



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

Thursday, September 5, 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 August 15, 2024 Planning and Zoning Commission Regular Meeting Minutes. | Alyssa Lester
Community
Development |
|----|----------|---|---|

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|--|---|
| 2. | Citywide | Consideration and action regarding a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to allow Smoking Lounges to operate outdoor patio areas as part of their business operations. Case FS24-0782 | Trevor Fleetham
Community
Development |
| 3. | District 1 | Consideration and action regarding a Conditional Use Permit (CUP) with Site Plan for a drive-through teller machine, located at the northwest corner of Pat Tillman Boulevard and 163rd Avenue, zoned Asante Planned Area Development (PAD), case # FS24-0136. | Jani Wertin
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: Friday, August 30th, 2024 @ 1:30 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 & Zoning Commission

Council Meeting Date: September 5, 2024

Contact Person: Alyssa Lester, Administrative
Assistant - Senior

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 August 15, 2024 Planning and Zoning Commission Regular Meeting Minutes.

Motion:

I move to approve the August 15, 2024 Planning and Zoning Commission Regular Meeting Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 08-15-2024 MINS

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

August 15, 2024 / 6:00 PM

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

CALL TO ORDER.

Vice Chair Chapman called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on August 15, 2024.

A. ROLL CALL

In attendance were, Commissioner Dennis Bash, Commissioner Jay Leonard, Commissioner Anthony Spata, Commissioner Kevin Perry, Vice Chair Ken Chapman, and Chair Jared Holland (joined the meeting at 6:10 p.m.). Commissioner Matthew Keating had an unexcused absence.

STAFF PRESENT:

Jeffrey Murray, Deputy City Attorney; Bianca Cortez, Assistant City Attorney; Lloyd Abrams, Director of Community Development; Trever Fleetham, Senior Planner; Jani Wertin, Current Planner; and Patricia Rademacher, Administrative Specialist.

COUNCIL MEMBERS PRESENT:

- None

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

- 2040 General Plan passed

D. STAFF REPORT

- None

CALL TO THE PUBLIC:

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

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the August 1, 2024, Planning and Zoning Commission Regular Meeting Minutes.

Item 1 was initially called prior to Chairman Holland's arrival but no legal action could be taken due to the lack of a quorum of the members attending the August 2, 2024, Planning and Zoning Commission meeting.

REGULAR AGENDA ITEM – NON-PUBLIC HEARING:

Item 2 – Internal – Presentation Open Meeting Law and Conflicts of interest

Bianca Cortez, Assistant City Attorney, presented Item 2 to the Commission.

The Commission discussed the following:

- None

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the August 1, 2024, Planning and Zoning Commission Regular Meeting Minutes.

Item 1 was recalled after Chair Holland's arrival. Vice Chair Chapman made a motion to approve the August 1, 2024, Planning and Zoning Commission Regular Meeting Minutes. Commissioner Leonard seconded the motion. Motion passed with 4 votes in favor. Commissioner Perry and Commissioner Spata abstained.

REGULAR AGENDA ITEM –PUBLIC HEARING:

Item 3 – District 1 – Consideration and action regarding a Conditional Use Permit (CUP) with Site Plan for a drive-through teller machine, located at the northwest corner of Pat Tillman Boulevard and 163rd Avenue, zoned Asante Planned Area Development (PAD), case # FS24-0136.

Jani Wertin, 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:

- Queuing study
- Permitting requirements for CUP/Site Plans
- Traffic flow in shopping center
- Traffic volume
- Queuing time/stacking of vehicles
- Circulation of vehicle traffic
- Possible alternate location for Bank
- Options on motion for this matter

Chair Holland made a motion to continue this item to the September 5, 2024, meeting, Vice Chair Chapman seconded the motion. Motion passed with 6 votes in favor.

- None

OTHER BUSINESS AND FUTURE AGENDA ITEMS:

- None

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 6:35 pm.

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: _____
Patricia Rademacher, Administrative Specialist

DATE: _____



CITY OF SURPRISE Planning & Zoning Commission

Council Meeting Date: September 5, 2024

Contact Person: Trever Fleetham, PLANNER
SENIOR

Submitting Department: Community Development District: Citywide

Staff Recommendations:

Consent: No

Regular: No

Public Hearing: Yes

Report/Discussion: No

Agenda Wording:

Consideration and action regarding a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to allow Smoking Lounges to operate outdoor patio areas as part of their business operations. Case FS24-0782

Motion:

I move to recommend **approval** of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to allow Smoking Lounges to operate outdoor patio areas as part of their business operations.

I move to recommend **denial** of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to allow Smoking Lounges to operate outdoor patio areas as part of their business operations because *[insert reason]*.

Background:

Henry Hardy with Rose Law Group (applicant), on behalf of Fox Properties Surprise, LLC (owner) requests a Zoning Text Amendment to allow Smoking Lounges to operate outdoor patio areas as part of their business operations. The use category of 'Smoking Lounge' was added to the LDO under a previous ZTA (case #FS22-0695) but outdoor patios were not included at that time.

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 - FS24-0782 Fox Cigar Bar Zoning Text Amendment - Staff Report - 090524 PZ
 2. 01 - FS24-0782 Fox Cigar Bar Zoning Text Amendment - Legislative Text Edit
 3. 02 - FS24-0782 Fox Cigar Bar Zoning Text Amendment - Citizen Participation Report
 4. FS24-0782 Fox Cigar Bar Zoning Text Amendment - Presentation
-

ZONING TEXT AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS24-0782

Project Name: Fox Cigar Bar Zoning Text Amendment

Council District: Citywide

Meeting Date: September 5, 2024

Planner: Trever Fleetham, Senior Planner

Applicant: Henry Hardy, Rose Law Group

Request: Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to allow Smoking Lounges to operate outdoor patio areas as part of their business operations.

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035 and General Plan 2040.

Support/Opposition: None known

Staff Recommendation: Staff recommends the Commission review the applicant's proposed zoning text amendment and decide whether to recommend **approval** or **denial** of FS24-0782 to the Mayor and City Council.

PROJECT DESCRIPTION:

Henry Hardy with Rose Law Group (applicant), on behalf of Fox Properties Surprise, LLC, (owner) requests a Zoning Text Amendment to allow Smoking Lounges to operate outdoor patio areas as part of their business operations. The use category of 'Smoking Lounge' was added to the LDO under a previous ZTA (case #FS22-0695) but outdoor patios were not included at that time.

BACKGROUND:

October 4, 2022: The Mayor and City Council approved Ordinance #2022-21, approved a zoning text amendment to add a definition, land use and development standards for Smoking Lounges.

June 20, 2024: The applicant filed a request for a Zoning Text Amendment to allow Smoking Lounges to operate outdoor patio areas as part of their business operations.

July 17, 2024: The applicant held a neighborhood outreach meeting to discuss the proposal. There were no members of the public present and to date, no public feedback has been received by City Staff.

ANALYSIS AND DISCUSSION:

Under Section 101-2.2 of the LDO, a Smoking Lounge is defined as:

A *business* establishment that is dedicated, in whole or part, to the *smoking* of any lighted tobacco product, including cigars, cigarettes, pipe tobacco, and any other lighted tobacco product, including but not limited to, establishments commonly referred to as cigar lounges, hookah cafes, tobacco *clubs*, or tobacco *bars*. *Smoking* lounges may include the sale of tobacco in compliance with applicable federal and state law. The *smoking* of cannabis is prohibited per S.M.C. § 34-303.

Section 106-10.42 of the LDO, which includes use-specific standards for Smoking Lounges, was added to the LDO via case #FS22-0695. One of the standards contained within this section limited all business-related activities to being conducted indoors, within a building. The applicant is proposing to amend the LDO to allow for the outdoor use of tobacco-related products on patio areas associated with smoking lounges. The following changes to Section 106-10.42 are being proposed. Additions are shown in blue; deletions are shown in red strikethrough.

Sec. 106-10.42. - Smoking lounges.

- A. A smoking lounge is as defined in Section 101-2.2. *and includes, in part, "A business establishment that is dedicated, in whole or part, to the smoking of any lighted tobacco product, including cigars, cigarettes, pipe tobacco, and any other lighted tobacco product."*
- B. Non-alcoholic beverages may be served on the premises; however, alcoholic beverages shall not be sold or consumed on the premises, except when a conditional use permit is issued and in conjunction with the issuance of a liquor license.
- C. No persons under twenty-one (21) years of age shall be permitted within the business.
- D. All business-related activities shall be conducted on the premises of the business.
- E. ~~Indoor operations. All business-related activities shall be conducted wholly within a building.~~ *Any outdoor patio or seating area shall be in conformance with Sec. 106-10.30 and this Sec. 106-10.42.*
- F. Adequate ventilation shall be provided for the heating of coals in accordance with all requirements imposed by the city fire department, or as otherwise required by state or federal laws.
- G. The ventilation and filtration system shall also assure that smoke from the smoking lounge is incapable of migrating into any other portion of the building hosting the smoking lounge or into any other building in the vicinity of the smoking lounge.
- H. *Smoke Mitigation Plan. A smoke mitigation plan shall be submitted to the City at the time of Site Plan review. Any such plan shall include all infrastructure, as well as any plans, policies, and/or procedures, that will be installed and/or implemented to minimize the impact of outdoor smoking. The smoke mitigation plan shall demonstrate*

that the entire smoking lounge premises is in compliance with the Smoke-Free Arizona Act, A.R.S. § 36-601.01, and addresses the elements listed below:

1. In accordance with subsection G. herein, smoke shall not migrate or otherwise enter areas where smoking is prohibited.
 2. In accordance with subsection G. herein, ventilation infrastructure and filtration, and any other necessary measures, shall be utilized to prohibit smoke migration.
 3. The training and procedures that Smoking Lounge staff shall implement to effectively operate and enforce the smoke mitigation plan.
 4. Responsible party to contact for any complaints.
- I. Loitering. The smoking lounge owner or operator shall prohibit loitering by persons outside the smoking lounge either on the premises or within fifty (50) feet of the premises
- J. The business shall also be in conformity with all other city, state and federal laws.
- K. Non-compliance with the provisions herein, including non-compliance with the approved smoke mitigation plan, will be treated as a violation of this ordinance and shall be subject to zoning enforcement, in addition to any applicable civil or criminal penalties under relevant state or local laws.

These proposed changes include the requirements for review and approval of a Smoke Mitigation Plan, and additional enforcement language.

Additionally, the LDO currently includes use-specific standards for outdoor dining/seating areas in Section 106-10.30. In order to accommodate the request, additional changes are needed to this section, which are shown below.

Sec. 106-10.30. Outdoor dining/seating.

- A. Outdoor dining, patios, and seating areas must be associated ~~to and used~~ in conjunction with a *permitted use*. ~~that serves food and/or beverages for on-site consumption.~~ For purposes of state liquor license spacing regulations, the outdoor dining, patio, and seating areas shall be considered part of the premises.
- B. Outdoor dining/seating shall be limited to locations on private property and may encroach into *setbacks* up to ten (10) feet but shall be a minimum of five (5) feet from any *property line* and not within the *public right-of-way*.
- C. Outdoor dining/seating shall not obstruct sidewalk or trail pedestrian or bicycle traffic or create *public* health and safety hazards.
- D. Roof material covering an outdoor dining/seating area may be temporary, fixed, or retractable and shall be opaque. Awnings, canopies, or similar protective shelter must be fire-treated or nonflammable.
- E. Any definable decorative barrier element physically separating the outdoor dining/seating area from *adjacent* pedestrian traffic provided shall be handicapped accessible and not exceed forty (40) inches in *height*. The design and materials of such barrier element shall complement and be compatible to the architectural design of the primary *building* façade.

F. Decorative/accent lighting may be incorporated into the outdoor dining/seating area, landscape, awning, or canopy and shall meet all City Code requirements.

This change must accompany the other requested changes due to the existing language being limited to establishments that serve food and/or beverages.

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2040: The subject request is consistent with the Surprise General Plan 2040 in that it aims to update the zoning code to facilitate economic development.

CITIZEN PARTICIPATION:

The applicant held an in-person neighborhood outreach meeting on July 17, 2024 at the Holiday Inn Express & Suites. The meeting was advertised pursuant to the requirements of the LDO. There were no members of the public present and no feedback has been received thus far.

SUMMARY:

The proposed Zoning Text Amendment to the LDO will allow for Smoking Lounges to make use of outdoor patio areas upon compliance with A.R.S. § 36-601.01, and the applicant's submission of, and approval by the City of a Smoke Mitigation Plan.

RECOMMENDATION:

Based on the findings noted above, staff recommends the Commission review the proposed Zoning Text Amendment and make a recommendation to either recommend **approval, or denial**, of the subject Zoning Text Amendment request to the Mayor and City Council.

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 Legislative Edit
02 Citizen Participation Report
PPT

Land Development Ordinance Text Amendment

Blue text represents amended supplemental language to the Surprise Land Development Ordinance Section 106-10.42. Red strikethrough represents the removal of existing language.

Sec. 106-10.42. - Smoking lounges.

- A. A smoking lounge is as defined in Section 101-2.2. and includes, in part, “A business establishment that is dedicated, in whole or part, to the smoking of any lighted tobacco product, including cigars, cigarettes, pipe tobacco, and any other lighted tobacco product.”
- B. Non-alcoholic beverages may be served on the premises; however, alcoholic beverages shall not be sold or consumed on the premises, except when a conditional use permit is issued and in conjunction with the issuance of a liquor license.
- C. No persons under twenty-one (21) years of age shall be permitted within the business.
- D. All business-related activities shall be conducted on the premises of the business.
- E. ~~Indoor operations. All business-related activities shall be conducted wholly within a building.~~ Any outdoor patio or seating area shall be in conformance with Sec. 106-10.30 and this Sec. 106-10.42.
- F. Adequate ventilation shall be provided for the heating of coals in accordance with all requirements imposed by the city fire department, or as otherwise required by state or federal laws.
- G. The ventilation and filtration system shall also assure that smoke from the smoking lounge is incapable of migrating into any other portion of the building hosting the smoking lounge or into any other building in the vicinity of the smoking lounge.
- H. **Smoke Mitigation Plan.** A smoke mitigation plan shall be submitted to the City at the time of Site Plan review. Any such plan shall include all infrastructure, as well as any plans, policies, and/or procedures, that will be installed and/or implemented to minimize the impact of outdoor smoking. The smoke mitigation plan shall demonstrate that the entire smoking lounge premises is in compliance with the Smoke-Free Arizona Act, A.R.S. § 36-601.01, and addresses the elements listed below:
 - 1. In accordance with subsection G. herein, smoke shall not migrate or otherwise enter areas where smoking is prohibited.
 - 2. In accordance with subsection G. herein, ventilation infrastructure and filtration, and any other necessary measures, shall be utilized to prohibit smoke migration.
 - 3. The training and procedures that Smoking Lounge staff shall implement to effectively operate and enforce the smoke mitigation plan.
 - 4. Responsible party to contact for any complaints.
- I. **Loitering.** The smoking lounge owner or operator shall prohibit loitering by persons outside the smoking lounge either on the premises or within fifty (50) feet of the premises
- J. The business shall also be in conformity with all other city, state and federal laws.
- K. **Non-compliance with the provisions herein, including non-compliance with the approved smoke mitigation plan, will be treated as a violation of this ordinance and shall be subject to zoning enforcement, in addition to any applicable civil or criminal penalties under relevant state or local laws.**

Sec. 106-10.30. Outdoor dining/seating.

- A. Outdoor dining, patios, and seating areas must be associated **to** and **used** in conjunction with a *permitted use*. ~~that serves food and/or beverages for on-site consumption.~~ For purposes of state liquor license spacing regulations, the outdoor dining, patio, and seating areas shall be considered part of the premises.
- B. Outdoor dining/seating shall be limited to locations on private property and may encroach into *setbacks* up to ten (10) feet but shall be a minimum of five (5) feet from any *property line* and not within the *public right-of-way*.
- C. Outdoor dining/seating shall not obstruct sidewalk or trail pedestrian or bicycle traffic or create *public* health and safety hazards.
- D. Roof material covering an outdoor dining/seating area may be temporary, fixed, or retractable and shall be opaque. Awnings, canopies, or similar protective shelter must be fire-treated or nonflammable.
- E. Any definable decorative barrier element physically separating the outdoor dining/seating area from *adjacent* pedestrian traffic provided shall be handicapped accessible and not exceed forty (40) inches in *height*. The design and materials of such barrier element shall complement and be compatible to the architectural design of the primary *building* façade.
- F. Decorative/accent lighting may be incorporated into the outdoor dining/seating area, landscape, awning, or canopy and shall meet all City Code requirements.

Fox Cigar Bar Land Development Ordinance Text Amendment

Public Outreach Plan

FOR

Text amendment to Sec. 106-10.42 of the Surprise Land Development Ordinance

CASE # FS24-0782

June 28, 2024

Applicant:

Rose Law Group pc

Henry Hardy:

Email: hhardy@roselawgroup.com

Phone: 480-291-0743

Ty Utton:

Email: tutton@roselawgroup.com

Phone: 480-944-4189

Public Outreach Plan

This Public Outreach Plan is being implemented alongside a proposed Land Development Ordinance Text Amendment (the “Text Amendment”) to permit the development of outdoor patio areas in conjunction with smoking lounge uses. The proposed Text Amendment will amend the Surprise Development Ordinance and will be applicable throughout the entire City of Surprise (the “City”). The purpose of this Public Outreach Plan is to foster open communication between residents and applicants, ensuring the meaningful inclusion of all interested parties in the development of this Text Amendment application.

A. Parties Affected by the Application

This Text Amendment will be applicable throughout the City, however, it is primarily applicable to zoning districts that allow for Smoking Lounge uses. The development team will notify all City residents by holding a neighborhood outreach meeting and publishing a public notice in a newspaper of general circulation.

B. Notification and Information Procedures

The required legal advertisement posting and personal contact with interested parties are the most effective notification techniques for this type of request. These communications will occur on an ongoing basis, starting with the approval of this Public Outreach Plan. The applicant team is committed to ensuring that all interested parties are informed about the pending request and understand all relevant issues. Information will be disseminated in the following ways:

1. Legal advertisements will be published in the newspaper to notify residents of the neighborhood outreach meeting. Recipients will be encouraged to call, email, or otherwise contact the applicant or the City with any questions.
2. All contact with interested parties regarding this Text Amendment application will be documented and sent to the City. This record will include the names of those involved, as well as the time, date, place, and method of contact, along with the issues discussed.

C. Response Procedures

Through the notification techniques described above, all interested parties will be able to gain a full understanding of the Text Amendment application and will be able to contact the applicant team to voice their concerns. The ways in which interested parties will be able to contact the applicant team include, but are not limited to, telephone, US Mail, personal contact, and/or email. The issues and concerns brought to the attention of the applicant team will be taken into consideration and further communication will be initiated by the applicants to fully consider those comments and, wherever possible, integrate them into the application and proposal throughout the application process.

D. Schedule of Completion

1. In June 2024, this Public Outreach Plan will be submitted, directly following formal Text Amendment application, for review by the City of Surprise Planning and Development Department staff. The applicants will make appropriate changes according to staff's comments.
2. On Wednesday July 17, 2024, the Applicant will host a neighborhood outreach meeting, open to the public, at the Holiday Inn Express & Suites located at 16540 N Bullard Ave, Surprise, AZ 85374. Notice for the public outreach meeting will be posted in the newspaper during the week of July 1, 2024.
3. Prior to the public hearing process the Applicant will provide an updated Community Participation Plan to the City of Surprise Planning and Development staff if there are remaining neighborhood concerns or the updated document is otherwise requested by the City staff.

E. Status Procedure

As interested parties reply to the notification, communication will be opened between those citizens and the applicants to address all questions, concerns, and comments. The results of those discussions and the feedback gained will be taken into consideration during the application process. This will be an ongoing aspect of the Public Outreach Plan from first notification through to the City Council public hearing.

As a part of the application process, the applicants will be in close communication with the Surprise Planning and Development Department to ensure that they are fully apprised of the progress and inclusiveness of the public outreach process.

