGE	14.24	%		
TOTAL PARKING REQUIRED:	RETAIL 1 PER 400 GFA			
TOTAL PARKING REQUIRED	17.28	SPACES		
TOTAL PARKING PROVIDED	18	SPACES		
HANDICAP SPACES REQUIRED	30	SPACES		
HANDICAP SPACES PROVIDED	2	SPACES		
PARKING RATIO	2	SPACES	6.67%	
PARKING RATIO	1 SPACE PER	230.4	S.F.	
		1,000	S.F.	
BICYCLE PARKING REQUIRED	1.50	BIKES		
BICYCLE PARKING PROVIDED	2	BIKES		

PAD C - FUTURE RESTAURANT

PARCEL AREA (APPROX.)	58,327.00	S.F.	1.34 AC.
BUILDING AREA	4,350	S.F.	
COVERAGE	7.46	%	
TOTAL PARKING REQUIRED:	RESTAURANT 1 PER 150 GFA		
TOTAL PARKING REQUIRED	29.00	SPACES	
TOTAL PARKING PROVIDED	29	SPACES	
HANDICAP SPACES REQUIRED	43	SPACES	
HANDICAP SPACES PROVIDED	2	SPACES	
	2	SPACES	4.65%
PARKING RATIO	1 SPACE PER 101.2	S.F.	
PARKING RATIO	9.89 / 1,000	S.F.	
BICYCLE PARKING REQUIRED	2.2	BIKES	
BICYCLE PARKING PROVIDED	3	BIKES	

PAD D - CAR WASH

PARCEL AREA (APPROX.)	60,915.00	S.F.	1.40	AC.
BUILDING AREA	3,315	S.F.		
COVERAGE	5.44	%		(32 SF OFFICE)
TOTAL PARKING REQUIRED:	VEHICLE WASHING FACILITY 1 PER 300 OF OFFICE			
TOTAL OFFICE PROVIDED:	32.25	SF		
TOTAL PARKING REQUIRED	1	SPACES		
TOTAL PARKING PROVIDED	20	SPACES		
HANDICAP SPACES REQUIRED	1	SPACES		
HANDICAP SPACES PROVIDED	1	SPACES	5.00%	
PARKING RATIO	1 SPACE PER	165.8	S.F.	
PARKING RATIO	6.03 / 1,000	S.F.		
BICYCLE PARKING REQUIRED	1.0	BIKES		
BICYCLE PARKING PROVIDED	2	BIKES		

PARCEL E - FUTURE DEVELOPMENT

PARCEL AREA (APPROX.)	162,771.00 S.F.	4.20 AC.
-----------------------	-----------------	----------

KEYNOTES:

- 3'-0" HIGH CMU SCREEN WALL
- TRASH ENCLOSURE
- PARKING LOT LIGHT POLE
- CONCRETE SIDEWALK, 6'-0" WIDE
- ADA PARKING SPACE
- DECORATIVE PAVING CROSSWALK
- ADA RAMP
- SIGHT VISIBILITY TRIANGLE
- TRANSFORMER LOCATION
- SES LOCATION
- ACCESSIBLE ROUTE (SHOWN DASHED)
- FIRE HYDRANT
- STOP SIGN



TYPE-X DESIGN STUDIO

TYPE-X DESIGN STUDIO

1641 W. MOUNTAIN VIEW DR.
MESA, AZ 85201
STUDIOTYPEX.COM
520-891-4207

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BELLA FIESTA- PAD B
N.W.C. OF DYSART ROAD & BELL ROAD
SURPRISE, AZ 85378

REVISIONS

REVISION 1: 11-08-2023- CITY COMMENTS 1

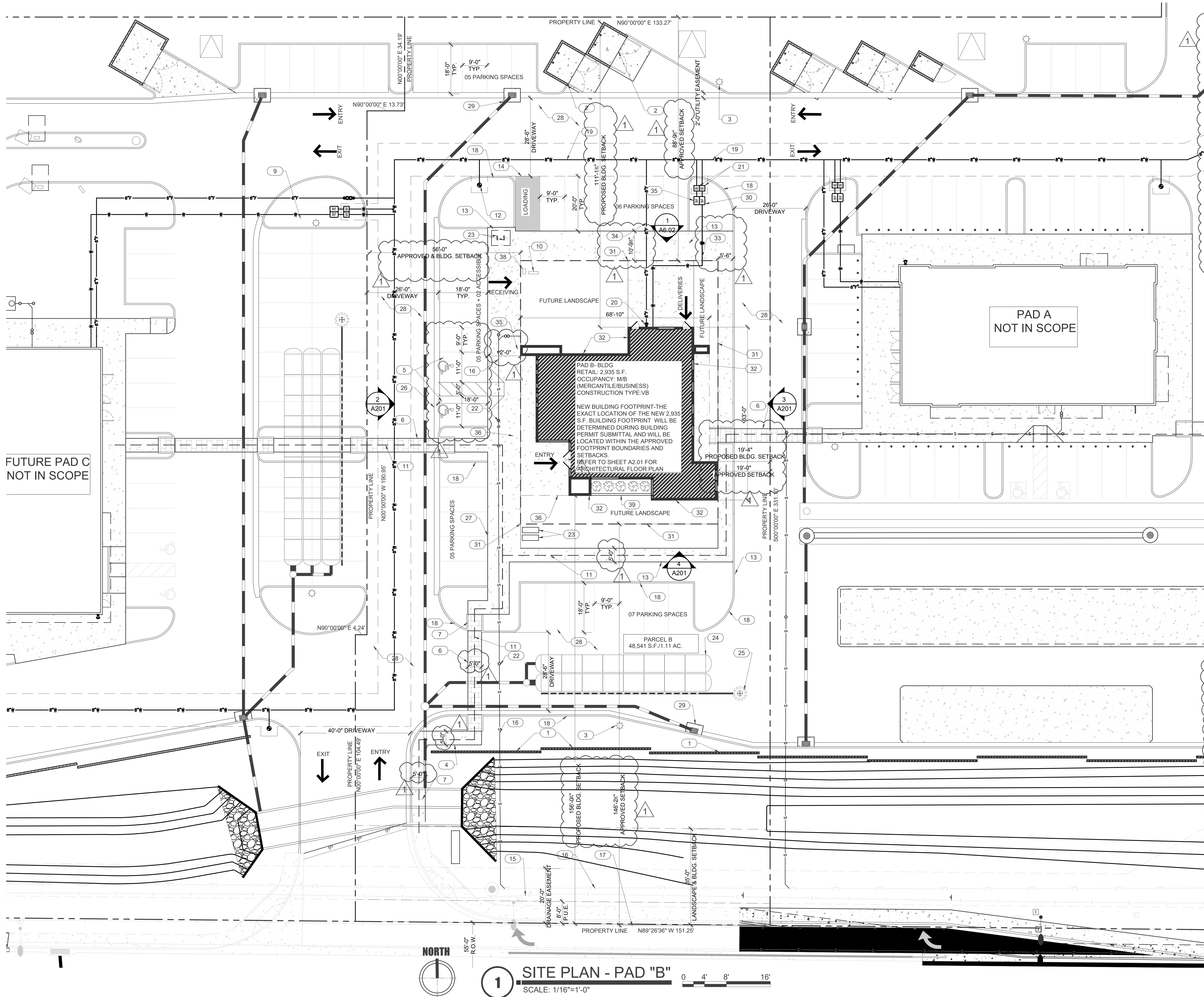
CONDITIONAL
USE
PERMIT

CASE NUMBER: FS23-0512

DATE 06/22/2023
SCALE 1/32" = 1'-0"
PROJECT # 2023-02
DRAWN BY DG

SHEET #
OVERALL SITE PLAN

A1.02



CITY OF SURPRISE
BUILDING CODES

- 2018 INTERNATIONAL BUILDING CODE (IBC)
- 2018 INTERNATIONAL MECHANICAL CODE (IMC)
- 2018 INTERNATIONAL FUEL GAS CODE (IFGC)
- 2018 INTERNATIONAL PLUMBING CODE (IPC)
- 2018 PHOENIX FIRE CODE (IFC)
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- 2017 NATIONAL ELECTRICAL CODE (NEC)
- ICC A117.1 - 2009 ACCESSIBLE & USABLE BUILDING & FACILITIES
- ORDINANCE 2019-031 (LOCAL CODE AMENDMENTS)

SITE INFORMATION

REFER TO SHEET A1.00/ COVER SHEET UNDER PROJECT DATA FOR MORE INFORMATION

PARKING REQUIREMENTS

TOTAL PARKING REQUIRED: RETAIL 1 PER 400 GFA
TOTAL PARKING REQUIRED: 7 SPACES
TOTAL PARKING PROVIDED: 28 SPACES
ACCESSIBLE SPACES REQUIRED: 2 SPACES
ACCESSIBLE SPACES PROVIDED: 2 SPACES
TOTAL PARKING SPACES PROVIDED = 30 SPACES
BICYCLE PARKING REQUIRED: 1.50 BIKES
BICYCLE PARKING PROVIDED: 2 BIKES

KEYNOTES

- 3'-0" HIGH CMU BLOCK SCREEN WALL
- TRASH ENCLOSURE
- PARKING LOT LIGHT POLE
- 5'-0" WIDE CONCRETE SIDE WALK
- ACCESSIBLE PARKING SPACE
- DECORATIVE PAVING CROSSWALK
- ACCESSIBLE RAMP
- SIGHT VISIBILITY TRIANGLE
- TRANSFORMER LOCATION
- SES LOCATION
- ACCESSIBLE ROUTE (SHOWN DASHED)
- FIRE HYDRANT
- SIDE WALK
- LOADING
- ELECTRICAL LINE
- SEWER LINE
- GAS LINE
- CURB
- WATER LINE
- NEW BUILDING- MOUNTED FDC
- WATER METER
- SEWER MAN HOLE
- BIKE PARKING X 2- PER CITY OF SURPRISE REQUIREMENTS & DETAILS
- NEW STORMTECH MC-3500 STORM WATER RETENTION CHAMBERS
- NEW SINGLE CHAMBER DRYWELL
- NEW VALLEY GUTTER
- SIDEWALK
- NEW ASPHALT PAVEMENT
- NEW STORM DRAIN INLET
- DOMESTIC BACKFLOW PREVENTER
- LINE OF ORIGINAL APPROVED BUILDING FOOTPRINT OF 6,912 S.F.
- NEW BUILDING FOOTPRINT-THE EXACT LOCATION OF THE NEW 2,935 S.F. BUILDING FOOTPRINT WILL BE DETERMINED DURING BUILDING PERMIT SUBMITTAL AND WILL BE LOCATED WITHIN THE APPROVED FOOTPRINT BOUNDARIES. REFER TO ARCHITECTURAL FLOOR PLAN ON SHEET A2.01
- 2" WATER MAIN - BUILDING
- 6" FIRE LINE
- IRRIGATION BACKFLOW PREVENTER WITH 1" IRRIGATION LINE
- OVERHANG 523 S.F.
- NOT USED
- KNOX BOX LOCATION
- PLANTER

