

CITY OF SURPRISE

PLANNING AND ZONING COMMISSION 16000 North Civic Center Plaza Surprise, AZ 85374

August 4, 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 Thursday, August 4, 2011.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

CURRENT EVENTS REPORT

STAFF REPORT

Director Jeff Mihelich stated that the city is seeing some signs of slow recovery in regards to the retail market. Wal-Mart has started construction in the Prāsada Development, located along the Loop 303. This development may entice other retail stores to follow.

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 NOT REQUIRING A PUBLIC HEARING

- **Item 1: Planning and Zoning Commission Minutes for May 19, 2011.**

Vice Chair Somers made a motion to approve the **Planning and Zoning Commission Minutes for May 19, 2011**. Commissioner Chapman seconded the motion. The motion passed with a vote of 4 ayes, 2 abstain (Bieniek, Blair) and 1 absent (Hallin).

- **Item 2: Planning and Zoning Commission Minutes for June 2, 2011.**

Commissioner Chapman made a motion to approve the **Planning and Zoning Commission Minutes for June 2, 2011**. Commissioner Bieniek seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Hallin).

- **Item 3: Nomination and selection of Planning and Zoning Commission Chair**

Director Mihelich led the commission through the nomination process for the Planning and Zoning Commission Chair.

Commissioner Somers nominated Jan Blair.

No other nominations were made.

A roll call vote was completed to elect Jan Blair to the position of Chair for the Planning and Zoning Commission. The nomination passed with a vote of 6 ayes and 1 absent (Hallin).

- **Item 4: Nomination and selection of Planning and Zoning Commission Vice Chair**

Director Mihelich led the commission through the nomination process for the Planning and Zoning Commission Vice Chair.

Commissioner Bieniek nominated Steve Somers.

No other nominations were made.

A roll call vote was completed to elect Steve Somers to the position of Vice Chair for the Planning and Zoning Commission. The nomination passed with a vote of 6 ayes and 1 absent (Hallin).

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

- **Item 5: FS10-072 - Consideration and action – McDonald's**

Planner Adam Copeland presented the project to the commission. Staff recommended approval of **FS10-072, a conditional use permit for McDonald's**.

In response to Vice Chair Somers, Planner Copeland reviewed the decibel level study for noise resulting from the drive-through speaker box.

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 **FS10-072, a conditional use permit for McDonald's** and adopt staff's findings; subject to condition 'a' through 'o.' Commissioner Smith seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Hallin).

- **Item 6: FS10-283 – Consideration and action – U-Haul Storage and Rental Facility**

Planner Bart Wingard presented the project to the commission. Staff recommended approval of **FS10-283, a planned unit development overlay and conditional use permit for U-Haul Storage and Rental Facility.**

In response to Commissioner Chapman, Planner Wingard stated that the aggregate material is compacted and is more permeable than concrete or asphalt.

In response to Vice Chair Somers, **Samantha Singer**, representing the applicant, stated that there are dumpsters available in one of the rooms and will not be open to the public.

Chair Blair opened the call to the public.

Samantha Singer, representing the applicant, stated that the RV area and truck shunting area are very low traffic. The alternative pavement surfacing material is very easy to redress and maintain than other surfaces, allowing the owner to repair quickly if needed.

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

Commissioner Bieniek stated that this material is a green alternative that he'd like to see used and suggested a condition be added to state if the decomposed granite becomes a problem, then the applicant would be required to replace it. Commissioner Hoyler agrees.

In response to Chair Blair, Ms Singer stated that the alternative paving material has been at their other sites for 4-5 years, with no issues to date.

Director Mihelich stated that a condition can be added to require replacement if needed; and if the commission chooses to also allow the material in the front areas, the city would be comfortable in allowing it. The revised condition C1 to include the following:

The City of Surprise reserves the right to require pavement with traditional asphalt materials should there be any dust, drainage, rutting, or tracking of aggregate material as determined by the City Engineer.

Commissioner Bieniek made a motion to approve a conditional use permit and recommend approval to the Mayor and City Council a planned unit development overlay for **FS10-283, U-Haul Storage and Rental Facility**, and adopt staff's findings and conditions 'a' through 'f,' as amended. Commissioner Smith seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Hallin).

- **Item 7: FS11-095 – Consideration and action – Palm Vista School**

Planner Bart Wingard presented the project to the commission. Staff recommended approval of **FS11-095, a conditional use permit for Palm Vista School**.

Dave Franklin, architect representing the applicant, stated that the school needs the expansion right away. These buildings will match the main worship center with pop outs and stucco finish. All of the doors to the new buildings open into the courtyard so the ramps leading to the rooms will not be seen from the street.

In response to Commissioner Chapman, **Sandra Key**, Chair of the Finance Committee for Palm Vista Church, stated that the preschool hours are from 6 a.m. to 6 p.m. with 150 students. The kindergarten through 6th grade hours are from 8 a.m. to 3 p.m. with 60 students. There is no busing of students; all children are checked in by parents/guardians.

There was discussion regarding:

- Length of time the buildings would be in place
- Car stacking
- Phase 3 – which includes a new worship facility and classroom space is estimated to occur in 10 – 15 years
- Concern regarding the flat roof and options to correct; including parapets and concrete tile

In response to Commissioner Bieniek, Director Mihelich stated that the applicant is proposing to use the modular buildings as permanent facilities for 10-15 years. If it is the will of the commission to allow this, then must be very clear and specific as to how long the buildings can be there.

Chair Blair opened the call to the public.

Sandra Key, Chair of the Finance Committee, stated that the church is solely dependent on local donations. The church is growing and has stretched the limits of the existing facility and this is the most cost effective way to expand.

Ericca Dunn, administrator at the school, stated that education in this state is crumbling. This school is very important to the children and the community. What's most important is what happens inside the buildings, not what it looks like on the outside. Students are being turned away because there is no room. The school does not receive funds from the state, because it is a private school, and it is the only private school education offered within the city.

Jessie Cook, President of the Board of Directors, stated that they are asking for leniency. Please be fair and provide the church with the opportunity to offer the education that the children need.

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

Chair Blair suggested continuing the project to the next meeting to allow the applicant and staff to meet and discuss concerns.

The Commission also discussed the following:

- Not require pit setting with ground to roof stucco
- Removal of storage buildings/Mobile Minis
- Additional upgrades to exterior of classroom, including alternative roof treatments

Vice Chair Somers made a motion to continue **FS11-095, a conditional use permit for Palm Vista School** to the September 1, 2011 Planning and Zoning Commission Meeting. Commissioner Hoyler seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Hallin).

- **Item 8: LPD09-009 – Consideration and action – Village 3**

Commissioner Bieniek made a motion to continue **LPD09-009, Village 3**, to the September 1, 2011 Planning and Zoning Commission Meeting. Vice Chair Somers seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Hallin).

OTHER BUSINESS

ADJOURNMENT

Hearing no further business, Chair Blair adjourned the regular Planning and Zoning Commission meeting at 7:29 p.m.

STAFF PRESENT:

Community and Economic Development Director Jeff Mihelich, Assistant City Attorney Misty Leslie, Assistant Community and Economic Development Director Chris Boyd, Planner Hobart Wingard, Planner Adam Copeland, and Planning and Zoning Commission Secretary Deb Perry.

COUNCIL MEMBERS PRESENT:

Jeffrey J. Mihelich, Director
Community and Economic Development

Jan Blair, Chair
Planning and Zoning Commission