Prior to the public hearings, a written report will be submitted detailing the results of the Public Outreach Plan if required by the Surprise Planning and Development Staff. This report will include; (i) a summary of all contact with interested parties, (ii) a description of the approximate number of people that participated in the public participation process, (iii) a discussion of the results of the public outreach process, including major issues and concerns identified by interested parties and how the development team has and will address them, and (iv) an appendix of relevant community outreach information.

Public Outreach Plan Supplemental Report

July 23, 2024

FOR

Text amendment to Sec. 106-10.42 of the Surprise Land Development Ordinance (Fox Cigar Bar)

CASE # FS24-0782

Applicant:

Rose Law Group pc

Henry Hardy:

Email: hhardy@roslawgroup.com

Phone: 480-291-0743

Ty Utton:

Email: tutton@roslawgroup.com

Phone: 480-944-4189

Public Outreach Supplemental Report

This document serves as a supplemental report to the initial Public Outreach Plan submitted on June 28, 2024. All processes and procedures outlined in that document were meticulously followed, and the details of those efforts are reported herein.

On Wednesday July 17, 2024, the Applicant hosted a neighborhood outreach meeting, open to the public, at the Holiday Inn Express & Suites located at 16540 N Bullard Ave, Surprise, AZ 85374. Notice for the public outreach meeting was posted in the newspaper on 7/2/24 and 7/3/24. The notice as it appeared in the local newspaper is attached here as exhibit A.

The event was held in conjunction with the Surprise Planning Staff, ensuring that all necessary guidelines and protocols were followed. Despite efforts to engage the community, no member of the public attended or expressed any interest or concern regarding the event or the proposal.

Should any comments or concerns be reported to the applicant team, they will promptly inform the planning staff of these issues prior to the next public meeting. This ensures that all feedback is duly considered and addressed in a timely manner, fostering transparency and community engagement throughout the planning process.

EXHIBIT A

DEVELOPMENT PROJECT NEIGHBORHOOD MEETING

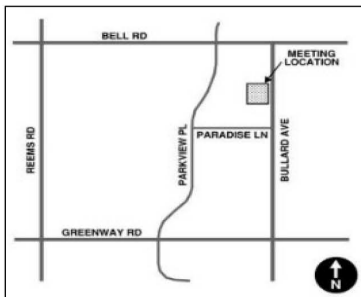
Please be advised that Henry Hardy with Rose Law Group will host an in-person Neighborhood Meeting to discuss the project referenced below. Any member of the public may participate in the conversation as it pertains to this project. According to Surprise Municipal Code, the applicant is required to host a Neighborhood Meeting to present the proposal 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: Henry Hardy, 480.291.0743, hhardy@roslawgroup.com
City of Surprise Planner: Trever Fleetham, 623.222.3156, trever.fleetham@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, July 17, 2024
TIME: 6:00 PM
LOCATION: Holiday Inn Express & Suites
16540 N Bullard Ave,
Surprise, AZ 85374

MEETING LOCATION



PROJECT DESCRIPTION:

A Zoning Text Amendment to allow smoking lounges to operate outdoor patio areas as part of their business operations. Case # FS24-0782.

Publish: Daily Independent, July 2, 2024,
Surprise Independent, July 3, 2024/1930

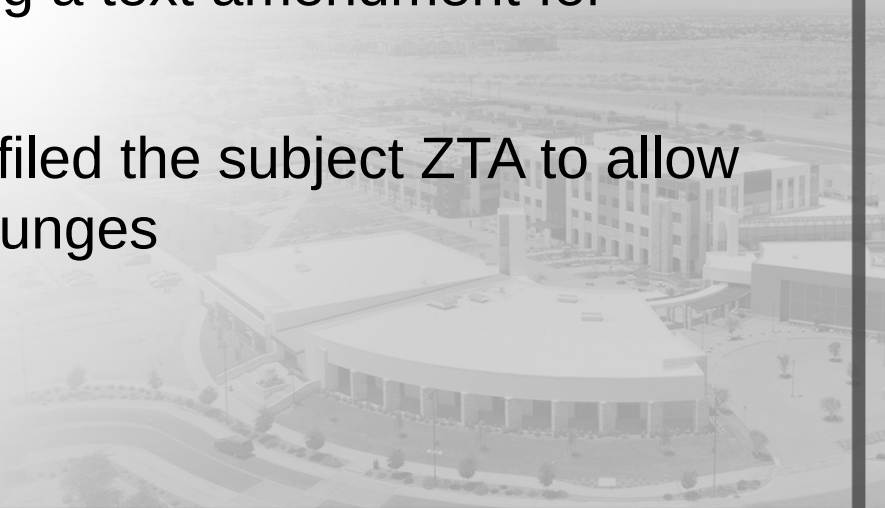


Fox Cigar Bar
Zoning Text Amendment
FS24-0782

Planning & Zoning Commission
September 5, 2024



BACKGROUND

- o **December 15, 2020:** Mayor and City Council approved Ordinance #2020-38, adopting the LDO
 - o **October 4, 2022:** Mayor and City Council approved Ordinance #2022-21, approving a text amendment for Smoking Lounges
 - o **June 20, 2024:** The applicant filed the subject ZTA to allow outdoor patios with smoking lounges
- 



REQUEST

Sec. 106-10.42. - Smoking lounges.

- A. A smoking lounge is as defined in Section 101-2.2. and includes, in part, “A business establishment that is dedicated, in whole or part, to the smoking of any lighted tobacco product, including cigars, cigarettes, pipe tobacco, and any other lighted tobacco product.”
- B. Non-alcoholic beverages may be served on the premises; however, alcoholic beverages shall not be sold or consumed on the premises, except when a conditional use permit is issued and in conjunction with the issuance of a liquor license.
- C. No persons under twenty-one (21) years of age shall be permitted within the business.



REQUEST

- D. All business-related activities shall be conducted on the premises of the business.
- ~~E. Indoor operations. All business-related activities shall be conducted wholly within a building.~~ Any outdoor patio or seating area shall be in conformance with Sec. 106-10.30 and this Sec. 106-10.42.
- F. Adequate ventilation shall be provided for the heating of coals in accordance with all requirements imposed by the city fire department, or as otherwise required by state or federal laws.
- G. The ventilation and filtration system shall also assure that smoke from the smoking lounge is incapable of migrating into any other portion of the building hosting the smoking lounge or into any other building in the vicinity of the smoking lounge.



REQUEST

- H. Smoke Mitigation Plan. A smoke mitigation plan shall be submitted to the City at the time of Site Plan review. Any such plan shall include all infrastructure, as well as any plans, policies, and/or procedures, that will be installed and/or implemented to minimize the impact of outdoor smoking. The smoke mitigation plan shall demonstrate that the entire smoking lounge premises is in compliance with the Smoke-Free Arizona Act¹ and addresses the elements listed below:
1. In accordance with subsection G. herein, smoke shall not migrate or otherwise enter areas where smoking is prohibited.
 2. In accordance with subsection G. herein, ventilation infrastructure and filtration, and any other necessary measures, shall be utilized to prohibit smoke migration.
 3. The training and procedures that Smoking Lounge staff shall implement to effectively operate and enforce the smoke mitigation plan.
 4. Responsible party to contact for any complaints.

¹A.R.S. § 36-601.01



REQUEST

- I. Loitering. The smoking lounge owner or operator shall prohibit loitering by persons outside the smoking lounge either on the premises or within fifty (50) feet of the premises
- J. The business shall also be in conformity with all other city, state and federal laws.
- K. Non-compliance with the provisions herein, including non-compliance with the approved smoke mitigation plan, will be treated as a violation of this ordinance and shall be subject to zoning enforcement, in addition to any applicable civil or criminal penalties under relevant state or local laws.



REQUEST

Sec. 106-10.30. Outdoor dining/seating.

- A. Outdoor dining, patios, and seating areas must be associated **to** and **used** in conjunction with a *permitted use*. ~~that serves food and/or beverages for on-site consumption.~~ For purposes of state liquor license spacing regulations, the outdoor dining, patio, and seating areas shall be considered part of the premises.
- B. Outdoor dining/seating shall be limited to locations on private property and may encroach into *setbacks* up to ten (10) feet but shall be a minimum of five (5) feet from any *property line* and not within the *public right-of-way*.
- C. Outdoor dining/seating shall not obstruct sidewalk or trail pedestrian or bicycle traffic or create *public* health and safety hazards.
- D. Roof material covering an outdoor dining/seating area may be temporary, fixed, or retractable and shall be opaque. Awnings, canopies, or similar protective shelter must be fire-treated or nonflammable.
- E. Any definable decorative barrier element physically separating the outdoor dining/seating area from *adjacent* pedestrian traffic provided shall be handicapped accessible and not exceed forty (40) inches in *height*. The design and materials of such barrier element shall complement and be compatible to the architectural design of the primary *building* façade.
- F. Decorative/accent lighting may be incorporated into the outdoor dining/seating area, landscape, awning, or canopy and shall meet all City Code requirements.



SUMMARY

- o Require Smoke Mitigation Plan
- o Added enforcement language
- o Clarification for Outdoor Patio regulations





OUTREACH

Neighborhood Meeting:

July 17, 2024 @ Holiday Inn Express & Suites

- No attendees
- No feedback received





SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You





MOTION

I move to recommend **approval** of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to allow Smoking Lounges to operate outdoor patio areas as part of their business operations.

I move to recommend **denial** of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to allow Smoking Lounges to operate outdoor patio areas as part of their business operations because *[insert reason]*.



CITY OF SURPRISE
Planning & Zoning Commission

Council Meeting Date: September 5, 2024 Contact Person: Jani Wertin
Submitting Department: Community Development District: District 1
Staff Recommendations:

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

Agenda Wording:

Consideration and action regarding a Conditional Use Permit (CUP) with Site Plan for a drive-through teller machine, located at the northwest corner of Pat Tillman Boulevard and 163rd Avenue, zoned Asante Planned Area Development (PAD), case # FS24-0136.

Motion:

I move to approve the Conditional Use Permit for Asante Lot 6 Shops B Bank ITM, Case # FS24-0136, subject to stipulations 'a' through 'e' as memorialized in the staff report.

I move to deny the Conditional Use Permit for Asante Lot 6 Shops B Bank ITM, Case # FS24-0136, because insert reason.

Background:

This item is a continuation from the August 15, 2024 Planning and Zoning meeting. The subject request involves a Conditional Use Permit with Site Plan for a drive-through teller machine, accessory to an adjacent bank office located within the Asante Shops B commercial suite located at the northwest corner of Pat Tillman Boulevard and 163rd Avenue on an approximately 1.12-acre parcel zoned Asante Planned Area Development (PAD).

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 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Staff Report
 2. 01 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Vicinity Map
 3. 02 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Zoning Map
 4. 03 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Site Plan
 5. 04 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Elevations
 6. 05 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Landscape Plan
 7. 06 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Citizen Participation Report
 8. 07 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Affidavit of Posting
 9. 08 - FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Queuing Analysis
 10. FS24-0136 Asante Lot 6 Shops B Bank ITM CUP with Site Plan - Powerpoint
-

CONDITIONAL USE PERMIT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS24-0136

Project Name: Asante Lot 6 Shops B Bank ITM CUP with Site Plan

Council District: 1 - Acacia

Meeting Date: September 5, 2024

Planner: Jani Wertin, Planner II

Owner: Barclay Holdings LLC

Applicant: Eric Gerster with Sustainability Engineering Group

Request: Conditional Use Permit with Site Plan for a drive-through teller machine.

Site Location: Generally located at the northwest corner of Pat Tillman Boulevard and 163rd Avenue

Site Size: 1.12 acres (approx.)

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

Support/Opposition: None known.

Staff Recommendation: Staff recommends the Commission **approve** the subject CUP with Site Plan, case FS24-0136, subject to stipulations 'a' through 'e'.

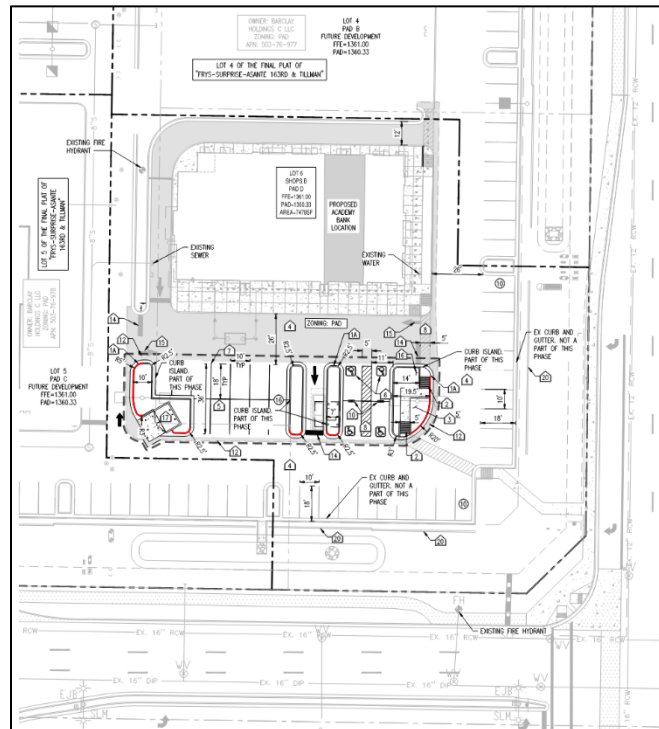
FINDINGS:

- The proposed CUP with Site Plan is consistent with the General Plan 2035.
- The proposed CUP with Site Plan is consistent with the Asante PAD.
- The proposed CUP with Site Plan is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

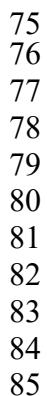
PROJECT DESCRIPTION:

Eric Gerster with Sustainability Engineering Group, on behalf of Barclay Holdings LLC, seeks approval of a Conditional Use Permit for a drive-through teller machine accessory to an adjacent bank office located within the Asante Shops B multi-tenant building.

The subject site is a part of PAD D, an approximately 1.12-acre piece of the Asante Retail Center. The Master Plan for the Asante Retail Center was approved by the Planning & Zoning Commission May 20, 2021 (case FS20-712) and the Conditional Use Permit with Site Plan for the Asante Shops B multi-tenant building with restaurant and drive-through facilities was approved by the Planning & Zoning Commission September 7, 2023 (case FS22-0826). The purpose of this Conditional Use Permit with Site Plan is to allow the drive-through teller machine to be constructed in the parking lot of PAD D and amend the previously approved site plan accordingly to accommodate this addition. No changes are proposed to the Asante Shops B multi-tenant building.

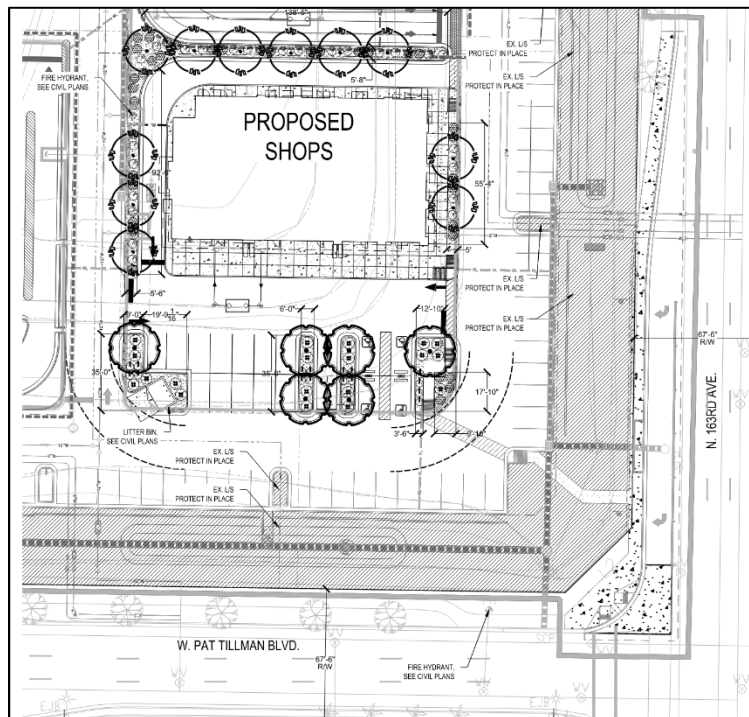


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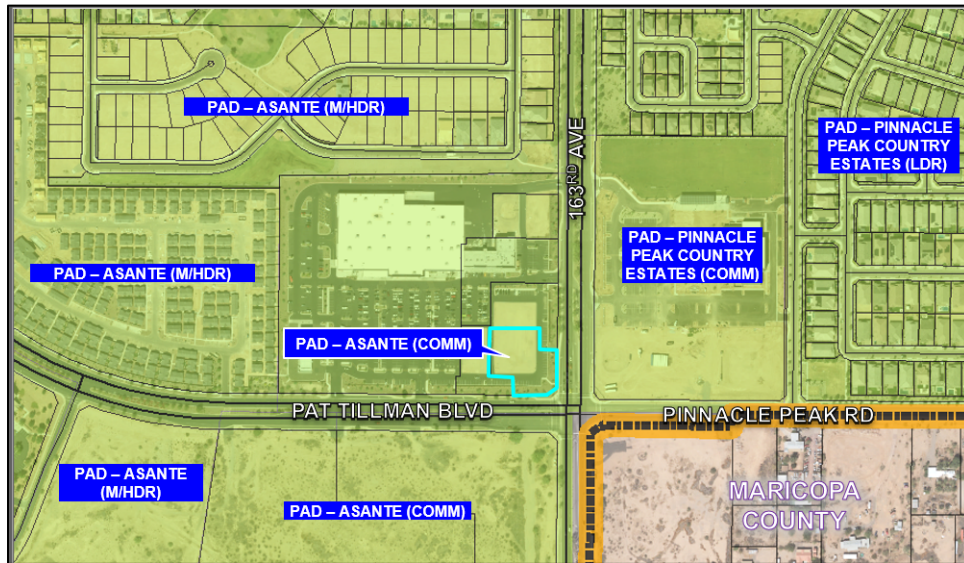
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The landscaping proposed with this request largely matches what was approved under case FS22-0826. The landscaping is designed to complement the existing and proposed landscaping of the surrounding area with low water use trees, shrubs, and groundcover, and complies with the Asante PAD and City of Surprise regulations. Changes to this landscape plan include the addition of a 35-foot by 6-foot landscape island bordering the proposed drive-through and the relocation of plantings/expansion of a landscape island to accommodate the relocation of the dumpster from the north end of the site to the south end of the site.



EXISTING ZONING:

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



PAD – Asante (COMM)	PAD – Asante (COMM)	PAD – Pinnacle Peak Country Estates (COMM)
PAD – Asante (COMM)	PAD – Asante (COMM)	PAD – Pinnacle Peak Country Estates (COMM)
PAD – Asante (COMM)	PAD – Asante (COMM)	Maricopa County

BACKGROUND:

November 3, 1988: The subject property was annexed into the City of Surprise under Ordinance #88-24.

November 24, 2004: The Mayor and City Council approved the Asante Planned Area Development under case PAD04-124, Ordinance #04-41.

May 20, 2021: The Planning & Zoning Commission approved a Conditional Use Permit with Site Plan for the subject property under case FS20-712.

June 1, 2023: The Planning & Zoning Commission approved a Master Site Plan Amendment for the Asante Retail Center under case FS23-0122.

September 7, 2023: The Planning & Zoning Commission approved a CUP with Site Plan for a multi-tenant building including a restaurant with drive-through facility under case FS22-0826, the subject case.

November 2, 2023: A Concept Review meeting was held for the current proposal under case CR23-0940.

February 8, 2024: The applicant filed a request for a CUP with Site Plan for a drive-through teller machine under case FS24-0136, the subject case.

June 25, 2024: The applicant held a Citizen Outreach meeting at the Asante Preparatory Academy Cafeteria. A summary of this meeting is included in the Citizen Participation Report attached to this staff report.

