

## **CITY OF SURPRISE**

### **PLANNING AND ZONING COMMISSION 16000 North Civic Center Plaza Surprise, Arizona 85374**

**October 20, 2009**

### **REGULAR MEETING MINUTES**

#### **CALL TO ORDER**

Vice Chair Steve Somers called the Planning and Zoning Commission Meeting to order at 6 p.m. at the Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on Tuesday, October 20, 2009.

#### **ROLL CALL**

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

#### **PLEDGE OF ALLEGIANCE**

#### **CURRENT EVENTS REPORT**

There was some discussion regarding the December 1<sup>st</sup> Commission meeting and its proximity to the Thanksgiving holiday. The meeting currently has one project on the agenda, so it was decided not to reschedule.

Commissioner Rein announced that on November 20 Westmark will be holding a symposium at the Communiversy campus featuring the major cities in the west valley and an update of their current status and where they are headed.

#### **STAFF REPORT**

The second annual Green Fair was held last weekend in the City Hall courtyard. The fair was well attended and provided information regarding environmental sustainability and environmentally sensitive products.

The Bell Mar shopping center opened over the weekend with three new restaurants on site.

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

Vice Chair Somers called to the public to discuss any issues not noted on the agenda. Hearing no comments from the public, Vice Chair Somers 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.

- **Item 1\*: Planning and Zoning Commission Minutes for July 21, 2009.**

Commissioner Rein made a motion to approve the **Consent Agenda**. Commissioner Smith seconded the motion. The motion passed with a vote of 5 ayes, and 2 absent (Blair, Bieniek).

## REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING

- **Item 2\*. FS09-234 – Consideration and Action - Lizard Run Pedestrian Bridge.**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **FS09-234, Lizard Run Pedestrian Bridge**, subject to conditions 'a' and 'b.'

In response to Commissioner Smith, Planner Wingard stated that the bridge will allow bicycle traffic as well as pedestrian traffic.

In response to Commissioner Rein, Planner Wingard stated that a study regarding foot traffic has not been completed; however, increased traffic is anticipated.

In response to Commissioner Chapman, **Fred Stevens, Project Manager**, explained that a 404 permit is an environmental permit required by the Army Corp of Engineers and is required on any project that impacts environmental conditions to ensure protection of the area.

Commissioner Hallin made a motion to approve **FS09-234, Lizard Run Pedestrian Bridge** and adopt staff's findings, subject to conditions 'a' and 'b.' Commissioner Rein seconded the motion. The motion passed with a vote of 5 ayes and 2 absent (Blair, Bieniek).

## REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

- **Item 3: CUP08-299 – Consideration and Action – Journey Church.**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **CUP08-299, Journey Church**, subject to conditions 'a' through 'e.'

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

In response to Commissioner Rein, **Jim Klein, Architect**, stated that the next phase of the project is based primarily on the growth of the church, but is anticipated that it will not begin for three to five years. The current plan is to include a facility for children's ministry and a larger worship facility.

Commissioner Hallin voiced concerns about the lack of egress to the north. Planner Wingard explained that full crossings are located at the ½-mile mark on arterials, which will be located just north of the site.

There was some concern amongst the commission regarding an educational facility being placed on the site due to the Luke contours and education restrictions that are in place. After some discussion, condition 'f' was added as follows:

“Subject property shall be used for church ministry, Sunday school or related ministries, but at no time shall the applicant operate a primary or secondary education school or a daycare on the premises.”

Commissioner Chapman made a motion to approve **CUP08-299, Journey Church** and adopt staff's findings, subject to conditions 'a' through 'f', as amended. Commissioner Smith seconded the motion. The motion passed with a vote of 5 ayes and 2 absent (Blair, Bieniek).

- **Item 4: CUP08-336 – Consideration and Action – Carl's Jr.**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **CUP08-336, Carl's Jr.**, subject to conditions 'a' through 'e.'

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

In response to Commissioner Rein, Planner Copeland indicated that the drive through is located on the northeast side of the building.

In response to Commissioner Hallin, Planner Copeland stated that there is a shared parking agreement already in place with Lowes. The hotel site is not included in this agreement.

In response to the concerns voiced by Commissioner Hallin, Director Mihelich stated that city staff will verify that the trash receptacle does not obstruct the visibility triangle.

In response to Vice Chair Somers, Planner Copeland stated that staff will be working with the applicant for a façade improvement on the side of the building facing Grand Avenue.

Commissioner Smith made a motion to approve **CUP08-336, Carl's Jr.** and adopt staff's findings, subject to conditions 'a' through 'e.' Commissioner Chapman seconded the motion. The motion passed with a vote of 3 ayes, 2 nays (Hallin, Rein) and 2 absent (Blair, Bieniek).

## **ADJOURNMENT**

Hearing no further business, Vice Chair Somers adjourned the regular Planning and Zoning Commission meeting at 7:02 p.m.

### **STAFF PRESENT:**

Community Development Director Jeff Mihelich, Assistant City Attorney Jim Gruber, Planner Bart Wingard, Planner Adam Copeland, Project Manager Fred Stevens, Planning and Zoning Commission Secretary Deb Perry and Carol Dager.

**COUNCIL MEMBERS PRESENT:** None

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Jeffrey J. Mihelich, Director  
Community Development Department

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Steve Somers, Vice Chair  
Planning and Zoning Commission