

CITY OF SURPRISE

PLANNING AND ZONING COMMISSION 16089 North Bullard Avenue Surprise, Arizona 85374

April 28, 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 Northwest Regional Library, 16089 North Bullard Avenue, Surprise, Arizona 85374, on Tuesday, April 28, 2009.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

CURRENT EVENTS REPORT

Vice Chair Somers recognized Fred Watts for his service with the Planning and Zoning Commission and wished him luck in his new assignment.

STAFF 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.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

- **Item 1: SP08-305, CUP09-016, and CUP09-017 – Consideration and Action – Tower Development**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **SP08-305, CUP09-016, and CUP09-017, Tower Development**, subject to stipulations 'a' through 'x.'

In response to Vice Chair Somers, Planner Copeland stated that low sodium lighting was specifically requested by the residents during the outreach meeting. This type of lighting is popular in rural areas because of the lower levels of light pollution, preserving the dark skies.

In response to Vice Chair Somers, Director Mihelich stated that stipulation 'n' will be amended to state:

- n. At a time when City of Surprise water and sewer infrastructure is available, the property owner shall be required to connect in accordance with Section 13.08.348 (sewer) and 13.04.230 (water) of the Surprise Municipal Code, and pay all applicable fees. Any owners of the properties shall notify prospective buyers of this stipulation in the sales contract and public report. All capitol costs to extend city water and sewer shall be the sole responsibility of the owner/developer.

In response to Commissioner Chapman, Planner Copeland stated that the access point off of 195th Avenue does not require adjacent property owner approval.

In response to Chair Blair, Planner Copeland stated that there could be three to five water towers, depending how the site is designed at the time of civil plan review. The water towers would be maintained by the developer.

In response to Commissioner Hallin, Planner Copeland stated that palm trees are not considered xeriscape landscaping; however, the city allows 10% of plants, in any master development, to be outside of the xeriscape requirement.

Commissioner Bieniek stated that if there is a 10% flexibility with xeriscape landscaping, then it would be advisable to plant shade trees to assist in reducing the heat island effect.

Chair Blair opened the meeting for public comment.

David Gibb, resident, owns the 33 acres located to the south of the project. He stated his concerns regarding another storage facility and auto business located along the Grand Avenue corridor. He added that he would like to see more appealing structures along that roadway.

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

Vice Chair Somers made a motion to approve **SP08-305, a master site plan; CUP09-016, a gas/station/car wash convenience store; and CUP09-017, a residential RV storage and repair facility for Tower Development**, and adopt staff's findings, subject to stipulations 'a' through 'x,' as amended. Commissioner Bieniek seconded the motion. The motion passed with a vote of 5 ayes, 1 abstain (Rein) and 1 vacancy.

- **Item 2: SP09-056 – Consideration and Action – City at Surprise Medical Center**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **SP09-056, City at Surprise Medical Center**, subject to stipulations 'a' through 'l.'

Bill Malloy, representing the applicant, discussed the history and background of the project. He stated that there were concerns regarding stipulations 'e' and 'l.' Stipulation 'e' requires the extension of the sewer line ½ mile and stipulation 'l' requires roadway improvement on Greenway Road for ½ mile. He stated that the developer is willing to participate in a repayment agreement; however, these additional costs will affect the bid for the project to the Veterans Administration (VA).

Scott Phillips, Surprise Center Development Company, stated that the goal was to create a plan to build the full mile of Greenway Road. The medical office won't generate the traffic to warrant a full mile of improvements. Based on the existing development agreement, roadway improvements would be required only along the frontage of the medical offices, causing a scalloped street. Mr. Phillips is currently working on a plan to develop Greenway Road all at one time.

There was some discussion regarding the improvement of the roadway:

- Negotiation from 1 mile to ½ mile of roadway improvement.
- Importance of roadway improvement.
- Scalloped streets within the city.
- Cost to the developer and the affect on the viability of the project.
- Revised development agreement to improve roadway.
- Extension of deadline for improvement based on time and/or square footage.

In response to Commissioner Rein, Planner Copeland stated that parking for medical buildings is unique and the amount of provided parking is satisfactory to staff.

In response to Commissioner Hallin, Planner Copeland stated that the ADA parking spaces will be reviewed and approved at the building plan stage. Mr. Malloy stated that the ADA parking is regulated by the VA and exceeds their requirement.

Chair Blair opened the meeting for public comment. Hearing no comments from the public, Chair Blair closed the public hearing.

Director Mihelich suggested that stipulation 'l' be revised to allow 3 years for roadway improvement or shall be constructed concurrent with the construction of the second building, whichever occurs first. Stipulation 'l' will be amended to state:

- I. The property owner/developer shall be required to improve the existing half-street of Greenway Road from Litchfield Road to Civic Center Drive. Said improvements shall begin immediately after receipt of a building permit for the second building on the site. If no other buildings are constructed on the site, the owner/developer must still fully improve Greenway Road, and said improvements shall be accepted by the City of Surprise as ready for public use, on or before April 28, 2012. Said

improvements shall include 2 thru lanes in each direction and all requisite drainage, turn lane, lighting, signalization, right-of-way, easements, utility, sidewalk, lane transition, and landscaping improvements. The engineering plans shall be developed in accordance with all City of Surprise roadway improvement standards for full street improvements. The roadway improvement plan for Greenway Road shall be submitted by the owner/developer in a timely fashion and in accordance with the timeframe outlined in this Stipulation “I,” and said plan shall be reviewed and approved by city staff.

Vice Chair Somers made a motion to approve **SP09-056, City at Surprise Medical Center**, and adopt staff’s findings, subject to stipulations ‘a’ through ‘l,’ as amended. Commissioner Bieniek seconded the motion. The motion passed with a vote of 6 ayes and 1 vacancy.

- **Item 3: GPA09-005 – Discussion only – Major General Plan Amendment**

Senior Planner Janice See presented the amendment to the commission.

In response to Commissioner Rein, Senior Planner See stated that the word ‘requirement’ for mixed housing types were included to attract families of all ages in the neighborhood and this can be changed to state ‘encourage’ or ‘strongly encourage.’

Chair Blair opened the meeting for public comment. Hearing no comments from the public, Chair Blair closed the public hearing.

OTHER BUSINESS

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

Director Mihelich introduced the project and presented SUDC chapters 12, 13, 14 and 15 to the Commission.

There was discussion regarding:

- Move cell towers forward as a conditional use, Type III application
- Type III and IV application approval bodies
- Sign removal after public hearings

ADJOURNMENT

Hearing no further business, Chair Blair adjourned the regular Planning and Zoning Commission meeting at 7:52 p.m.

STAFF PRESENT:

Community Development Director Jeff Mihelich, Assistant City Attorney Jim Gruber, Fire Marshal Doug Helbig, Senior Planner Dennis Dorch, Senior Planner Janice See, Planner Adam Copeland, Planner Bart Wingard, Planner Nicole Catten-Green, and Planning and Zoning Commission Secretary Deb Perry.

COUNCIL MEMBERS PRESENT: None

Jeffrey J. Mihelich, Director
Community Development Department

Jan Blair, Chair
Planning and Zoning Commission