August 15, 2024: The project was heard before the Planning and Zoning Commission. At this hearing, the Planning and Zoning Commission brought forward numerous questions and concerns regarding queuing and vehicular circulation. As the applicant was not in attendance, these questions and concerns were not able to be addressed. As such, the Planning and Zoning Commission recommended to continue the item to September 5, 2024, when the applicant is present to answer these questions.

Citizen Participation Meeting: The applicant held a Citizen Participation Meeting for the subject project at the Asante Preparatory Academy Cafeteria on June 25th, 2024. One (1) member of the public was in attendance. Questions were few in number and mostly in regard to the construction schedule for Shops B and who the other tenants of Shops B were. Staff has not received any items of opposition or support for the project prior to or following the meeting. The Citizen Participation Meeting and the 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.

ANALYSIS AND DISCUSSION:

Evaluative Criteria

Pursuant to Section 122-114 of the SUDC, the following criteria shall be considered when considering a conditional use:

1. The proposed use is listed as a conditional use in the use matrix set forth in article V and meets any special requirements set forth for that particular use;
 - a. Drive-through facilities shall be located a minimum of 150 feet from any other drive-through facility, except for banks.
Commentary: As the proposed drive-through is for a teller machine accessory to an adjacent bank office located within the Asante Shops B commercial suite, the 150-foot separation between drive throughs is not required.
 - b. Drive-through facilities shall be located a minimum of 25 feet from a public right-of-way and a minimum of 75 feet from a residential district.
Commentary: The drive-through teller machine is located a minimum of 25 feet from a public right-of-way and is not adjacent to a residential district.
 - c. Drive-through facilities shall contain aisles that are a minimum 11 feet wide. Any curved sections shall be a minimum of 12 feet wide with a minimum radius of 25 feet on curved sections.
Commentary: The aisle provided is a minimum of 11 feet wide and contains no curved sections.
 - d. Drive-through facilities shall include enhanced paving where walkways intersect drive aisles. **Commentary:** Enhanced paving has been provided on the east side of the site.
 - e. Drive-through facilities shall be integrated with the on-site circulation of the larger development. Drive-through aisles shall not exit directly onto a public right-of-way.

- 175 f. **Commentary:** The proposed drive-through exits onto an existing drive aisle
176 for the overall development, not onto a public right-of-way.
177 g. Drive-through facilities shall include a minimum stacking capacity of 140 feet
178 per lane. **Commentary:** Stacking length is in compliance with the approved
179 queuing study.
180 h. Drive-throughs shall orient pick-up windows away from adjacent residential
181 uses. **Commentary:** This drive through does not have a pickup window and
182 there are no adjacent residential uses.
183 i. Drive-throughs shall be screened from the right-of-way and adjacent uses.
184 **Commentary:** Screening to Pat Tillman Boulevard and 163rd Avenue has
185 been provided by the master developer.
- 186 2. Location and character of the use shall be in harmony with the surrounding area;
187 a. **Commentary:** As the subject site will be a part of an existing shopping center
188 that contains other neighborhood and community level retail, this use will not
189 be in conflict with the surrounding uses in the area.
- 190 3. The proposed use shall not impair the integrity or character of the community nor shall
191 it be detrimental to the public health, safety or general welfare of the city;
192 a. **Commentary:** As the subject site will be a part of an existing shopping center
193 that contains other neighborhood and community level retail, this use will not
194 impair the integrity or character of the community, nor will it be detrimental to
195 the public health, safety or general welfare of the city.
- 196 4. The proposed use shall conform to the goals and policies of the General Plan;
197 a. **Commentary:** This project is located within the Neighborhood character area
198 of the General Plan, which allows neighborhood and community retail at
199 strategic locations along proposed or existing arterial corridors that provide
200 convenient access to residential areas. As the subject site will be a part of an
201 existing shopping center that contains other neighborhood and community
202 level retail, this site will conform to the goals and policies of the General Plan
203 by continuing the Commercial development pattern established in the
204 vicinity of this parcel.
- 205 5. The proposed use shall conform to the goals and policies of any specific district or
206 plans for the area;
207 **Commentary:** The subject site does not fall into a specific district or specific
208 plan, however it does fall within and conforms to the standards outlined in the
209 Asante PAD. The Asante PAD designates area 1.4, the area within the Asante
210 Land Use Plan in which this project is a part, for Community Commercial (CC)
211 which allows retail, office, and other service uses such as restaurants and
212 banking. The requested drive-through is an extension of the permitted banking
213 use.
- 214 6. The proposed use shall conform to the development standards and shall take into
215 account the following factors:
216 a. Site and building design;

- 217 i. **Commentary:** The site plan and elevations of Asante Shops B multi-
218 tenant building were approved under case FS22-0826. Minor changes
219 are proposed to the site plan to account for the addition of the drive
220 through ITM to the parking lot, but no changes are proposed to the
221 elevations with this request. Both the site and building design are in
222 conformance with the City's development/design standards.
- 223 b. Sensitivity to existing natural features;
224 i. **Commentary:** There are no natural features present in or around the site.
- 225 c. Volume or character of traffic;
226 i. **Commentary:** Per the queuing study, the addition of the drive-through
227 ITM is expected to have minimal impact on the overall commercial
228 development and little to no impact on the adjacent roadway network.
- 229 d. Circulation patterns;
230 i. **Commentary:** Due to the drive through ITM's location on site in the
231 parking lot of PAD D and the volume of traffic anticipated, the addition
232 of the drive-through is expected to have minimal impact on the
233 circulation patterns in the public rights-of-way or onsite.
- 234 e. Connectivity;
235 i. **Commentary:** The drive-through for the ITM use has been designed to
236 accommodate the queueing required for this use and has been
237 positioned on site to be clear of the drive aisles. Between the queueing
238 times and max queue anticipated per the queuing study, the addition of
239 the drive-through ITM is expected to have minimal impacts to onsite
240 connectivity.
- 241 f. Parking and loading;
242 i. **Commentary:** Per the SUDC, 25 parking spaces are required for this
243 development and 36 parking spaces are being proposed. While the
244 addition of the drive-through ITM will result in the loss of some parking
245 spaces from what was originally approved under case FS22-0826, a
246 surplus of 11 parking spaces will still be provided. The provided parking
247 is in compliance with the City's development standards.
- 248 g. Screening and buffering of uses;
249 i. **Commentary:** Screening to Pat Tillman Boulevard and 163rd Avenue
250 has been provided by the master developer. In addition to these screen
251 walls, a 35-foot by 6-foot landscape island will be installed on west and
252 east side of the drive through. The provided screening is in compliance
253 with the City's development standards.
- 254 h. Landscaping;
255 i. **Commentary:** The landscaping proposed with this request matches
256 what was approved under case FS22-0826, with the following changes.
257 A 35-foot by 6-foot landscape island bordering the proposed drive-
258 through on the west side was added to match the landscape island
259 bordering the drive through on the east side and provide screening.
260 Additionally, plantings were relocated and a landscape island was
261 redesigned/expanded to accommodate the relocation of the dumpster
262 from the north end of the site to the south end of the site. The landscape

- plan as proposed complies with the Asante PAD and City's development standards.
- i. Exterior lighting;
 - i. **Commentary:** The ITM kiosk will include wall-mounted lighting for ease of use and safety, but no deviations are proposed to the exterior parking lot lighting from what was approved under case FS22-0826. The exterior lighting complies with the City's development standards.
 - j. Signage;
 - i. **Commentary:** Sign permits will be reviewed under separate permit.
 - k. Storm water retention and drainage;
 - i. **Commentary:** There will be no changes to the water retention or drainage as approved by Engineering under case number FS21-290.
 - l. Damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination;
 - i. **Commentary:** This use will not produce any noise, smoke, odor, dust, vibration or illumination that will cause damage or constitute a nuisance.
 - m. A demonstrated need for such use.
 - i. **Commentary:** A bank drive-through is an accepted and expected amenity for many patrons of banks and other commercial services. The requested drive-through is an enhanced service of the allowed use.
7. 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;
- a. **Commentary:** The site will be accessed exclusively by the existing, internal drive aisles of the Asante Retail center with access to these drive aisles coming from a right-in, right-out driveway off of Pat Tillman Boulevard and a 3/4 driveway off of 163rd Avenue. As full roadway improvements along Pat Tillman Boulevard and 163rd Avenue have been previously constructed, no further improvements are required or proposed with this development. Additionally, the layout of pedestrian paths and the width of the drive aisles are not changing from what was previously approved under case FS22-0826 and are still in conformance with City standards. Emergency services will still have adequate passage through the 26' drive aisles located to the north and south of the ITM location.
8. Adequate utilities, access roads, drainage sanitation; and/or
- a. **Commentary:** Necessary improvements for the Asante Retail center have already been made. No additional improvements will be required with this project.
9. Necessary facilities will be provided and the use will not contribute toward an overburdening of municipal services.
- a. **Commentary:** No additional facilities are required with this project, nor will the use contribute to the overburdening of municipal services.

UTILITY AND SERVICES TABLE:

Water:	City of Surprise
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Wastewater:	City of Surprise
Schools:	Dysart Unified School District

CONFORMANCE WITH ADOPTED PLANS:

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

The proposed CUP with Site Plan was reviewed against the goals, policies, recommendations, and guidelines of the City of Surprise General Plan 2035. The proposed CUP with Site Plan is consistent with the General Plan in some of the following ways:

This project is located within the Neighborhood character area of the General Plan. The proposed project adheres to the design guidelines of the character area which allows neighborhood and community retail at strategic locations along proposed or existing arterial corridors that provide convenient access to residential areas.

This project maintains compatibility with the quality of existing land uses in the surrounding area in that it continues the Commercial development pattern established in the vicinity of this parcel.

REVIEWING AGENCIES:

In addition to the standard City reviewing agencies, who indicate no objections to the requests, Luke Air Force Base, Maricopa Water District (MWD), and Arizona Department of Transportation (ADOT) 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 queuing study with the CUP application. The queuing analysis was reviewed and approved by Transportation staff.

Summary:

The proposed Conditional Use Permit with Site Plan is consistent with and meets the requirements as set forth in the Surprise General Plan 2035, Asante PAD, and all applicable zoning codes and 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 FS24-0136, subject to stipulations 'a' through 'e' as outlined below:

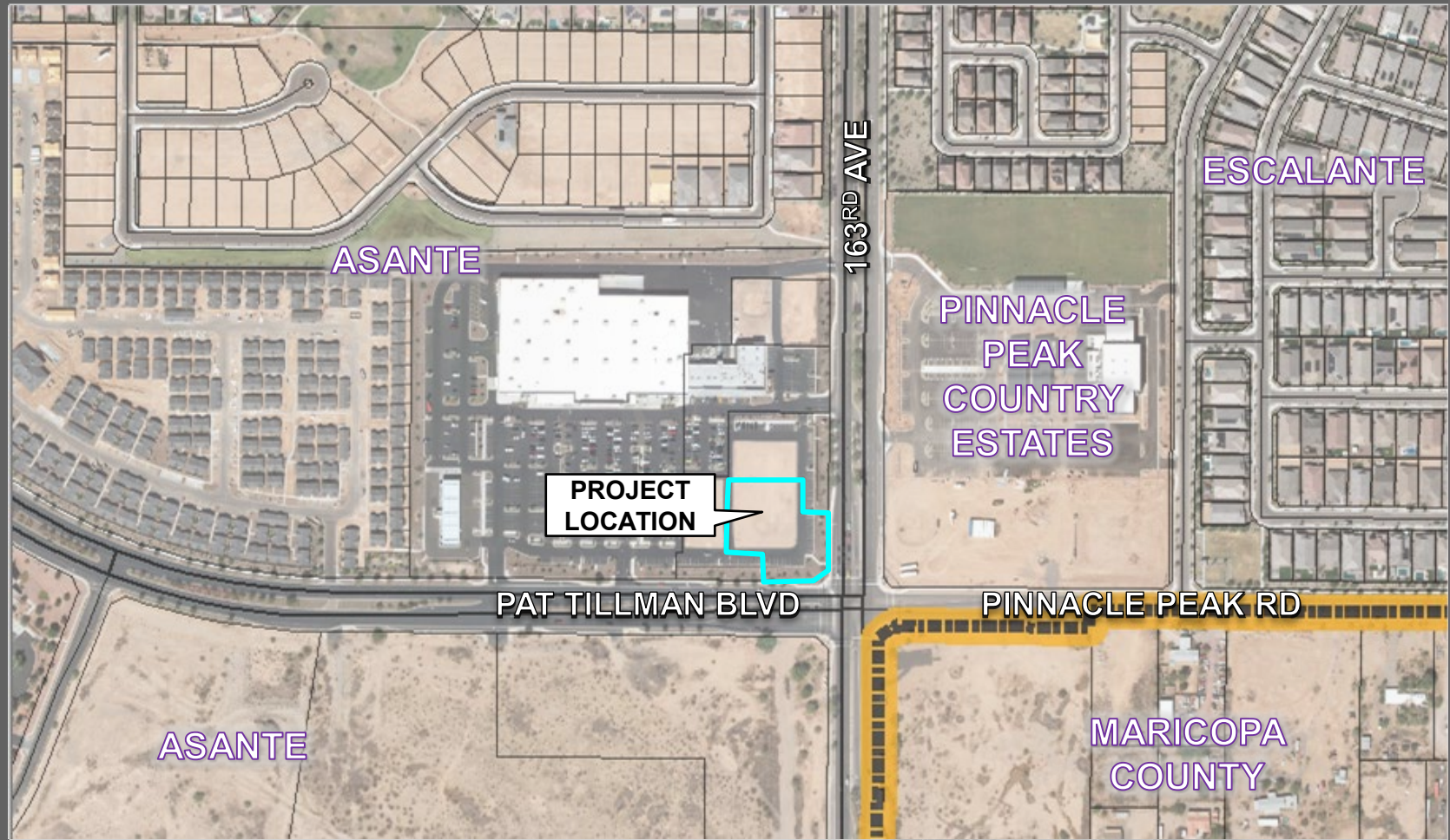
- a. Development and use of the site shall be consistent with the Site Plan entitled "Asante Retail Center Shops B" consisting of four (4) sheets prepared by SEG and received June 14, 2024.

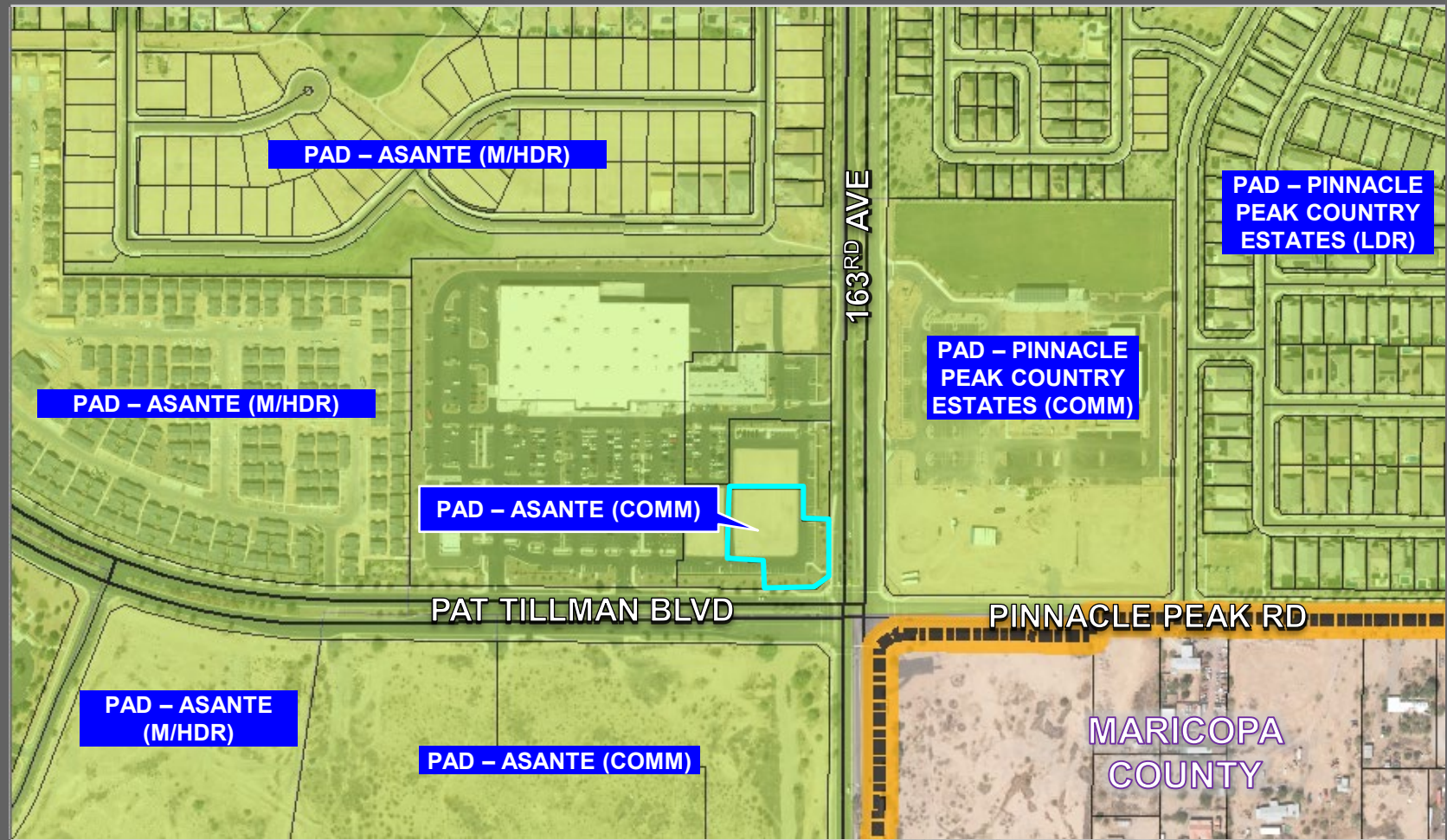
- b. Landscaping of the site shall be consistent with the Landscape Plan entitled "Asante Shops B," consisting of six (6) sheets prepared by Harrington Planning + Design, and received May 24, 2024.
- c. Building elevations shall be consistent with the Elevations entitled "Asante Retail Center" consisting of four (4) sheets prepared by Archicon Architecture & Interiors, L.C. and received May 24, 2024.
- d. The applicant shall obtain a building permit for the subject facility within one (1) year 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.
- e. 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 Site Plan
04 Elevations
05 Landscape Plan
06 Citizen Outreach Report
07 Affidavit of Sign Posting
08 Queuing Analysis
PPT

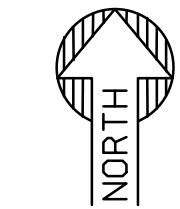
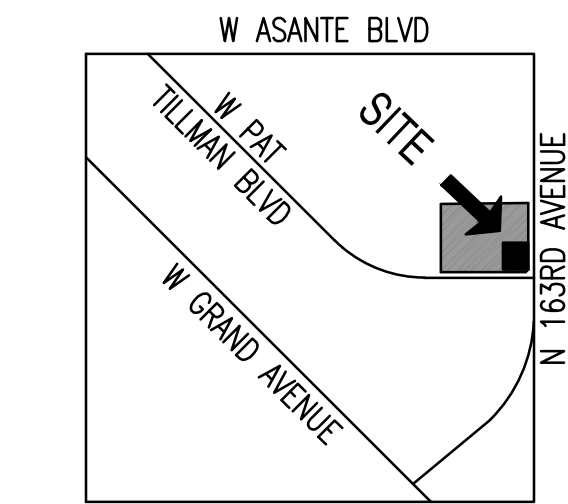




