



City of Surprise  
Planning and Zoning Commission  
AGENDA

Tuesday, January 6, 2009 - 6 P.M.

Surprise City Hall

12425 West Bell Road, Suite D100, Surprise, AZ

**CALL TO ORDER**

- A. Roll Call
- B. Pledge of Allegiance
- C. Approval of items on the **Consent** Agenda – all items with an asterisk (\*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the Planning and Zoning Commission. There will be no separate discussion on these items unless a Commissioner requests; in which event, the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

ITEM NO.	ITEM DESCRIPTION	STAFF RECOMMENDATION
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**CURRENT EVENTS REPORT**

1	COMMUNITY DEVELOPMENT DEPARTMENT REPORT	JEFF MIHELICH
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**CONSENT AGENDA:**

2*	APPROVE PLANNING/ZONING COMMISSION MINUTES FOR DECEMBER 2, 2008.	APPROVAL SECRETARY: DEBBIE PERRY
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**REGULAR AGENDA ITEM NOT REQUIRING A PUBLIC HEARING:**

3	<b>SP07-434 – CONSIDERATION AND ACTION – CACTUS WARD LDS CHURCH (PRASADA PAD):</b> REVIEW A SITE PLAN FOR A 16,558-SQUARE-FOOT CHURCH SITUATED ON A 6.5-ACRE SITE LOCATED ON THE NORTHEAST CORNER OF CACTUS ROAD AND WEST 159 <sup>TH</sup> AVENUE. REQUEST IS SUBJECT TO STIPULATIONS A THROUGH H.	APPROVAL PLANNER: DENNIS DORCH
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**REGULAR AGENDA ITEM REQUIRING A PUBLIC HEARING:**

4	<b>CUP08-260 CONSIDERATION AND ACTION – CARDEN ELEMENTARY SCHOOL:</b> REVIEW A CONDITIONAL USE PERMIT APPROVAL FOR A TIME EXTENSION ON THE PORTABLE CLASSROOMS AND TO REDUCE THE SCHOOL CAMPUS AREA. REQUEST IS SUBJECT TO STIPULATIONS A THROUGH D.	APPROVAL PLANNER: LANCE FERRELL
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5	<b>TA08-338 CONSIDERATION AND ACTION – TEXT AMENDMENT TO CHAPTER 125-224 SINGLE FAMILY HOME PRODUCT DESIGN GUIDELINES:</b> REVIEW A CITY-INITIATED TEXT AMENDMENT TO CHAPTER 125-224 OF THE SURPRISE MUNICIPAL CODE, TO REQUIRE A “ZERO-STEP” ENTRANCE FOR MODEL HOMES AS PART OF THE SURPRISE VISITABILITY PROGRAM.	RECOMMEND APPROVAL JEFF MIHELICH
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Surprise Planning & Zoning Commission

Jan Blair, Chair - Steve Somers, Vice Chair

Matthew Bieniek, Ken Chapman, John Hallin, Robert Rein, Fred Watts

**OPEN CALL TO PUBLIC:**

**CALL TO THE PUBLIC**

Note: During this time, members of the public may address the Commission on any item not on the agenda. At the conclusion of the open call, Commissioners may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

**CURRENT EVENTS REPORT**

CHAIRPERSON AND COMMISSIONERS

**CONSIDERATION AND ACTION TO HOLD AN EXECUTIVE SESSION:**

Pursuant to A.R.S. § 38-431.03(A)(3), the Planning and Zoning Commission may go into executive session with the City Attorney for legal advice on any item listed on the agenda.

**ADJOURNMENT:**

**POSTED:** December 29, 2008      **TIME:** 9 a.m.

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Jeffrey J. Mihelich, Director  
Community Development

**REQUEST TO SPEAK:** Comments pertaining to the Planning and Zoning Commission business are welcome. If you wish to address the Planning and Zoning Commission, please complete a Public Comment Form and present it to the secretary before the call to order for this meeting.

**SPECIAL NOTE:** Individuals needing reasonable accommodations, such as large print materials and oral/ ASL interpreters, should contact the Disability Advocate at 623.222.2266 (Voice); 623.222.3802 (VP) or 623.222.2003 (TTY) at least three (3) business days prior to the event so arrangements can be made.

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**Surprise Planning & Zoning Commission**

Jan Blair, Chair - Steve Somers, Vice Chair  
Matthew Bieniek, Ken Chapman, John Hallin, Robert Rein, Fred Watts

## CITY OF SURPRISE

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

December 2, 2008

### 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, 12425 West Bell Road, Suite D100, Surprise, Arizona 85374, on Tuesday, December 2, 2008.

#### ROLL CALL

In attendance with Chair Blair were Vice Chair Somers, and Commissioners Matthew Bieniek, Ken Chapman, John Hallin, Robert Rein and Fred Watts.

#### PLEDGE OF ALLEGIANCE

#### COMMUNITY DEVELOPMENT DEPARTMENT REPORT

Director Jeff Mihelich reported that Community Development conducted an open house on December 1, at the Rio Salado College regarding village boundaries and referred to a handout summarizing comments from that meeting. He noted that the next public outreach meeting will be held on Tuesday, December 9, which will cover the Loop 303 Beautification Project. Director Mihelich mentioned that Thursday's City Council Work Session will have two items on the agenda for Community Development – updates to the sign code and a proposal of the city's streamlined development process.

#### 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.

Commissioner Chapman made a motion to approve the **Consent Agenda**. The motion passed with a vote of 6 ayes and 1 abstained (Blair).

- **Item 2\*: Planning and Zoning Commission Minutes for November 16, 2008.**

#### REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING

- **Item 3: RZ08-109 – Consideration and Action – Rezone for Grand Avenue and Happy Valley Road**

Planner Bart Wingard presented the project to the Commission. Staff recommended approval of **RZ08-109, Rezone for Grand Avenue and Happy Valley Road.**

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

Commissioner Watts made a motion to approve **RZ08-109, Rezone for Grand Avenue and Happy Valley Road**, and adopt staff's findings. Commissioner Bieniek seconded the motion. The motion passed with a vote of 7 ayes.

