

## **CITY OF SURPRISE**

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

**January 19, 2010**

### **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, January 19, 2010.

#### **ROLL CALL**

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

#### **PLEDGE OF ALLEGIANCE**

#### **CURRENT EVENTS REPORT**

City staff has worked diligently on Village 1 and it has reached a point that we need to come up with a name for the village. City staff would like to make it interactive and get residents involved. There will be an area on the city website for residents to view naming options and cast their vote.

The February 2<sup>nd</sup> Planning and Zoning Commission Meeting will be cancelled and the next meeting will be held on March 2<sup>nd</sup>.

#### **STAFF REPORT**

#### **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.

## REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING

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

Commissioner Chapman made a motion to approve the **Planning and Zoning Commission Minutes for December 1, 2009**. Commissioner Smith seconded the motion. The motion passed with a vote of 4 ayes, 1 abstain (Bieniek) and 2 absent. (Blair, Hallin)

- **Item 2. FS09-324 – Consideration and Action – Site Plan for Asante TRC of Surprise.**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **FS09-324, a site plan for Asante TRC of Surprise**, subject to conditions 'a' through 'f.'

In response to Commissioner Smith, Planner Copeland stated that the facility is not alcohol or drug related rehabilitation.

In response to Commissioner Bieniek, Planner Copeland indicated that the responsibility for the Yorkshire Drive improvement belongs to applicant and will be done concurrently with the project.

In response to Commissioner Chapman, Planner Copeland stated that there is sufficient right-of-way for a deceleration lane installation along Grand Avenue if ADOT deems it necessary.

Vice Chair Somers requested changing the word "adjacent" to "abutting" in condition 'a-9.' The condition will read as follows:

9. The following notes shall be added:

Light foot candles shall not exceed zero along any residentially zoned property line.

The maintenance of landscaping in the public right-of-way to back of curb shall be the responsibility of the abutting property owner.

Commissioner Rein made a motion to approve **FS09-324, a site plan Asante TRC of Surprise**, and adopt staff's findings; subject to conditions 'a' through 'f.' Commissioner Bieniek seconded the motion. The motion passed with a vote of 5 ayes and 2 absent. (Blair, Hallin)

## REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

- **Item 3: FS09-307 – Consideration and Action – AT&T Wireless Communication Facility at Shadow Mountain.**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **FS09-307, a conditional use permit for AT&T Wireless Communication Facility at Shadow Mountain** subject to conditions 'a' and 'b.'

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

Commissioner Bieniek made a motion to approve **FS09-307, a conditional use permit for AT&T Wireless Communication Facility at Shadow Mountain** and adopt staff's findings, subject to conditions 'a' and 'b.' Commissioner Chapman seconded the motion. The motion passed with a vote of 5 ayes and 2 absent. (Blair, Hallin)

- **Item 4: FS09-315 – Consideration and Action – Marley Park Parcels 9 and 12.**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **FS09-315, a major planned area development amendment for Marley Park Parcels 9 and 12**, subject to conditions 'a' through 'e.'

In response to Commissioner Smith, Planner Copeland stated that no additional lots were added in the reconfiguration and that the z-lots are slightly larger than the proposed traditional lots.

In response to Commissioner Bieniek, Planner Copeland confirmed that the build out of parks in the area are still the responsibility of the developer. Director Mihelich stated that the city will sit down with the developer and come to an agreement for build out of open spaces, which is addressed in condition 'e' of the staff report.

In response to Commissioner Bieniek, Planner Copeland stated that studies were done by the developer that indicated traditional standard lots sell better than z-lots.

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

Commissioner Chapman made a motion to recommend approval to the Mayor and City Council **FS09-315, a major planned area development amendment for Marley Park Parcels 9 and 12**, and adopt staff's findings, subject to conditions 'a' through 'e.' Commissioner Rein seconded the motion. The motion passed with a vote of 5 ayes and 2 absent. (Blair, Hallin)

- **Item 5: FS09-294 – Consideration and Action – AT&T Wireless Communication Facility.**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **FS09-294, AT&T Wireless Communication Facility**, subject to conditions 'a' through 'c.'

In response to Vice Chair Somers, Planner Copeland indicated that the existing landscaping is suitable to screen the structure for electric components on the ground and that the structure will match the existing buildings. Director Mihelich stated that the tree that is to be removed will be replaced somewhere else on the site.

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

Commissioner Rein made a motion to approve **FS09-294 a conditional use permit for AT&T Wireless Communication Facility** and adopt staff's findings, subject to conditions 'a' through 'c.' Commissioner Chapman seconded the motion. The motion passed with a vote of 5 ayes and 2 absent. (Blair, Hallin)

## **OTHER BUSINESS**

## **ADJOURNMENT**

Hearing no further business, Vice Chair Somers adjourned the regular Planning and Zoning Commission meeting at 6:30 p.m.

## **STAFF PRESENT:**

Community Development Director Jeff Mihelich, Assistant City Attorney Jim Gruber, Planner Bart Wingard, Planner Adam Copeland, 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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Steve Somers, Vice Chair  
Planning and Zoning Commission