FS23-0136 ZONING

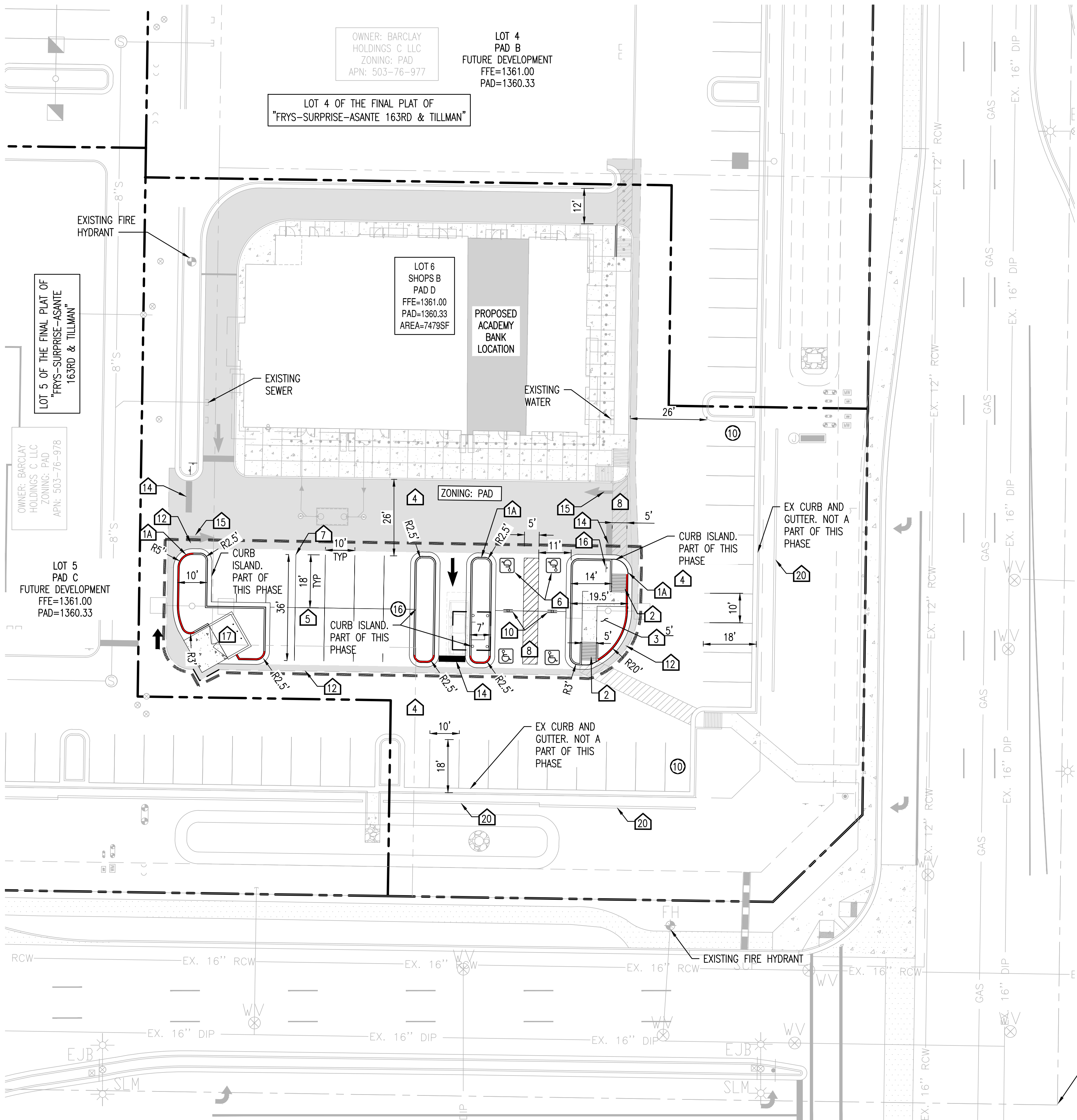
ASANTE RETAIL CENTER
SHOPS B- IMPROVEMENT PLANS
SITE PLAN

- ADOPTED CODES
- a. 2018 International Building Code
 - b. 2018 International Mechanical Code
 - c. 2018 International Fuel Gas Code
 - d. 2018 International Plumbing Code
 - e. 2018 International Fire Code
 - f. 2018 International Energy Conservation Code
 - g. 2017 National Electric Code
 - h. ICC A117.1-2009 (For ADA)
 - i. Ordinance 2019-031 (Local Code Amendments)



VICINITY MAP
N.T.S.

SE ¼ SECTION 12,
T4N, R2W



SITE PLAN KEYNOTES:

- 1 6" VERTICAL CURB PER GRADING PLANS.
- 1A 6" CURB AND GUTTER PER GRADING PLANS.
- 2 ACCESSIBLE RAMP. REFER TO GRADING PLANS.
- 3 CONCRETE SIDEWALK PER MAG STD. DET. 230. WIDTH PER PLAN.
- 4 HEAVY DUTY ASPHALT PAVEMENT PER DET. 5/C3.10.
- 5 LIGHT DUTY ASPHALT PAVEMENT PER DET. 5/C3.10.
- 6 PAINTED ADA SYMBOL (TYP. 2) PER DET 1/C2.10.
- 7 4" WIDE WHITE PAINTED STRIPING, TYP.
- 8 5' WIDE PEDESTRIAN PATHWAY WITH 4" WIDE YELLOW PAINT, AT 45' 2 FEET O.C.
- 9 FDC LOCATION PER UTILITY PLAN.
- 10 INSTALL ADA PARKING SIGN PER DET 2/C2.10.
- 11 BICYCLE RACK PER DET 3/C2.10
- 12 SAWCUT PER CIVIL PLANS.
- 13 GREASE INTERCEPTOR PER UTILITY PLANS.
- 14 PROVIDE 18" WIDE WHITE PAINTED STOP BAR.
- 15 DIRECTIONAL ARROW PER DET 5/C2.10.
- 16 STOP SIGN PER DET 4/C2.10.
- 17 TRASH ENCLOSURE. PER DET 6/C2.11.
- 18 CANOPY ABOVE, REFER TO ARCHITECTURAL PLANS.
- 19 MAIN ELECTRICAL SERVICE "SES" (N3R ENCLOSURE), REFER TO ARCHITECTURAL PLANS.
- 20 SCREEN WALL PER OVERALL COMMERCIAL CENTER APPROVED PLANS, RECORD NUMBER 2021004057. RE: DET 7/C2.11.

PROPOSED LEGEND:

- PROPERTY LINE
- == VERTICAL CURB
- == CURB & GUTTER
- SITE WALL
- (X) PARKING COUNT
- ▨ PAVEMENT STRIPING
- ▨ HEAVY DUTY PAVEMENT
- FIRE LANE RED PAINTED CURB
- FIRE ACCESS TURN RADIUS (NTS)
- ... ADA PATH

DEVELOPMENT SUMMARY TABLE:

PROJECT LOCATION:	163RD AVE & PAT TILLMAN BLVD		
LEGAL DESCRIPTION:	12.4N 2W		
PROJECT DESCRIPTION:	CONCEPT PLAN		
DEVELOPMENT INFORMATION:			
APN(S):	503-76-979		
EXISTING ZONING:	PAD		
ADJACENT ZONING:	NORTH: PAD		
	EAST: 163RD AVE		
	SOUTH: PAT TILLMAN BLVD		
	WEST: PAD		
PROPOSED USE:	RETAIL SHOPPING ESTABLISHMENT W/DRIVE THROUGH		
USE ALLOWED:	PERMITTED		
CONSTRUCTION TYPE:	V-B WITH AFES		
OCCUPANCY:	A-2/M/B		
LOT SIZE: (NET)	50,413	SF	1.157 AC
BUILDING AND LOT STANDARDS			
PROPOSED BUILDING	7,479	GSF	
BUILDING LOT COVERAGE:	NS	16.69%	
BUILDING HEIGHT:	35'	28'-8"	
LANDSCAPE:	10'	N/A	
PERIMETER BUFFER WIDTH:	10'	N/A	
MIN. LANDSCAPE COVERAGE:	10%	26%	APPROX.
FRONTAGE SCREEN WALL HEIGHT:	4'	N/A	
PUBLIC STREET SETBACKS (FROM ROW LINE)			
	REQUIRED	PROPOSED	
ARTERIALS:	0'	N/A	
COLLECTORS:	0'	N/A	
LOCALS:	0'	N/A	
PARKING STANDARDS:			
BUILDING USE:	RETAIL		
BUILDING AREA (GROSS):	7,479	SF	
BUILDING AREA (INCLUDE CANOPIES):	8,414	SF	
PARKING CALCULATION	1/300	SF	
	REQUIRED	PROPOSED	
PARKING COUNT:	25	36	4 ADA INCL.
ADA PARKING SPACES	3	4	INCLUDED
BICYCLE PARKING (4 MAX.)	4	4	1 PER 10 VEHIC.
PERVIOUS/IMPERVIOUS AREA OF THE SITE:			
TOTAL AREA OF THE SITE	50,413 SF		
TOTAL IMPERVIOUS AREA OF THE SITE	37,306 SF		
ADJUSTED TOTAL OF PERVIOUS AREA OF THE SITE	13,107 SF		
PERCENTAGE OF IMPERVIOUS AREA OF THE SITE	74.00%		

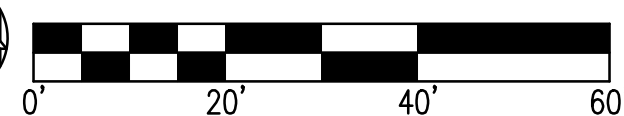
Administrative Approval

Community Development Director

Date:

City Engineer

Date:



SE CORNER
SECTION 12
T4N, R2W
FD BRASS CAP FLUSH
163RD AVE
STA 0+00
W PAT TILLMAN BLVD
STA 0+00

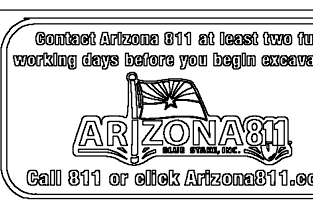
REVISIONS BY THE CITY OF SURPRISE	NO.	DESCRIPTION	REVIEW	CHECK	DATE



SUSTAINABILITY
ENGINEERING
GROUP



SEAL
45621
ALI SAMIH
FAKIH
ARIZONA, U.S.A.
EXPIRATION DATE: 12-31-2024

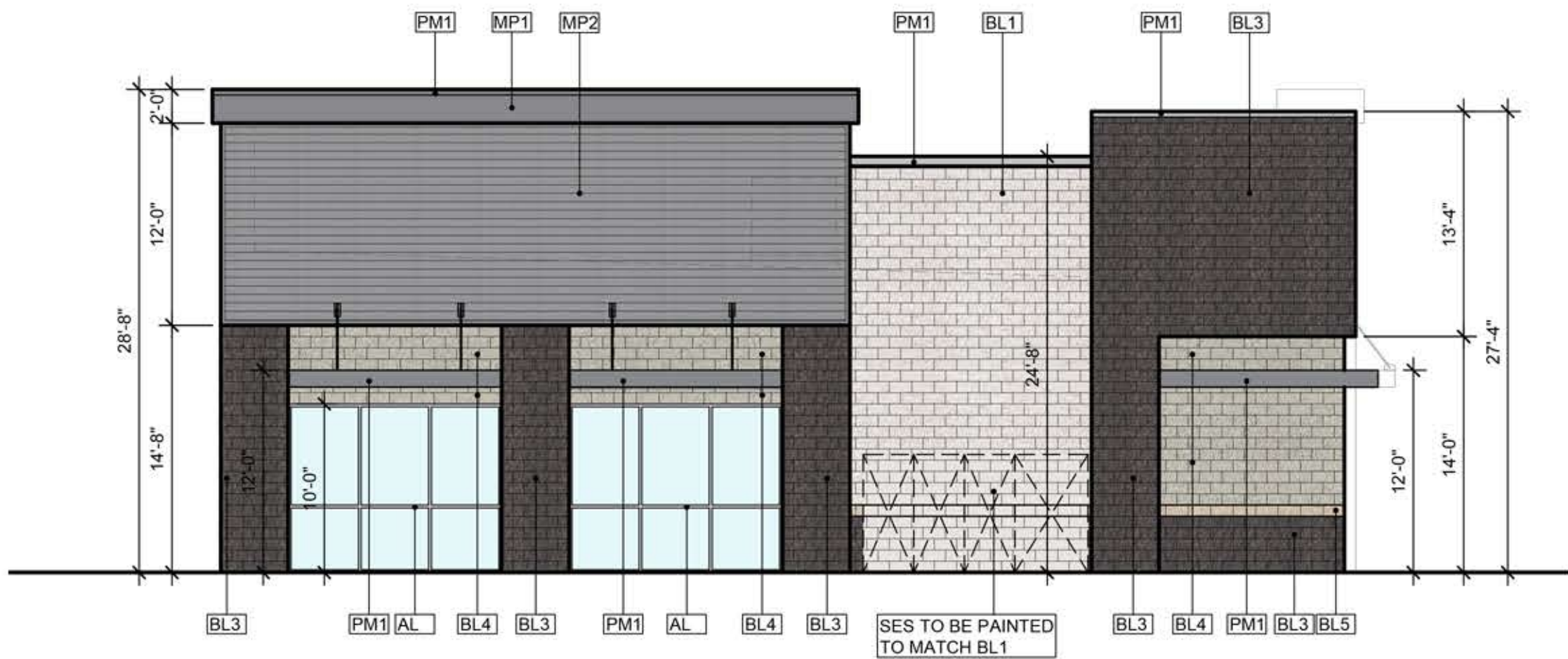


PROJECT
SHOPS B ASANTE
RETAIL CENTER
LOCATION
16324 W PAT TILLMAN BLVD,
SURPRISE, ARIZONA 85367

DATE: 05/24/2024
ISSUED FOR: PERMITS
JOB NO.: 231107
SHEET TITLE: SITE PLAN

PAGE NO.: 4 OF 13
SHEET NO.: C2.00

FS24-0136



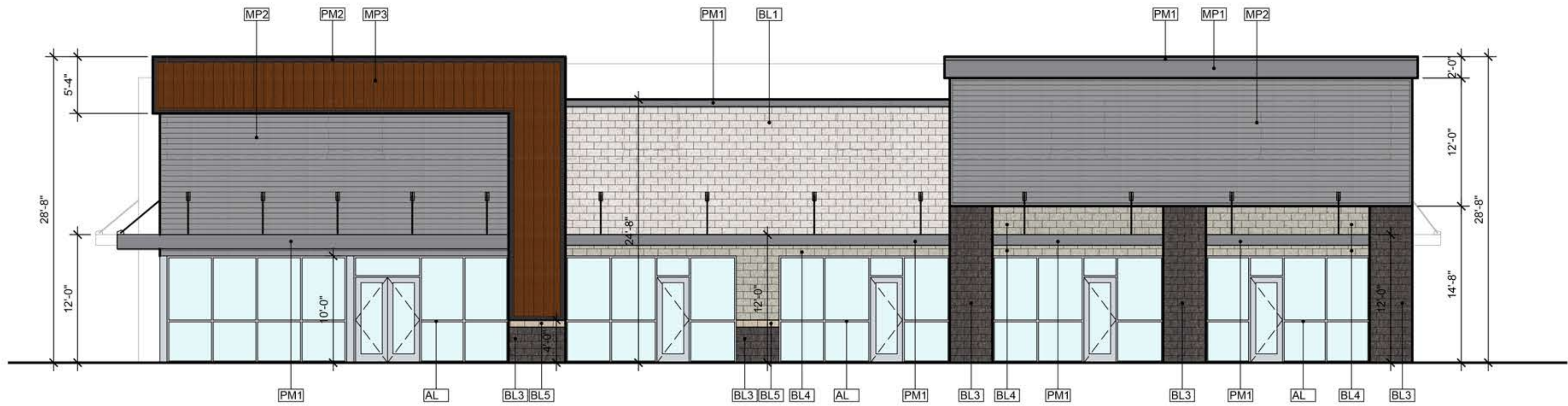
2 EAST ELEVATION

SCALE: 1/8" = 1'-0"



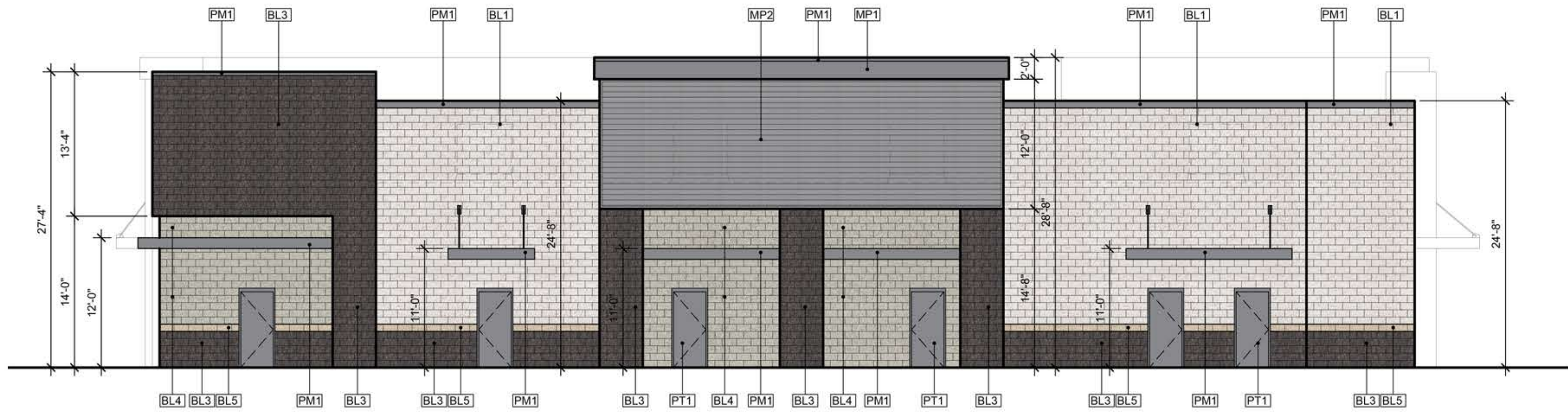
4 WEST ELEVATION

SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION

SCALE: 1/8" = 1'-0"

GENERAL NOTES

- ALL ROOF MOUNTED MECHANICAL UNITS ARE TO BE FULLY SCREENED BY THE BUILDING PARAPET. VERIFY THAT THIS CONDITION WILL BE MET PRIOR TO THE START OF CONSTRUCTION. THE CITY OF SURPRISE MUST GIVE APPROVAL OF ANY FIELD MODIFICATIONS THAT WILL HAVE ANY PORTION OF THE UNITS VISIBLE
- ADDRESS/SUITE NUMBERS SHALL BE A MINIMUM OF 4 INCH HIGH, ONE-HALF INCH STROKE WIDTH AND CONTRASTING COLOR. IDENTIFICATION MUST BE VISIBLE FROM STREET OR DRIVE. ALL EXTERIOR SUITE DOORS SHALL BE LABELED AS REQUIRED BY IFC 505 AND GFD REGULATION 12-505.1 PREMISE IDENTIFICATION.
- SOFFITS ARE TO BE PAINTED PT1
- BACKSIDE OF PARAPETS WITH ELASTOMERIC PAINT TO BE PT3.
- ALL CMU TO BE SEALED WITH PROSOCO BLOK-GUARD & GRAFFITI CONTROL. SEALER

MATERIAL AND COLOR LEGEND

- BL1 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: GLACIER WHITE
- BL3 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: ONYX
- BL4 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: SAGE
- BL5 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: CANYON BLUFF
- MP1: PREFINISHED METAL COPING
MANUFACTURER: PAC-CLAD
COLOR: SLATE GRAY
- MP2: PREFINISHED METAL PANEL
CORRUGATED
MANUFACTURER: PAC-CLAD
COLOR: SILVERSMITH
- MP3: PREFINISHED METAL PANEL
WOOD FINISH
MANUFACTURER: PAC-CLAD
COLOR: LONG GRAIN CHERRY
- PM1: PREFINISHED METAL
MANUFACTURER: PAC-CLAD
COLOR: SLATE GRAY
- PM2: PREFINISHED METAL
MANUFACTURER: PAC-CLAD
COLOR: MATTE BLACK
- PT1: PAINTED METAL
MANUFACTURER: SHERWIN WILLIAMS
COLOR: COLOR TO MATCH PM1
- AL: ANODIZED ALUMINUM STOREFRONT
COLOR: CLEAR ANODIZED