CASE NUMBER: FS23-0512



TYPE-X DESIGN STUDIO

TYPE-X DESIGN STUDIO

1641 W. MOUNTAIN VIEW DR.
MESA, AZ 85201
STUDIOTYPEX.COM
520-891-4207

BELLA FIESTA- PAD B
N.W.C. OF DYSART ROAD & BELL ROAD
SURPRISE, AZ 85378

REVISIONS
REVISION 1: 11-08-2023- CITY COMMENTS 1

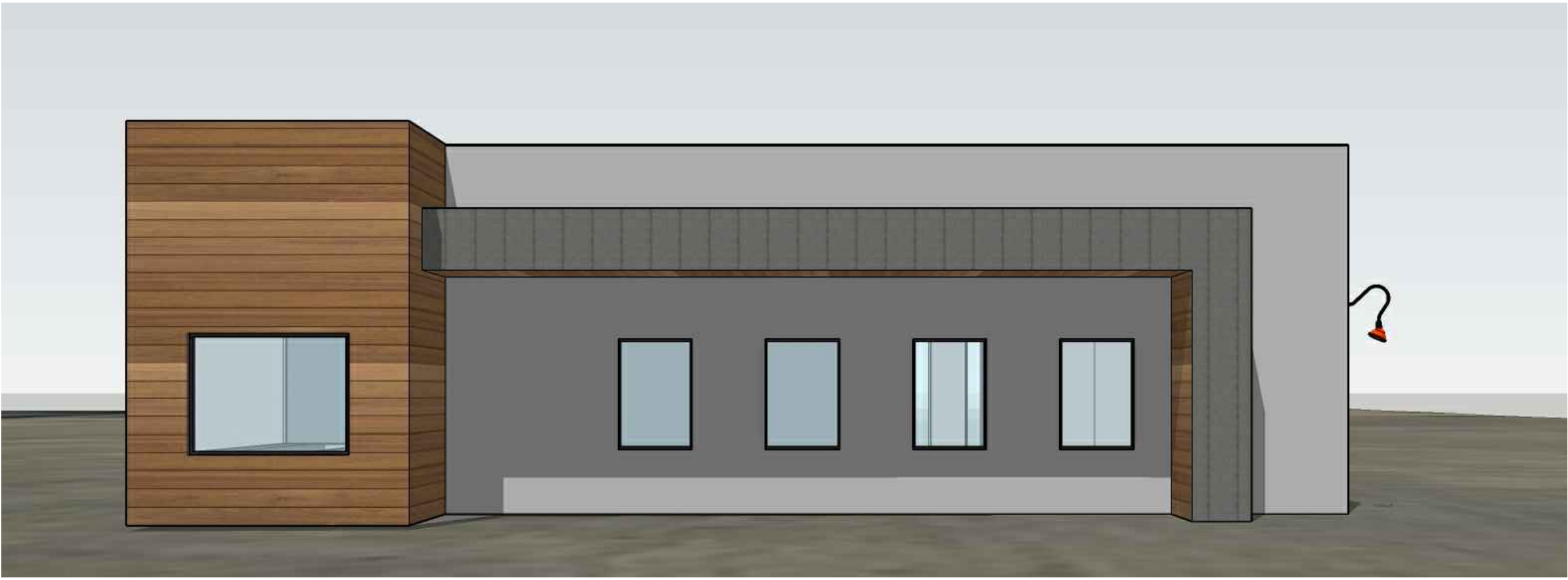
CONDITIONAL
USE
PERMIT

DATE 06/22/2023
SCALE 1/16" = 1'-0"
PROJECT # 2023-02
DRAWN BY DG

SHEET #
CONCEPTUAL SITE PLAN- PAD B

A1.03

1 SITE PLAN - PAD "B"
SCALE: 1/16"=1'-0"



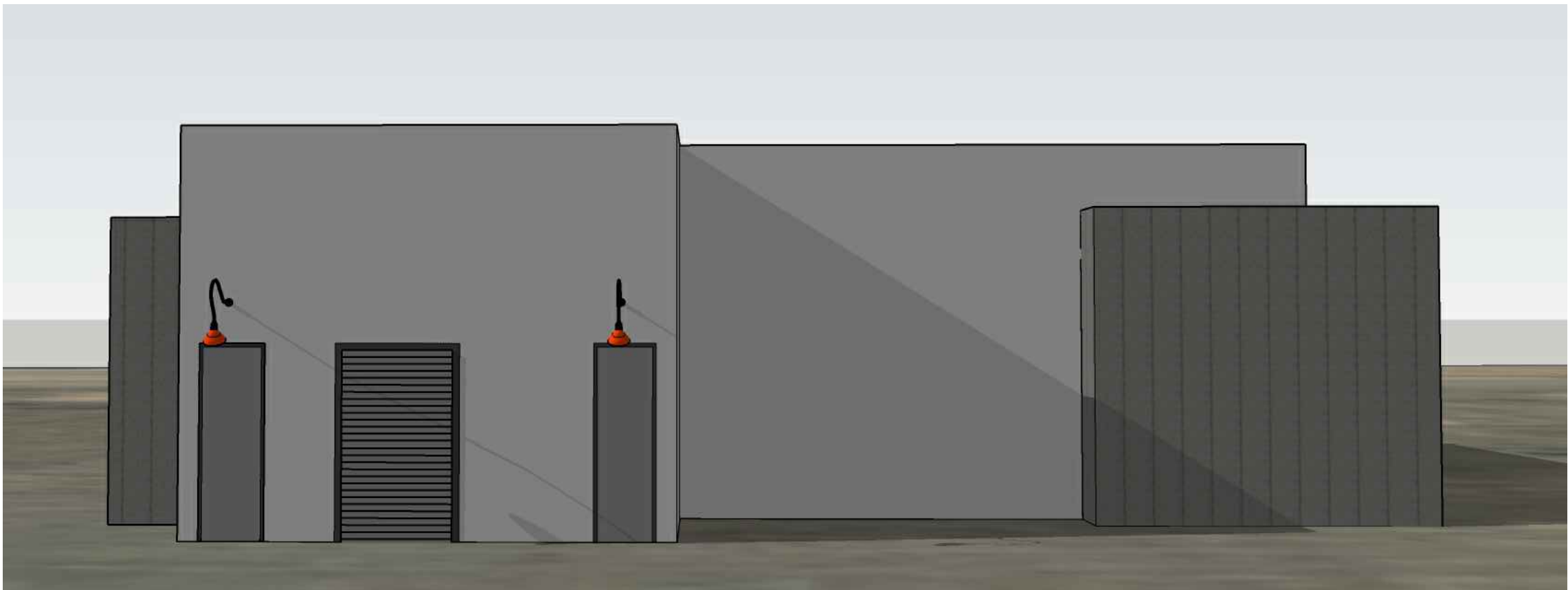
2 WEST ELEVATION
SCALE: NTS



1 NORTH ELEVATION
SCALE: NTS



4 EAST ELEVATION
SCALE: NTS



3 SOUTH ELEVATION
SCALE: NTS



5 NORTH EAST VIEW- ENTRY
SCALE: NTS

KEYNOTES

1. NEW SIGNAGE- UNDER SEPARATE PERMIT. TO BE LIT (ELECTRICAL REQUIRED)
2. NEW ROLL UP GARAGE DOORS - GALVANIZED FINISH
3. DOOR TO FIRE RISER ROOM.
4. TRIM AND DOOR PANEL TO BE PAINTED
5. EXTERIOR WALL SCONCE
6. STUCCO
7. STANDING SEAM METAL
8. INTEGRATED PLANTER
9. STOREFRONT
10. FIBER CEMENT SIDING WOOD CLADDING

LEGEND

- GLASS
- FIBER CEMENT SIDING WOOD CLADDING-NICHIHA OR SIMILAR
- STUCCO
- STANDING SEAM METAL- GREY



TYPE-X DESIGN STUDIO
TYPE-X DESIGN STUDIO

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MESA, AZ 85201
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BELLA FIESTA- PAD B
N.W.C. OF DYSART ROAD & BELL ROAD
SURPRISE, AZ 85378

REVISIONS

REVISION 1: 11-08-2023- CITY COMMENTS 1

CONDITIONAL
USE
PERMIT

CASE NUMBER: FS23-0512

DATE 06/22/2023
SCALE 1/8" = 1'-0"
PROJECT # 2023-02
DRAWN BY DG

1
SHEET #
EXTERIOR ELEVATIONS- COLORED

A6.03

Bella Fiesta Parcel B
Northwest Corner of Dysart Rd and Bell Rd
Conditional Use Permit
Citizen Participation Report
FS23-0512



Prepared for:



Prepared by:

GAMMAGE & BURNHAM

This Citizen Participation Report has been prepared for a Conditional Use Permit application (“Application”) for the approximate 1.11 net acres generally located west of the northwest corner of the Bell Road and Dysart Road (the “Property”).

Through its representative Gammage & Burnham (“G&B”), Zoned Properties (the “Applicant”) seeks a Conditional Use Permit to allow for a dual license marijuana dispensary with up to 5,000 gross square feet of building floor area.

As prepared, the Citizen Participation Report meets the City’s Citizen Participation requirements and the recommended notification area as identified by the Planning department.

OVERVIEW OF ELEMENTS OF CITIZEN NOTIFICATION

- On August 4, 2023, Dynamite Signs posted the property with two (2) signs indicating the scheduled neighborhood meeting of August 23, 2023, with meeting time and location. Hearing times for the CUP were completed with “TBD”. See posting affidavit at **Exhibit A**.
- On or around August 2, 2023, the City of Surprise sent out notices to property owners and registered neighborhood associations. City staff also posted a legal ad in the newspaper. See notification at **Exhibit B**. Unfortunately, the legal ad incorrectly stated Thursday, August 23rd in stead of Wednesday August 23rd. Due to this error two neighborhood meetings were held, one on each day.
- On Wednesday, August 23, 2023, G&B, along with the developer, Zoned Properties, hosted a neighborhood open house meeting at the Surprise Regional Library. The meeting was set up as an open house from 6-7pm with a brief presentation on the CUP request. In addition to the development team and City staff there were approximately 6 individuals from the surrounding community present. See **Exhibit C** for sign-in sheets. Following the presentation, the development team addressed questions and concerns. Below is an outline of the discussion:
 - o Signage will be tasteful and will comply with the City’s code requirements.
 - o A brief review of the CUP process was explained.
 - Site plan and elevation review are to take place after the CUP process.
 - o A discussion regarding the proposed size (3,009sf) and the maximum allowable size of 5,000sf.
 - o No tenant has been identified at this time.
 - o Approximately 12 employees at 1 time on site.
 - o Hours of operation ate from 8am-9pm
 - o The State has strict rules and laws that must be followed for security and surveillance.
 - o There is more parking than required, as this is a pad within a commercial shopping center with other commercial uses.
 - o This site meets all the separation requirements.
 - There are no dispensaries in Surprise at this time.

- There was a review of the Propositions that passed in 2010 for Medical Marijuana and 2020 for Recreational Marijuana.
- Next steps in the process were discussed.
- On Thursday, August 24, 2023, G&B, along with the developer, Zoned Properties, hosted another neighborhood open house meeting at the Surprise Regional Library. The meeting was set up as an open house from 6-7pm with a brief presentation on the CUP request. No members of the public attended this meeting.
- On December 15, 2023, Dynamite Signs updated the two (2) signs with hearing information. See posting affidavit at **Exhibit D**.

No further input or contact has been received from members of the community. Should any adjacent property owners and/or other interested individuals raise any concerns between now and the date of the hearings, the Project Team will make every effort to address those concern in the appropriate manner, such as, but not limited, to personal visits, phone calls, or other acceptable means. Members of the Project Team are committed to working with the City of Surprise, surrounding neighbors, and any interested parties to ensure the compatibility and success of this application.

EXHIBIT A

AFFIDAVIT OF POSTING

Application No: _____
Applicant Name: _____ nham
Location: _____
Date Site Posted: _____

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).

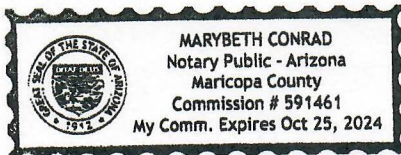
Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on 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 8/04/2
Applicant/Representative Signature Date

This instrument was acknowledged before me on _____, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.



MaryBeth Conrad
Notary Public
10-25-24
My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to the scheduled meeting(s)**.*

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

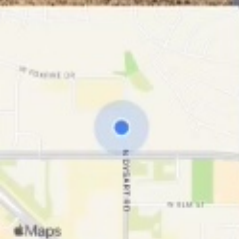
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license
marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



Aug 04, 2023 08:05AM
17090-17148 N Dysart Rd
Maricopa County

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

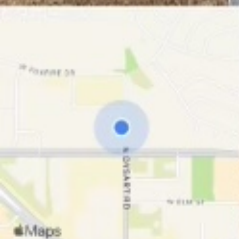
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license
marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



Aug 04, 2023 08:05AM
17064-17085 N Dysart Rd
Maricopa County

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

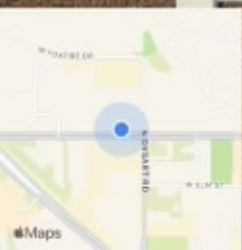
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license
marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



Aug 04, 2023 07:47AM
13164–13168 W Bell Rd
Maricopa County

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

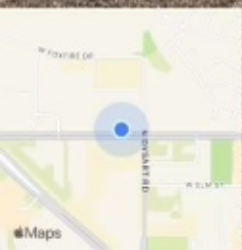
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license
marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



Aug 04, 2023 07:46AM
13164-13168 W Bell Rd
Maricopa County

EXHIBIT B

DEVELOPMENT PROJECT NEIGHBORHOOD MEETING

Please be advised, Lindsay Schube with Gammage & Burnham Law Group will host a Neighborhood Meeting to discuss the project referenced below. Any member of the public may participate in this conversation as it pertains to this project by utilizing the access information provided under Meeting Details below. According to Surprise Municipal Code, the applicant is required to host a Neighborhood Meeting to present their project to the public while soliciting feedback and providing answers to questions. Please note, the City of Surprise is not the host of this meeting; however, the assigned City Planner will be available to provide information as needed in response to inquiries received from residents.

Applicant: Lindsay Schube, (602) 256-4471, lschube@gblaw.com

City of Surprise Planner: Chris Sexton, (623) 222-3134, Christina.Sexton@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

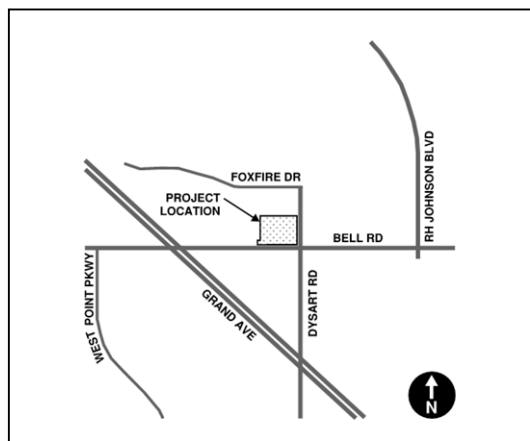
In Person

DATE: **Thursday, August 23, 2023**

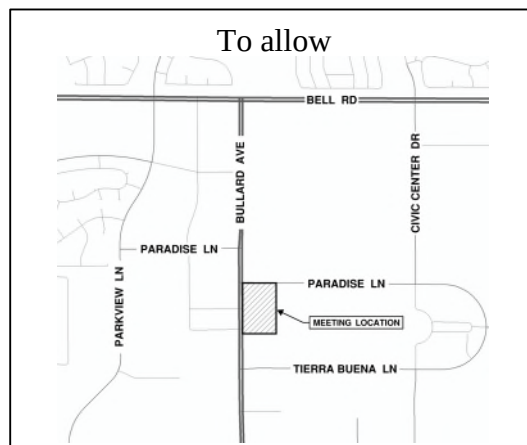
TIME: 6:00 PM

LOCATION: Surprise Regional Library
16089 N Bullard Ave
Surprise AZ 85374

Project Location



Meeting Location



PROJECT DESCRIPTION:

Use-Only Conditional Use Permit (CUP) to allow a dual license marijuana dispensary with up to 5,000 gross square feet located at the northwest corner of Bell Road and Dysart Road. Surprise Planning Case FS23-0512

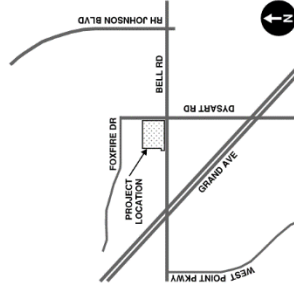
[NOTICE OF NEIGHBORHOOD MEETING]

DEAR PROPERTY OWNER: The purpose of this mailing is to inform you that a Neighborhood Meeting is scheduled in-person to review and solicit public input on Case FS23-0512, a request by Lindsay Schube with Gammage and Burnham Law Group, for a Use-Only Conditional Use Permit (CUP).

The CUP will allow a dual license marijuana dispensary with up to 5,000 gross square feet located at the northwest corner of Bell Road and Dysart Road.

At the meeting, the applicant and/or representative will be available to answer any questions and solicit comments on this request.

PROJECT LOCATION



*To learn more or provide input,
please contact:*

*Chris Sexton at 623.222.3134 or
christina.sexton@surpriseaz.gov*





WHEN:

August 23, 2023 | 6:00 PM

Location: Surprise Regional

Library

16089 N Bullard Av

Surprise, AZ 85374

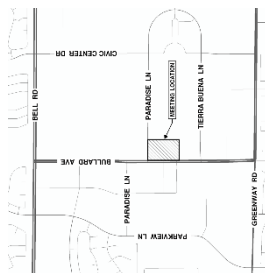


EXHIBIT C

Neighborhood Meeting Attendees			
Wednesday, August 23, 2023			
Name	Address	Email	
Andy Cepan			
Jared Holland			
Dave Harris			
Barbara & William McReynolds			
Steve Hanks			
Thursday, August 24, 2023			
Name	Address	Email	

AFFIDAVIT OF POSTING

Application No: FS23-0512
Applicant Name: Gammage & Burnham
Location: NWC Dysart Rd & Bell Rd.
Date Site Posted: 12/15/23

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.

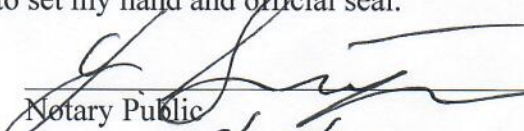
It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

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.

 12/15/23
Applicant/Representative Signature Date

This instrument was acknowledged before me on 12/15/23, by Patrick Anspaugh. I witness whereof I hereunto set my hand and official seal.




Notary Public 5/31/27
My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior** to the scheduled meeting(s).*

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: January 18, 2024

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: N/A

Time: 6:00 P.M.

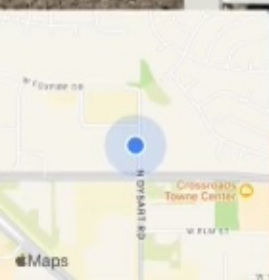
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license
marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



December 14, 2023 at 11:38 AM
17090-17148 N Dysart Rd
Maricopa County

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: January 18, 2024

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: N/A

Time: 6:00 P.M.

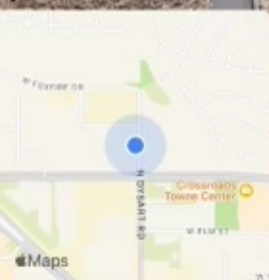
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license
marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



December 14, 2023 at 11:38 AM
17090-17148 N Dysart Rd
Maricopa County

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: January 18, 2024

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: N/A

Time: 6:00 P.M.

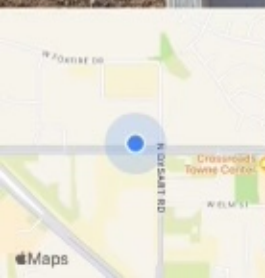
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license
marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



December 14, 2023 at 11:44 AM

13156–13162 W Bell Rd

Maricopa County

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: August 23, 2023

Time: 6:00 P.M.

Location: Surprise Regional Library –
Program Room
16089 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: January 18, 2024

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: N/A

Time: 6:00 P.M.

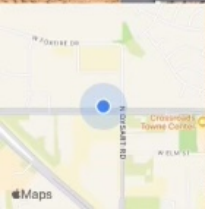
Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Case Number: FS23-0512

Project Name: Bella Fiesta PAD B

Request: Conditional Use Permit (CUP for Use Only) to allow a dual license marijuana dispensary with up to 5,000 gross square feet of building floor area.

For more information, call: 623-222-3011 www.Surpriseaz.gov



December 14, 2023 at 11:44 AM
13156-13162 W Bell Rd
Maricopa County

Christina Sexton

From: [REDACTED]
Sent: Thursday, August 24, 2023 8:10 AM
To: Alyssa Carpenter; nick.haney@surpriseaz.gov; Christina Sexton
Subject: How can Table106-10c - Separation distances for any Marijuana Facility Be Modified

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good Morning:

I attended the Marijuana Facility Public meeting last night for a dispensary (23-0512). I am not pleased that it *may* be within 300 feet of both a Fast Food Restaurant and a Convenience store.

