

CITY OF SURPRISE

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

June 2, 2011

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, June 2, 2011.

ROLL CALL

In attendance with Chair Jan Blair were Vice Chair Steve Somers and Commissioners Matthew Bieniek, Ken Chapman, John Hallin, Jerry Hoyler, and Dennis Smith.

PLEDGE OF ALLEGIANCE

CURRENT EVENTS REPORT

STAFF REPORT

Director Jeff Mihelich stated that the city is currently going through the redistricting process and the public input sessions are scheduled for the following dates: 10 a.m. Saturday, June 4th at Villanueva Recreation Center; 6 p.m. Monday, June 6th at Sun City Grand – Palo Verde Room; and 6 p.m. Wednesday, June 8th at Sierra Montana Recreation Center. If unavailable to attend a meeting, residents can go to the city's website and provide comments to the proposed maps.

The CDBG sidewalk enhancement project along Smokey Drive has been completed. This project provides nice connectivity in the area that was needed.

CALL TO THE PUBLIC

Chair Blair called to the public to discuss any issues not noted on the agenda. Hearing no comments, 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: FS11-127 - Consideration and action – Imagine Prep at Surprise**

Planner Bart Wingard presented the project to the commission. Staff recommended approval of **FS11-127, a conditional use permit for Imagine Prep at Surprise.**

In response to Chair Blair, **Linda Keifner, applicant**, stated that the school doesn't anticipate 5th grade being added to the campus in the future.

Chair Blair opened the call to the public. Hearing no comments, Chair Blair closed the call to the public

Commissioner Chapman made a motion to approve **FS11-127, a conditional use permit for Imagine Prep at Surprise** and adopt staff's findings; subject to conditions 'a' through 'e.' Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 2: FS11-096 - Consideration and action – All Greens Medical Marijuana Dispensary**

Planner Bart Wingard presented the project to the commission. Staff recommended approval of **FS11-096, a conditional use permit for All Greens Medical Marijuana Dispensary.**

In response to Commissioner Hoyler, **Cynthia Drey, applicant**, stated that there will be no more than 30 twelve inch clones on site.

In response to Commissioner Chapman, Ms. Drey stated that the guards will not be armed.

In response to Commissioner Chapman, **Lieutenant Harold Brady, Assistant City Attorney for Surprise Police Department**, stated that a crime analysis was run within a half-mile radius and crime is very low in the area.

Commissioner Chapman requested to add a condition regarding increased crime and a way to hold the applicant responsible if directly related to the project. Director Mihelich stated that a condition can be added. Condition 'f' shall read:

One year following the approval of the conditional use permit the commission shall consider, at its regular meeting, a report containing crime statistics pertaining to the operation of the facility as produced by the Surprise Police Department, and based on such report the Commission may add reasonable conditions at that time.

In response to Commissioner Bieniek, Community and Economic Development Assistant Director Chris Boyd stated that the applicant will fortify the bay doors from the inside. These doors will no longer be functional.

Vice Chair Somers had questions about adding a sunset clause or expiration date to the conditional use permit. Director Mihelich stated there is no expiration date currently; however, the Commission has the authority to add one. Condition 'g' shall read:

The CUP shall expire if the state license is not issued within two years following the approval of this conditional use permit.

Chair Blair opened the call to the public.

Jean Matherly, resident, stated that she is a patient that is in pain although you can't see her ailments, she is in pain. She is asking the Commission for approval so that she can get her medication from a supervised, state regulated facility.

Denise Hubbard, resident, stated that she has submitted an application for her father, who could benefit from the medicinal marijuana, and would like a safe place to find it.

Hearing no further comments, Chair Blair closed the call to the public.

Commissioner Hallin made a motion to approve **FS11-096, a conditional use permit for All Greens Medical Marijuana Dispensary, as amended** and adopt staff's findings; subject to condition 'a' through 'g.' Commissioner Bieniek seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 3: FS11-008 – Consideration and action – 2011 Major General Plan Amendment**

Planner David Neal presented the project to the commission. Staff recommended approval of **FS11-008, 2011 Major General Plan Amendment**

In response to Commissioner Hallin, Planner Neal stated that the city will work with the developers in the Trilby Wash area to ensure maximum width for animal movement.

Chair Blair opened the call to the public. Hearing no comments, Chair Blair closed the call to the public.

Vice Chair Somers made a motion to approve **FS11-008, 2011 Major General Plan Amendment**, and adopt staff's findings. Commissioner Hallin seconded the motion. The motion passed with a vote of 7 ayes.

OTHER BUSINESS

ADJOURNMENT

Hearing no further business, Chair Blair adjourned the regular Planning and Zoning Commission meeting at 6:48 p.m.

STAFF PRESENT:

Community and Economic Development Director Jeff Mihelich, Assistant City Attorney Jim Gruber, Assistant Community and Economic Development Director Chris Boyd, Lieutenant Harold Brady, Planner David Neal, Planner Hobart Wingard, and Planning and Zoning Commission Secretary Deb Perry.

COUNCIL MEMBERS PRESENT: Vice Mayor Skip Hall

Jeffrey J. Mihelich, Director
Community and Economic Development

Jan Blair, Chair
Planning and Zoning Commission