BL1 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: GLACIER WHITE

BL5 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: CANYON BLUFF

MP3 PREFINISHED METAL PANEL
WOOD FINISH
MANUFACTURER: PAC-CLAD
COLOR: LONG GRAIN CHERRY

PT1 PAINTED METAL
MANUFACTURER: SHERWIN WILLIAMS
COLOR: COLOR TO MATCH PM1

BL3 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: ONYX

MP1 PREFINISHED METAL COPING
MANUFACTURER: PAC-CLAD
COLOR: SLATE GRAY

PM1 PREFINISHED METAL
MANUFACTURER: PAC-CLAD
COLOR: SLATE GRAY

AL ANODIZED ALUMINUM STOREFRONT
COLOR: CLEAR ANODIZED

BL4 DECORATIVE INTEGRALLY COLORED CMU
SMOOTH-FACE 8X8X16
MANUFACTURER: ANGELUS BLOCK
COLOR: SAGE

MP2 PREFINISHED METAL PANEL
CORRUGATED
MANUFACTURER: PAC-CLAD
COLOR: SILVERSMITH

PM2 PREFINISHED METAL
MANUFACTURER: PAC-CLAD
COLOR: MATTE BLACK

ASANTE RETAIL CENTER
(FS24-0136)
LOT 6, SHOPS "B"
COLOR & MATERIALS BOARD



ARCHICON
Architecture & Interiors, L.C.
5055 E WASHINGTON STREET
SUITE 200
PHOENIX, ARIZONA 85034
(602) 222-4266
FAX (602) 279-4305
www.ARCHICON.COM

ASANTE RETAIL CENTER

SHOPS B
NWC 163RD AVE & W. PAT TILLMAN BLVD
SURPRISE, ARIZONA

PROJECT NUMBER: 2115510-02
PROJECT MANAGER: JEFF KOSKI
DRAWN BY: JEFF KOSKI
CHECKED BY: JEFF KOSKI

NO	REVISION	DATE

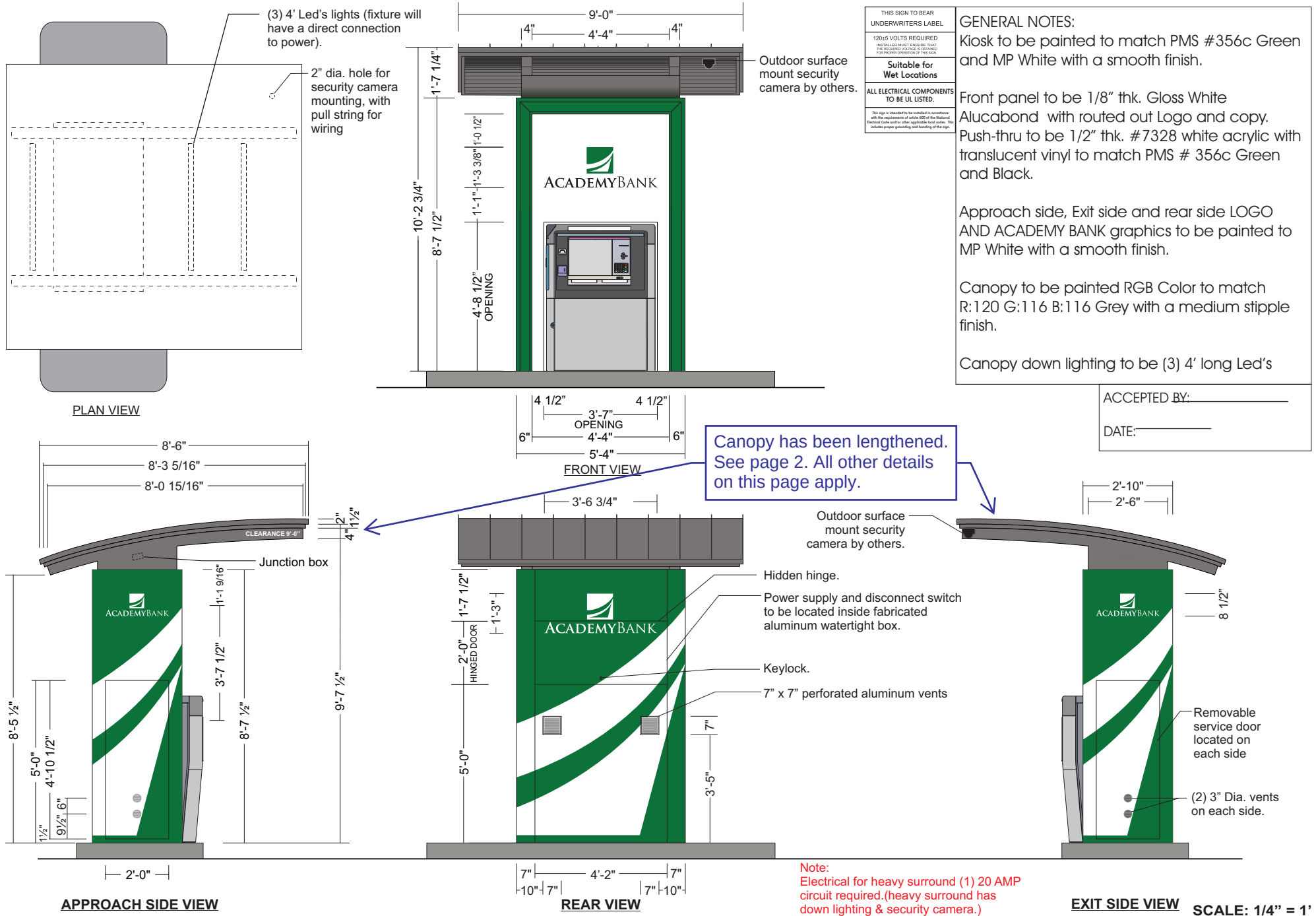
SHEET DESCRIPTION

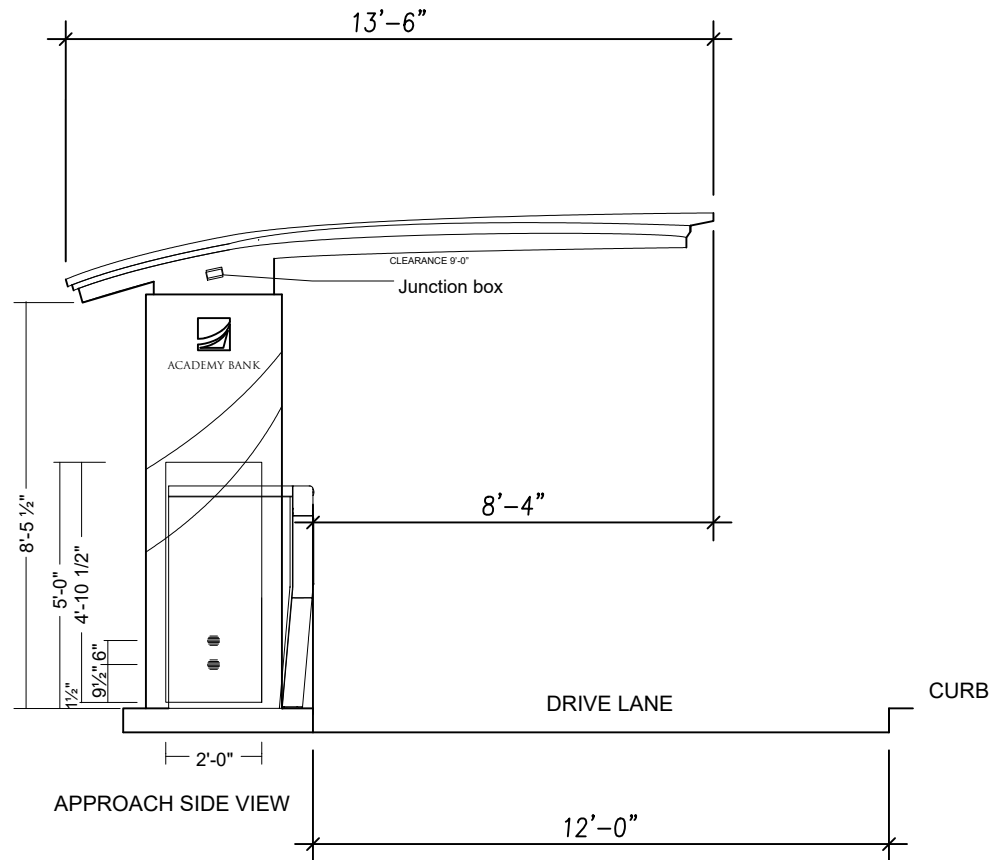
EXTERIOR ELEVATIONS



SHEET NO:

A300

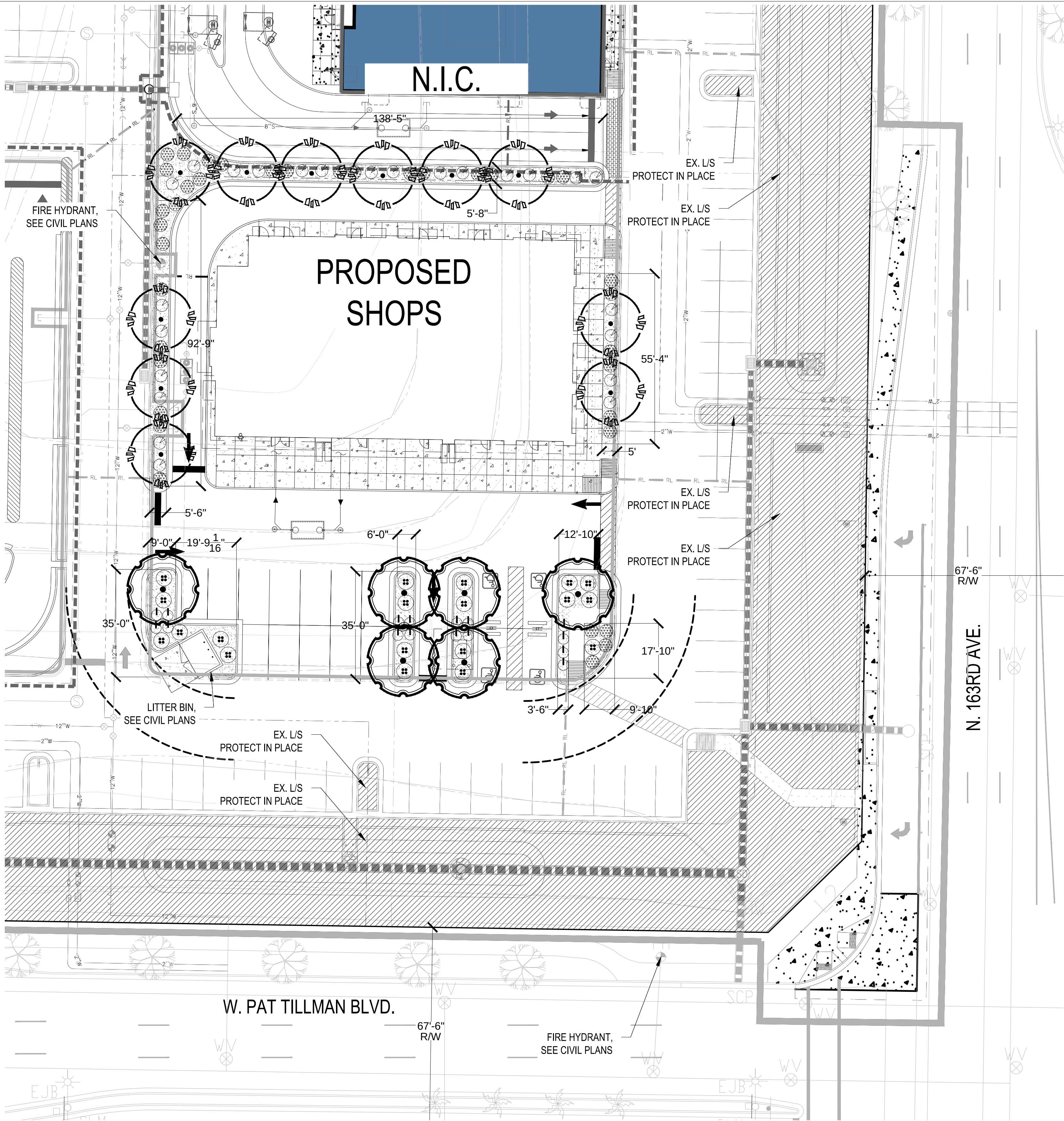




SCALE: $\frac{1}{4}" = 1'-0"$

Reuse: reproduction by any method in part or in whole is prohibited without HP+D written consent.

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



PLANTING MATERIAL LEGEND

TREES	SIZE	NOTES	QTY
Acacia salicina	36" Box		11
Willow Leaf Acacia	H 9"-11" x W 5"-7"	*ADWR	
Caliper Size: 2.0"			
Ulmus parvifolia	36" Box		6
Evergreen Elm	H 10"-12" x W 6"-8"	*ADWR	
Caliper Size: 2.0"			
GROUNDCOVERS			QTY
Lantana montevidensis	5 Gallon	can full	37
Purple Trailing Lantana		*ADWR	
SHRUBS / ACCENTS			QTY
Leucophyllum frutescens 'White Cloud'		can full	19
White Cloud Sage	5 Gallon	*ADWR	
Eremophila maculata 'Valentine'	5 Gallon	can full	24
Valentine Shrub		*ADWR	
Muhlenbergia rigens	5 Gallon	can full	16
Deer Grass		*ADWR	
LANDSCAPE MATERIALS			
Decomposed Granite, 3/4" screened "Express Gold", 2" deep in planting areas per plan.			2,975 s.f.

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

CITY OF SURPRISE
LANDSCAPE DATA TABLE

SITE AREA	S.F. 50,413	ACRES 1.157 ac
ROW AREA	S.F. EXISTING	ACRES EXISTING
LANDSCAPE AREA	S.F.	%
ON-SITE LANDSCAPE AREA	2,975	5.9%
OFF-SITE LANDSCAPE AREA	N/A	N/A
OPEN SPACE	S.F.	%
REQUIRED	5,041	10%
PROVIDED	2,975	5.9%
ACTIVE	-	-
PASSIVE	-	-
TURF AREA	S.F.	%
ON-SITE - ARTIFICIAL	-	-
ON-SITE - LIVE	-	-
OFF-SITE - ARTIFICIAL	-	-
OFF-SITE - LIVE	-	-
INORGANIC GROUND COVER	S.F.	%
ON-SITE - DG, 3/4", 2-IN DEEP	2,975	5.9%
OFF-SITE - DG, 3/4", 2-IN DEEP	N/A	N/A

H

P

+

D

HARRINGTON
PLANNING + DESIGN

4711 N. Falcon Drive, Suite 222
Mesa, Arizona 85215
Tel: 480-250-0116
www.HarringtonPlanningDesign.com



ASANTE SHOPS B

16324 W. Pat Tillman Blvd.
Surprise, Arizona 85387

REV.	COMMENT	DATE
City Comments		05.20.24
City Comments		05.02.24
Address update		02.22.24
Final Permit REV		11.16.23
Final Permit REV		08.17.22
Final Permit Submittal		06.02.22
ISSUE		DATE

LANDSCAPE PACKAGE

May 20, 2024
DRAWN BY: BH
CHECK BY: JEH
PROJ. NO.: 2022-047
CASE NO.: FS22-0826

NORTH

0102040

LANDSCAPE
PLAN

L1.0

2 of 6

ARIZONA BLUESTAKE
CENTER

CALL TWO WORKING DAYS
BEFORE YOU DIG

1.800.782.5348

Asante Commercial Center Lot 6, Shops “B” Bank ITM

NWC of N. 163rd Avenue & W. Pat Tillman Boulevard

Citizen Participation Final Report

(Parcel No.: 503-76-979A)
Case No. FS24-0136 (CR23-9040)



**Site Plan Approval & Conditional Use Permit Approval
to Allow a Drive-Through for the Academy Bank Tenant
of the Shops “B” Building of the Asante Commercial Center**

Submitted: June 27, 2024

Asante Commercial Center Lot 6, Shops “B,” Bank ITM

Northwest corner of N. 163rd Avenue and Pat Tillman Boulevard
(Parcel Number 503-76-979A)

Case Number: FS24-0136 (CR23-9040)

Date: June 27, 2024

Contact:

Eric Gerster
Sustainability Engineering Group-Project Manager
5240 N. 16th Street, Suite 105
Phoenix, Arizona 85016
(480) 588-7226
email: eric@azseg.com

Purpose: The purpose of this Citizen Participation Plan is to inform property owners, citizens, neighborhood associations, schools, and businesses of an upcoming development project within their neighborhood, and to help them understand the scope, details and pending approval process. This Participation Plan will ensure that those affected by the development will be properly noticed, and that they will be given an adequate opportunity to learn about, and comment on, the proposal.

The application associated with this report (Case # FS24-0136) is for a Conditional Use Permit (CUP) and Site Plan Review an “ITM” be placed in the parking lot on the south side of the building. The ITM, while similar to other automatic teller machines (ATMs), uses upgraded data connection and hardware to deliver superior teller services – including face-to-face remote connectivity. the bank tenant is not the user of a drive-through lane depicted circling the north side of the Shops “B” building in earlier Site plans. The “ITM” will replace two (2) parking spaces on the south side of the building. This change will result in a loss of seven (7) parking spaces from the previously approved Site Plan, but even with the ITM, the Shops “B” building will still have a surplus of eleven (11) spaces. (The building footprint is 7,479 square feet and the parking ratio for retail is 1/300, requiring a total of twenty-five (25) spaces. Thirty-six (36) spaces are proposed.) The location and design of the facility will not restrict vehicular circulation, and will provide no impediment to existing pedestrian circulation for the Asante Center.

The Applicant believes that the ITM will function as an in-car service location and not as a typical bank drive-through, and therefore should comply with the Surprise Unified Development Code (SUDC). The indeterminate time of use of such a facility should make queuing non-existent.

Identification/Notification of Neighboring Properties: The City of Surprise gathered the mailing addresses of surrounding property owners within 300’ of the subject parcels and prepared a notification postcard of the Applicant’s intent to develop the property. A brief description of the proposal and the development process was included in the card.

Identification Signage: As required by the City of Surprise, two signs were erected on-site identifying the Applicant's/Developer's intent, and each provided a Case Number, Contact Information and Meeting Notices for the project. A photograph of the sign and an Affidavit of Posting have been included in this report.

Neighborhood Meeting: In order to provide effective opportunity for citizen participation, a public meeting was held at **6:00 pm on June 25th, 2024**, at the Asante Preparatory Academy Cafeteria, located at 23251 N. 166th Drive in Surprise, where information was provided to inform nearby residents of the project's details, and to provide them with the ability to give public input on this project. A brief summary of the meeting is included below.

The meeting was attended by 1 person. A copy of the Meeting Sign-in sheet is attached to this report

Members of the Surprise City Staff were also in attendance.

A brief presentation was made by the Applicant's representative which explained:

- A description of the Project.
- How the Project will be incorporated into the Shops "B" building and parking lot
- A description of the CUP meeting requirement.
- A description of the overall site and its construction progress.
- The on-site circulation and access; and how the CUP changes would have little or no effect.

The attendee seemed to have a good understanding of the Asante Commercial Center and its development and questions were few. Questions included:

Off-Site:

How will the driveway function?

It was explained that a Queuing Study was prepared by a consulting engineering firm, submitted to the City of Surprise and reviewed until it received no further comments. Locations of the other ITMs where traffic flow was counted was directed by City staff.

It was explained that the total queued vehicles were believed to be 2 vehicles. It was explained that it was the Applicant's opinion that it would be a rare circumstance for more than 2 vehicles to be in line due to the size of the branch and its new position in the market.

Who will the other tenants of Shops "B" be?

The Applicant had no knowledge of any signed leases.

When will the Shops "B" building be built? When will it open?

The Applicant stated that he had no knowledge of how many leases would be required to start construction, but that their client seemed to be in a hurry to get the approval. It was stated that engineering plans were in review and it was anticipated that construction permits could be pulled near the end of 2024 with construction taking place in 2025.

Overall, citizen participation was supportive and encouraging.

This report was completed and delivered electronically to the City of Surprise on June 26, 2024.