I am opposed to this conditional permit being approved for this reason.

I would like to see that these two categories be added to the top of this table in ([library.municode.com/az/surprise/codes/municipal code?...](http://library.municode.com/az/surprise/codes/municipal_code?...)). The distance I would like is 300 feet. This change would be for future development applicants. What is the process for getting this table modification?

Regards,

David Marsh
District 1



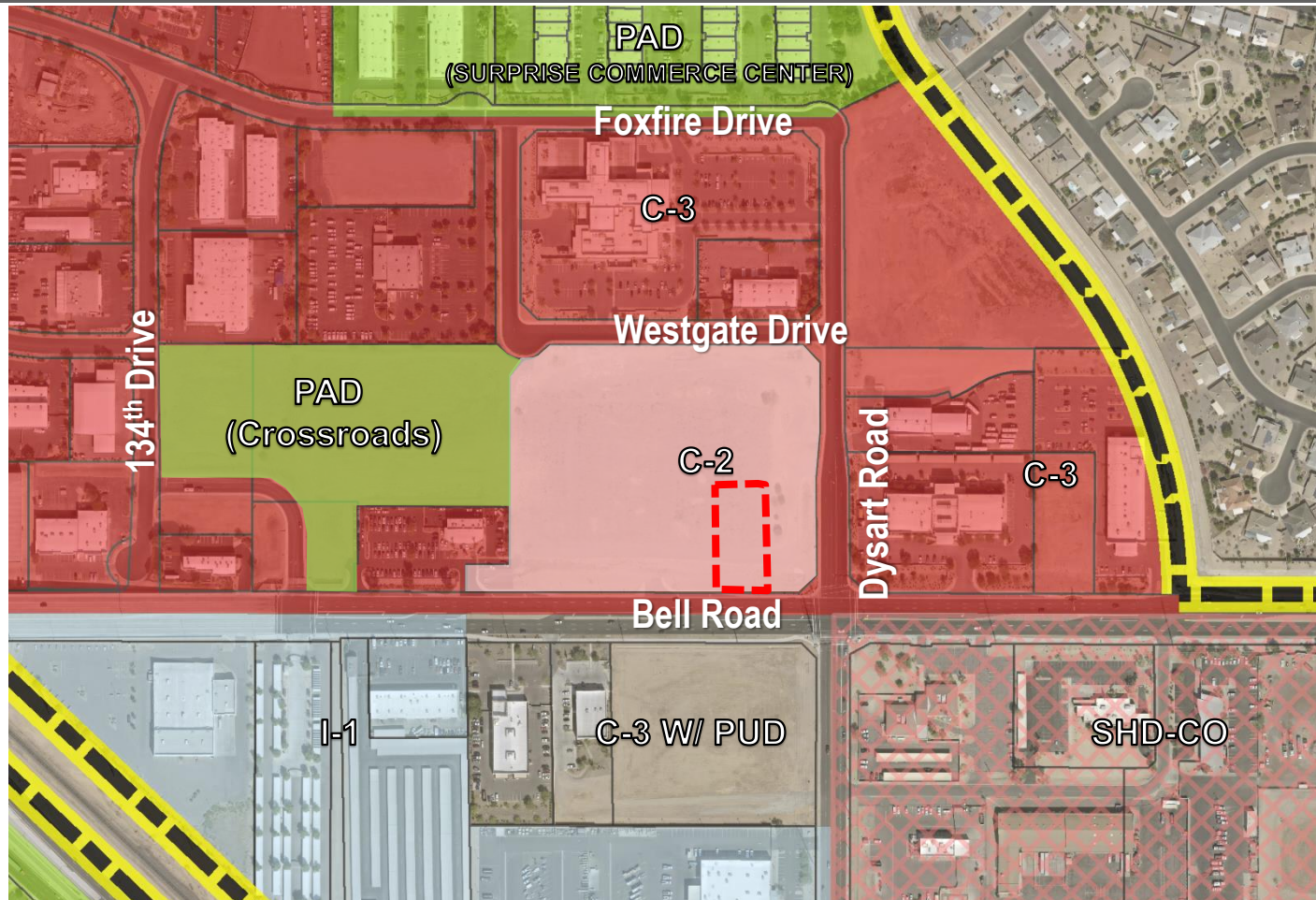
FS23-0512
Bella Fiesta Pad B
Use-Only CUP

Planning and Zoning Commission

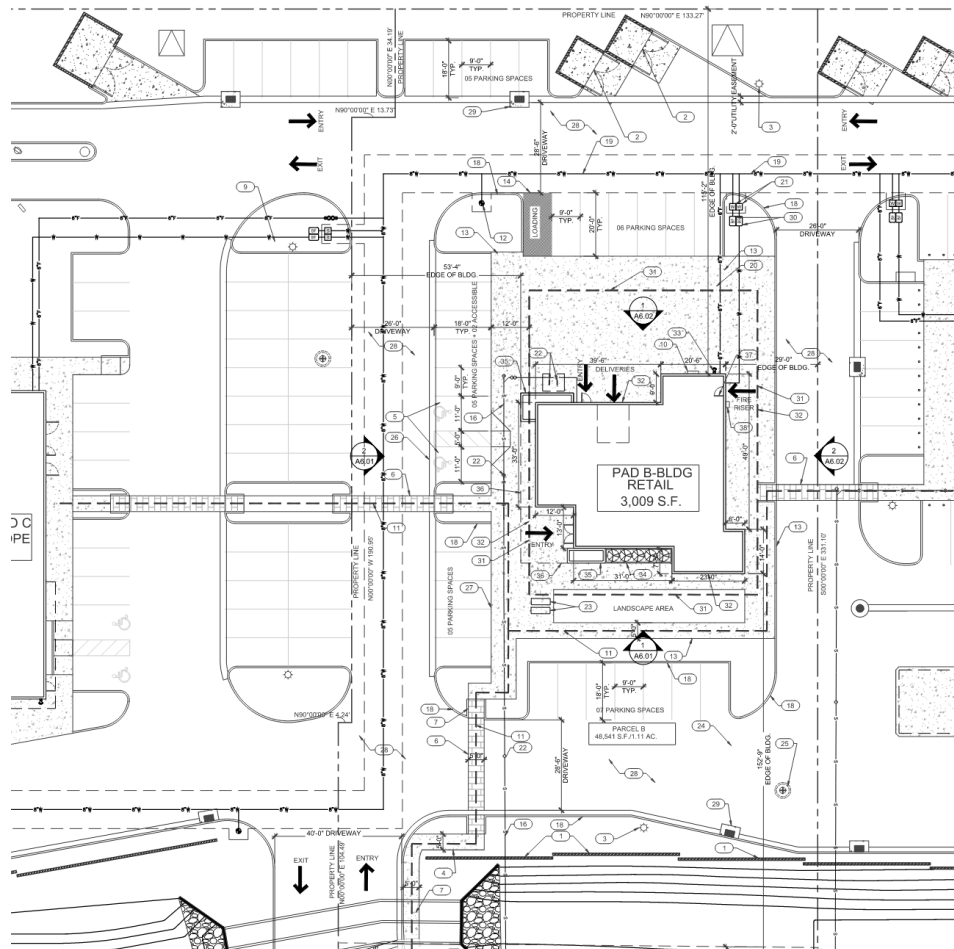
January 18, 2024



VICINITY MAP



EXISTING ZONING



CONCEPTUAL SITE PLAN



② WEST ELEVATION
SCALE: 1/8" = 1'-0"



① NORTH ELEVATION
SCALE: 1/8" = 1'-0"



④ EAST ELEVATION
SCALE: 1/8" = 1'-0"



③ SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



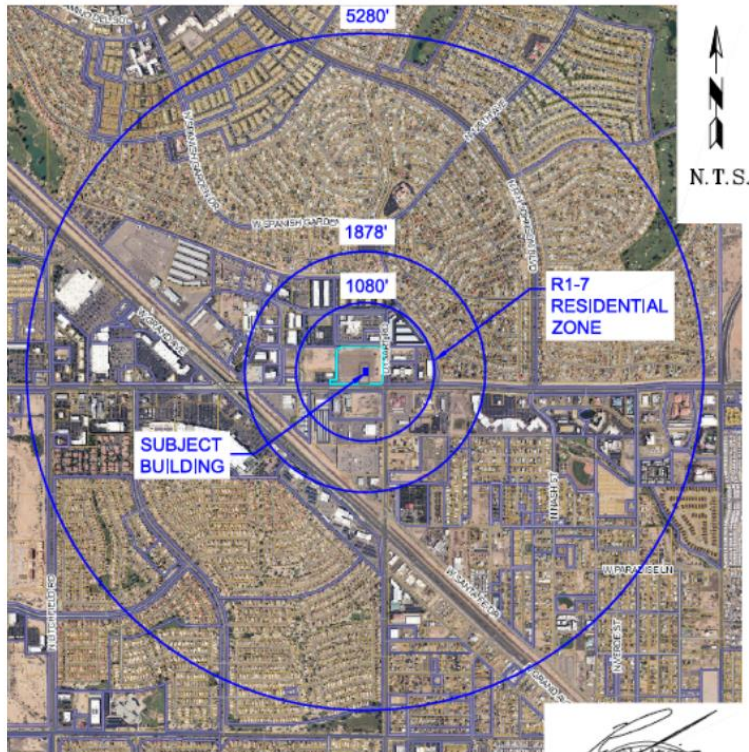
⑤ NORTH EAST VIEW- ENTRY
SCALE: 1/8" = 1'-0"

LDO Section 106-10.27

- ✓ Shall comply with ARS & DHS
- ✓ In a permanent building
- ✓ Shall not exceed 5,000 gross feet
- ✓ Not emit dust, fumes, vapors or odors in the environment
- ✓ No off-site delivery of marijuana
- ✓ No consumption on premises
- ✓ No outdoor seating
- ✓ No disposal within exterior refused containers

LDO Section 106-10.27

- ✓ Secure storage area will not exceed 20% of max gross floor area/Secure locked storage area
- ✓ Hours of operation 8:00 a.m. – 9:00 p.m.
- ✓ Unrestricted access to code enforcement and police officers
- ✓ Alarm/Video System
- ✓ Lighting plan
- ✓ Security Plan
- ✓ Minimum Separation Requirements



DISPENSARY EXHIBIT FOR
CR23-0165 BELLA FIESTA PAD B





OUTREACH

- Site Posting, 300' Mailers, Newspaper Publishings
- Citizen Participation Meeting August 23, 2023
 - 6 attendees
 - Concerns/Questions
dispensaries in Surprise, separation
requirement, drive-through
- Letter of Opposition



RECOMMENDATION



Staff Recommendation:

Approve subject to stipulations 'a' through 'c'



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You





Stipulations

- a. Following approval of this Use-Only CUP, the applicant shall submit a Type-1 Site Plan application to be approved by the Community Development Director and City Engineer.
- b. The applicant shall obtain a building permit for the subject facility within two (2) years of the effective date of Planning and Zoning Commission approval of this Conditional Use Permit. If the applicant does not obtain said building permit within the specified time, this Conditional Use Permit shall be deemed null and void.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.



CITY OF SURPRISE
Planning and Zoning Commission

Council Meeting Date: January 18, 2024 Contact Person: Chris Sexton
Submitting Department: Community Development District: District 4
Staff Recommendations:

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action regarding a Comprehensive Sign Program (CSP) for the NWC Dysart and Bell aka Bella Fiesta, located at the northwest corner of Bell Road and Dysart Road, zoned Community Commercial (C-2). FS23-0673

Motion:

I move to recommend approval of the Comprehensive Sign Program for NWC Dysart and Bell, subject to stipulations 'a' and 'b' as outlined in the staff report.

Background:

Royal Sign Company, on behalf of the property owner, requests approval of a Comprehensive Sign Program (CSP) to ensure a cohesive sign design for the Bella Fiesta project located at the northwest corner of Bell Road and Dysart Road.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00-FS23-0673 NWC Dysart and Bell - CSP - Staff Report
2. 01-FS23-0673 NWC Bell and Dysart - CSP - Vicinity Map
3. 02-FS23-0673 NWC Bell and Dysart - CSP - Zoning Map
4. 03-FS23-0673 NWC Bell and Dysart - CSP - CSP document

5. 04-FS23-0673 NWC Bell and Dysart - CSP - Citizen Participation Report
 6. 05-FS23-0673 NWC Bell and Dysart - CSP - Affidavit of Posting
 7. FS23-0673 NWC Bell and Dysart CSP - Presentation
-

Comprehensive Sign Program

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS23-0673

Project Name: NWC Bell and Dysart – Comprehensive Sign Program

Council District: 4 – Mulberry

Meeting Date: January 18, 2024

Planner: Chris Sexton, Planner II

Owner: NWC Dysart & Bell, LLC

Applicant: Royal Sign Company

Request: Comprehensive Sign Program for the Bella Fiesta commerce center

Site Location: Generally located near the northwest corner of Bell Road and Dysart Road

Site Size: 5.78 acres (approx.)

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

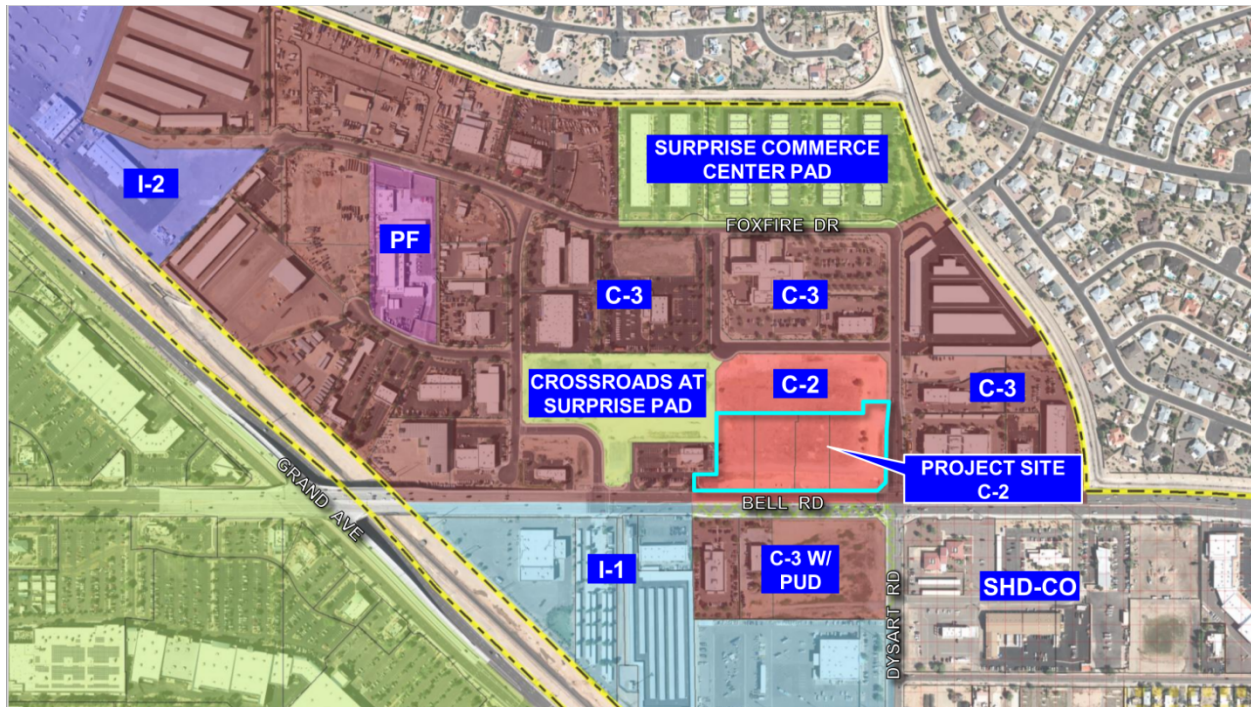
Support/Opposition: None known

Staff Recommendation: Staff recommends the Commission recommend **approval** to the City Council, subject to stipulations 'a' and 'b'

Project Description:

Royal Sign Company, on behalf of the property owner, requests approval of a Comprehensive Sign Program (CSP) to ensure a cohesive sign design for the Bella Fiesta project located at the northwest corner of Bell Road and Dysart Road.

