

## **CITY OF SURPRISE**

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

**December 1, 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, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on Tuesday, December 1, 2009.

#### **ROLL CALL**

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

#### **PLEDGE OF ALLEGIANCE**

#### **CURRENT EVENTS REPORT**

Commissioner Rein stated that the West Valley Symposium was held on December 20. The symposium was excellent and would encourage future attendance.

#### **STAFF REPORT**

Director Jeff Mihelich stated that April 1, 2010 will be an important day nationally as well as locally. This day marks the beginning of the census process. It is critical that all residents complete the census form and mail it in as this could mean a significant amount of revenue for the city. All information is completely confidential.

The next Planning and Zoning Commission Meeting is scheduled for January 19, 2010.

#### **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.

- **Item 1\*: Planning and Zoning Commission Minutes for November 3, 2009.**

Vice Chair Somers 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 (Bieniek, Hallin).

## **REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING**

- **Item 2. FS09-305 – Consideration and Action – City of Surprise Park and Ride Facility.**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **FS09-305, a site plan for City of Surprise Park and Ride Facility**, subject to condition 'a.'

In response to Commissioner Rein, Planner Wingard stated that there are two ingress/egress access points for vehicle access.

In response to Commissioner Rein, Planner Wingard stated that redesign of the facility would be required should the passenger rail system come to the city.

In response to Commissioner Rein, Planner Wingard stated that the facility will be in operation into the evening hours. There will not be an after-hours security guard on site, but will be monitored by the Surprise Police Department.

Commissioner Rein made a motion to approve **FS09-305, a site plan for City of Surprise Park and Ride Facility**, and adopt staff's findings; subject to condition 'a.' Commissioner Chapman seconded the motion. The motion passed with a vote of 5 ayes and 2 absent (Bieniek, Hallin).

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

- **Item 3: CUP09-105 – Consideration and Action – One Hobbies R/C Track.**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **CUP09-105 One Hobbies R/C Track**, subject to conditions 'a' through 'g.'

In response to Commissioner Rein, Planner Copeland explained that the hours of the race track will be from 5 p.m. to 10 p.m.

In response to Commissioner Chapman, **Chris Stavros, applicant**, stated that there is fencing around the perimeter of the site but not around the track itself. He indicated that a short 2- to 3-foot wall can be installed to assist in keeping the cars on the track.

Chair Blair opened the meeting for public comment.

**Barb Schiller, resident**, stated that her home is located across the street and she is very concerned about the noise from the cars and participants of the race track. Mr. Stavros stated that the noise from the electric cars is minimal. The racing may take

place one day a week until 10 p.m. and on Sunday afternoons. In addition, there will not be a speaker system on site. Director Mihelich stated that staff addressed noise concerns by requiring additional landscaping to assist in buffering and placing the attendance stands closer to the building rather than the street.

**Gerald Schiller, resident**, concerned about the noise level and believes that the noise from the electric cars will be bothersome. He stated that the noise from Dysart Road is bothersome enough and that this would be adding to it.

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

Vice Chair Somers made a motion to approve **CUP09-105, a conditional use permit for One Hobbies R/C Track** and adopt staff's findings, subject to conditions 'a' through 'g.' Commissioner Smith seconded the motion. The motion failed with a vote of 2 ayes, 3 nays (Somers, Rein, Chapman) and 2 absent (Bieniek, Hallin).

- **Item 4: PS09-276 – Consideration and Action – Northwest Regional Landfill.**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **PS09-276, Northwest Regional Landfill**, subject to condition 'a.'

In response to Commissioner Chapman, **Doug Jorden, Jorden, Bischoff and Hiser, PLC**, stated that there are many factors in calculating the lifespan of the facility and it is currently estimated at 75 years.

There was some discussion regarding the facility's lifespan, traffic impact to the area, the number of daily/monthly trips to the site, proposed annual volume, post-landfill proposed uses, and review of the project's history.

In response to Commissioner Smith's concern regarding the odors that are caused by paving and mixing plants, Mr. Jorden and the applicants agreed to delete it as one of the post-landfill uses that would be subject to administrative approval only. This use would require a major PUD amendment.

In response to Vice Chair Somers, Mr. Jorden stated that the landfill is monitored very closely by the Arizona Department of Environmental Quality (ADEQ).

Commissioner Rein voiced concern regarding recreational use as an administratively approved post-landfill use because it would attract more residents than the others on the list, which are industrial or warehouse uses. Mr. Jorden and the applicants agreed to remove it from the administratively approved list and require a major PUD amendment.

In response to Commissioner Chapman's request for a lifespan study, **Vince Murphy, Waste Management**, stated that studies are completed annually including aerial surveys, calculation of remaining volume, and projected volume which are all used for lifespan projections.

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

Vice Chair Somers made a motion to recommend approval to the Mayor and City Council **PS09-276, a planned unit development for the Northwest Regional Landfill** and adopt staff's findings, subject to condition 'a,' as amended. Commissioner Chapman seconded the motion. The motion passed with a vote of 5 ayes and 2 absent (Bieniek, Hallin).

## **OTHER BUSINESS**

- **Item 5: Discussion Only – Village 3 Plan**

Planner Vineetha Kartha presented the Village 3 Plan update to the Commission.

## **ADJOURNMENT**

Hearing no further business, Chair Blair adjourned the regular Planning and Zoning Commission meeting at 7:21 p.m.

## **STAFF PRESENT:**

Community Development Director Jeff Mihelich, Assistant City Attorney Jim Gruber, Planner Bart Wingard, Planner Adam Copeland, Planner Vineetha Kartha, Planner Nicole Catten, Project Manager Harry Hartman, and Planning and Zoning Commission Secretary Deb 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