AFFIDAVIT OF POSTING

Application No: FS24-0136
Applicant Name: SEG
Location: NWC Pat Tillman Blvd & 163rd Ave
Date Site Posted: 05/28/24

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 5/28/24
Applicant/Representative Signature Date

This instrument was acknowledged before me on 05/28/24, 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).*

CITY OF SURPRISE
163rd AVENUE

Notice of Public Hearing

City of Surprise

In Person Neighborhood Meeting

Date: Tuesday, June 25, 2024

Time: 6:00 P.M.

Location: Asante Preparatory Academy

Cafeteria
23251 N. 166th Drive,
Surprise, AZ 85387

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: Surprise City Hall

Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374



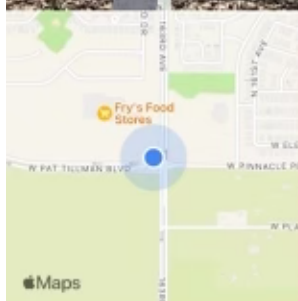
Case No.: **FS24-0136**

Request: Conditional Use Permit (CUP) with Site Plan for the construction of a drive-through teller machine, accessory to an adjacent bank office located within the Asante Shops B commercial suite.

For more information, call:

623-222-3011

www.Surpriseaz.gov



May 28, 2024 at 10:52:14 AM
16300-16334 W Pat Tillman Blvd
Surprise AZ 85387
United States

Notice of Public Hearing

City of Surprise

In Person Neighborhood Meeting

Date: Tuesday, June 25, 2024

Time: 6:00 P.M.

Location: Asante Preparatory Academy

Cafeteria

23251 N. 166th Drive,
Surprise, AZ 85387

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374



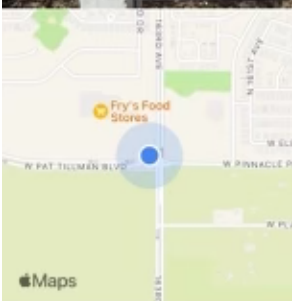
Case No.: FS24-0136

Request: Conditional Use Permit (CUP) with Site Plan for the construction of a drive-through teller machine, accessory to an adjacent bank office located within the Asante Shops B commercial suite.

For more information, call:

623-222-3011

www.Surpriseaz.gov



May 28, 2024 at 10:51:56 AM
16300-16334 W Pat Tillman Blvd
Surprise AZ 85387
United States

Notice of Public Hearing

City of Surprise

In Person Neighborhood Meeting

Date: Tuesday, June 25, 2024

Time: 6:00 P.M.

Location: Asante Preparatory Academy
Cafeteria
23251 N. 166th Drive,
Surprise, AZ 85387

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374

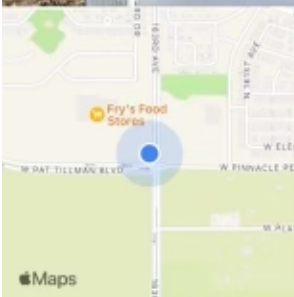
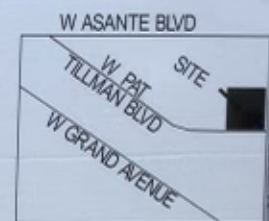
Case No.: **FS24-0136**

Request: Conditional Use Permit (CUP) with Site Plan for the construction of a drive-through teller machine, accessory to an adjacent bank office located within the Asante Shops B commercial suite.

For more information, call:

623-222-3011

www.Surpriseaz.gov



May 28, 2024 at 10:51:27 AM
163rd Ave
Surprise AZ 85387
United States

City of Surprise

Planning & Zoning

Date: TBD

Time: 6:00 P.M.

Location: Surprise City Hall

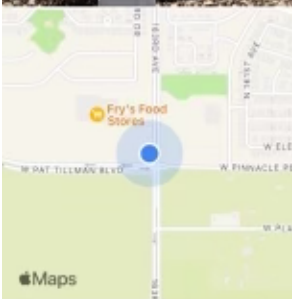
Council Chambers

16000 Civic Center Plaza

Surprise, AZ 85374

W ASANTE BLVD
W PAT TILLMAN BLVD
W GRAND AVENUE
N 163RD AVENUE
SITE

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



May 28, 2024 at 10:51:06 AM
163rd Ave
Surprise AZ 85387
United States



Meeting Sign-In Sheet

Purpose: NEIGHBORHOOD MEETING
Project: ASANTE SHOPS “B” ITM MEETING
Location: THE NWC OF 163rd AVENUE AND PAT TILLMAN BOULEVARD
Date: JUNE 25, 2024, 6:00 PM

Name	Address	Phone	Email	Support	
				Yes	No
DAVE MARCH					

AFFIDAVIT OF POSTING

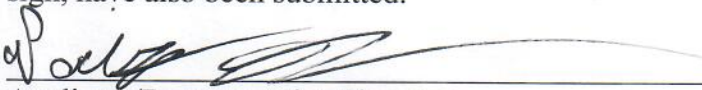
Application No: FS24-0136
Applicant Name: SEG
Location: NWC Pat Tillman Blvd & 163rd Ave
Date Site Posted: 07/30/24

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).

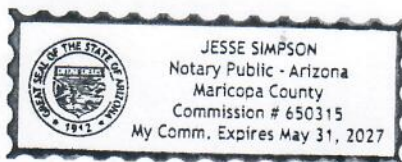
Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on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

 7/30/24
Applicant/Representative Signature Date

This instrument was acknowledged before me on 07/30/24, 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).*



NOW HIRING

Notice of Public Hearing
To: Residents
Re: Proposed Development
The City of Surprise is holding a public hearing on the proposed development of a new residential subdivision. The hearing will be held on August 1st, 2024, at 7:00 PM, at the Surprise City Hall, 163rd Ave, Surprise, AZ 85387. The purpose of the hearing is to allow residents to provide input on the proposed development. For more information, please contact the City of Surprise at (602) 997-1000.



July 30, 2024 at 2:23 PM
F33.697154, -112.409589
163rd Ave
Surprise, AZ 85387
United States

Notice of Public Hearing

City of Surprise

In Person Neighborhood Meeting

Date: Tuesday, June 25, 2024

Time: 6:00 P.M.

Location: Asante Preparatory Academy
Cafeteria
23251 N. 166th Drive,
Surprise, AZ 85387

Planning & Zoning

Date: Thursday, August 15, 2024

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374



Case No.: **FS24-0136**

Request: Conditional Use Permit (CUP) with Site Plan for the construction of a drive-through teller machine, accessory to an adjacent bank office located within the Asante Shops B commercial suite.

For more information, call:

623-222-3011

www.Surpriseaz.gov



July 30, 2024 at 2:36 PM

#33-697147-112-409692

163rd Ave

Surprise, AZ 85387

United States

Page 64 of 147

Notice of Public Hearing

City of Surprise

In Person Neighborhood Meeting

Date: Tuesday, June 25, 2024

Time: 6:00 P.M.

Location: Asante Preparatory Academy
Cafeteria
23251 N. 166th Drive,
Surprise, AZ 85387

Planning & Zoning

Date: Thursday, August 15, 2024

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374



Case No.: FS24-0136

Request: Conditional Use Permit (CUP) with Site Plan for the construction of a drive-through teller machine, accessory to an adjacent bank office located within the Asante Shops B commercial suite.

For more information, call:

623-222-3011
www.Surpriseaz.gov



July 30, 2024 at 2:36 PM

+33 697147-112 409592

163rd Ave

Surprise, AZ 85387

Page 65 of 147
United States

Notice of Public Hearing

City of Surprise

In Person Neighborhood Meeting

Date: Tuesday, June 25, 2024

Time: 6:00 P.M.

Location: Asante Preparatory Academy
Cafeteria
23251 N. 166th Drive,
Surprise, AZ 85387

Planning & Zoning

Date: Thursday, August 15, 2024

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374



Case No.: **FS24-0136**

Request: Conditional Use Permit (CUP) with Site Plan for the construction of a drive-through teller machine, accessory to an adjacent bank office located within the Asante Shops B commercial suite.

For more information, call:

623-222-3011

www.Surpriseaz.gov



July 30, 2024 at 2:38 PM
+33.697027 -112.409908
16300-16334 W Pat Tillman Blvd
Surprise, AZ 85387
United States

Notice of Public Hearing

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United States

Asante Retail Center, Academy Bank

Queuing Study

Prepared for

Mr. Colby Fincham
Executive Vice President - West
Barclay Group
2415 E Camelback Rd, Suite 900
Phoenix, AZ 85016

Prepared by



Submitted to

City of Surprise



1st Submittal

January 26, 2024

Collette M. Frohlich



SURPRISE APPROVAL

THIS REPORT HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN REPORTS FOUND TO BE IN VIOLATION OF LAWS OR ORDINANCES.

CITY OF SURPRISE ENGINEER

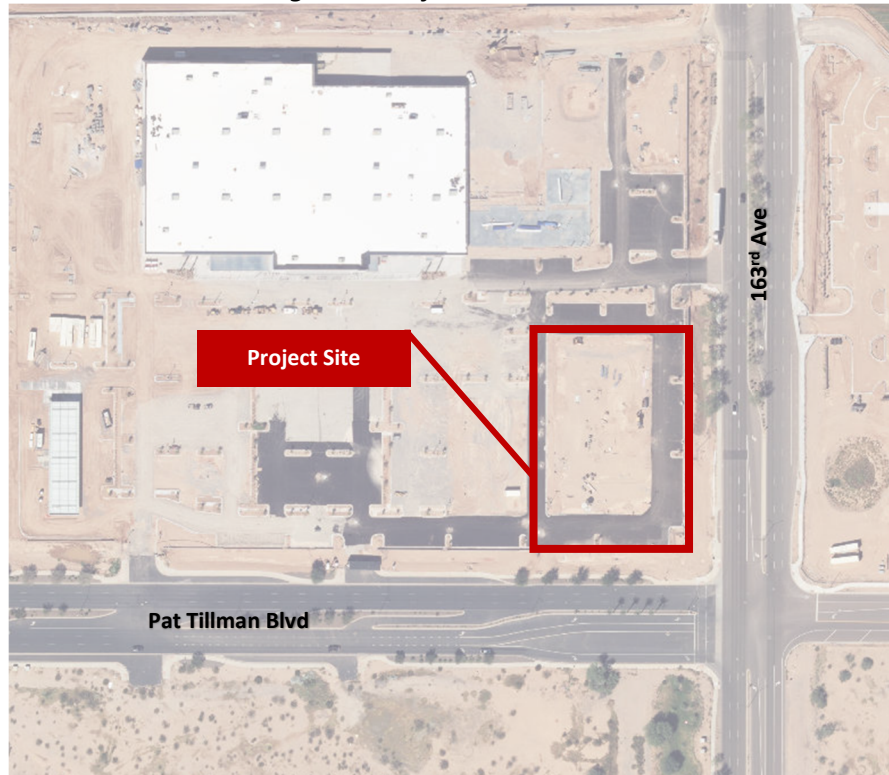
DATE

1 INTRODUCTION

This queueing study was prepared for the proposed Academy Bank located on the northwest corner of 163rd Avenue and Pat Tillman Boulevard in Surprise, AZ (Project). The Project will develop a 7,479 square feet (SF) building, with one suite for a bank with drive-through use. The Project location is shown in Figure 1.

The purpose of this study is to estimate the potential drive-through queues associated with the Project and address any potential on-site circulation concerns. This study has been completed to satisfy the City's planning-level technical report requirements for a new development.

Figure 1: Project Site Location



2 PROPOSED SITE CONDITIONS

2.1 Site Access, Circulation and Parking

The layout of the proposed building and parking is shown on the Site Plan in Attachment A.

The Project is part of a larger existing commercial development on the northwest corner of 163rd Avenue and Pat Tillman Boulevard. The Project will be constructed on a dirt parcel within the larger commercial development.

Primary access to the Project is provided via one right-in/right-out access driveway on Pat Tillman Boulevard and one ¾ access (left-in/right-in/right-out) driveway on 163rd Avenue. Access to the Project is also possible via one full access driveway on Pat Tillman Boulevard, one full access driveway 163rd Avenue, and through the internal circulation of the larger commercial development.

The Interactive Teller Machine (ITM) is located on the south of the building. The drive-through is located on the south side of the building in between parking stalls. Vehicles will enter the single drive-through lane from a drive aisle south of the building and north of the drive-through. The drive-through will travel south until the drive aisle exits on the south side of the parking stalls.

39 parking spaces are shown on the site plan, including 2 ADA-accessible spaces.

2.2 Drive-Through Uses

The Project will include an ITM which has the normal ATM functions of cash deposit, cash withdrawal, and check deposit. The ITM will also allow the user to speak with a personal teller using live video to make credit card and loan payments, along with check deposits and cash withdrawals in one use. The ITM does have limited functionality; for example, a client must still go inside the branch to open up an account.

Based on additional information provided from Academy Bank for their Gilbert, AZ location, an ITM video session lasts an average of 3 minutes and 55 seconds and an ATM session lasts an average of 1 minute and 10 seconds. In addition, 76% of all sessions at the Gilbert ITM have been conducted through a typical ATM session. Additional information regarding the transactions at their Gilbert, AZ location and a location in Denver, CO can be found in Attachment C.

3 QUEUING DATA COLLECTION AND ANALYSIS

The Project will include a single drive-through lane with a queue storage length of approximately 25 feet between the drive-through entrance and the ITM.

The ITM is located south of the building. Vehicles will enter the single drive-through lane from a drive aisle south of the building and north of the drive-through. The drive-through will travel south until the drive aisle exits on the south side of the parking stalls.

A queueing analysis was performed using queueing data obtained from existing Academy Banks with drive-through ITM locations in Arizona and Colorado by All Traffic Data Services (ATD). Queueing data was collected at the following locations, dates, times, and frequencies:

- Locations:
 - 1295 N Arizona Ave, Gilbert, AZ 85233
 - 8480 E Orchard Rd, Greenwood Village, CO 80111
- Data Collection Dates
 - Friday, January 19, 2024
 - Saturday, January 20, 2024
- Data Collection Times
 - 9AM-6PM
- Queue Count Frequency Increment
 - 1 minute

Scoping correspondence with the City for queueing data collection is provided in Attachment D. The observed queueing data results are provided in Attachment B. The summary results of the queueing data are summarized in Table 1.

Table 1: Queueing Data Summary

No.	Location	Friday, January 19, 2024			Saturday, January 20, 2024		
		Max Queue	95 th -Percentile	85 th -Percentile	Max Queue	95 th -Percentile	85 th -Percentile
1	1295 N Arizona Ave, Gilbert, AZ	1	0	0	1	0	0
2	8480 E Orchard Rd, Greenwood Village, CO	2	1	0	1	0	0
Max		2	1	0	1	0	0
Queue Length @ 24' per veh		48	24	0	24	0	0

The queueing data shows a maximum queue of 2 vehicles, a 95th-percentile queue of 1 vehicle, and an 85th-percentile queue of 0 vehicles.

With the assumption of 24 feet of queuing space per vehicle, the maximum vehicle queue length needed would be 48 feet. With the proposed queuing length of 25 feet of storage, the Project is expected to accommodate the 95th percentile queue length within the drive-through lane.

4 CONCLUSIONS

The following conclusions are made based on the findings of the Project queuing statement:

1. The queueing data shows a maximum queue of 2 vehicles, a 95th-percentile of 1 vehicle, and an 85th-percentile queue of 0 vehicles.
2. Using a 24-foot average vehicle length, the maximum queue length is calculated at 48 feet. The 95th-percentile queue length calculates at 24 feet and the 85th-percentile queue length calculates at 0 feet.
3. With the proposed queuing length of 25 feet of storage, the Project is expected to accommodate the 95th percentile queue length within the drive-through lane.

5 RECOMMENDATIONS

In summary, the proposed Project is expected to have minimal impacts on the overall commercial development, and no expected impacts on the adjacent roadway network.

The following recommendations were developed based on the findings of the Project queuing statement:

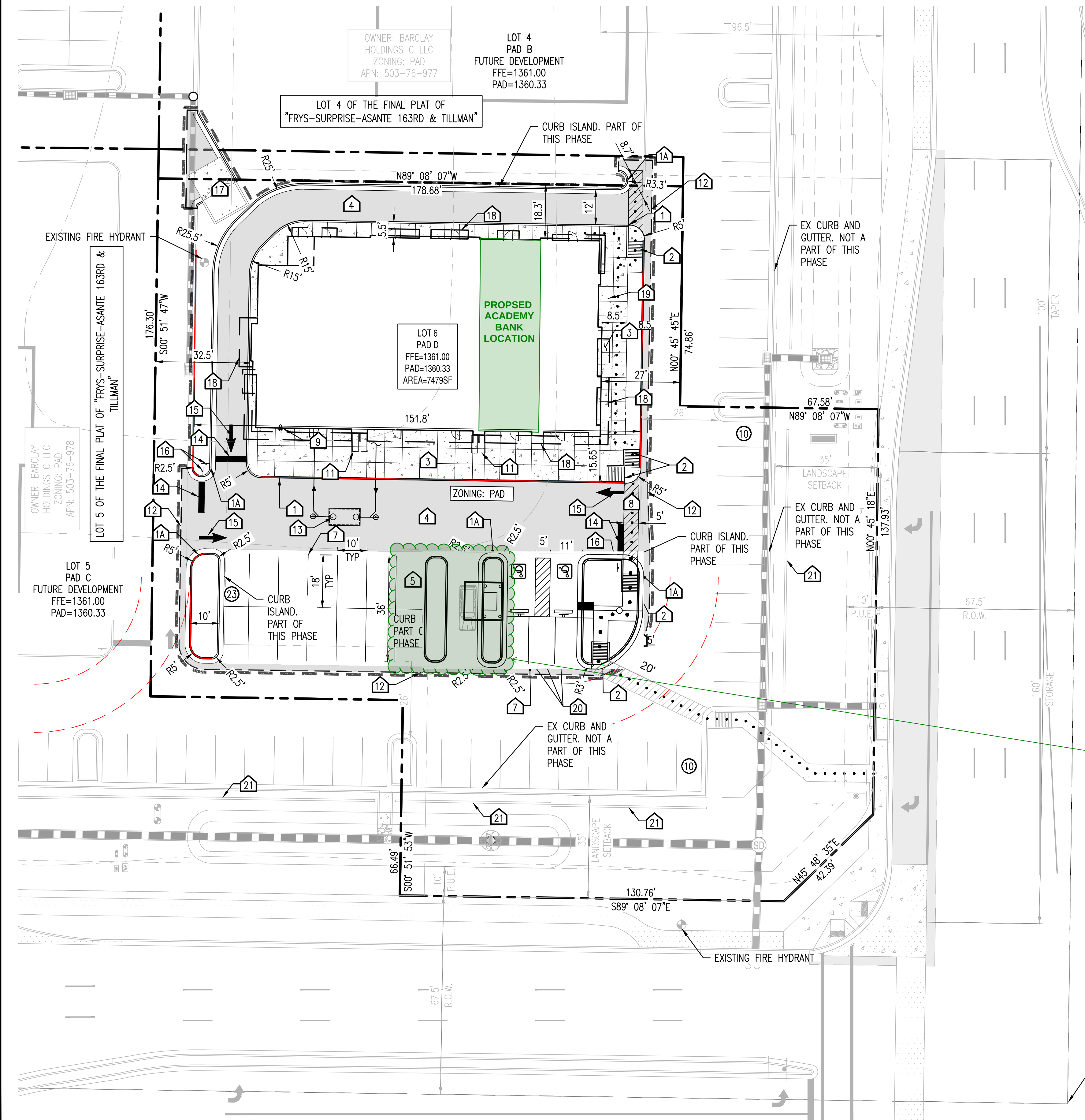
1. Design and construction of the proposed Project improvements should conform to the City of Surprise's design standards, as applicable.