- **Item 4: CUP08-108 – Consideration and Action – QuikTrip #410**

Planner Adam Copeland presented the project to the commission. Staff recommended approval of **CUP08-108, QuikTrip #410**, subject to stipulations 'a' through 'd.'

In response to Commissioner Rein, Planner Copeland explained that the existing parcel is too small for this site; however, there will be a plat amendment to increase the lot size to accommodate the site plan. He also noted that staff is working with Trader Joe's to complete a roadway. The parcel that surrounds the site is currently vacant and will have a cross access agreement at the time of final plat amendment.

In response to Commission Chapman, Planner Copeland showed an exhibit indicating the entrance to the site and the deceleration lanes.

Responding to Vice Chair Somers, Planner Copeland pointed out the various retention areas on the site.

Chair Blair opened the meeting for public comment.

**Kay Brunson, Surprise resident**, voiced her concerns as follows:

- Several convenience stores within a one-mile radius.
- Potential increased accident rates.

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

Commissioner Rein made a motion to approve **CUP08-108, QuikTrip #410**, and adopt staff's findings, subject to stipulation 'a' through 'd.' Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

Director Mihelich mentioned that the streamlined process currently under consideration at the city would allow projects to be considered by the Commission as a 'bundle' (conditional use permit, zoning, site plan, and subdivision plat). This should move the project through the process more quickly.

- **Item 5: CUP08-191 – Consideration and Action – Tutor Time (Marley Park Promenade)**

Senior Planner Dennis Dorch presented the project to the commission. Staff recommended approval of **CUP08-191, Tutor Time (Marley Park Promenade)**, subject to stipulations 'a' and 'b.'

Responding to Commissioner Chapman's concern about traffic and safety, Senior Planner Dorch explained that most of the children will be dropped off at staggered times throughout the day.

In response to Chair Blair, Senior Planner Dorch noted that the closest daycare facility is approximately two miles from this location. The Fire Department has reviewed this plan for proper access.

**Shadi Zaki, applicant**, provided additional information, specifically noting that the franchisee determined the location for the facility.

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

Commissioner Hallin made a motion to approve **CUP08-191, Tutor Time (Marley Park Promenade)**, and adopt staff's findings, subject to stipulations 'a' and 'b.' Vice Chair Somers seconded the motion. The motion passed with a vote of 7 ayes.

#### **OPEN CALL TO 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.

#### **CURRENT EVENTS REPORT:**

Chair Blair announced that she will be in 'jail' for Jerry's kids on December 9, and asked for everyone's support to bail her out.

Commissioner Hallin stated that he did attend the open house and commended staff for an excellent job.

#### **CONSIDERATION AND ACTION TO HOLD AN EXECUTIVE SESSION**

**Pursuant to A.R.S. § 38-431.03(A)(3), the Planning and Zoning Commission may go into executive session with the City Attorney for legal advice on any item listed on the agenda.**

No request was made to call for an executive session.

## ADJOURNMENT

Hearing no further business, Chair Blair adjourned the regular Planning and Zoning Commission meeting at 6:29 p.m.

## STAFF PRESENT:

Community Development Director Jeff Mihelich, City Attorney Misty Leslie, Planning Manager Berrin Nejad, Senior Planner Dennis Dorch, Planner Bart Wingard, Planner Adam Copeland, Building Safety Assistant Mary Casagrande, and Planning and Zoning Commission Secretary Carol Dager.

**COUNCIL MEMBERS PRESENT:** None

  
\_\_\_\_\_  
Jeffrey J. Mihelich, Director  
Community Development Department

\_\_\_\_\_  
Jan Blair, Chair  
Planning and Zoning Commission

**CITY OF SURPRISE  
COMMUNITY DEVELOPMENT DEPARTMENT**

**SP07-434**

**Site Plan**

for:

**Cactus Ward LDS Church**

Planning and Zoning Commission

Hearing Date: **January 6, 2009**

**STAFF:**

Dennis Dorch, A.I.C.P., Senior Planner  
623.222.3134

**LOCATION:**

Generally on the northeast corner of Cactus Road  
and West 159<sup>th</sup> Avenue.

**DESCRIPTION OF  
THE REQUEST:**

Approval of a site plan.

**SUMMARY ANALYSIS:**

The applicant is requesting site plan approval for a  
16,558-square-foot church, situated on a 6.5- acre  
site.

**SUGGESTED MOTION:**

**I move to approve SP07-434, a site plan for a  
16,558-square-foot church building, and to  
adopt staff's findings and stipulations 'a'  
through 'h'.**

City of Surprise  
Planning and Zoning Division

## EXECUTIVE SUMMARY

## Cactus Ward LDS Church

<b>APPLICANT:</b>	Scott Lutes EMC2 Group 1635 N. Greenfield Rd. Suite 144 Mesa, AZ 85205 P: 480-830-3838 F: 480-830-3860 <a href="mailto:Slutes@EMC2architects.com">Slutes@EMC2architects.com</a>
<b>OWNER:</b>	Max Ivie LDS Church 811 Sweeney Ave. Las Vegas, NV 89104 P: 702-366-1801 F: 702-366-1804
<b>HEARING DATE:</b>	January 6, 2009
<b>STAFF:</b>	Dennis Dorch, A.I.C.P. Senior Planner
<b>LOCATION:</b>	Generally on the northeast corner of Cactus Road and West 159 <sup>th</sup> Avenue.
<b>DESCRIPTION of the REQUEST:</b>	The applicant is requesting site plan approval for a 16,558-square-foot church, situated on a 6.5-acre site.
<b>STAFF RECOMMENDATION:</b>	Approval
<b>SUMMARY ANALYSIS:</b>	The proposed church use is consistent with the Prasada PAD and General Plan 2030.

**HISTORY**

1. On June 22, 2006, the City Council approved the Prasada Planned Area Development (PAD05-465).
2. On November 3, 2006, the property owners recorded a deed that split the subject 6.5-acre parcel from the larger Prasada property.
3. The applicants originally submitted the subject site plan application on December 19, 2007. The project was delayed, pending resolution of the availability of sewer service and other service issues.

