

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

February 15, 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 February 15, 2024.

A. ROLL CALL

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

STAFF PRESENT:

Jeffrey Murray, Deputy City Attorney; Lloyd Abrams, Director of Community Development; Tiffany Copp, Assistant Director of Community Development; Mindy Davis, Assistant Director of Community Development; Jason Moquin, Planning Manager; Jani Wertin, Current Planner; Leslie Carnie, Current Planner; Trevor Fleetham, Current Planner; Chris Sexton, Current Planner; Tanner Wessel, Current Planner; and Alyssa Carpenter, Planning and Zoning Secretary.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

- Introduction of Mindy Davis, Assistant Director of Community Development overseeing Development Services, Plan Review, Building Safety and Code Enforcement.
- No agenda items scheduled for the March 7th Planning and Zoning Commission Meeting; cancellation will be sent out.

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 or disapprove the February 1, 2024, Planning and Zoning Commission Regular Meeting Minutes.

Vice Chair Chapman made a motion to approve the February 1, 2024, Planning and Zoning Commission Regular Meeting Minutes. Commissioner Rosenbaum seconded the motion. Motion passed with 6 votes in favor. Commissioner Smith abstained.

REGULAR AGENDA ITEM – PUBLIC HEARING:

Item 2 – Citywide – Consideration and action regarding the Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to revise sections to clarify the readability, provide better interpretation, or remove conflicts with other section of the LDO related to that given regulation. Case FS23-1057.

Jani Wertin, Current Planner, presented item 2 to the Commission.

Chair Holland opened the public hearing.

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

The Commission discussed the following:

None.

Commissioner Keating motioned recommend approval of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to revise sections to clarify the readability, provide better interpretation, or remove conflicts with other section of the LDO related to that given regulation. Case# FS23-1057. Commissioner Bash seconded the motion. Motion passed with 7 votes in favor.

Item 3 – District 1 – Consideration action pertaining to a rezone of approximately 42.92 gross acres from Planned Area Development (PAD) and Rural Residential (RR) to Community Commercial (C-2) and Residential High Density (R-3), for a site generally located on the northeast corner of 163rd Ave. and Jomax Rd. Case #FS23-0552.

Leslie Carnie, Current Planner, presented item 3 to the Commission.

Jeff Blilie, representative for the applicant, presented additional information to the Commission, and responded to public comments.

Chair Holland opened the public hearing.

Dodge Marshall, Surprise, AZ – Owns property adjacent and wishes for the land to remain rural residential with open space and diversity. The project will increase traffic to the surrounding area.

Rebekah Massie, Surprise, AZ – Refused to provide her address, claiming she was not required to do so per the 4th and 14th Amendments of the US Constitution. Expressed the danger the additional traffic to the area, schools are overcrowded, the project proposes a safety concern with the longer response times from Police and Fire Medical. Argued the infrastructure cannot withstand the increased commercial and residential units.

Joe Mansour, Surprise, AZ – Increased traffic and safety concerns from the additional trips created from proposed commercial and high density residential. The letters provided to the Commission were

only the letters in support and alleged they were forged. The letters of disapproval of the project were not provided. Claimed to be speaking on behalf of over 1000 area residents. Communicated frustrations and accusations toward City Staff and Applicant and committed to file a complaint with the Arizona Attorney General or the DOJ based on the letters in support of the project provided by the applicant.

Karen Cote, Maricopa County resident – Expressed concerns and does not agree with having commercial and residential in this location due to the current state of lack of roadway infrastructure and this project will increase the traffic from the surrounding cities traveling down the US-60 such as Wittmann and Wickenburg.

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

The Commission discussed the following:

- Police and Fire Medical Station projects are in the process being built to support this area of Surprise
- Commercial is needed for additional infrastructure to occur
- Traffic will be reduced with commercial projects being built
- Proposed roadway improvements to better serve the demand
- Entitlements and platted lots awaiting construction
- Commercial and residential being built simultaneously
- Dangerous traffic and safety concerns, safety statistics
- Commercial and high density residential buffer

Commissioner Keating motioned to recommend approval of the rezone of approximately 42.92 gross acres from Planned Area Development (PAD) and Rural Residential (RR), to Community Commercial (C-2) and Residential High Density (R-3), subject to stipulations 'a' through 'e' as memorialized in the staff report. Case# FS23-0552.

Motion Amended at the request of Commission Smith to add stipulation F requiring 50,000 square feet of commercial to be constructed prior to the construction of Phase II of the proposed residential development.

Commissioner Rosenbaum seconded the motion. Motion failed with 3 votes in favor. Commissioner Leonard, Chair Holland, Vice Chair Chapman and Commissioner Bash voted against the motion.

Chair Holland motioned to recommend denial of the rezone of approximately 42.92 gross acres from Planned Area Development (PAD) and Rural Residential (RR), to Community Commercial (C-2) and Residential High Density (R-3), subject to stipulations 'a' through 'e' as memorialized in the staff report. Case# FS23-0552 for the reasons as stated on the record. Commissioner Leonard seconded the motion. Motion passed with 5 votes in favor. Commissioner Smith voted against and Commissioner Keating abstained.

Item 4 – District 1 – Consideration and action pertaining to a rezone of approximately 31.46 acres from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD), generally located west of 155th Avenue and north of Jomax Road. Case FS23-0352.

Trever Fleetham, Current Planner, presented item 4 to the Commission.

Wendy Riddell, representative for the applicant, presented additional information to the Commission.

Chair Holland opened the public hearing.

Joe Mansour, Surprise, AZ – Questioned where the impact fees from the developers are going, as they are intended to improve the roadways. Discussed the ingress/egress traffic concerns, safety concerns and any type of residential increases trips to the area. Mentioned that this is a beautiful project and this product is needed.

Rebekah Massie, Surprise, AZ – Higher density projects lowers the response time for Police and Fire Medical, the increased traffic poses safety concerns. Statistics for traffic fatalities in Surprise are up over 300% in one year. This area of Surprise has inadequate infrastructure, seize building permits until the traffic and safety concerns are addressed, having impact fees from developers designated to improve the roadways.

Karen Cote, Maricopa County resident – Additional traffic poses concerns, there isn't adequate infrastructure.

Dodge Marshall, Surprise, AZ – Commercial property will bring in all the traffic from the surrounding areas and construction is happening too fast and prematurely with the current conditions of Jomax Road and 163rd Avenue.

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

The Commission discussed the following:

- Smaller lot sizes propose less cars at a single household
- Rezone is lessening from high density to a lower density by one lot
- Smaller single family housing is desired to some residents

Commissioner Bash motioned to recommend approval of the proposed Rezone to the City Council subject to stipulations 'a' through 'g' as presented. Case# FS23-0352. Commissioner Leonard seconded the motion. Motion passed with 7 votes in favor.

REGULAR AGENDA ITEM – NON-PUBLIC HEARING:

None

OTHER BUSINESS AND FUTURE AGENDA ITEMS:

- Workshop pertaining to open space, passive versus active
- Land Development Ordinance, Further discussion of PUD overlays

ADJOURNMENT:

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

Meeting adjourned at 7:36 pm


Jared Holland
Planning and Zoning Commission Chair


Ken Chapman
Vice 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:



Alyssa Carpenter, Planning and Zoning Secretary

DATE:

3/21/2024