Attachments:

- A – Academy Bank's Site Plan
- B – Existing Arizona and Colorado Academy Bank Queuing Data
- C – Asante Branch Queuing Study
- D – Scoping Correspondence with the City

ATTACHMENT A

ASANTE RETAIL CENTER
SHOPS B- IMPROVEMENT PLANS
SITE PLAN



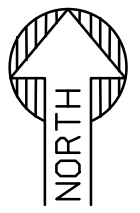
SITE PLAN KEYNOTES:

- 1 6" VERTICAL CURB PER GRADING PLANS.
- 1A 6" CURB AND GUTTER PER GRADING PLANS.
- 2 ACCESSIBLE RAMP. REFER TO GRADING PLANS.
- 3 CONCRETE SIDEWALK PER MAG STD. DET. 230. WIDTH PER PLAN.
- 4 HEAVY DUTY ASPHALT PAVEMENT PER DET. 5/C3.10.
- 5 LIGHT DUTY ASPHALT PAVEMENT PER DET. 5/C3.10.
- 6 PAINTED ADA SYMBOL (TYP. 2) PER DET 1/C2.10.
- 7 4" WIDE WHITE PAINTED STRIPING, TYP.
- 8 5' WIDE PEDESTRIAN PATHWAY WITH 4" WIDE YELLOW PAINT, AT 45' 2 FEET O.C.
- 9 FDC LOCATION PER UTILITY PLAN.
- 10 INSTALL ADA PARKING SIGN PER DET 2/C2.10.
- 11 BICYCLE RACK PER DET 3/C2.10.
- 12 SAWCUT PER CIVIL PLANS.
- 13 GREASE INTERCEPTOR PER UTILITY PLANS.
- 14 PROVIDE 18" WIDE WHITE PAINTED STOP BAR.
- 15 DIRECTIONAL ARROW PER DET 5/C2.10.
- 16 STOP SIGN PER DET 4/C2.10.
- 17 TRASH ENCLOSURE. PER DET 7/C2.11.
- 18 CANOPY ABOVE, REFER TO ARCHITECTURAL PLANS.
- 19 MAIN ELECTRICAL SERVICE "SES" (N3R ENCLOSURE), REFER TO ARCHITECTURAL PLANS.
- 20 COMPACT PARKING PER CITY OF SURPRISE.
- 21 SCREEN WALL PER OVERALL COMMERCIAL CENTER APPROVED PLANS, RECORD NUMBER 2021004057. RE: DET 8/C2.11.
- 22 INSTALL "COMPACT CARS ONLY" PARKING SIGN PER DET 6/C2.10.

PROPOSED
CHANGE TO
PARKING LOT
FOR BANK ITM

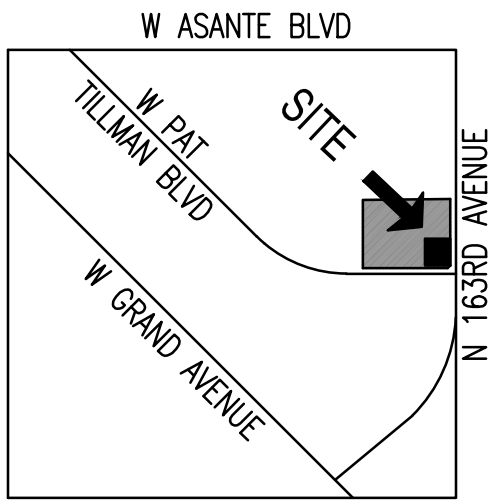


SE CORNER
SECTION 12
T4N, R2W
FD BRASS CAP FLUSH
163RD AVE
STA 0+00
W PAT TILLMAN BLVD
STA 0+00



VICINITY MAP
N.T.S.

SE ¼ SECTION 12,
T4N, R2W



PROPOSED LEGEND:

- PROPERTY LINE
- == VERTICAL CURB
- == CURB & GUTTER
- SITE WALL
- (X) PARKING COUNT
- ▨ PAVEMENT STRIPING
- ▨ HEAVY DUTY PAVEMENT
- FIRE LANE RED PAINTED CURB
- FIRE ACCESS TURN RADIUS
- ... ADA PATH

DEVELOPMENT SUMMARY TABLE:

PROJECT LOCATION:	163RD AVE & PAT TILLMAN BLVD		
LEGAL DESCRIPTION:	12 4N 2W		
PROJECT DESCRIPTION:	CONCEPT PLAN		
DEVELOPMENT INFORMATION:			
APN(S):	503-76-979		
EXISTING ZONING:	PAD		
ADJACENT ZONING:	NORTH: PAD		
	EAST: 163RD AVE		
	SOUTH: PAT TILLMAN BLVD		
	WEST: PAD		
PROPOSED USE:	RETAIL SHOPPING ESTABLISHMENT W/DRIVE THROUGH		
USE ALLOWED:	PERMITTED		
CONSTRUCTION TYPE:	V-B WITH AFES		
OCCUPANCY:	A-2/M/B		
LOT SIZE: (NET)	50,413	SF	1.157 AC
BUILDING AND LOT STANDARDS			
PROPOSED BUILDING	7,479	GSF	
	REQUIRED	PROPOSED	
BUILDING LOT COVERAGE:	NS	16.69%	
BUILDING HEIGHT:	35'	MAXIMUM PROPOSED	
	REQUIRED	PROPOSED	
LANDSCAPE:			
PERIMETER BUFFER WIDTH:	10'	N/A	
MIN. LANDSCAPE COVERAGE:	10%	26%	APPROX.
FRONTAGE SCREEN WALL HEIGHT:	4'	N/A	
PUBLIC STREET SETBACKS (FROM ROW LINE)			
	REQUIRED	PROPOSED	
ARTERIALS:	0'	N/A	
COLLECTORS:	0'	N/A	
LOCALS:	0'	N/A	
PARKING STANDARDS:			
BUILDING USE:	RETAIL		
BUILDING AREA (GROSS):	7,479	SF	
BUILDING AREA (INCLUDE CANOPIES):	8,414	SF	
PARKING CALCULATION	1/300	SF	
	REQUIRED	PROPOSED	
PARKING COUNT:	25	43	2 ADA INCL.
ADA PARKING SPACES	2	2	INCLUDED
BICYCLE PARKING (4 MAX.)	4	4	1 PER 10 VEHIC.
	ALLOWED	PROPOSED	
COMPACT SPACES:	10% (5)	3	
PERVIOUS/IMPERVIOUS AREA OF THE SITE:			
TOTAL AREA OF THE SITE		50,413	SF
TOTAL IMPERVIOUS AREA OF THE SITE		37,306	SF
ADJUSTED TOTAL OF PERVIOUS AREA OF THE SITE		13,107	SF
PERCENTAGE OF IMPERVIOUS AREA OF THE SITE		74.00	%

REVISIONS BY THE CITY OF SURPRISE	NO.	DESCRIPTION	REVIEW	CHIEF	DATE



SUSTAINABILITY
ENGINEERING
GROUP



PROJECT
SHOPS B ASANTE
RETAIL CENTER

LOCATION
NWC N. 163RD & W.
PAT TILLMAN BOULEVARD,
SURPRISE, ARIZONA
85387

DRAWN	PG GA	08/25/2022
DESIGNED	TM	05/13/2022
QC	SC	08/23/2022
FINAL QC	TM	11/16/2022
PROJ. MGR.	AF	07/11/2023

DATE:
07/11/2023

ISSUED FOR:
PERMITS

JOB NO.:
200711

SHEET TITLE:
SITE PLAN

PAGE NO.:
4 OF 13

SHEET NO.:
C2.00

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FS22-0826

ATTACHMENT B

30817-Academy Bank Queue**1295 N Arizona Ave**

Friday, January 19, 2024

TIME	QUEUE
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30817-Academy Bank Queue**1295 N Arizona Ave**

Saturday, January 20, 2024

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30817-Academy Bank Queue**8480 E Orchard Rd**

Friday, January 19, 2024

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30817-Academy Bank Queue
8480 E Orchard Rd
Saturday, January 20, 2024

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ATTACHMENT C

Academy Bank Gilbert ITM Study

Academy Bank installed an Interactive Teller Machine (ITM) at the branch in Gilbert, AZ on 5/10/2023. An ITM has both normal ATM functions and face-to-face interactions through a video session with a remotely located banker. Clients are able immediately conduct ATM transactions without the need for a video session, and most transactions are completed without a video session.

ITM	ATM
The following transactions are completed at ITMs: • Cash Deposit • Cash Withdrawal • Check Deposit • Check Cashing (combines Check Deposit + Cash Withdrawal into one process) • Credit Card Payments • Loan Payments	The following transactions are completed at ATMs: • Cash Deposit • Cash Withdrawal • Check Deposit • Balance Inquiry

From 5/10/2023, to November 17, 2023, the Gilbert ITM handled 204 video sessions and 664 ATM sessions. On average, a video session at the Gilbert ITM lasts 3 minutes and 55 seconds and an ATM session lasts an average of 1 minute and 10 seconds. 76% of all sessions at Gilbert have been conducted through the ATM session. The Denver Tech Center branch located in Denver, CO is a comparable mature branch to the Gilbert branch and is also outfitted with an drive-thru ITM. This ITM will be used as a secondary data point.

The tables below contain data on the total number of sessions that have been conducted at the ITM this year for the Gilbert and Denver Tech Center branches.

Gilbert*5/10/2023 - 11/17/2023*

Day of Week	Hours Open	Total Sessions per Day	% Session by Video	% Sessions by ATM
Monday	8 am - 10 pm	4.8	26%	74%
Tuesday	8 am - 10 pm	4.4	23%	77%
Wednesday	8 am - 10 pm	4.0	30%	70%
Thursday	8 am - 10 pm	4.5	23%	77%
Friday	8 am - 10 pm	5.4	34%	66%
Weekday Total		4.6	28%	72%
Saturday	8 am - 5 pm	5.0	18%	82%
Sunday	11 am - 4 pm	4.6	10%	90%
Weekend Total		4.8	14%	86%
Total		4.7	24%	76%

Denver Tech Center*1/1/2023 - 11/17/2023*

Day of Week	Hours Open	Total Sessions per Day	% Session by Video	% Sessions by ATM
Monday	8 am - 10 pm	18.3	53%	47%
Tuesday	8 am - 10 pm	17.2	53%	47%
Wednesday	8 am - 10 pm	16.0	50%	50%
Thursday	8 am - 10 pm	15.9	51%	49%
Friday	8 am - 10 pm	21.5	53%	47%
Weekday Total		17.8	52%	48%
Saturday	8 am - 5 pm	0.0	0%	100%
Sunday	11 am - 4 pm	0.0	0%	100%
Weekend Total		0.0	0%	100%
Total		12.7	52%	48%

In conclusion, Academy Bank does not anticipate any queuing issues. A mature ITMs conducts an average of 21.5 sessions on the busiest day of the week, and at no point have our bankers observed more than two cars in the queue.

ATTACHMENT D

Maria Jimenez

From: Stephen Chang <Stephen.Chang@surpriseaz.gov>
Sent: Tuesday, November 28, 2023 1:38 PM
To: Collette Frohlich; Johnathan Futch
Cc: Scott Kelley
Subject: RE: Asante Retail Center, Academy Bank | Queuing Scoping

Follow Up Flag: Follow up
Flag Status: Flagged

Thanks for your reply, Collette.
The two ITM locations you listed below will be fine.

Thanks,

Stephen S. Chang, AICP
City of Surprise
Direct: 623-222-3136
Stephen.Chang@SurpriseAZ.gov

From: Collette Frohlich <collettef@greenlightte.com>
Sent: Tuesday, November 28, 2023 1:18 PM
To: Stephen Chang <Stephen.Chang@surpriseaz.gov>; Johnathan Futch <Johnathan.Futch@surpriseaz.gov>
Cc: Scott Kelley <scottk@greenlightte.com>
Subject: RE: Asante Retail Center, Academy Bank | Queuing Scoping

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Hi Stephen,

Academy Bank does not have any standalone drive-up ATMs. The ITM can function as a normal ATM if the customer just needs to grab cash. If we go with a third location, I believe we will have to collect data in Kansas.

Regards,
Collette

From: Stephen Chang <Stephen.Chang@surpriseaz.gov>
Sent: Tuesday, November 28, 2023 10:02 AM
To: Collette Frohlich <collettef@greenlightte.com>; Johnathan Futch <Johnathan.Futch@surpriseaz.gov>
Cc: Scott Kelley <scottk@greenlightte.com>
Subject: RE: Asante Retail Center, Academy Bank | Queuing Scoping

Hi Collette,
Thanks for sending these. These two ITM locations are fine.
I would really like to have three count locations; does Academy Bank have any drive up ATMs? I know they're not exactly the same, but a count at an ATM would be similar enough? Or does Academy Bank think they're too different?

Thanks,

Stephen S. Chang, AICP
City of Surprise
Direct: 623-222-3136
Stephen.Chang@SurpriseAZ.gov

From: Collette Frohlich <collettef@greenlightte.com>
Sent: Monday, November 27, 2023 5:26 PM
To: Stephen Chang <Stephen.Chang@surpriseaz.gov>; Johnathan Futch <Johnathan.Futch@surpriseaz.gov>
Cc: Scott Kelley <scottk@greenlightte.com>
Subject: RE: Asante Retail Center, Academy Bank | Queuing Scoping

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

Hi Stephen,

Thank you for your response. I was working with the Academy Bank rep to get another location to conduct counts. Is the below scoping acceptable to the City? We plan to include discussion on the difference between an ATM and an ITM in the study.

2 Academy Bank ITM locations:

- 1295 N Arizona Ave, Gilbert, AZ 85233
- 8480 E Orchard Rd, Greenwood Village, CO 80111

Data Collection for all sites:

- Friday and Saturday
- 9AM-6PM
- Queue count frequency increment: 1 minute

Thanks,

Collette

From: Stephen Chang <Stephen.Chang@surpriseaz.gov>
Sent: Monday, November 20, 2023 9:07 AM
To: Collette Frohlich <collettef@greenlightte.com>; Johnathan Futch <Johnathan.Futch@surpriseaz.gov>
Cc: Scott Kelley <scottk@greenlightte.com>
Subject: RE: Asante Retail Center, Academy Bank | Queuing Scoping

Hi Collette,

Thanks for contacting us about this ITM queuing study. It's a new use that we haven't seen before, so I want to make sure we capture how it will really be used. We'll want to use actual count data, instead of calculating queues based on average number visits and dwell times per visit.

First, we'll want this Gilbert location counted from 9am – 6pm on a weekday and a weekend day (most likely Saturday); this will give us our standard 9 hours of data collection per day.
Second, since this is the only Academy Bank ITM in the region, **we should count at two regular Academy Bank ATM locations.** If they have ITMs in other states, would it be feasible to conduct counts there? (we've had counts done in San Diego and Utah before)

Third, we've read that the types of transactions available at an ITM is more varied than at an ATM; for example, a customer can open an account at an ITM or make payments to an existing account. These transactions would take longer than just depositing or withdrawing cash at an ATM, which could mean longer queues. We'll want a better understanding of the transactions and functions at an ITM. The study must describe the similarities and differences between the two types of machines and the types of transactions at each machine.

Thanks,

Stephen S. Chang, AICP
City of Surprise
Direct: 623-222-3136
Stephen.Chang@SurpriseAZ.gov

From: Collette Frohlich <collettef@greenlightte.com>
Sent: Friday, November 17, 2023 2:08 PM
To: Johnathan Futch <Johnathan.Futch@surpriseaz.gov>; Stephen Chang <Stephen.Chang@surpriseaz.gov>
Cc: Scott Kelley <scottk@greenlightte.com>
Subject: Asante Retail Center, Academy Bank | Queuing Scoping

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

Hello, Jonathan and Stephen,

We are working on scoping a queuing study for an Academy Bank ITM at the northwest corner of 163rd Ave/Pat Tillman Blvd (see attached site plan). I contacted a local Academy Bank rep and he said is one location open in the Phoenix area with an ITM that opened in April of this year (1295 N. Arizona Avenue, Suite 106, Gilbert, Arizona). The operations of the ITM is similar to an ATM, but if the customer needs assistance, they can speak to and see a banker in their Kansas City call center via a video feature. What would you like to see done for this queuing study? I have pasted the video banking hours below from their website for the Gilbert location. Additional information from the rep is also detailed below.

At the Gilbert location, the ITM did 63 transactions in October and the average visit time was 4 minutes. ITM visits are usually between 8am-noon and 2pm-6pm; lunchtime is the slowest period for visits. They have projections for the amount of monthly visits they expect at the Surprise location, which we can calculate approximately the amount of visits per day and per hour. What are your thoughts on that sort of analysis for the queuing study?

Video Banking Hours	
Fri	6:00 AM - 8:00 PM
Sat	6:00 AM - 3:00 PM
Sun	9:00 AM - 2:00 PM
Mon	6:00 AM - 8:00 PM
Tue	6:00 AM - 8:00 PM
Wed	6:00 AM - 8:00 PM
Thur	6:00 AM - 8:00 PM