**STAFF ANALYSIS****Proposal:**

The applicant is requesting approval of a site plan to construct a 16,558-square-foot church on a 6.5-acre site on the northeast corner of Cactus Road and 159<sup>th</sup> Avenue. The site is approximately ½ mile west of Reems Road within the Prasada project.

The church will be used primarily on Sunday from 9:00 a.m. to 4:00 p.m. There will also be mid-week youth activities in the evening. There is no day care proposed, nor will there be food service.

**Circulation and Parking:**

Access to the site will be from both Cactus Road and West 159<sup>th</sup> Avenue. The Transportation Department /Traffic Division is requiring that full "half" street improvements be constructed on both Cactus Road and 159<sup>th</sup> Avenue. In addition, the applicants will be required to install landscaping with irrigation in the existing median in Cactus Road.

The interior traffic circulation pattern has been reviewed and approved by the Traffic Division.

As per the Municipal Code, the formula for the number of required parking spaces for a church is one space per four (4) seats in the main assembly area. The number of fixed seats in the main assembly area is 314. This yields a parking requirement of 79 spaces. The applicant is providing 227 spaces, far exceeding the code requirement. There are eight (8) ADA parking spaces.

**Development Issues**

One of the key issues of this project was a lack of sewer service. The closest existing sewer line is at Reems and Cactus Roads, over a ¼ mile away from the project site. The Water Services Department is reluctant to approve septic systems for commercial or congregate uses. However, the Water Services Department did agree to the use of a septic system with the following conditions:

1. The church agrees to connect, at their cost, their sewer system to any future sewer line installed in Cactus Road at such a time that sewer service is available in Cactus Road.

## ITEM 3

2. Child day care and on-site food service will not be allowed at this site until the on-site sewer system is connected to an underground conduit in Cactus Road.

### **Architecture**

The architecture of the LDS church follows a design theme that is indicative of early colonial church architecture. The building's massing follows a ranch layout, taking into consideration several points of entry. Common period building materials such as, brick is combined with a stucco-like building material, commonly found in the Arizona vernacular. Notable design elements consist of palladian styled windows, heavily detailed pediments and cornices. Material distinction is achieved through the use of brick quoins, pilasters and columns, which are primarily used to highlight the building's windows, entries and corners. Palladian windows provide a natural light source for the interior and, when used in conjunction with gabled roof elements, provides visual relief along the elevations. A concrete tiled hip and gabled roof is capped with a metal steeple and spire.

### **Urban Design**

Although there is no adjacent development surrounding this site, the site plan lends itself to providing a good starting point for future development. Within close proximity to the site's southern main point of entry is the Greer Ranch residential subdivision. The site provides proper building orientation and creates an area of interest by integrating the building architecture and landscaping along Cactus Road. Landscaping is sufficient and is consistent with the quality of the site to the south. Service areas and parking are properly screened through the use of landscaping and screening walls.

**Landscape:** The landscape design has been reviewed and approved by the city's landscape architect. There are three stipulations that have been added regarding thornless trees, additional trees along Cactus Road, and uniformity of sidewalks.

### **Departmental Review:**

All departments have recommended approval of the project subject to all stipulations.

**Traffic Division:** Traffic Division is requiring full "half street" construction on both Cactus Road and West 159<sup>th</sup> Avenue.

**Fire Department:** The Fire Department initially submitted comments on hydrant and Fire Department connection locations, as well as fire flow requirements. These comments have been addressed.

**Planning Division:** The Planning Division had minor comments on the architecture and landscape plans. These issues were addressed, or have corrections added as stipulations (a & b).

**Building Safety Division:** The Building Safety Division provided standard comments.

**Water Services Department:** The Water Services Department provided standard comments and has requested added stipulations.

## ITEM 3

Engineering Department: The Engineering Department requested the addition of a stipulation to the project that addresses some minor deficiencies in the site plan (stipulation h).

### FINDINGS

Staff finds that the proposed site plan complies with Section 125-33 Procedures for Site Plan Approval of the Surprise Municipal Code.

### STIPULATIONS

**REQUIRED ACTIONS:** The applicant and/or owner shall comply with the following stipulations of Case SP07-434, Cactus Ward LDS Church.

- a. All trees near parking and pedestrian areas are to be replaced with a thornless species.
- b. Trees are to be located in the area between the sidewalk and curb along Cactus Road. Deep root barriers are to be installed. All sidewalks are to be consistent with the standards utilized by the City of Surprise.
- c. The following language shall be added to the site plan:

*"At a time when City of Surprise sewer infrastructure is available at the property(s) in question, APN# 596-9901-77, owners and future owners shall be required to connect in accordance with Section 13.08.348 (sewer) of the Surprise Municipal Code, and pay all applicable fees. Any owners of the property(s) shall notify prospective buyers of this stipulation in the sales contract and public."*

- d. Applicant shall display and call out separation protection at all water & sewer line crossings.
- e. Non-Residential monitoring manhole(s) are required on all project laterals, before entering the street sewer. The manhole(s) must be accessible to COSWSD 24 hrs/day/365, through ROW's or exclusive easement deeded to the City. This manhole is depicted on the site plan but all off-pavement sewer right-of-ways/easements (both public and private) with manholes must have all-weather access roads and be above storm water levels. Bolted gasketed covers will be required in problem areas. Fiberglass manhole markers per COSWSD standard details as required. It is preferred that this monitoring manhole be relocated to the driveway at the south of the property.

Item # 15 on the site plan is not described on the site plan under "General Notes". Provide this information on an amended site plan.

- f. Site Plan Approval documents shall include all of the following:
  1. Site Plan SD1.1 dated and sealed 10-31-2008.