EXISTING ZONING



Crossroad at Surprise PAD	C-2 – Regional Commercial	C-3 – Regional Commercial
Crossroad at Surprise PAD	C-2 – Community Commercial	C-3 – Regional Commercial
I-1 – Light Industrial	C-3 with PUD – Commercial	SHD-CO – Surprise Heritage District – Commercial Overlay

Background:

May 23, 1996: The subject parcel was annexed into the City under Ordinance 96-08.

September 20, 2022: The Mayor and City Council approved a Zone Change from C-3 to C-2 under case FS22-0438, on the subject parcel.

August 21, 2023: The applicant submitted the CSP under the subject case number.

September 5, 2023: City Council approved the Final Plat to split one (1) 10-acre vacant parcel into five (5) parcels under case, FS22-1224.

November 14, 2023: The applicant held a Neighborhood Outreach Meeting, which was properly advertised. There were no attendees. Attached you will find a copy of the Citizen Participation Report.

Citizen Outreach:

The applicant held a Neighborhood Outreach Meeting on November 14, 2023, at the Holiday Inn Express. The request was posted and advertised in accordance with city code and state statute. There were no attendees. There is no known opposition to the CSP request.

Discussion:

The purpose of the proposed CSP for the Bella Fiesta commerce center is to provide signage design requirements that are appropriate to the character of the development. The proposed CSP contains guidelines for the different types of signs within the commercial center.

This CSP proposes the following signage and requirements for the Bella Fiesta project:

Two (2) major monument signs; one (1) along Bell Road and one (1) along Dysart Road. These signs will be double-sided and up to a maximum of 15' tall and allow a total of 120 square feet of sign area on each face of the sign. Section 109-1.9.C.5 of the Land Development Ordinance (LDO) allows major monument signs to have a height up to 17' and a total sign area of 120 square feet. This proposed sign type falls within the guidelines of the LDO.

Three (3) secondary monument signs; all strategic placed along Bell Road. These signs will also be double-sided, 8' tall maximum, and allow a total of 32 square feet of sign area for each face of the sign. This proposed sign type meets the requirements of the LDO for minor monument signs.

Per this proposed CSP, wall signage will be limited to one and a half (1.5) square feet of sign area per one (1) linear foot of business frontage, or a maximum of two hundred square feet, whichever is less. No tenant sign will exceed 80 percent of the leased frontage. Section 109-1.9.B.1 of the LDO limits the signage area for wall signs to one and one-half (1.5) square foot per one (1) linear foot of building elevation on which the sign is mounted. This proposed frontage wall sign area meets the requirements of the LDO.

Summary:

Staff believes the proposed CSP provides a mechanism whereby the applicant may create signage that is consistent with the design of the Bella Fiesta project. The proposed signage meets the requirements of Section 109-1.15 with respect to Comprehensive Sign Programs and does not introduce a sign type that is otherwise prohibited. The applicant's purpose is to create a comprehensive sign program for this development to ensure a cohesive sign design for the Bella Fiesta project.

Findings:

- The proposed Comprehensive Sign Program is consistent with the Surprise General Plan 2035.
- The proposed signs may be approved through a Comprehensive Sign Program.
- The reviewing agencies have indicated no objections to the request.

Recommendation:

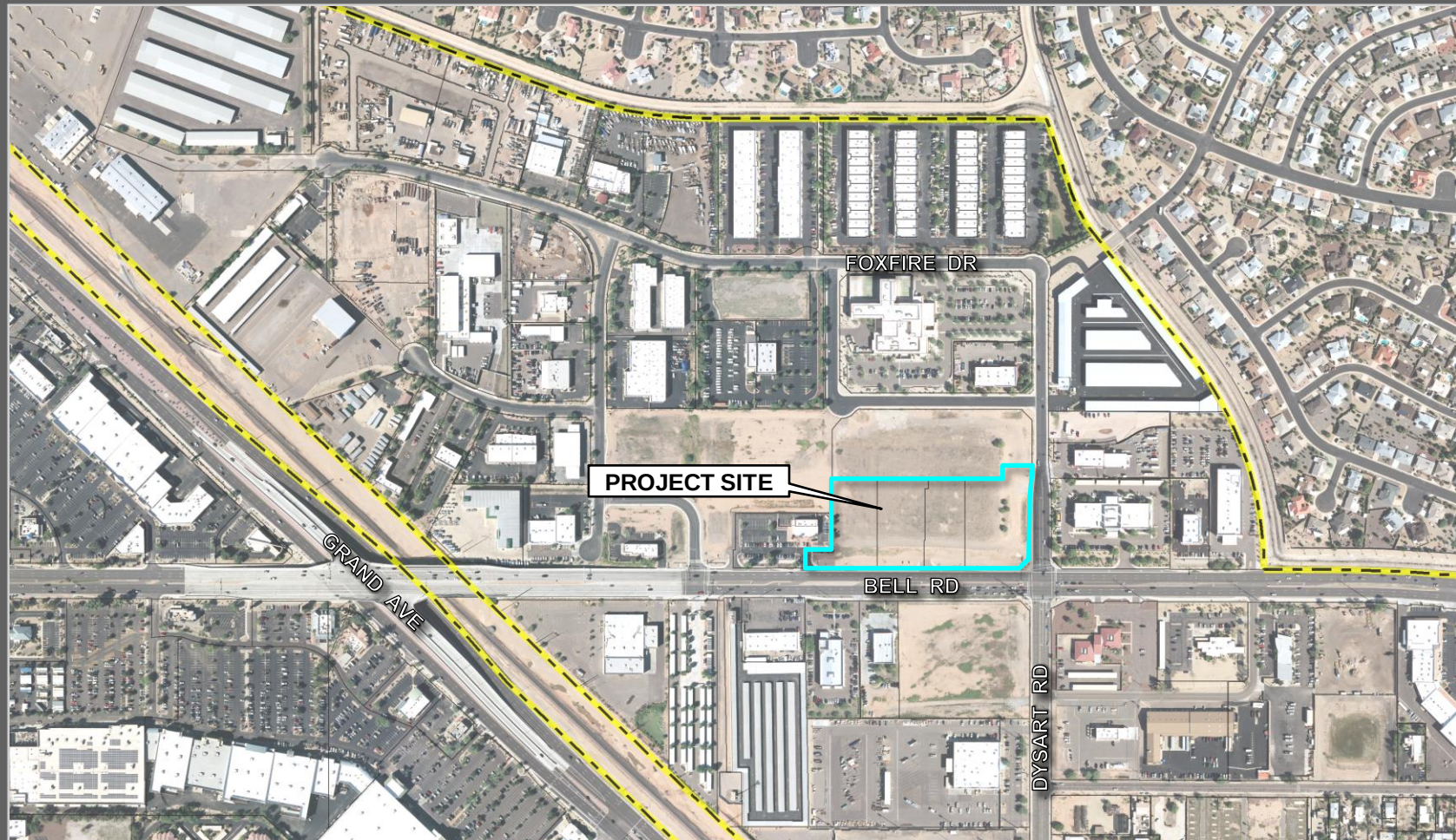
Based on the findings noted above, staff recommends the Commission move to recommend **approval** of the subject Comprehensive Sign Program to the City Council, subject to stipulations 'a' and 'b' as outlined below:

- a. Development and use of the signage for the site shall be consistent with the project narrative entitled "NWC Dysart & Bell Comprehensive Sign Plan", prepared by Royal Signs, consisting of eleven (11) pages, and stamped received October 30, 2023.
- b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

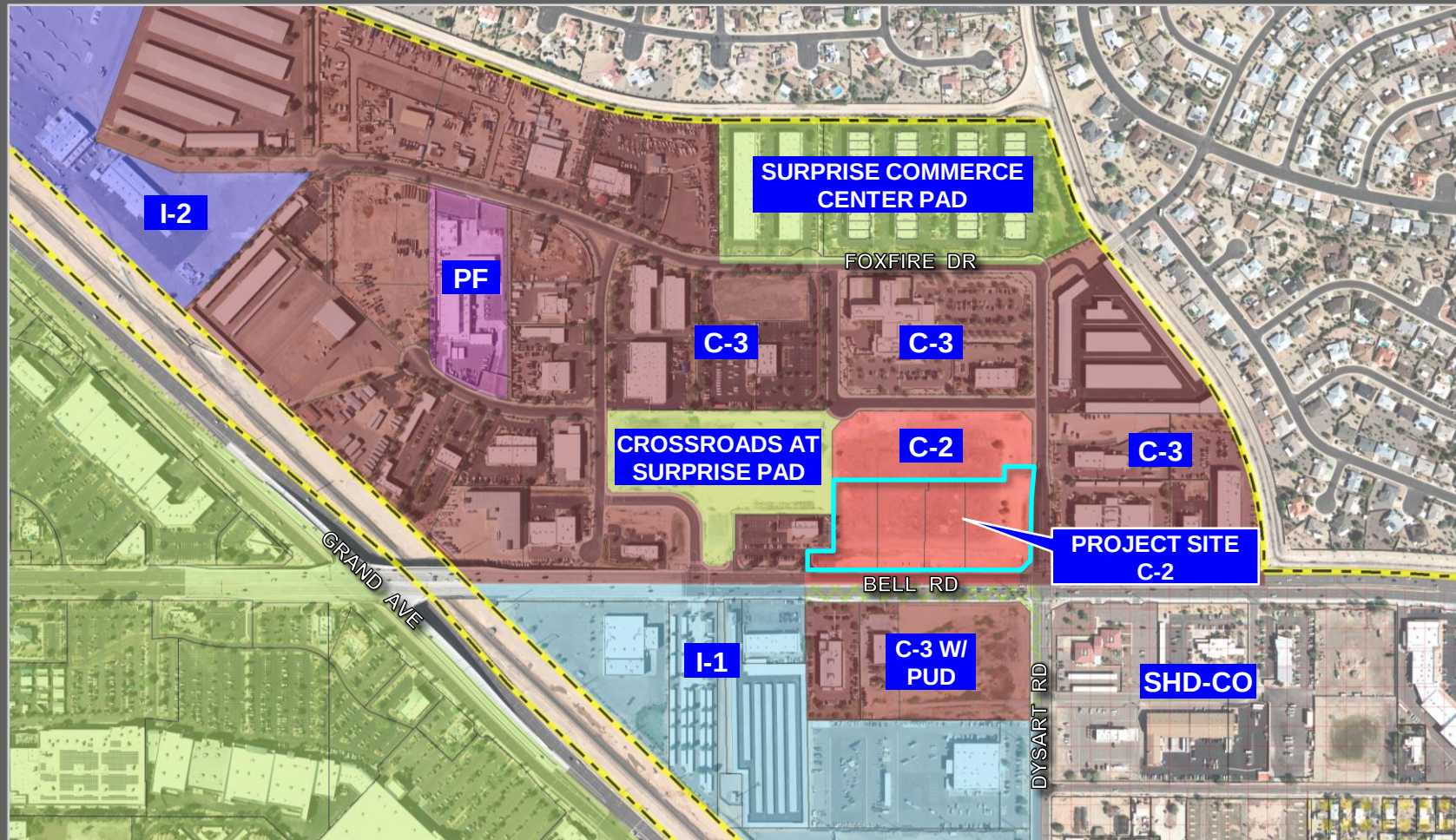
However, should the Commission wish to recommend denial of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

- 01 Vicinity Map
- 02 Zoning Map
- 03 CSP Document
- 04 Citizen Participation Report
- 05 Affidavit of Posting



VICINITY MAP



ZONING MAP

NWC Dysart & Bell

NWC Dysart & Bell | Surprise, AZ 85378



PROJECT

NWC Dysart & Bell
Surprise, AZ 85378

ZONING
Community Commercial (C-2)

PROJECT NARRATIVE

*Verbiage provided by Withey Morris

LANDLORD INFORMATION

De Rito Partners
9120 E. Talking Stick Way
Suite E1
Scottsdale, AZ 85250

Ron Caruso
480.834.8500

SIGNAGE CONSULTANT

Royal Sign Co.
2631 N. 31st Ave.
Phoenix, AZ 85009

Raymond Owens
602.278.6286

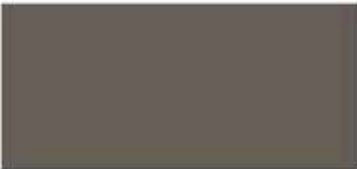
PROJECT MATERIAL & COLOR BOARD
(FOR REFERENCE)



Berridge Metal Roof R- Panels
Dark Bronze



Kawneer
Dark Bronze



Sherwin Williams
SW 7505 Manor House



Sherwin Williams
SW 2735 Rockweed



Echelon Cordova Stone
Ground Face
Alabaster



Eldorado Smooth Face
Boot Brown



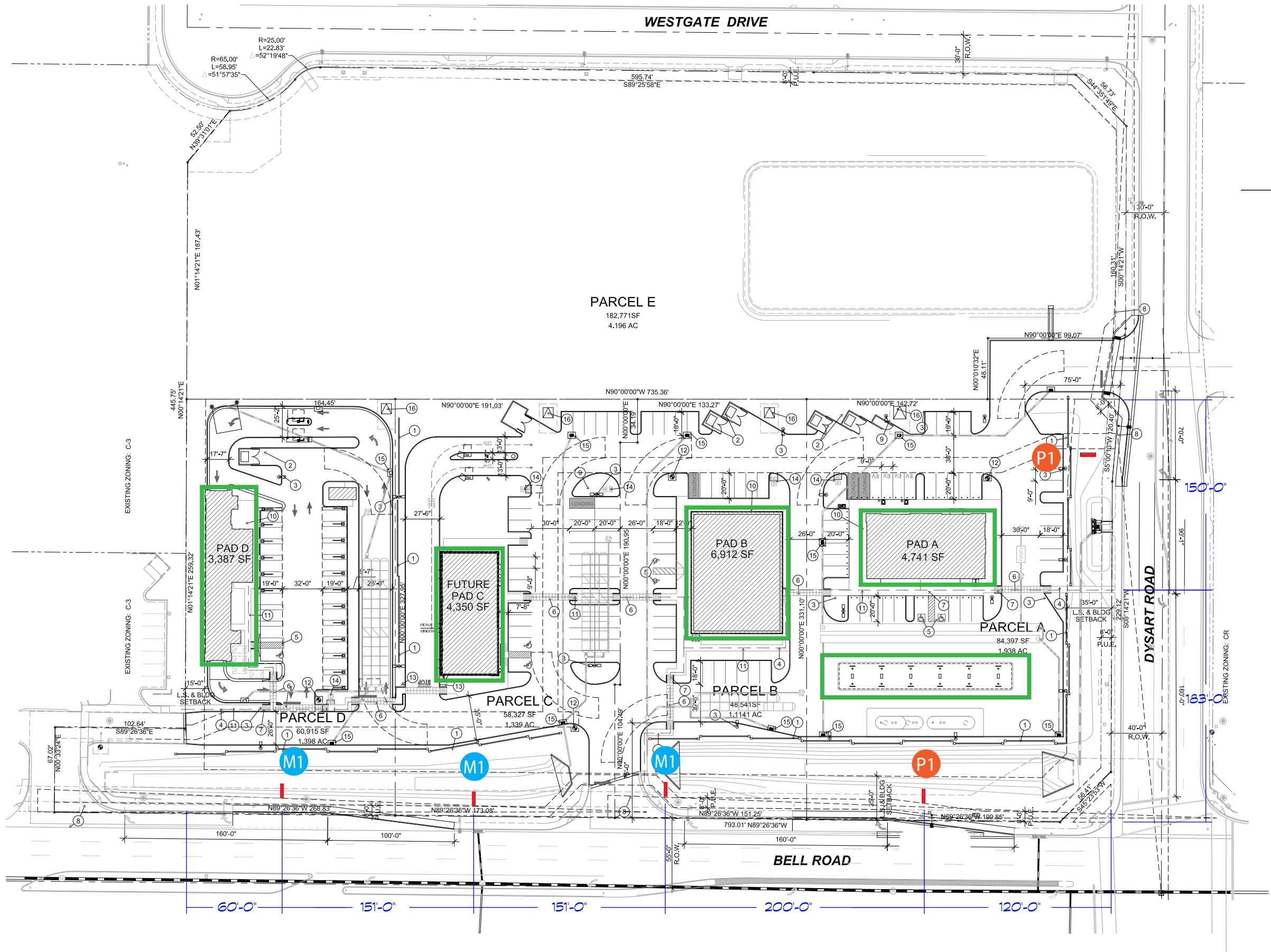
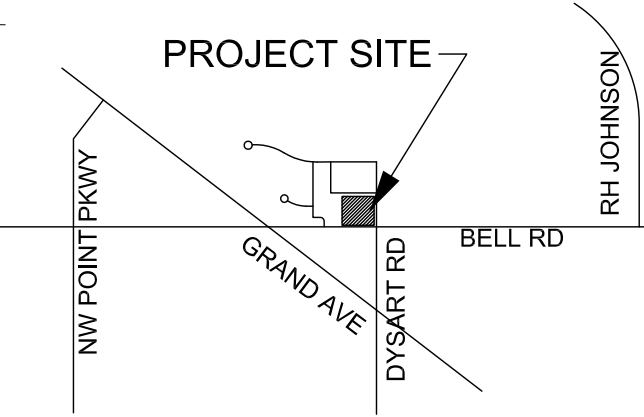
Nichiha Vintagewood
Cedar