Thanks,

Collette M. Frohlich, PE | Senior Project Engineer

e: collettef@greenlightte.com w: greenlightte.com

m: 480.788.5626 s: 14050 N 83rd Ave Ste 290 Peoria 85381



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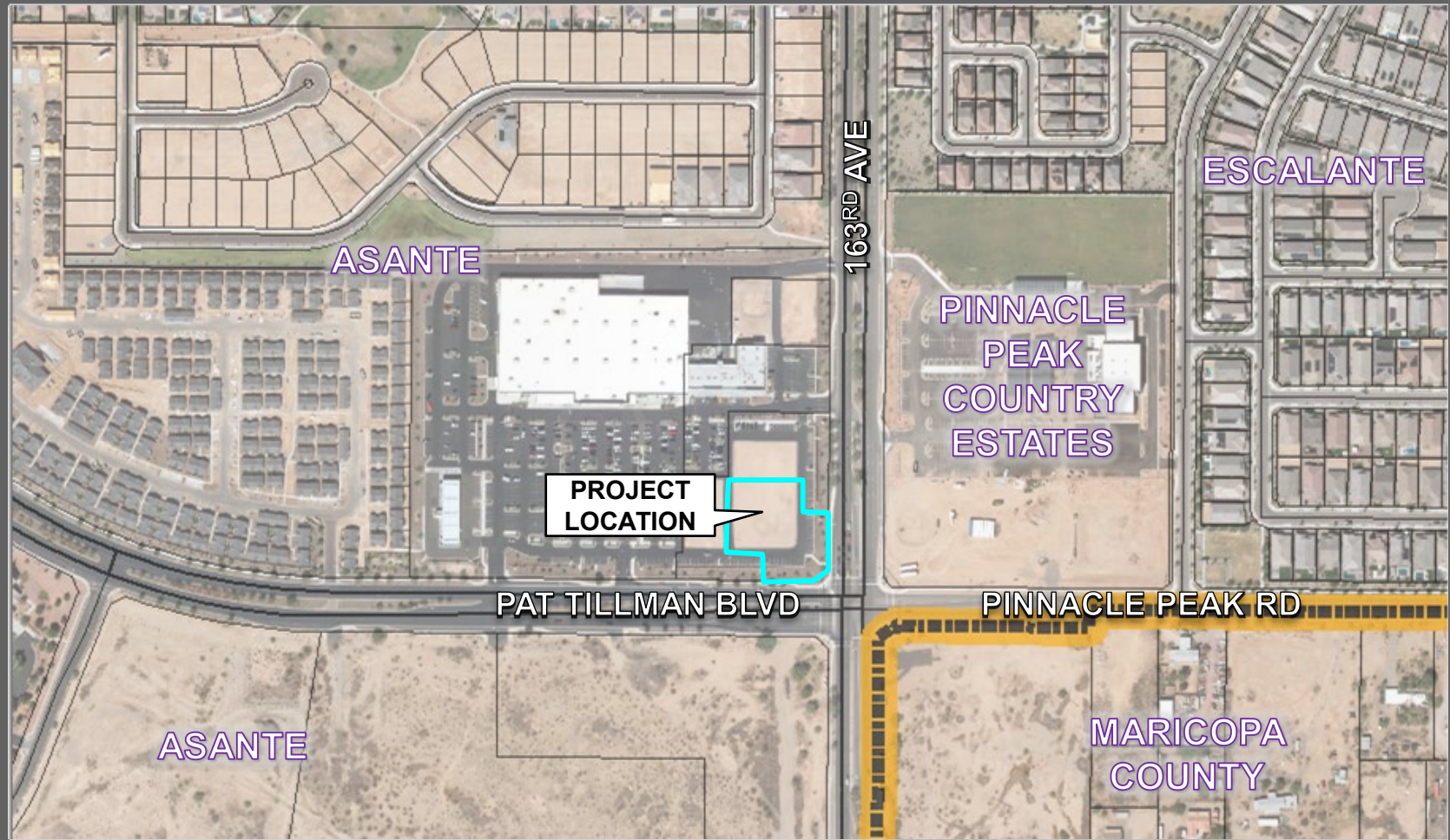
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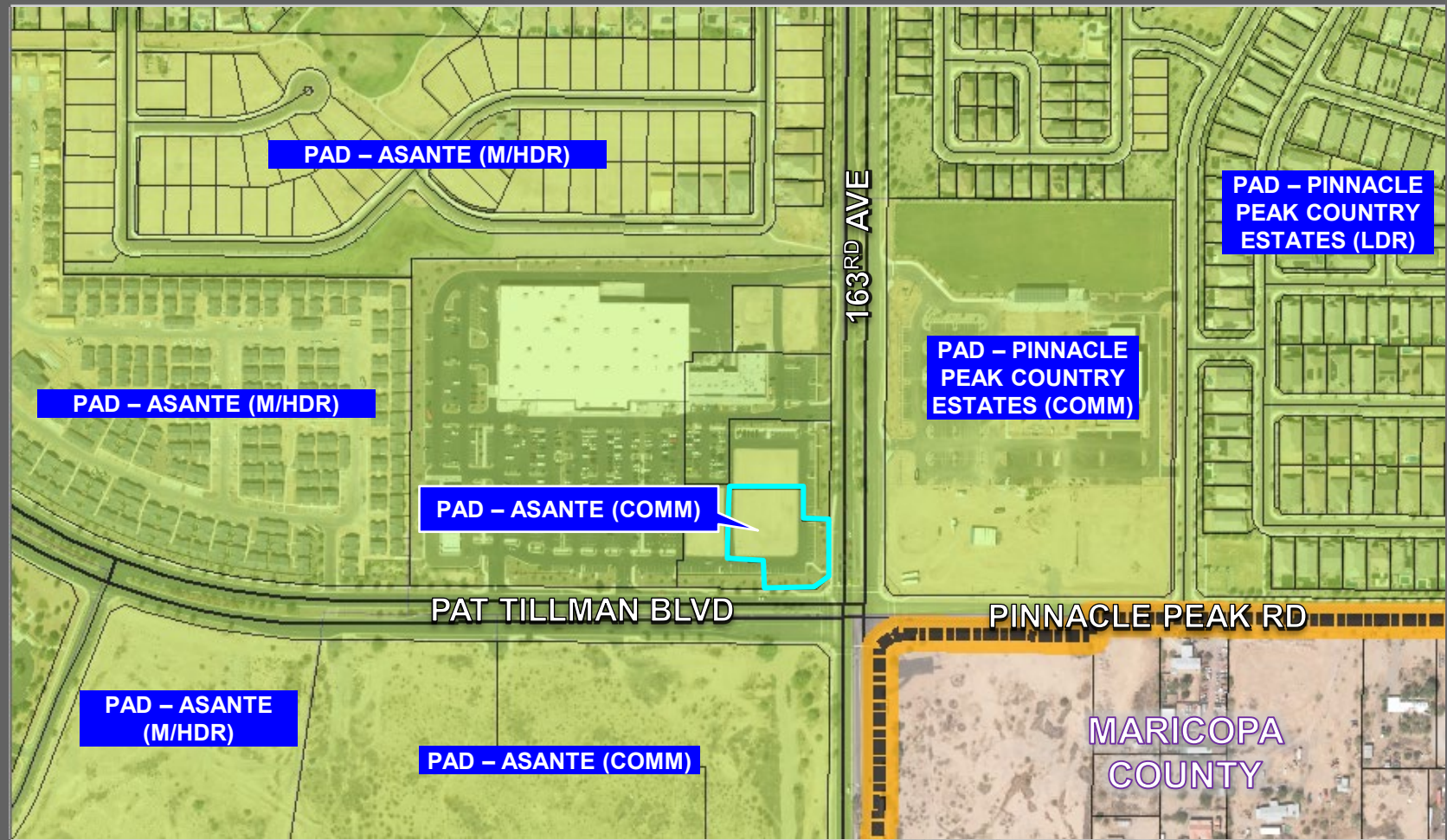
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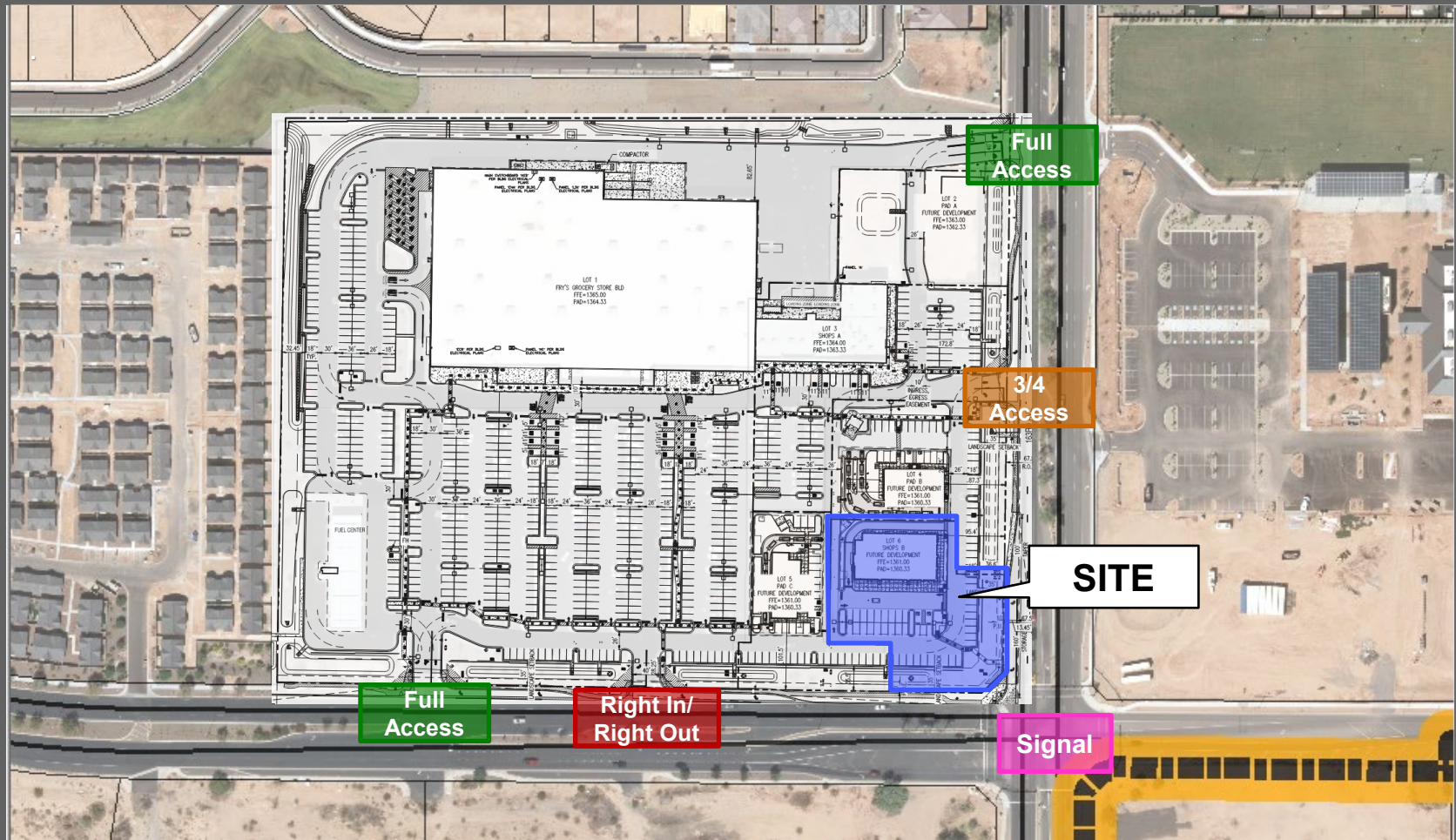


FS24-0136 Asante Lot 6 Shops B Bank ITM Conditional Use Permit with Site Plan

Planning & Zoning Commission
September 5, 2024







MASTER SITE PLAN



② EAST ELEVATION

SCALE: 1/8" = 1'-0"



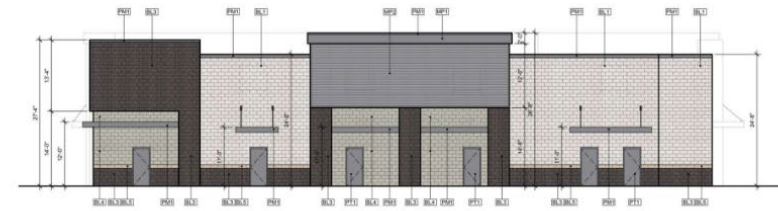
① SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



④ WEST ELEVATION

SCALE: 1/8" = 1'-0"



③ NORTH ELEVATION

SCALE: 1/8" = 1'-0"



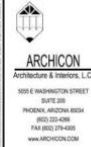
ASANTE RETAIL CENTER
LOT 6 & SHOPS "B"
COLOR & MATERIALS BOARD

GENERAL NOTES

- ALL ROOF MOUNTED MECHANICAL UNITS ARE TO BE FULLY SCREENED BY THE BUILDING PARAPET. VERIFY THAT THIS CONDITION WILL BE MET PRIOR TO THE START OF CONSTRUCTION. THE CITY OF SURPRISE MUST GIVE APPROVAL OF ANY FIELD MODIFICATIONS THAT WILL HAVE ANY PORTION OF THE UNITS VISIBLE.
- ADDRESS/SUITE NUMBERS SHALL BE A MINIMUM OF 4 INCH HIGH, ONE HALF INCH STRIKE WITHIN AND CONTRASTING COLOR. IDENTIFICATION MUST BE VISIBLE FROM STREET OR DRIVE. ALL EXTERIOR SUITE DOORS SHALL BE LABELED AS REQUIRED BY IFC DTS AND SPD REGULATION 12.05.1. PREPARE IDENTIFICATION.
- SOFFITS ARE TO BE PAINTED PT1
- BACKSIDE OF PARAPETS WITH ELASTOMERIC PAINT TO BE PT3.
- ALL GUTS TO BE SEaled WITH PROSODO BLOCK GUARD & GRAFT IT CONTROL, SEALER.

MATERIAL AND COLOR LEGEND

- BL1 DECORATIVE INTERNALLY COLORED CMU
SMOOTH-FACE EXTERIOR
MANUFACTURER: ANSELUS BLOCK
COLOR: GLACIER WHITE
- BL2 DECORATIVE INTERNALLY COLORED CMU
SMOOTH-FACE EXTERIOR
MANUFACTURER: ANSELUS BLOCK
COLOR: EMPE
- BL4 DECORATIVE INTERNALLY COLORED CMU
SMOOTH-FACE EXTERIOR
MANUFACTURER: ANSELUS BLOCK
COLOR: EMPE
- BL5 DECORATIVE INTERNALLY COLORED CMU
SMOOTH-FACE EXTERIOR
MANUFACTURER: ANSELUS BLOCK
COLOR: CANYON BLUFF
- MP1 PREFINISHED METAL CLADDING
MANUFACTURER: PAC GLAD
COLOR: SLATE GRAY
- MP2 PREFINISHED METAL PANEL
CORRAL HILL
MANUFACTURER: PAC GLAD
COLOR: SILVERSMITH
- MP3 PREFINISHED METAL PANEL
WOOD FINISH
MANUFACTURER: PAC GLAD
COLOR: LIND GRAY CHERRY
- PM1 PREFINISHED METAL
MANUFACTURER: PAC GLAD
COLOR: SLATE GRAY
- PM2 PREFINISHED METAL
MANUFACTURER: PAC GLAD
COLOR: MATTE BLACK
- PT1 PAINTED METAL
MANUFACTURER: INTERMIX/VALMUE
COLOR: COLOR TO MATCH PM1
- AL ANODIZED ALUMINUM STOREFRONT
COLOR: CLEAR ANODIZED



ASANTE RETAIL CENTER
SHOPS B
NWC THIRD AVE & W PAT TILLYMAN BLVD
SURPRISE, ARIZONA

PROJECT NUMBER: 210519-02
PROJECT MANAGER: JEFF KOSKI
DRAWN BY: JEFF KOSKI
CHECKED BY: JEFF KOSKI

NO.	REVISION	DATE

SHEET DESCRIPTION

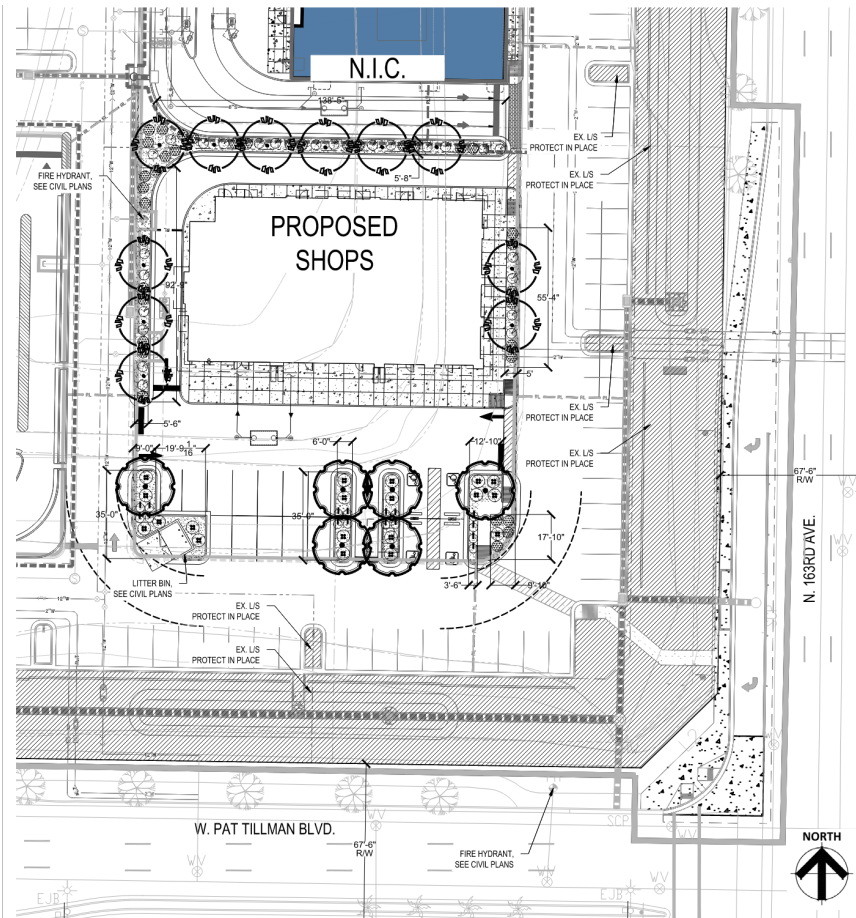
EXTERIOR ELEVATIONS



SHEET NO.
A300

ISSUE DATE: 11 MAY 2022

SURPRISE CASE FS24-0136



PLANTING MATERIAL LEGEND

TREES	SIZE	NOTES	QTY
Acacia salicina	36" Box		11
Willow Leaf Acacia	H 9"-11" x W 5"-7"	*ADWR	
Caliper Size: 2.0"			
Ulmus parvifolia	36" Box		6
Evergreen Elm	H 10"-12" x W 6"-8"	*ADWR	
Caliper Size: 2.0"			
GROUNDCOVERS			QTY
Lantana montevidensis	5 Gallon	can full	37
Purple Trailing Lantana		*ADWR	
SHRUBS / ACCENTS			QTY
Leucophyllum frutescens 'White Cloud'		can full	19
White Cloud Sage	5 Gallon	*ADWR	
Eremophila maculata 'Valentine'	5 Gallon	can full	24
Valentine Shrub		*ADWR	
Muhlenbergia rigens	5 Gallon	can full	16
Deer Grass		*ADWR	
LANDSCAPE MATERIALS			
Decomposed Granite, 3/4" screened "Express Gold",			2,975 s.f.
2" deep in planting areas per plan.			

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

SUDC Sec. 122-114

The proposed drive-through ITM satisfies the approval criteria for a Conditional Use Permit in the following ways:

- The proposed use is a permissible conditional use and satisfies the use specific standards for drive through facilities,
 - ✓ 150-foot separation from another drive-through (N/A for banks)
 - ✓ 25' from public ROW (79' from closest public ROW)
 - ✓ 75' from residential (N/A)
 - ✓ 18' aisle
 - ✓ Enhanced paving @ pedestrian crossings
 - ✓ Not exit directly to public ROW
 - ✓ Min. 140' stacking per lane (Meets requirements of queueing study)

SUDC Sec. 122-114

- The location and character of the use is in harmony with the surrounding area, will not impair the integrity or character of the community, nor be detrimental to the public health, safety or general welfare of the city;
- The proposed use conforms to the goals and policies of the General Plan and the Asante PAD;
- The proposed use conforms with the City's development standards and other applicable regulations;
- The proposed use has adequate ingress and egress to the property and proposed structures, pedestrian and vehicular circulation, utilities, access roads, and drainage sanitation; and
- The proposed use will not contribute toward an overburdening of municipal services.



CITIZEN PARTICIPATION

Neighborhood Outreach Meeting:

- Date: June 25, 2024 at 6 p.m.
- Location: Asante Preparatory Academy Cafeteria
23251 N 166th Drive
- Attendance: 1
 - No concerns regarding the subject case
 - General comments/questions about overall development and area



RECOMMENDATION

Staff Recommendation:

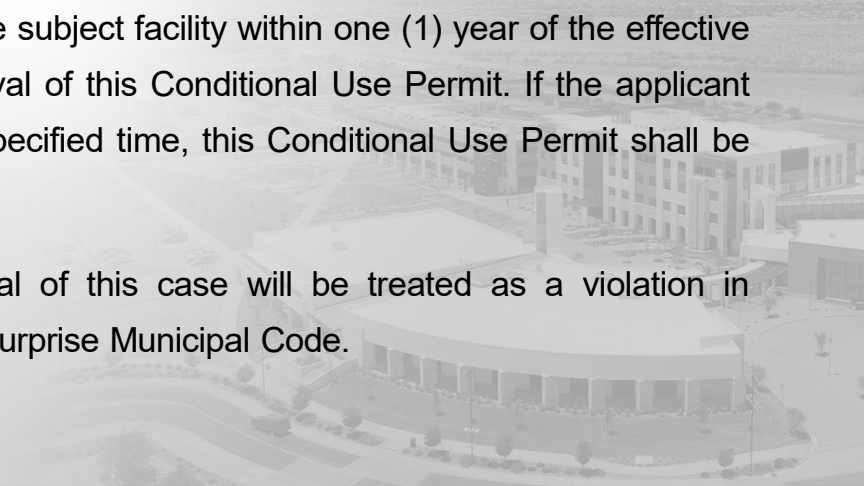
Planning & Zoning Commission Approve, subject to stipulations 'a' – 'e'



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

- 
- a. Development and use of the site shall be consistent with the Site Plan entitled “Asante Retail Center Shops B” consisting of four (4) sheets prepared by SEG and received June 14, 2024.
 - b. Landscaping of the site shall be consistent with the Landscape Plan entitled “Asante Shops B,” consisting of six (6) sheets prepared by Harrington Planning + Design, and received May 24, 2024.
 - c. Building elevations shall be consistent with the Elevations entitled “Asante Retail Center” consisting of four (4) sheets prepared by Archicon Architecture & Interiors, L.C. and received May 24, 2024.
 - d. The applicant shall obtain a building permit for the subject facility within one (1) year 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.
 - e. 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.