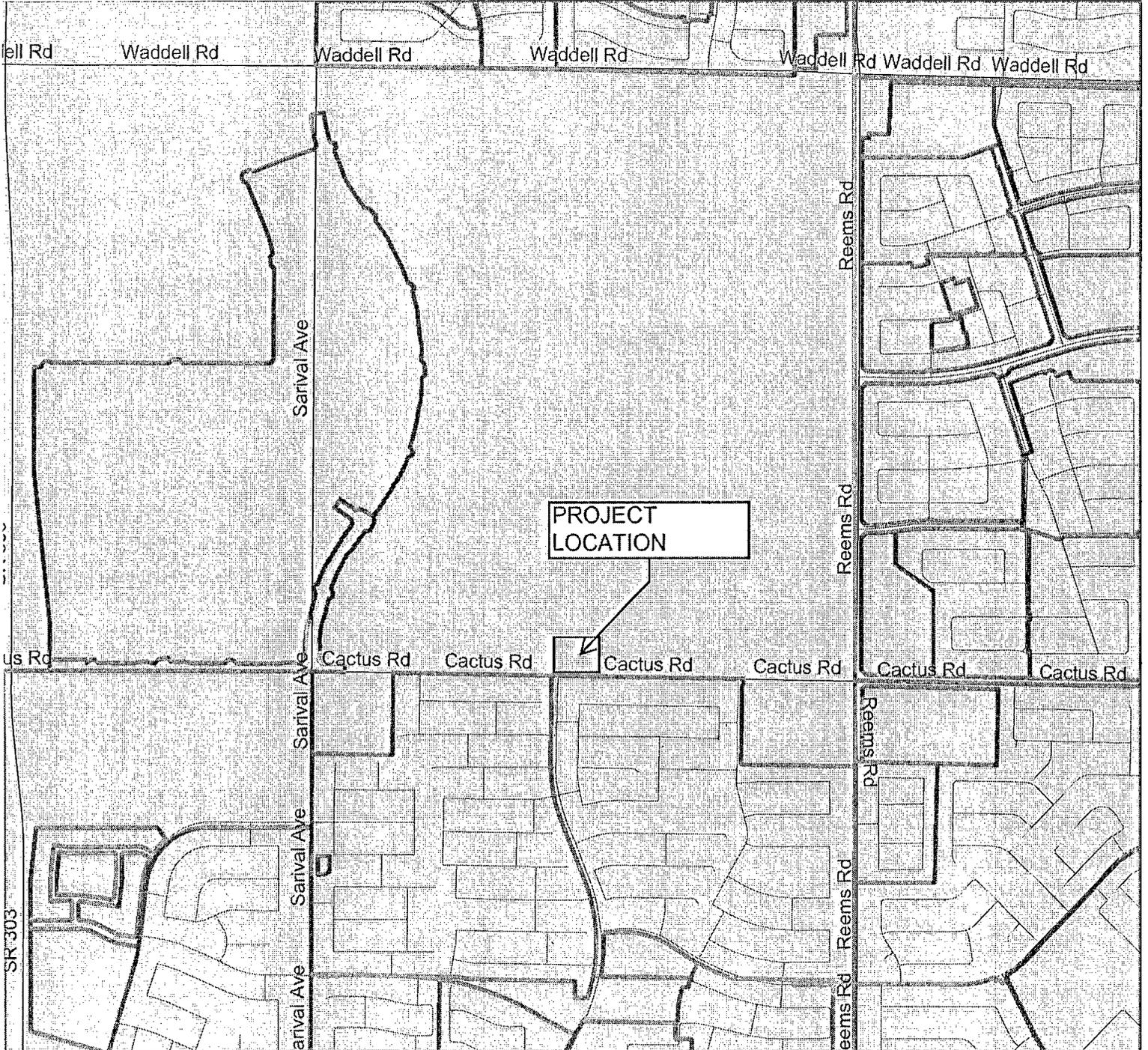
### ITEM 3

2. Offsite Signing and Striping Exhibit dated and sealed 10-30-2008.
  3. Preliminary Utility Plan dated and sealed 10-30-2008.
  4. Preliminary Grading and Drainage Plan dated and sealed 10-30-2008.
- 
- g. The church shall connect, at their cost, their sewer system to any future sewer line installed in Cactus Road at such a time that sewer service is available in Cactus Road,
  - h. Child day care and on-site food service will not be allowed at this site until the "on-site sewer system" is connected to an underground conduit in Cactus Road.

# County Parcels

RECEIVED

NOV 26 2008  
COMMUNITY  
DEVELOPMENT



VICINITY MAP

RECEIVED *Emc2*  
Architects ■ Planners, PC

*Learning Places & Growing Spaces*

Emc2 GROUP ARCHITECTS PLANNERS, PC  
1635 North Greenfield Road  
Suite 144  
Mesa, AZ 85205

P 480 830 3838  
F 480 830 3860  
T 800 372 6849

[www.emc2architects.com](http://www.emc2architects.com)

NOV 26 2008  
COMMUNITY  
DEVELOPMENT

November 18, 2007

Planning and Zoning Division  
City of Surprise  
12425 W. Bell Rd. Suite D-100  
Surprise, AZ 85374

RE: Cactus Ward  
New construction for LDS Church  
NEC of cactus Rd & Greer Ranch Parkway.  
Surrounded by the Prasada Development

### Project Narrative

The Church of JESUS CHRIST of Latter-Day Saints respectfully requests application to construct a new meetinghouse to accommodate the needs of the local membership due to rapid growth in the area.

The project is located on the northeast corner of Cactus Rd. & Greer Ranch Pkwy. adjacent to the Prasada development.

The Church utilizes a standard building program, curriculum and meeting schedule for all of North America. This building will be the "Heritage" plan with a "Traditional" style elevation. This is a one story building that has 16,558 S.F. of usable space. The IBC construction type is V-B, and the building will be fully sprinkled. It is slab on grade, wood frame, wood trusses, bick exterior and concrete tile roof. There is no roof mounted mechanical equipment, and A/C condensing units around the building are screened from view by 4'-0" high masonry walls and metal gates that match the building.

This project will not have a day care facility or be used for food service. It will be used primarily on Sundays, with youth activities mid-week in the evening. 3 congregations or "wards" will use this building. Church meetings are held in 3 hour blocks, with each ward's schedule overlapping by 1 hour. Additional parking spaces are required to accommodate parking for 2-3 wards at a time during the overlap period. The first block of meetings usually starts at about 9:00 a.m. and the final block ending at about 4:00 p.m.