Eldorado Stone
Mountain Ledge
Pioneer

SITE PLAN

1" = 80'



POTENTIAL SIGN LOCATIONS

- P1** PAD "A" MONUMENT SIGNS
- M1** PAD B, C, & D MONUMENT SIGNS
- T** TENANT WALL SIGNS

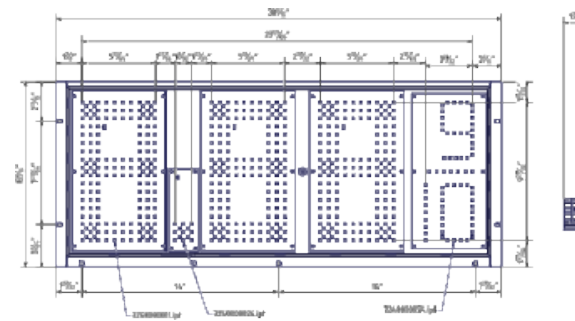
Sign Design Criteria Matrix (NWC Dysart & Bell)

Sign Type	Size	Location	Height	Illumination	Materials
T Wall Signage	All tenants are allowed 1.5 square foot of signage for every 1 linear foot of leased frontage, or a maximum of 200 sf, whichever is less. Section 109-1.9(B)(1)(e): The maximum width of a building sign shall not exceed 80% of the leased tenant frontage for a multi-tenant building, or building elevation for a single-tenant building. Not to exceed 80% of designated sign area in height or width	Permitted on all building elevations, within the sign envelope created the facade’s architectural features	Wall signage must fit inside the natural limitations of the sign envelope created by the building architecture, and must not extend above the roofline.	Facelit, backlit, or a combination thereof. Pan Channel or Reverse Pan Channel Letters, using LED illumination. Non-illuminated, Reverse Pan or Flat Cut Out characters.	Aluminum, acrylic, painted metal. All electrical sign components must be U.L. rated. No labels will be permitted on the exposed surface of signs, except those required by local ordinances. All penetrations of the building structure required for sign installation must be neatly sealed in a watertight condition.
P1 PAD “A” Monument Signs	Thirty-six (36) square feet, but may increase twelve (12) square foot for every 1 foot increase in height, up to a max of 120 square feet. The maximum height is 15’, but may include 2’ of non-illuminated architectural embellishment Sign(s) shall adhere to the requirements of Class VI (major) monument signs per the LDO.	Quantity: two (2) (see site plan - pg. 2) 1) On Dysart Rd 2) Intersection of Bell Rd & Dysart Rd. *Monument signs must be located 150’ apart	15’ overall height, but may include an additional 2’ of non-illuminated architectural embellishment.	Internally-illuminated, LEDs	Aluminum, acrylic, painted metal. All electrical sign components must be U.L. rated.
M1 PAD “B, C & D” Monument Signs	Area: Thirty-two (32) square feet max Height: 8’-0” max Sign(s) shall adhere to the requirements of Class V (minor) monument signs per the LDO.	Quantity: three (3) Along W. Bell Rd - (see site plan - pg. 2) *Monument signs must be located 150’ apart	8’-0” overall height	Internally-illuminated, LEDs	Aluminum, acrylic, painted metal. All electrical sign components must be U.L. rated.

If these criteria are silent on any sign type, then the Sign Code applies.

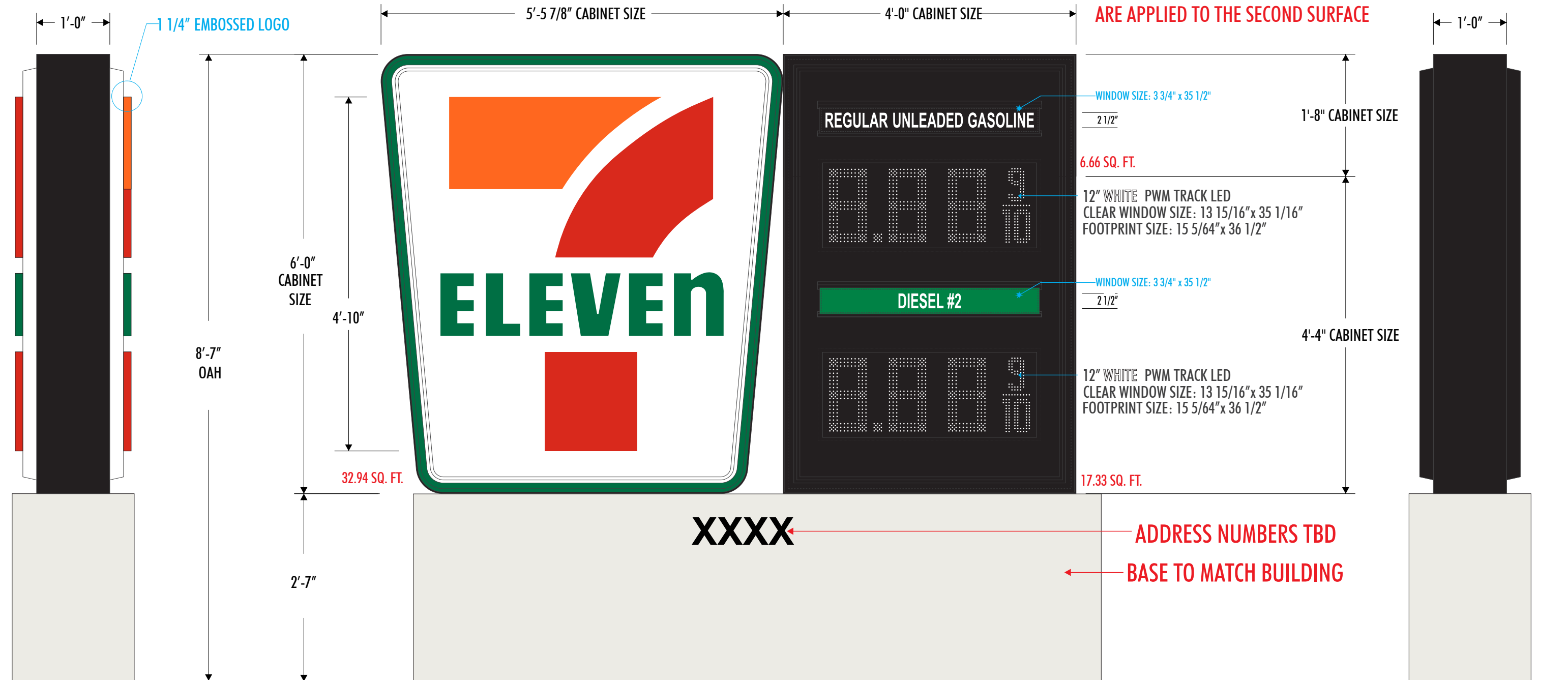
P1

STREET SIDE
←



10" CUT SHEET

NOTE: ALL TRACKING AND PLATES
ARE APPLIED TO THE SECOND SURFACE

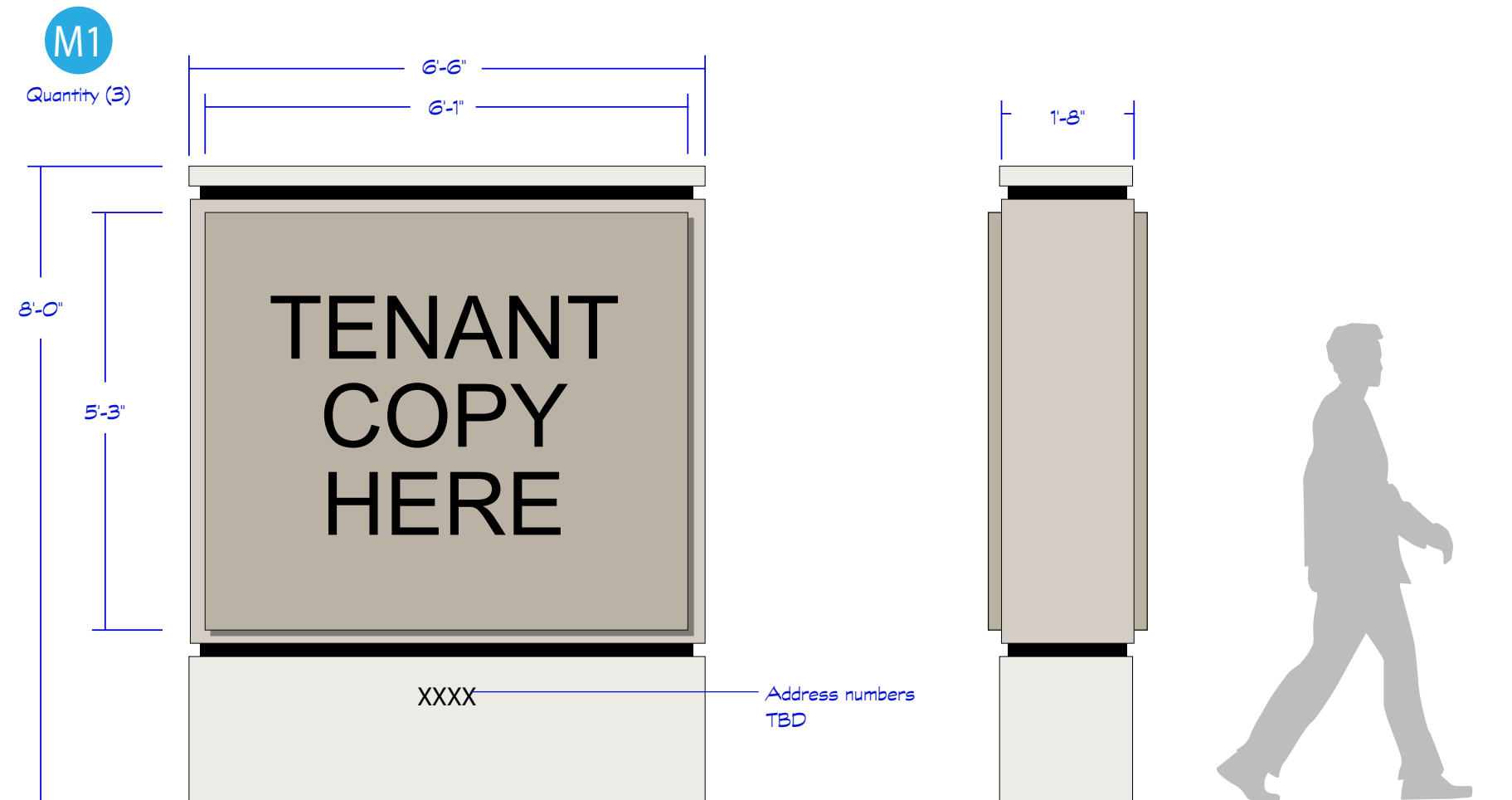


Front & Side View - NEW MONUMENT SIGN

SCALE 3/4" QUANTITY OF TWO (2) IDENTICAL SIGNS ON THIS PROPERTY

SQUARE FOOTAGE:

Display Square Footage (Cabinets Combined): 56.94



*Sample Design.
 *Max Height: 8'-0"
 *Max Sign Area: 32 square feet

MANUFACTURE AND INSTALL, THREE (3) DOUBLE-FACED UL LISTED WHITE L.E.D. TECH. INTERNALLY-ILLUMINATED FREE-STANDING ALUM. CONSTRUCTED MONUMENT I.D. AS FOLLOWS:

- ◆ (.090) GRADE ALUMINUM CONSTRUCTED EMBELISHMENTS (TOPS)
- ◆ (.090) GRADE ALUMINUM CONSTRUCTED UL LISTED WHITE L.E.D. INTERNALLY-ILLUMINATED MONUMENT STRUCTURE PAINTED TO MATCH ONSITE COMPLEX ARCHITECTURAL BUILD ELEMENTS TO MAINTAIN SITE VISUAL CONTINUITY
- ◆ (2") DEEP (.090) GRADE ALUMINUM CONSTRUCTED TENANT PAN(S) TO ACCEPT ROUTED & ACRYLIC BACKED TENANT COPY WITH 3M™ SCOTCHCAL™ TRANSLUCENT VINYL APPLIED BRANDING COLORATION
- ◆ MASONRY BASE ELEMENT WITH (1) ONE SET PER SIDE (1/4") THICK ALUMINUM ADDRESS NUMERALS PAINTED TO SPEC'S TO MATCH ONSITE COMPLEX ARCHITECTURAL BUILD ELEMENTS TO MAINTAIN SITE VISUAL CONTINUITY

FLUSH MOUNTED TO GRADE AS DEMONSTRATED.

SPEC PLAN
 SCALE: 1/2" = 1'-0"



TENANT BUILDING SIGNAGE

Overall Standards

- On-site signs shall not exceed two (2) square feet in any area for each linear foot of business frontage.
- If designated as a wall sign, it shall not project more than two (2) feet from the building, or structure to which it is attached.
- No attached sign shall exceed two hundred (200) square feet in area.
- All designs and layouts must meet the intent of this criteria per the user type's sections that follow. Unique approaches, creative designs, forms, and the use of "custom" wall units are highly encouraged to create an "urban sense." Unless part of a nationally registered and/or trademarked logo, rectangular shaped units should be avoided unless integral to the graphic identity.
- All tenants within the commercial element of the site shall be permitted to utilize their standard corporate identification programs, subject to sign area limitation.
- The Owner/Manager Association reserve the right to combine, split or extend envelopes behind the tenant's frontage, to accommodate unforeseen signage configurations. All such modifications will require staff approval from the City of Surprise.

Signage Types

- All building signage shall be halo-illuminated reverse pan channel characters and logos, non-illuminated reverse pan channel characters and logos, or face-illuminated pan channel characters and logos. Non-illuminated flat cut out characters may also be used for secondary lettering.

- Signs shall be wall or window mounted, on or under an architectural projection.
- No tenant will be allowed more than one wall mounted sign per elevation.
- All building mounted signage is to be designed to keep the building fascias and finishes in like-new quality, keeping penetrations into the high end finishes for mounting and illumination to a minimum.
- When mounted on a building, the sign shall be located on or below the fascia or parapet wall of the primary building.

