

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

September 5, 2024 / 6:00 PM

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

CALL TO ORDER.

Chair Holland called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on September 5, 2024.

A. ROLL CALL

In attendance were, Commissioner Kevin Perry, Commissioner Anthony Spata, Commissioner Jay Leonard, Chair Jared Holland, Vice Chair Ken Chapman, Commissioner Matthew Keating, and Commissioner Dennis Bash.

STAFF PRESENT:

Jeffrey Murray, Deputy City Attorney; Lloyd Abrams, Director of Community Development; Tiffany Copp, Assistant Director of Community Development; Trever Fleetham, Senior Planner; Jani Wertin, Planner II; Alyssa Lester, Project Coordinator; and Renee Puig-Hink, Administrative Specialist Senior.

COUNCIL MEMBERS PRESENT:

- None

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

- Director Lloyd Abrams introduced the new Administrative Specialist Senior, Renee Puig-Hink who will serve as the Planning and Zoning Secretary.

D. STAFF REPORT

- None

CALL TO THE PUBLIC:

Chair Holland opened the call to the public to discuss any items not listed on the agenda.

Alex Christ, Surprise, AZ – Expressed concerns with the final plat approved at City Council, case FS23-0959 and there not being current community neighborhood outreach to discuss the rezone and increase in density.

Hearing no further requests, Chair Holland closed the call to the public.

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the August 15, 2024 Planning and Zoning Commission Regular Meeting Minutes.

Vice Chair Chapman made a motion to approve the August 15, 2024, Planning and Zoning Commission Regular Meeting Minutes as presented. Commissioner Leonard seconded the motion passed with 6 votes in favor. Commissioner Keating abstained.

REGULAR AGENDA ITEM –PUBLIC HEARING:

Item 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

Trever Fleetham, Senior Planner, presented item 2 to the Commission.

Tom Galvin of Rose Law Group, representative for the applicant and the owner/business operator Mitchell Fox presented additional information to the Commission.

Chair Holland opened the public hearing.

Susan Draper, Surprise, AZ – Expressed opposition due to the nature of secondhand smoke and safety concerns as well as not aligning with the General Plan 2040.

Alex Christ, Surprise, AZ – Expressed concerns with how the smoke will be maintained and that smoking lounges should remain indoors.

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

The Commission discussed the following:

- Mitigation plan and guidelines set in place for maintaining the smoke and air quality.
- Requiring a body to approve in a Conditional Use Process.
- Guidelines set as a standardized practice for these uses.
- Filtration of smoke.
- Addressing complaints and concerns from residents and surrounding tenants.

Commissioner Leonard made a motion 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. Commissioner Keating seconded the motion. Motion passed with 6 votes in favor. Commissioner Perry voted in opposition.

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, Planner II, presented item 3 to the Commission.

Eric Gerster of Sustainability Engineering Group, representative for the applicant and Scott Kelly of Greenlight Traffic presented additional information to the Commission.

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

The Commission discussed the following:

- Locations used in the traffic study are remote and underutilized in comparison to the proposed site location.
- Traffic and parking impact on neighboring tenants.
- Pedestrian ATM location.
- Car stacking within the queue.
- Process for if this becomes non-compliant.

Chair Holland made a motion add stipulation F, stating this Conditional Use Permit shall be valid for one (1) year upon issuance of the Certificate of Occupancy or Certificate of Completion. Any renewals or extensions of this Conditional Use Permit shall require a new Conditional Use Permit application and public hearing before the Planning and Zoning Commission. Commissioner Leonard seconded the motion. Motions passed with 7 votes in favor.

Chair Holland made a motion to approve the Conditional Use Permit for Asante Lot 6 Shops B Bank ATM, Case # FS24-0136, subject to stipulations 'a' through 'f' as memorialized in the staff report. Commissioner Leonard seconded the motion. Motion passed with 7 votes in favor.

REGULAR AGENDA ITEM – NON-PUBLIC HEARING:

- None

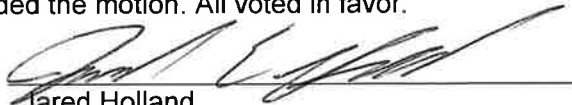
OTHER BUSINESS AND FUTURE AGENDA ITEMS:

- Standards for mitigation plans for existing bars and smoking lounges.

ADJOURNMENT:

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

Meeting adjourned at 7:26 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:


Alyssa Lester, Project Coordinator

DATE:

9/19/2024