One of the reasons that the Church utilizes the block meeting schedule is to minimize energy costs. By maximizing the use of the building, the building is used for a shorter overall time frame. This makes heating and cooling more

economical.

The church has been located on the site in such a way as to maximize parking close to the building, while leaving large landscape areas at the front to visually minimize the paving. All parking areas are screened with a 3'-4" high wall that tie-in to the building finishes. A 6'-0" high masonry site wall will be located along the north and east property lines.

The entire site will be developed at one time, there will be no phasing of construction. Construction time is estimated to take 11 months.

### **Explanation of Parking Needs**

The parking as currently shown on the site plan is standard for this building in the Phoenix metro area. This church plan has an average parking stall count between 180-200. There are two identical buildings in the immediate area that have similar parking stall counts. One is located on 14878 n. Verde Vista Dr., and the other is at Dysart and. There is also a larger version of this plan (24,000 s.f.) on Greenway and Sarival that has 275 stalls. Many of these buildings have been built with similar stall counts. By providing additional parking stalls, parking on the street is kept to a minimum.

Additionally, we have found that the parking configuration that is most efficiently used with this building plan, is not conducive to angled parking and one way drive aisles. The parking stalls that front the building on the north south and west are most efficient in the 90 degree configuration. The north drive aisle is a dead end, and cannot be one way. By using angled parking the overall aisle width may be reduced, however this would only reduce the overall parking lot dimensions by 4'-0" on the south and the west. Again, other LDS buildings in the metro area utilize 90 degree parking layouts.

If you have any questions, please feel free to contact me.

Sincerely,

---

Scott Lutes, Project Manager  
Emc2 Group

**COLOR SCHEDULE**

ITEM	MFR	COLOR
BRICK VENEER (BODY)	INTERSTATE	TUMBLE BEEB
BRICK VENEER (ACCENT)	INTERSTATE	IRONSTONE
EPS	ACROFLEX	MAUI
FLAT CONCRETE TILE	EAGLE	CASCADE BLEND
PREFINISHED METAL	ATAS	BONE WHITE

RECEIVED

NOV 26 2008  
COMMUNITY  
DEVELOPMENT

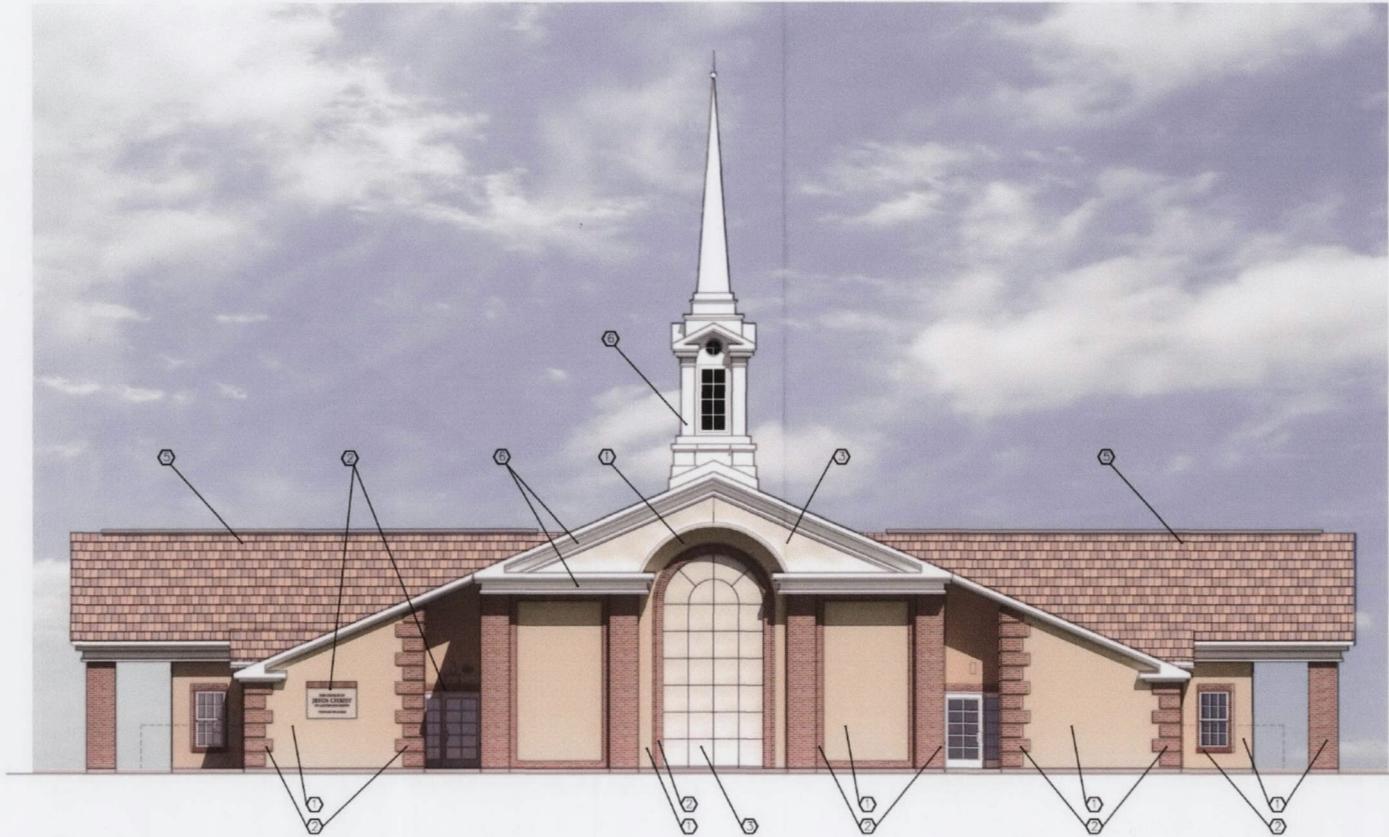
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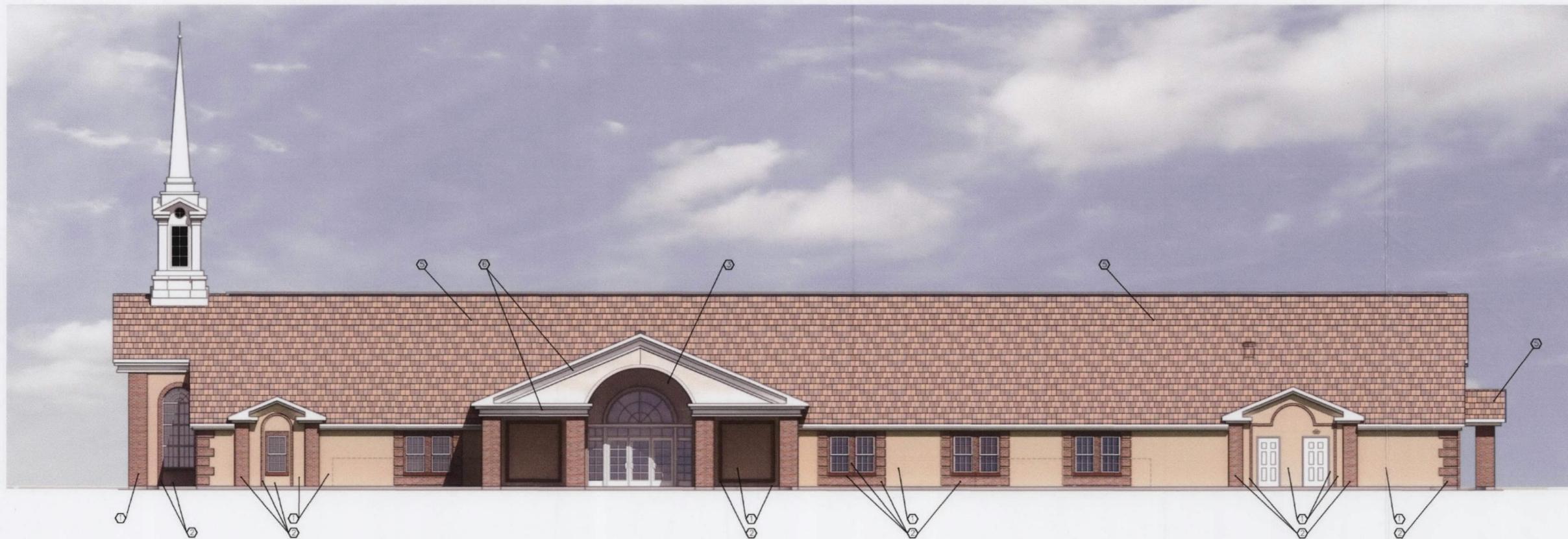
Project for:  
**THE CHURCH OF  
JESUS CHRIST  
OF LATTER-DAY SAINTS**

