

**CITY OF SURPRISE**

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

**March 7, 2013**

**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 Thursday, March 7, 2013.

**ROLL CALL**

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

**PLEDGE OF ALLEGIANCE**

**CURRENT EVENTS REPORT**

**STAFF REPORT**

Assistant City Manager Jeff Mihelich stated that an Open House for the General Plan is scheduled on March 13<sup>th</sup> at the library.

Penske Toyota, located at the Prasada Auto Mall, had a ribbon cutting recently. There are now 14 different brands available for sale at the auto mall.

**CALL TO THE PUBLIC**

Vice Chair Somers called to the public to discuss any issues not noted on the agenda. Hearing no comments, 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 February 7, 2013.**

Commissioner Hallin made a motion to approve the **Planning and Zoning Commission Minutes for February 7, 2013**. Commissioner Somers seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Blair).

- **Item 2: FS12-392 – Consideration and action – Grand Community Baptist Church**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **FS12-392, a site plan for Grand Community Baptist Church**.

Commissioner Bieniek made a motion to approve **FS12-392, a site plan for Grand Community Baptist Church** and adopt staff's findings; subject to condition 'a'. Commissioner Smith seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Blair).

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

- **Item 3: FS12-396 – Consideration and action – Marley Park Meineke**

ACM Mihelich stated that the developer wished to continue the item to the next meeting.

Commissioner Smith made a motion to continue **FS12-396, a conditional use permit for Marley Park Square Meineke** to the April 4<sup>th</sup> Planning and Zoning Commission Meeting. Commissioner Hoyler seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Blair).

- **Item 4: FS12-380 – Consideration and action – Marley Park Phase 3**

Planner Vamshee Kovuru presented the project to the Commission. Staff recommended approval of **FS12-380, a preliminary plat for Marley Park Phase 3**.

Vice Chair Somers opened the Call to the Public.

**Cathy Knicks, resident**, stated that she is a resident of Veramonte subdivision and has concerns about Marley Park building houses directly behind the existing homes. She suggested a green belt, park or open space.

**Quinn Kellis, Assistant Superintendant of Dysart Unified School District**, stated that he had concerns regarding the size of the roads in the Marley Park subdivision. Buses would be forced to navigate the smaller streets or to have bus stops along Cactus Road and Bullard Avenue. The second concern is the lack of a school site included in this plan. Current schools are at capacity and more families moving in would require children to be bused to other schools in the district.

**Beth Jameson, resident**, stated that she lives in Veramonte and her home backs up to Marley Park. She stated that when she bought her home there was a lot premium because a wash was supposed to run behind her home. She also stated there is no connectivity of the greenbelt that currently dead ends at Marley Park.

**Keith Judish, resident**, stated that he lives in Veramonte and was told at the time of purchase that a wash would be behind their homes. He also stated he was concerned about being boxed into his community without any connecting roads.

**Ted Wotasite, resident**, stated that he lives in Veramonte and he believes there is a need to separate the two neighborhoods. Homeowners in Veramonte paid a lot premium believing that there would be a buffer between the two neighborhoods.

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

The Commission had discussions regarding:

- Previous plan approvals of open space
- Connectivity
- Access points
- Traffic concerns regarding school busses
- Roads within the community
- Impact on schools/school site
- Separation from neighboring communities

**Kurt Jones, Tiffany and Bosco**, representing the applicant, presented the project to commission to help address some of the commissioner and resident concerns.

**David Nielson, DMB**, stated that Marley Park dedicated 15 acres of land to the school district but cannot afford to dedicate more; however, they would entertain a sale of the property.

After some discussion, the Commission agreed to add the following two conditions to the project:

- j. Provide a direct access point from Veramonte subdivision into Parcel 18 of the preliminary plat through Windrose Drive.
- k. The Dysart School District and the developer shall prepare a mutually agreeable transportation plan prior to the submittal of the final plat for Phase 3.

Commissioner Hallin made a motion to recommend approval to the Mayor and City Council **FS12-380, a preliminary plat for Marley Park Phase 3** and adopt staff's findings; subject to conditions 'a' through 'k', as amended. Commissioner Hoyler seconded the motion. The motion passed with a vote of 5 ayes, 1 nay (Bieniek) and 1 absent (Blair).

- **Item 5: FS13-053 – Consideration and action – Text Amendment Regarding Recycling Facilities**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **FS13-053, a text amendment for recycling facilities**.

Vice Chair Somers opened the Call to the Public. Hearing no comments, Vice Chair Somers closed the call to the public.

Commissioner Hoyler made a motion to recommend approval to the Mayor and City Council **FS13-053, a text amendment for recycling facilities.** Commissioner Chapman seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Blair).

- **Item 6: FS10-275 – Consideration and action – CDBG Public Service Funding Recommendations**

Neighborhood Services Supervisor Christina Ramirez presented the recommendations to the Commission. Staff recommends approval as follows:

St Mary's Food Bank	\$17,500
Surprise Youth employment Program	\$38,000
AZ Charter Academy	\$12,000

Vice Chair Somers opened the Call to the Public.

**Martha Bails, resident,** stated that staff has spent a lot of time to examine and would like commission to ask questions of applicants first before opening the call to the public. Their responses may raise questions.

Applicants from AZ Charter Academy, Surprise Youth Employment Program, and Benevilla answered the Commission's questions.

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

After discussion the Commission made the following recommendations:

St. Mary's Food Bank	\$17,500
Benevilla	\$14,000
Arizona Charter Academy	\$12,000
Surprise Youth Employment Program	\$24,000

Commissioner Hoyler made a motion to approve the **CDBG Public Service Funding Recommendations, as amended.** Commissioner Smith seconded the motion. The motion passed with a vote of 5 ayes, 1 nay (Hallin) and 1 absent (Blair).

- **Item 7: FS10-275 – Consideration and action – CDBG Annual Action Plan Funding Recommendations**

Neighborhood Services Supervisor Christina Ramirez presented the recommendations to the Commission. Staff recommends approval as follows:

Administration	\$90,000
Emergency Repair Program	\$217,500
Public Improvements (Park Renovations)	\$75,000
Public Service Set-Aside (15%)	\$67,500

Vice Chair Somers opened the Call to the Public. Hearing no comments, Vice Chair Somers closed the call to the public.

Commissioner Hoyler made a motion to recommend approval to the Mayor and City Council the **CDBG Annual Action Plan Funding Recommendations**. Commissioner Bieniek seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Blair).

## **OTHER BUSINESS**

- **Item 8: Discussion only – General Plan 2035 Update**

Planner Nikki Arbeiter presented the project update to the Commission.

ACM Mihelich recognized the General Plan Advisory Committee and the work that has gone into the General Plan. The committee has met 17 times over the past nine months.

## **ADJOURNMENT**

Hearing no further business, Vice Chair Somers adjourned the Planning and Zoning Commission meeting at 9:02 p.m.

## **STAFF PRESENT:**

Assistant City Manager Jeff Mihelich, Assistant City Attorney Jim Gruber, Planner Nikki Arbeiter, Planner Hobart Wingard, Planner Vamshee Kovuru, Neighborhood Services Supervisor Christina Ramirez, Community Program Coordinator Alicia Rubio, and Planning and Zoning Commission Secretary Deb Perry.

**COUNCIL MEMBERS PRESENT:** Council Members Hall and Villanueva

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Jeffrey J. Mihelich  
Assistant City Manager

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Steve Somers, Vice Chair  
Planning and Zoning Commission