Design - Colors and Typography

- Colors shall be per the Tenant's corporate standards with the exception that no fluorescent colors will be allowed, other than for accent. Retainers for pan channels should match letter face color to create a more sophisticated design. For National Tenants, returns and retainers may be per corporate standards with Owner/Landlord or their Agent's approval.
- Typeface, marks/icons and logos may be utilized, subject to the approval of Owner/Landlord or their Agent's prior to submittal for permitting through the City of Surprise.

All Signs must be pre-approved by the Building Owner/Association prior to applying for a permit with the City of Surprise.

Owner shall obtain all necessary permits for signs and the construction and installation of all signs.

All signs shall be in accordance with the current Surprise Municipal Code

SIGN AREA & SIZE RESTRICTIONS

Sign Area Calculation

Allowable Sign Area for Attached Signs is calculated as two (2) square feet for each lineal foot of Leased Frontage unless otherwise noted. Where a sign consists only of individual letters, numerals, symbols or other similar components, the total area of the sign shall be calculated by the sum of the areas of the smallest square or rectangle that encloses all the text and graphics as shown in Figure 1 at right.

Sign Envelope

is an area not to exceed 80% of the vertical and 80% of the horizontal background of the building surface upon which the sign is to be installed. Sign envelope does not define the total allowable sign area. It defines the outermost reaches that a sign can occupy. Sign area calculations based on lineal feel of leased space still apply. See Figure 3 at right.

Sign Letter Sizes

No single sign letter, cabinet or single line of copy shall be taller than 15% of building height or the maximum height of designated/approved sign band - whichever is shorter. Multi-lined copy or total sign height must not exceed designated sign band. A non-illuminated backer panel or plate, or non (face) illuminated backer cabinet or panel may exceed maximum letter height but cannot exceed maximum sign band. These backer cabinets/panels/plates will be counted all together with other sign components for total sign area.



FIGURE 1

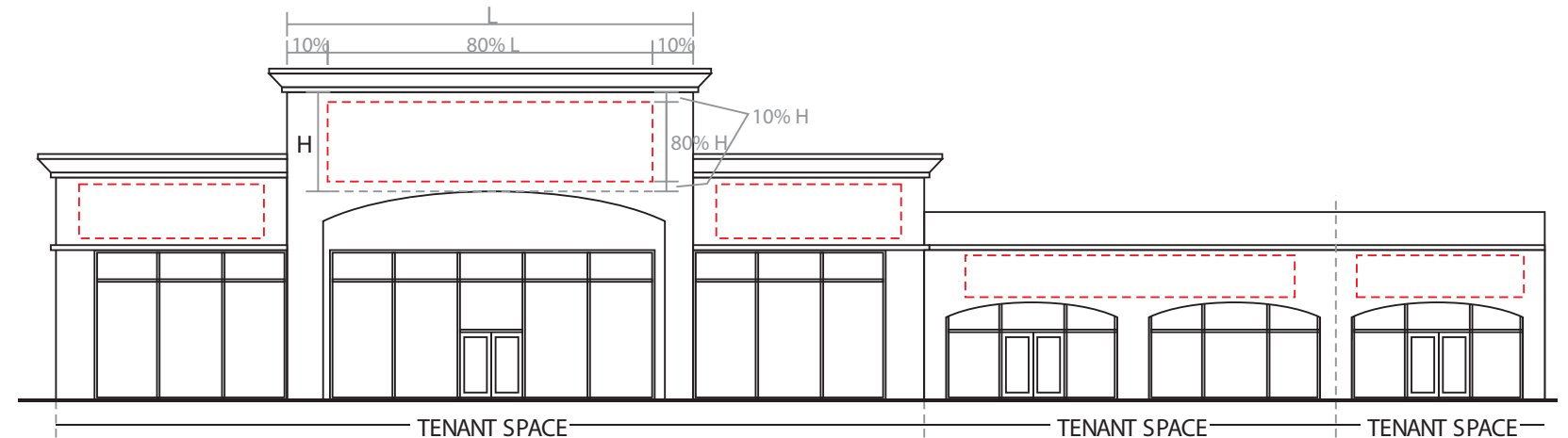


FIGURE 3

SIGNAGE CONSTRUCTION

Installation Method:

All building mounted signage is to be designed to keep the building fascias and finishes in like-new quality, keeping penetrations into the high end finishes for mounting and illumination to a minimum.

Halo-Illuminated Reverse Pan Channel letters/logos:

All Letter returns: Minimum .050 aluminum with full welded seams. Faces of minimum 1/8" thick aluminum. Backs to be .177 Clear Lexan. Internal LED illumination. Mounted a minimum of 1-1/2" from building surface to allow for appropriate lighting effect.

Non-Illuminated Reverse Pan Channel letters/logos:

All Letter returns: Minimum .050 aluminum with full welded seams. Faces of minimum 1/8" thick aluminum. Mounted flush or off building surface as required.

Face-Illuminated Pan Channel letters/logos:

All Letter returns: Minimum .050 aluminum with full welded seams. Faces of minimum 1/4" thick acrylic. Translucent Vinyl graphics may be applied 1st surface to faces. Backs to be Minimum .050 aluminum. Mounted flush to building surface as required.

Custom Illuminated Cabinet Signs:

All returns: Minimum .050 aluminum with full welded seams. Faces of minimum 1/4" thick acrylic or 1/8" aluminum with push-thru acrylic elements. Translucent Vinyl graphics may be applied 1st surface to acrylic faces. Retainers (when required) to be of aluminum construction. Mounted flush to building surface as required.

Hardware:

All sign attachment hardware is to be discrete, kept to a minimum and should be finished in a manner consistent with quality fabrication processes.

Letter Drain Holes:

All drain holes (weep holes) should be shielded with a cover to inhibit light leaks through the drain holes.

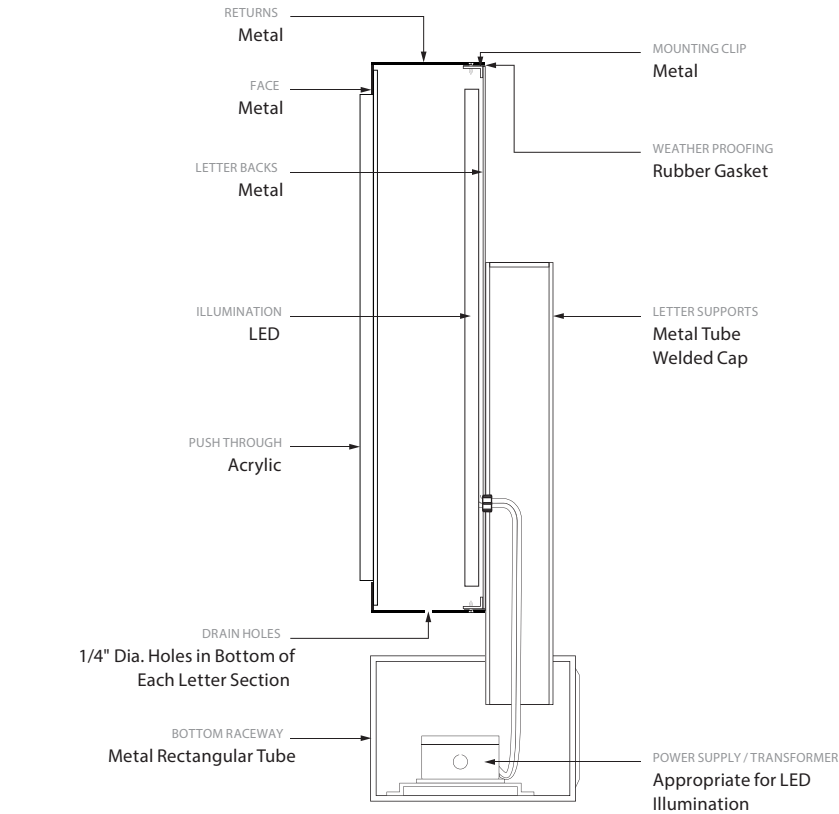
Labels:

Only labeling required by UL or local ordinance shall be allowed on the exposed surface of signs. All required labels must be applied to top of Letters.

See page 10-11 of this document for sign sections & construction/attachment specifications.

SIGNAGE RESTRICTIONS

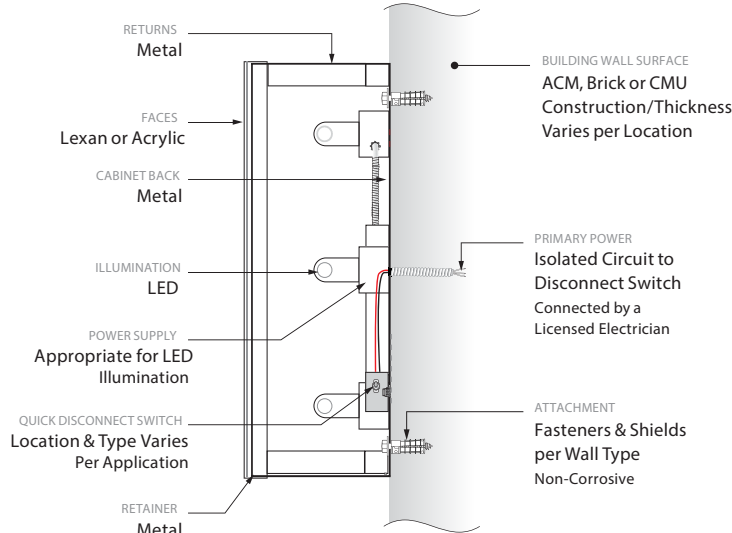
- Signage may not be "off the shelf" - prefabricated
- Maximum depth of 12" from face of building fascia to the front face of any signage element.
- No printed, hand lettered, window painted signs allowed.
- No Neon Illumination.
- Flashing, moving, or audible signs are not permitted.
- Exposed raceways will not be allowed.
- Ground signage shall not be located within any sight visibility triangles.



G Section Detail - Typical
Pan Channel Letter / LED Internally Illuminated / Push Through Acrylic on Face / Bottom Raceway Mounted



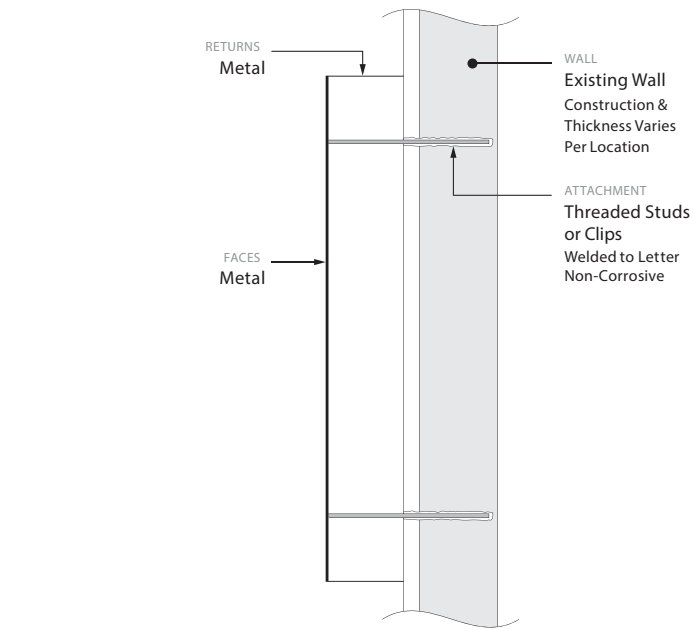
Pan Channel Letter w/ Push Through Acrylic Face
Internally Illuminated



H Section Detail - Typical
Face-Lit Sign Cabinet / Internally Illuminated



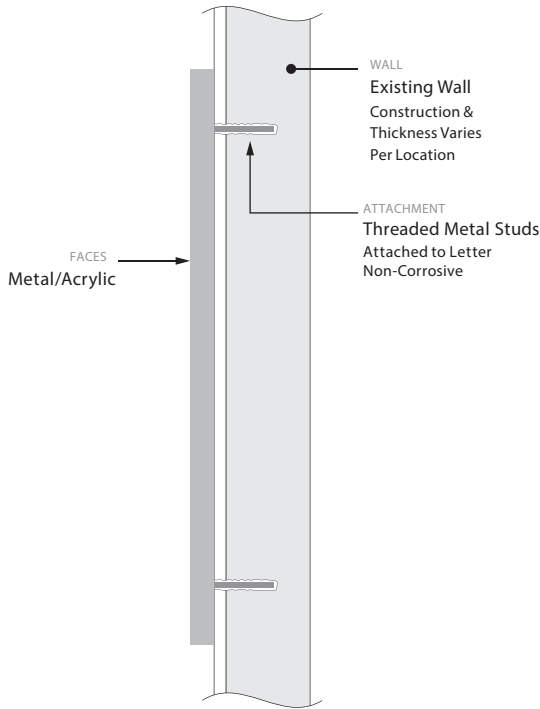
Illuminated Sign Cabinet
Internally Illuminated



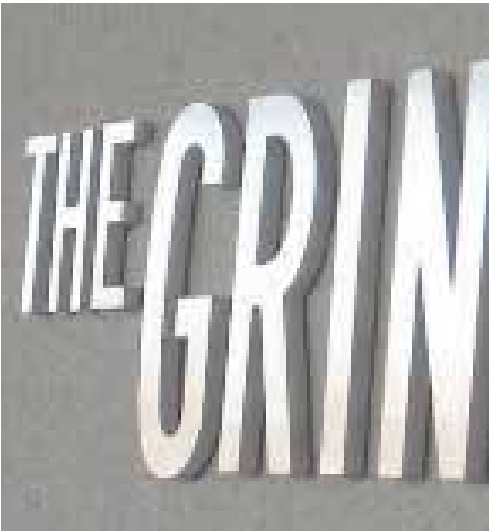
C Section Detail - Typical
Reverse Pan Channel Letter / Non-Illuminated / Flush Mounted



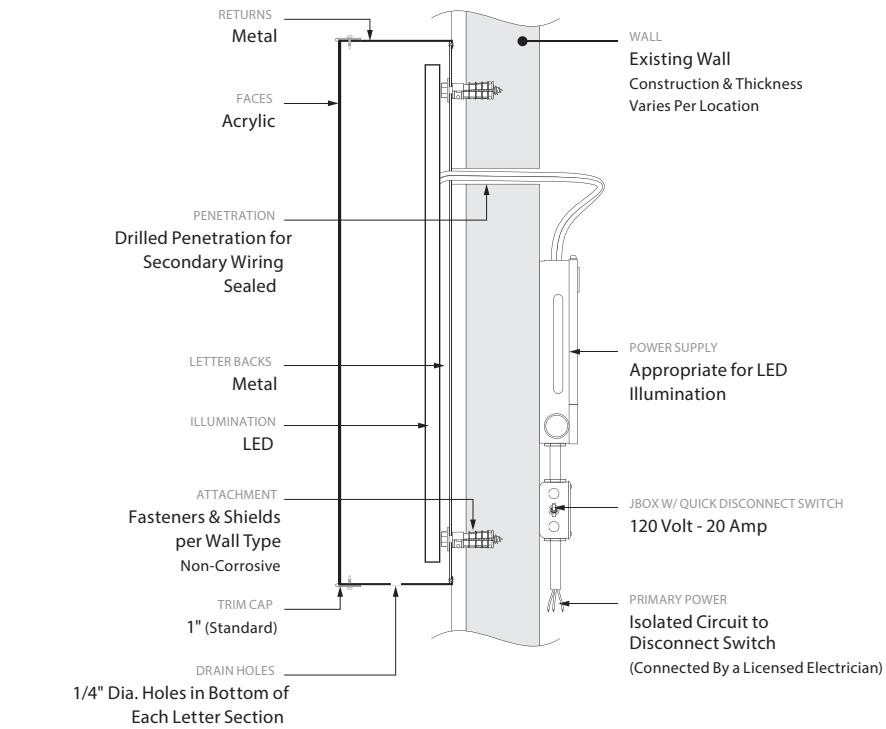
Reverse Pan Channel Letter
Non-Illuminated



