

## **CITY OF SURPRISE**

### **PLANNING AND ZONING COMMISSION 12425 West Bell Road, Suite D-100 Surprise, Arizona 85374**

**April 7, 2009**

### **REGULAR MEETING MINUTES**

#### **CALL TO ORDER**

Chair Jan Blair called the Planning and Zoning Commission Meeting to order at 6 p.m. at the Surprise City Hall, 12425 West Bell Road, Suite D100, Surprise, Arizona 85374, on Tuesday, April 7, 2009.

#### **ROLL CALL**

In attendance with Chair Blair were Vice Chair Somers, and Commissioners Matthew Bieniek, Ken Chapman, John Hallin, Bob Rein, and Fred Watts.

#### **PLEDGE OF ALLEGIANCE**

#### **CURRENT EVENTS REPORT**

#### **COMMUNITY DEVELOPMENT DEPARTMENT REPORT**

#### **CALL TO THE PUBLIC**

Chair Blair called to the public to discuss any issues not noted on the agenda. Hearing no comments from the public, Chair Blair closed the call to the public.

#### **CONSENT AGENDA**

All items listed with an asterisk (\*) are considered to be routine by the Planning and Zoning Commission and were approved by one motion. There was no separate discussion of these items during this meeting.

Commissioner Chapman made a motion to approve the **Consent Agenda**. Commissioner Hallin seconded the motion. The motion passed with a vote of 6 ayes and 1 abstain. (Bieniek)

- **Item 1\*: Planning and Zoning Commission Minutes for April 7, 2009.**

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

- **Item 2: GPA08-331, RZ08-144, and RZ08-145 – Consideration and Action – Lone Mountain Retail, LLC**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **GPA08-331, RZ08-144, and RZ08-145, Lone Mountain Retail, LLC**, and to adopt staff's findings.

In response to Commissioner Watts, Planner Wingard stated that Maricopa County would also like to rezone that area to a Business Park designation, in the future, when funds allow.

In response to Commissioner Rein, Planner Wingard stated that the general area is susceptible to fissures; however, most are located south of the dam. When this development goes forward, construction drawings and studies of the area will need to be completed. Any problem with fissures would be addressed during construction plan review.

In response to Commissioner Rein, Planner Wingard stated that the applicant is aware of the upcoming expansion of Grand Avenue and the necessary rights-of-way.

Commissioner Hallin stated that he had a concern that small parcels are being rezoned without a larger plan, especially with the fissure issue. Director Mihelich stated that the rezone to Business Park provides a larger opportunity for development and makes the area more contiguous. The issue with the fissures is important and before any development goes in, it is advisable that investment in studies be completed to determine if the site is developable.

Chair Blair opened the meeting for public comment.

**Janette Baranski, representing the applicant**, stated that the applicant has spoken to Maricopa County and has received their support for rezoning to Business Park designation. The applicant has every intention to invest in studies regarding the fissures prior to any development.

Hearing no further comments from the public, Chair Blair closed the public hearing.

Vice Chair Somers made a motion to **approve GPA08-331, RZ08-144, and RZ08-145, Lone Mountain Retail, LLC**, and adopt staff's findings. Commissioner Rein seconded the motion. The motion passed with a vote of 7 ayes

- **Item 3: RZ08-311 – Consideration and Action – Grand and Jomax Commercial Center**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **RZ08-311, Grand and Jomax Commercial Center**, and adopt staff's findings, subject to stipulations 'a' and 'b.'

**Scott McCoy, Earle, Curley & Lagarde**, representing the applicant, gave a brief history of the project and discussed access to the site.

In response to Commissioner Rein, Mr. McCoy stated that Beardsley Water Company is the water provider; however, currently there is no resource for water and as the site develops that resource would need to be provided by the applicant. This site is part of the SPA2 water treatment facility.

In response to Commissioner Rein, Director Mihelich stated that the laying out of roads comes at the site plan level. Commissioner Rein stated that as the site is designed, he would like concurrence from the neighbors to the south.

Chair Blair opened the meeting for public comment.

**Carol Vernon, member of Summer Winds LLC**, owner of the 30 acres to the south, stated that she is in favor of the applicant's plan, design, and zoning. Her concern is that the road connecting to Rio Rancho connects down far enough to not split her property.

Mr. McCoy stated that he has spoken to Ms. Vernon in the past and will work with her and the city regarding road placement.

Hearing no further comments from the public, Chair Blair closed the public hearing.

Commissioner Chapman made a motion to **approve RZ08-311, Grand and Jomax Commercial Center**, and adopt staff's findings, subject to stipulations 'a' and 'b.' Commissioner Hallin seconded the motion. The motion passed with a vote of 7 ayes.

## **DISCUSSION**

- **Item 4: TA08-341 – Discussion Only – Surprise Unified Development Code**

Director Mihelich introduced the project. Senior Planner Dennis Dorch presented SUDC chapters 9, 10, and 11 to the Commission.

There was discussion regarding:

- On-street parking
- Parking space requirements
- Wheel guards/wheel stops
- Ratios of parking spaces for public assembly structures
- Parking requirements for schools

Commissioner Bieniek made a suggestion to provide shade structures or additional landscaping in parking lots to help minimize heat islands. Planner Wingard stated that for every eight parking spaces, one tree will be required.

There was discussion regarding the following items:

- Landscaping guarantees
- Amount of frontage retention areas
- Types of trees in right-of-way
- Landscaping matching the theme/character of future villages
- Lighting theme throughout the city

## **CONSIDERATION AND ACTION TO HOLD AN EXECUTIVE SESSION**

**Pursuant to A.R.S. § 38-431.03(A)(3), the Planning and Zoning Commission may go into executive session with the City Attorney for legal advice on any item listed on the agenda.**

No request was made to call for an executive session.

## **ADJOURNMENT**

Hearing no further business, Chair Blair adjourned the regular Planning and Zoning Commission meeting at 7:29 p.m.

## **STAFF PRESENT:**

Community Development Director Jeff Mihelich, City Attorney Jim Gruber, Fire Marshal Doug Helbig, Senior Planner Dennis Dorch, Planner Bart Wingard, and Planning and Zoning Commission Secretary Debbie Perry.

**COUNCIL MEMBERS PRESENT:** None

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Jeffrey J. Mihelich, Director  
Community Development Department

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Jan Blair, Chair  
Planning and Zoning Commission