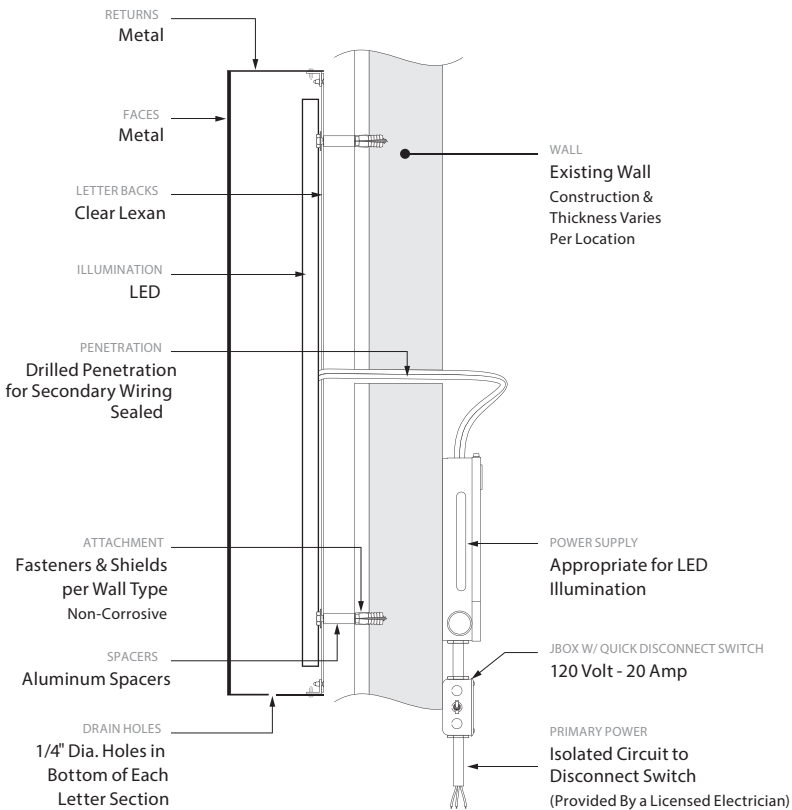
D Section Detail - Typical
Flat Cut Out Letter / Non-Illuminated / Flush Mounted



Flat Cut Out Letter
Non-Illuminated



Pan Channel Letter
Internally Illuminated

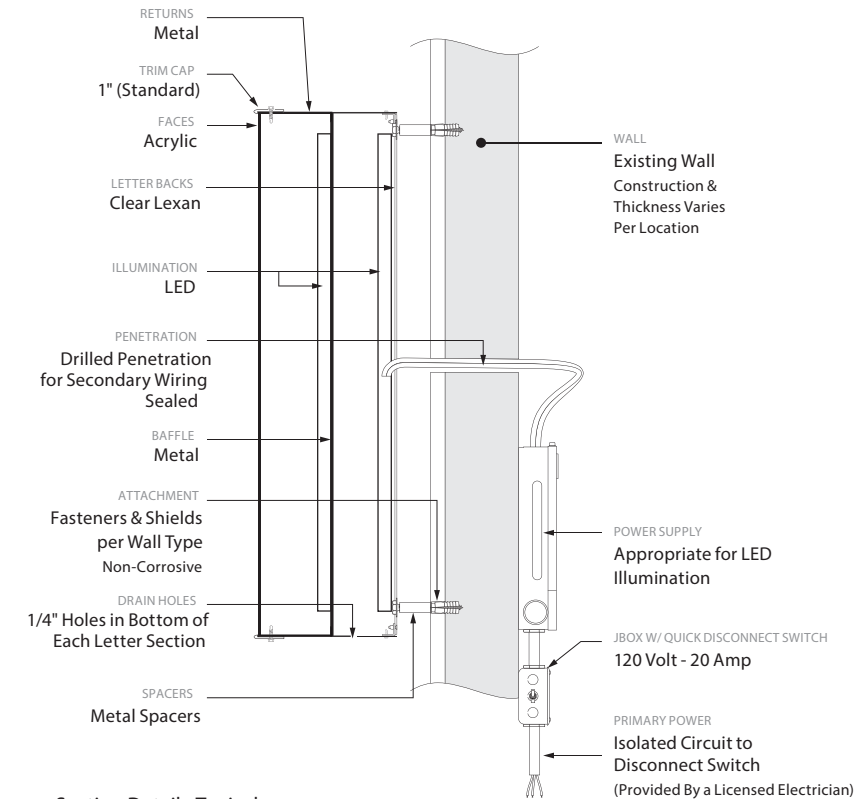


Reverse Pan Channel Letter
Halo-Illuminated

NOTE: Back-Plate for Halo Illumination May be Required on Signs Installed on Awnings.

A Section Detail - Typical
Pan Channel Letter / LED Internally Illuminated / Flush Mounted

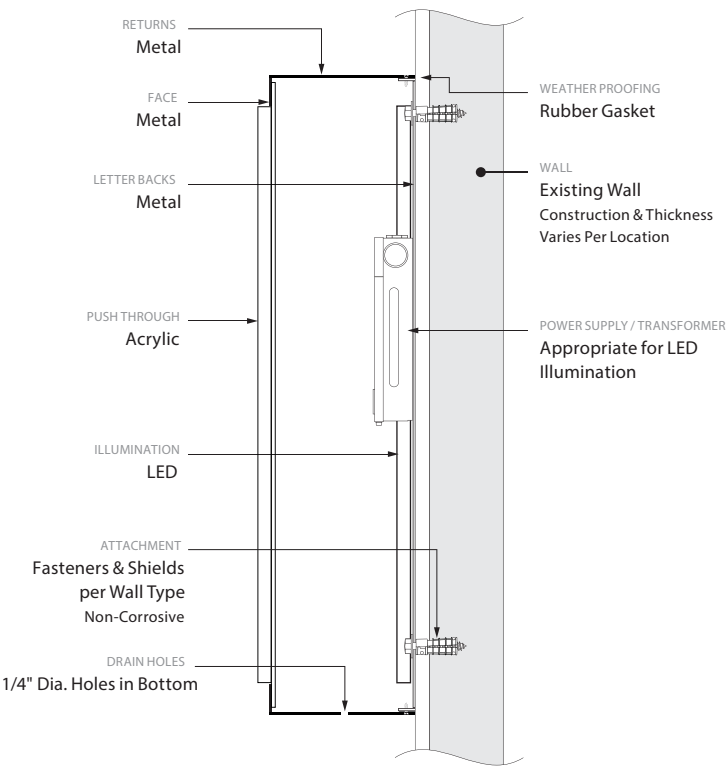
B Section Detail - Typical
Reverse Pan Channel Letter / LED Halo-Illuminated / Mounted Off Wall



Channel Letter
Face and Halo Illuminated

NOTE: Back-Plate for Halo Illumination May be Required on Signs Installed on Awnings.

E Section Detail - Typical
Channel Letter / Face and Halo Illuminated



Cabinet w/ Push Through Acrylic Face
Internally Illuminated

F Section Detail - Typical
Cabinet / Internally Illuminated / Push-Thru Acrylic Face

**1. CITIZEN PARTICIPATION REPORT FOR
NWC DYSART & BELL RD CSP
(CASE NO. FS23-0673)**

Submitted:
December 13, 2023

2. Project Description/Request

We are proposing a Comprehensive Sign Plan (CSP) for the shopping center located at the Northwest Corner of Dysart Rd & W. Bell Rd. The CSP proposes a straightforward plan which adheres to the City of Surprise's Land Development Ordinance. The intent of the CSP is to pre-determine the quantity and locations of monument signs for the PAD tenants in the shopping center. Through the guidelines of the CSP, we seek to ensure a harmonious visual environment for all tenants and visitors of the shopping center by preventing the clutter of signage.

3. Outreach/Notification Timeline

- **October 2023:** Initial neighborhood meeting notice letters were mailed by the City to all property owners within 300 feet of the Property and all applicable registered neighborhood associations.
- **October 30, 2023:** The subject site was posted with two (2) neighborhood meeting signs.
- **November 14, 2023:** An in-person neighborhood meeting was held at 6:00 p.m. at the Holiday Inn Express (Desert Cactus), 16540 N Bullard Ave, Surprise AZ 85374.
- **December 7, 2023:** The signs posted to the site were updated to include public hearing dates.

4. Notification Affidavits

- See **Tab 1**.

5. Neighborhood Meeting Summary

The applicant team, along with a member of city staff, attended the neighborhood meeting. There were no interested neighbors or stakeholders which attended the neighborhood meeting.

6. Summary

The applicant will continue to be available to neighbors to answer questions throughout the rezoning process. The applicant will also continue to review opportunities to address specific neighbor inputs including regarding traffic access and more.

Tab 1

AFFIDAVIT OF POSTING

Application No: FS23-0673
Applicant Name: Withey Morris
Location: NWC Dysart Rd & Bell Rd
Date Site Posted: 10/30/23

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).

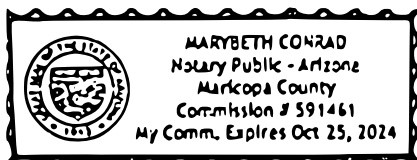
Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on 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 10-30-23
Applicant/Representative Signature Date

This instrument was acknowledged before me on 10/30/23, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.



Marybeth Conrad
Notary Public
10-25-24
My commission expires

Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).

Notice of Public Hearing

City of Surprise

In-Person Neighborhood Meeting

Date: November 14, 2023

Time: 6:00 P.M.

Location: Holiday Inn Express
(Desert Cactus)
16540 N Bullard Ave
Surprise, AZ 85374

Meeting Location



Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

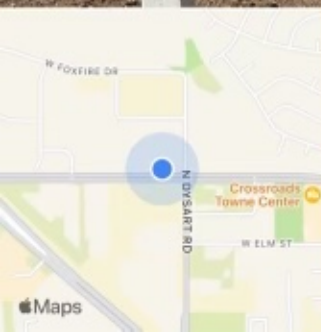
Project Location



Case Number: FS23-0673

Comprehensive Sign Program for the Bella Fiesta project
located at the northwest corner of Bell Road and Dysart Road.

For more information, call: 623-222-3011 www.Surpriseaz.gov



Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: November 14, 2023

Time: 6:00 P.M.

Location: Holiday Inn Express
(Desert Cactus)
16540 N Bullard Ave
Surprise, AZ 85374

Meeting Location



Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

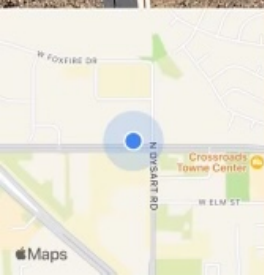
Project Location



Case Number: FS23-0673

Comprehensive Sign Program for the Bella Fiesta project
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Oct 30, 2023 10:32AM
13136-13154 W Bell Rd
Maricopa County

Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: November 14, 2023

Time: 6:00 P.M.

Location: Holiday Inn Express
(Desert Cactus)
16540 N Bullard Ave
Surprise, AZ 85374

Meeting Location



Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

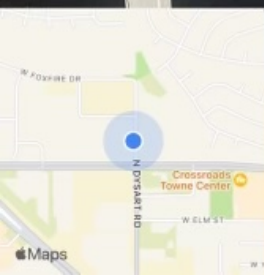
Project Location



Case Number: FS23-0673

Comprehensive Sign Program for the Bella Fiesta project
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Oct 30, 2023 10:12AM
17064-17088 N Dysart Rd
Maricopa County

Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: November 14, 2023

Time: 6:00 P.M.

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(Desert Cactus)
16540 N Bullard Ave
Surprise, AZ 85374

Meeting Location



Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: TBD

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

Project Location



Case Number: **FS23-0673**

Comprehensive Sign Program for the Bella Fiesta project
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AFFIDAVIT OF POSTING

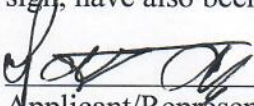
Application No: FS23-0673
Applicant Name: Withey Morris
Location: NWC Dysart Rd & Bell Rd
Date Site Posted: 12/07/23

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 12-7-2023
Applicant/Representative Signature Date

This instrument was acknowledged before me on 12/07/23, by Patrick Anspaugh I witness whereof I hereunto set my hand and official seal.




Notary Public 3/31/27
My commission expires

Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).

Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: November 14, 2023

Time: 6:00 P.M.

Location: Holiday Inn Express
(Desert Cactus)
16540 N Bullard Ave
Surprise, AZ 85374

Meeting Location



Planning & Zoning

Date: January 18, 2024

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: February 20, 2024

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

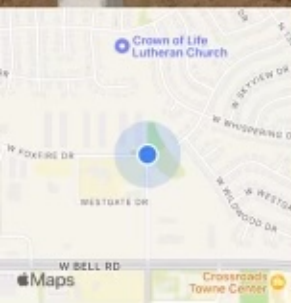
Project Location



Case Number: FS23-0673

Comprehensive Sign Program for the Bella Fiesta project
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For more information, call: 623-222-3011 www.Surpriseaz.gov



December 7, 2023 at 11:53 AM
N Dysart Rd
Surprise, AZ 85375

Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: November 14, 2023

Time: 6:00 P.M.

Location: Holiday Inn Express
(Desert Cactus)
16540 N Bullard Ave
Surprise, AZ 85374

Planning & Zoning

Date: January 18, 2024

Time: 6:00 P.M.

Location: 16000 N Civic Center Plaza
Surprise, AZ 85374

City Council

Date: February 20, 2024

Time: 6:00 P.M.

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Surprise, AZ 85374

Meeting Location



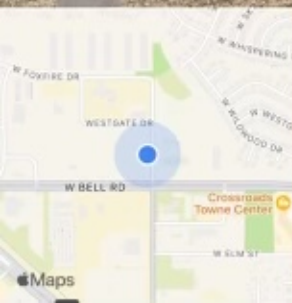
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Meeting Location



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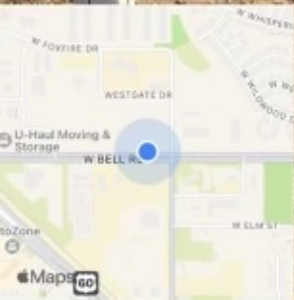
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December 7, 2023 at 11:57 AM
13136-13154 W Bell Rd
Surprise, AZ 85375

Notice of Public Hearing

City of Surprise

In-Person

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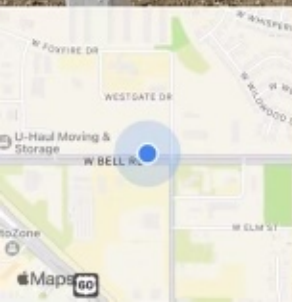


Case Number: FS23-0673

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Project Location



December 7, 2023 at 11:58 AM
13136-13154 W Bell Rd
Surprise, AZ 85375

AFFIDAVIT OF POSTING

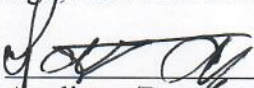
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Applicant Name: Withey Morris
Location: NWC Dysart Rd & Bell Rd
Date Site Posted: 12/07/23

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City Council

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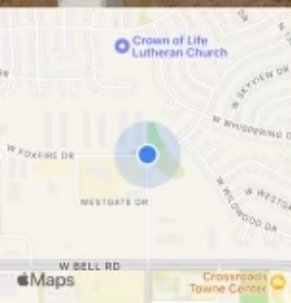
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Surprise, AZ 85374

City Council

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Meeting Location



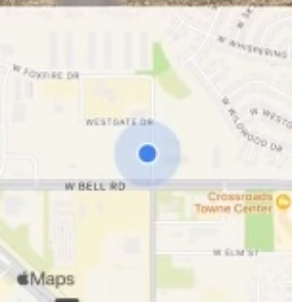
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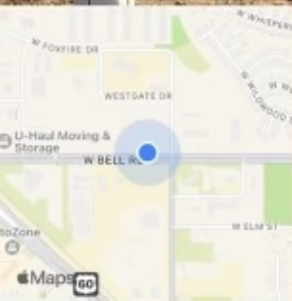
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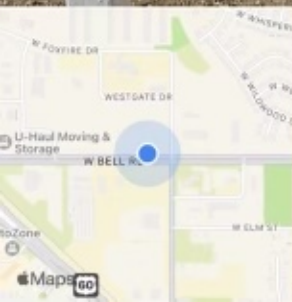


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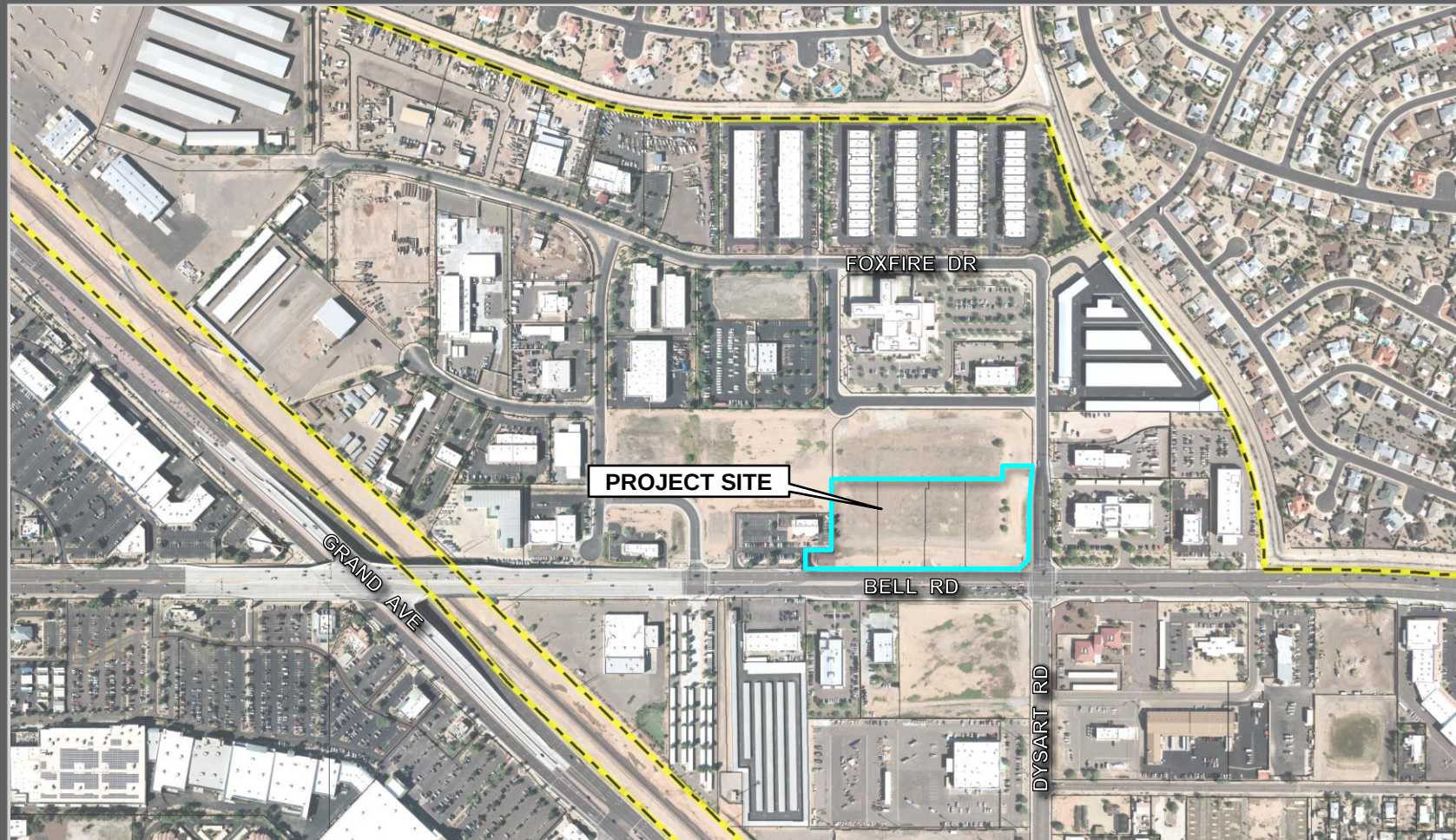
FS23-0673

NWC Bell and Dysart

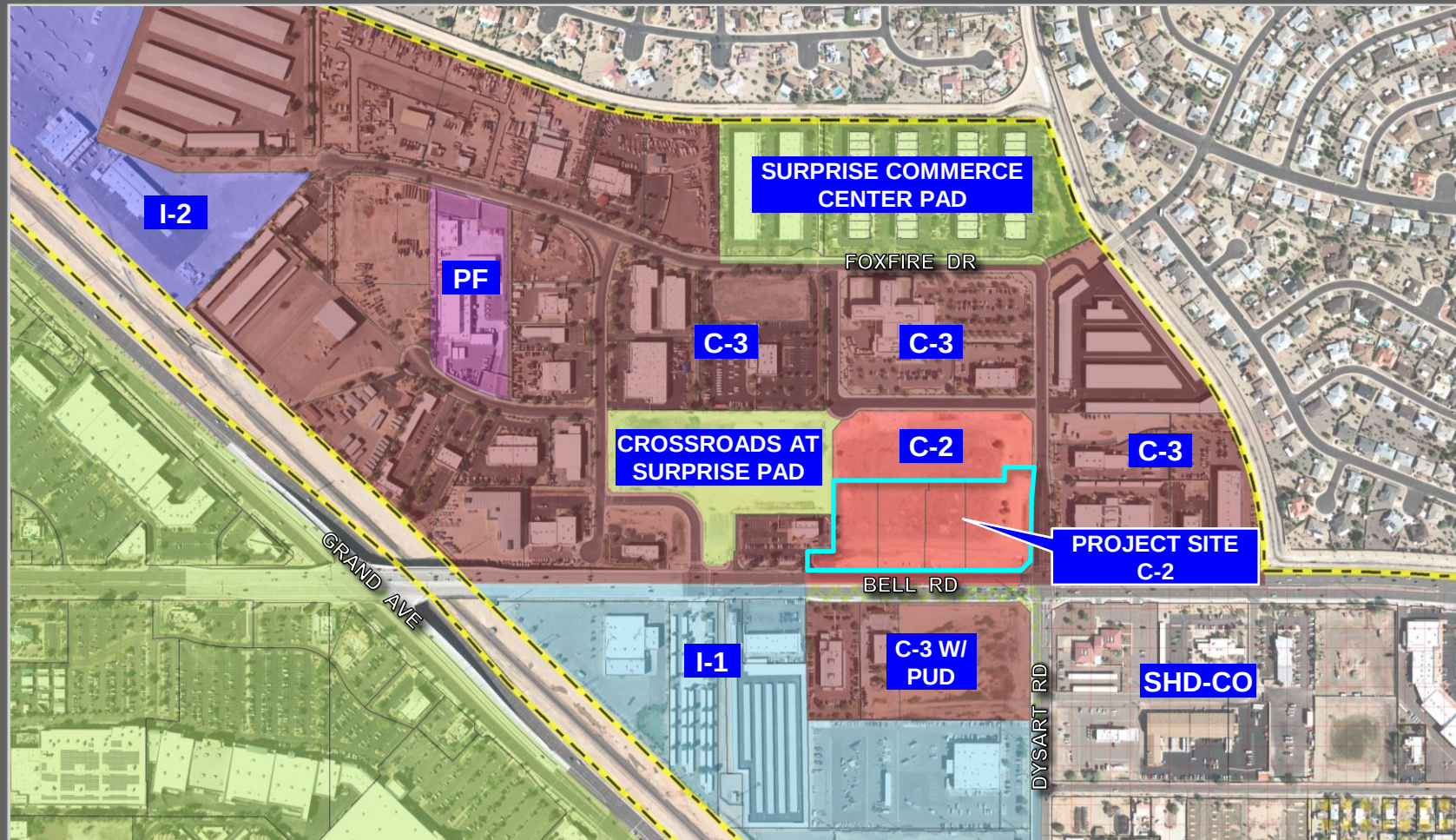
Comprehensive Sign Program

Planning and Zoning Commission

January 18, 2024

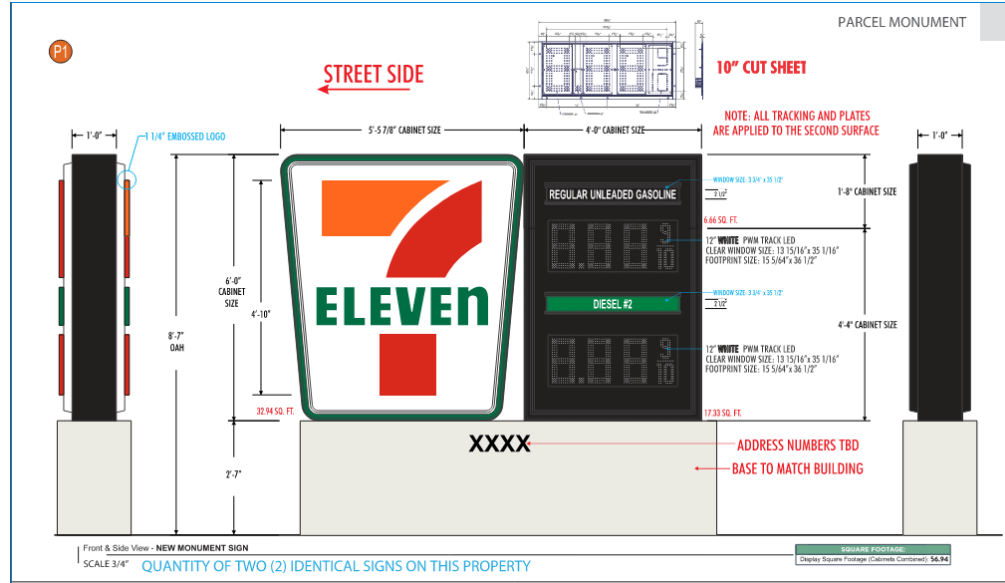
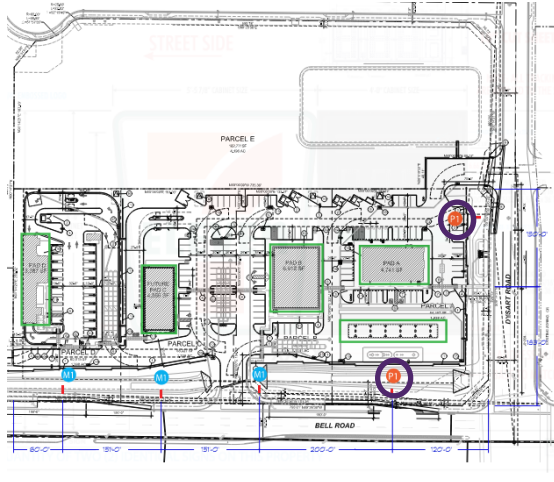


VICINITY MAP

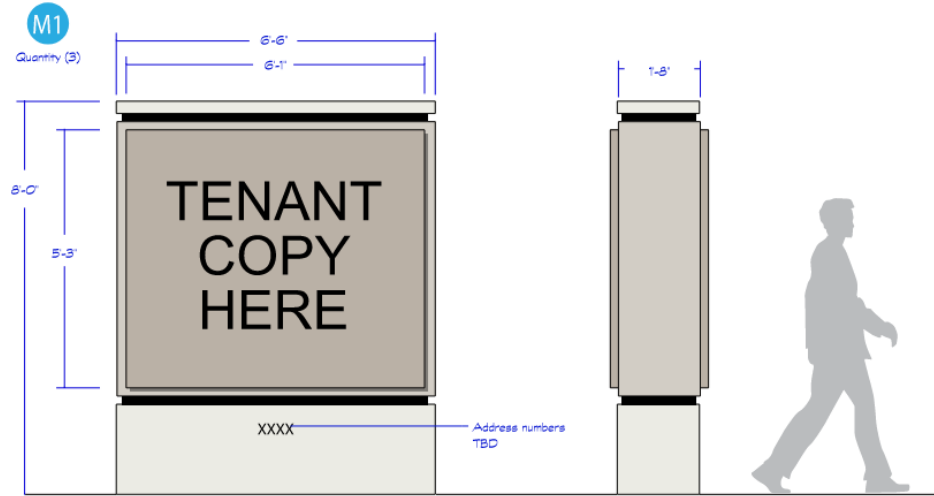
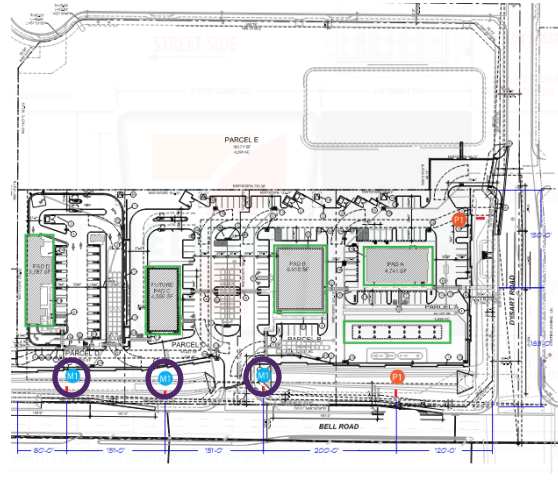


ZONING MAP

LDO	CSP
Max Height: 17' Allowed Sign Area: 120 sq. ft.	Height: 15' Sign Area: 120 sq. ft.



LDO	CSP
Max Height: 8' Allowed Sign Area: 32 sq. ft.	Height: 8' Sign Area: 32 sq. ft.



*Sample Design.
 *Max Height: 8'-0"
 *Max Sign Area: 32 square feet

LDO	CSP
Allowed Sign Area: 1.5 sq. ft. / Linear ft.	Sign Area: Main Elevation: 1.5 sq. ft. / Linear ft. Other Elevations: 1.5 sq. / Linear ft.

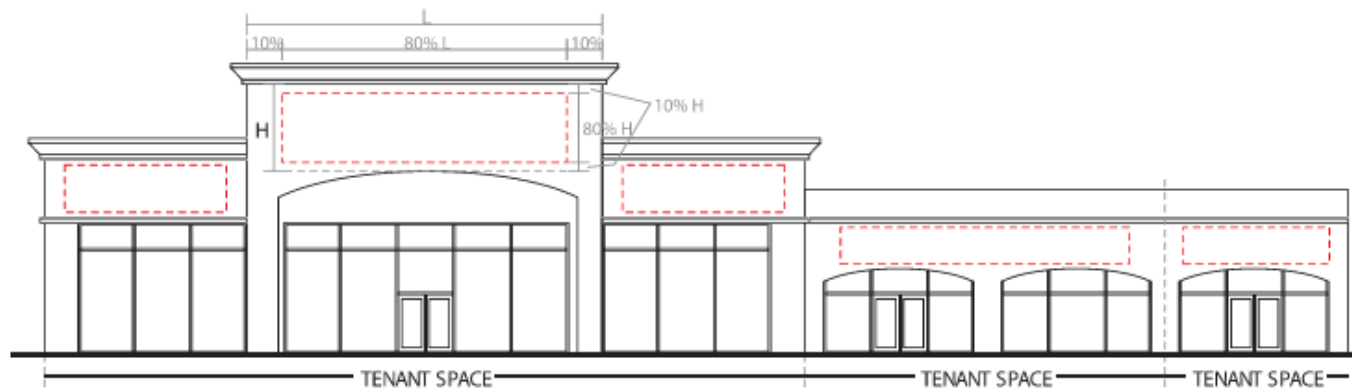


FIGURE 3



OUTREACH

- Site Posting, 300' Mailers, Newspaper Publishings
- Citizen Participation Meeting November 14, 2023
 - No attendees
 - No concerns





RECOMMENDATION

Staff Recommendation:

Approve subject to stipulations 'a' through 'b'



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You





Stipulations

- a. Development and use of the signage for the site shall be consistent with the project narrative entitled “NWC Dysart & Bell Comprehensive Sign Plan”, prepared by Royal Signs, consisting of eleven (11) pages, and stamped received October 30, 2023.
- b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.