**CACTUS WARD  
SURPRISE AZ STAKE**

WEST OF REEMS NORTH SIDE OF CACTUS  
SURPRISE, ARIZONA



**SOUTH ELEVATION**  
1/8" = 1'-0"



**EAST ELEVATION**  
1/8" = 1'-0"

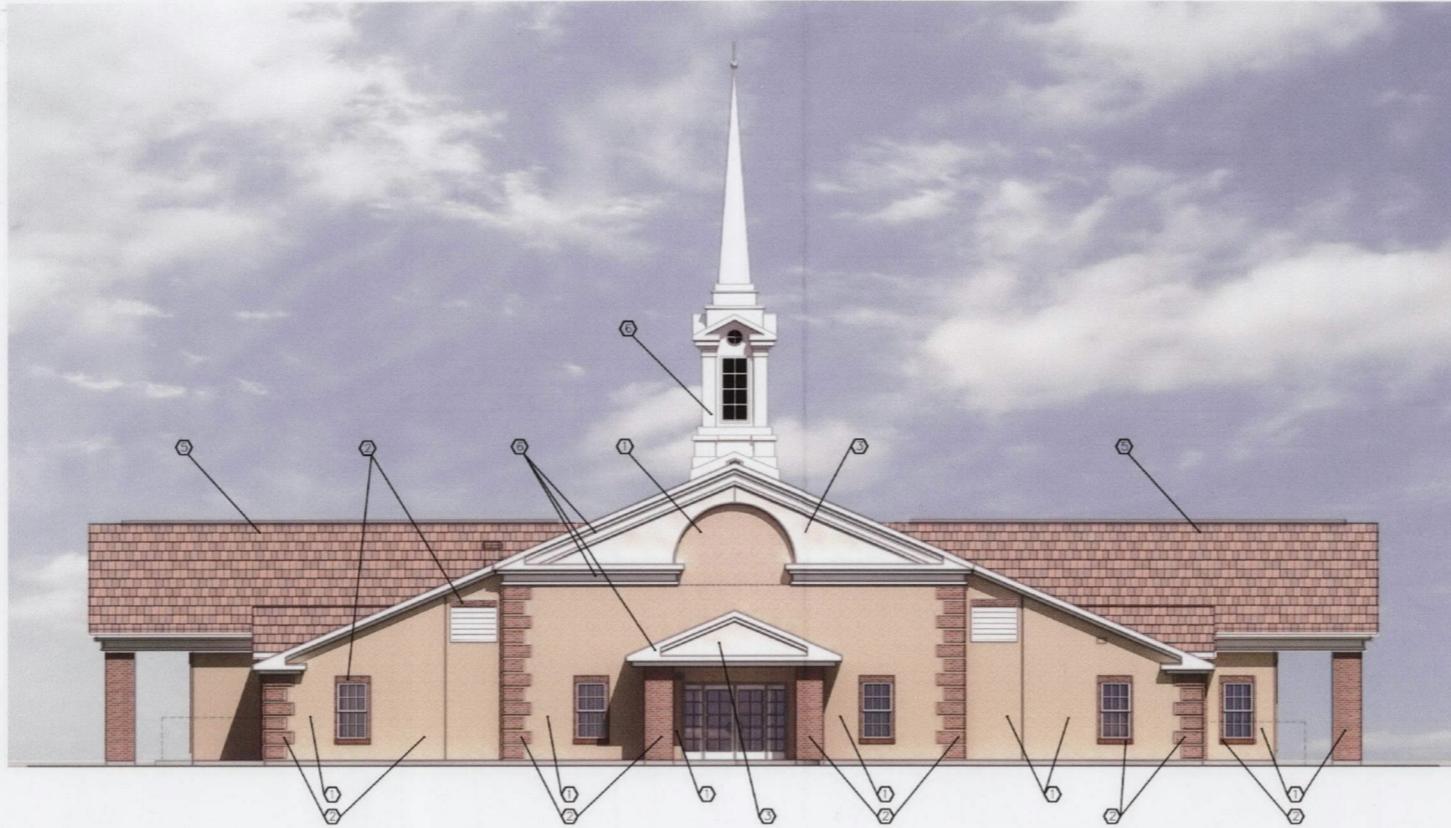
Mark	Date	Rev	Description

Project Number:  
1705116.00  
Plan Series:  
HER-TRA-98-14  
Property Number:  
596-9901-77

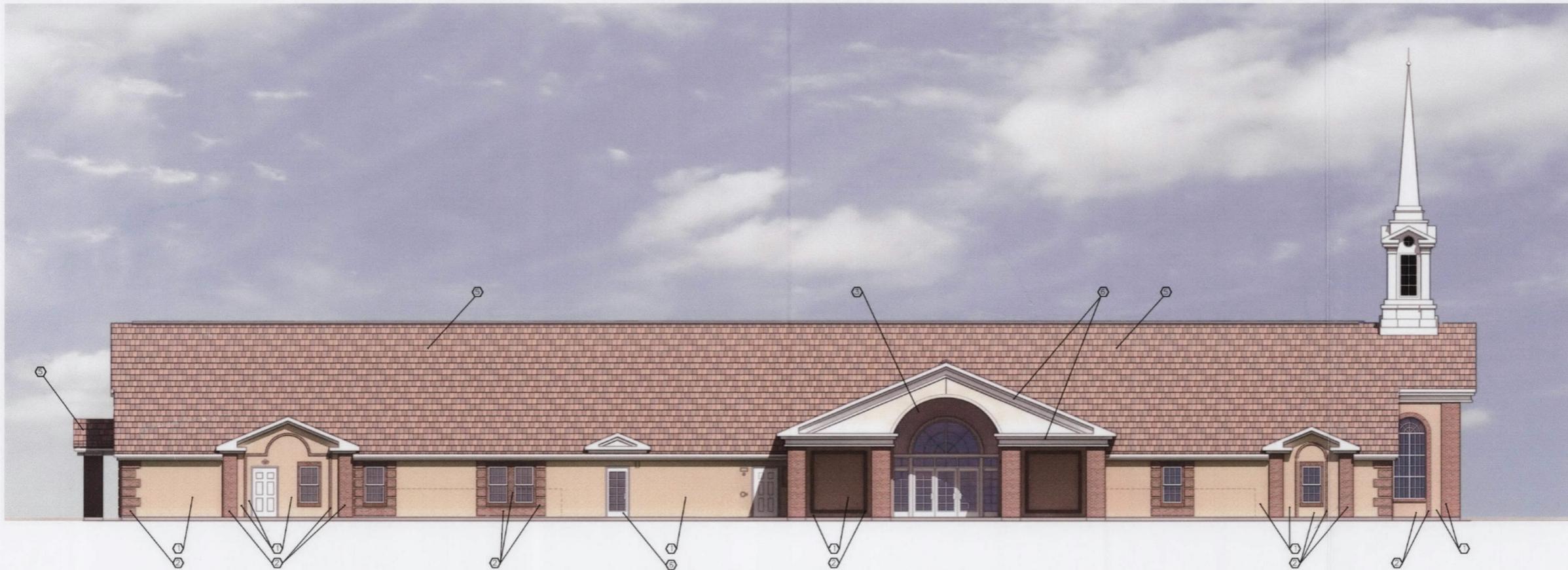
Sheet Title:  
**EXTERIOR  
ELEVATIONS**

Sheet:  
**A2.1**

10/1/2007 11:50 AM D:\PROJECTS\HERITAGE - TRADITIONAL\ELEVATION\116A2.2.DWG



**NORTH ELEVATION**  
1/8" = 1'-0"



**WEST ELEVATION**  
1/8" = 1'-0"

COLOR SCHEDULE		
ITEM	MFR	COLOR
BRICK VENEER (BODY)	1	INTERSTATE
BRICK VENEER (ACCENT)	2	INTERSTATE
EFS	3	ACROFLX
FLAT CONCRETE TILE	4	EAGLE
PREFINISHED METAL	5	ATAS
		TUMBLEWEED
		IRONSTONE
		MAUI
		CASCADE BLEND
		BONE WHITE

**RECEIVED**

NOV 26 2008  
COMMUNITY  
DEVELOPMENT

Architect / Engineer:  
1833 North Greenfield Road  
Mesa, Arizona 85205  
P 480 830 3838  
F 480 830 3880  
www.emc2architects.com

**Emc2**  
Architects ■ Planners, P.C.

Stamp:



CACTUS WARD  
SURPRISE AZ STAKE  
WEST OF REEMS NORTH SIDE OF CACTUS  
SURPRISE, ARIZONA

Project for:  
THE CHURCH OF  
JESUS CHRIST  
OF LATTER-DAY SAINTS

Mark	Date (MM/DD)	Description

Project Number:  
1705116.00  
Plan Series:  
HER-TRA-98-14  
Property Number:  
596-9901-77

Sheet Title:  
EXTERIOR  
ELEVATIONS

Sheet:

A2.2

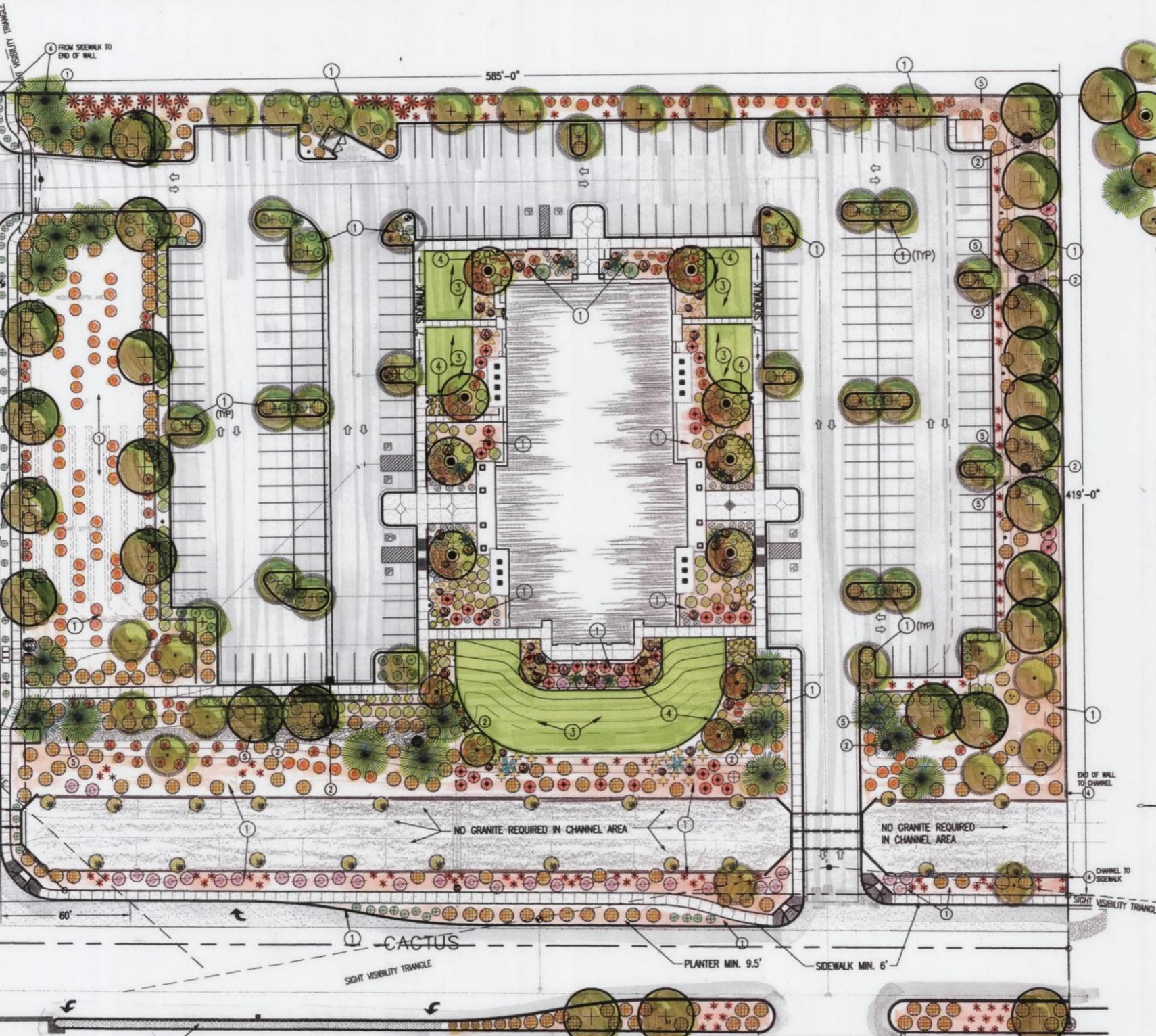
RECEIVED

NOV 26 2008

COMMUNITY DEVELOPMENT

159TH AVE

MIN. 5'

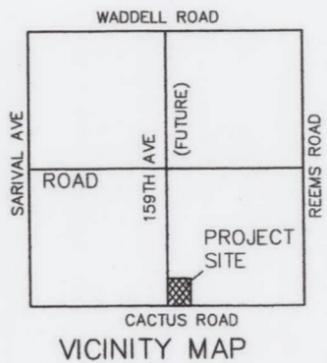
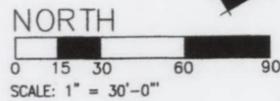


PLANT LIST

Table with columns: BOTANICAL NAME, COMMON NAME, TYPE / # EMIT. TUBES, SIZE, QUANTITY, REMARKS. Lists various plants like Cercidium praecox, Dalbergia sissoo, Pistacia chinensis, etc.

KEY:

- APPROXIMATE LOCATION OF STREET LIGHT POLES
APPROXIMATE LOCATION OF ONSITE LIGHTS
POWER POLE (PP)
DRAIN / MAN HOLE / DRYWELL
FIRE HYDRANT



MATERIAL LIST

- 1 1/2" SCREENED DECOMPOSED GRANITE MIN. 2" DEEP COLOR TO BE RUBY RED IN ALL NON-LAWN PLANTING AREAS
2 GRANITE COBBLE 2-4" MIN 6" DEEP, TOPDRESSED W/ 1" DEPTH OF SCREENED GRANITE IN COBBLE COLOR TO MATCH GRANITE COLOR. SEE DETAIL
3 LAWN (MD-IRON SOD)
4 MOW STRIP (SEE DETAIL SHEET FOR PROPER INSTALLATION)
5 SEE DETAIL SHEET L-4 (CONFIRM CONSTRUCTION W/ GENERAL BEFORE BIDDING)

- BOULDERS MUST BE APPROVED PRIOR TO DELIVERY TO SITE. QUANTITY
- BOULDER MINIMUM SIZE 3'X3'X2' 14 TOTAL
- BOULDER MINIMUM SIZE 4'X3'X3' 19 TOTAL
- BOULDER MINIMUM SIZE 4'X4'X3' 14 TOTAL
- BOULDER MINIMUM SIZE 5'X4'X3' 1 TOTAL

48" BOX ----- 59%
36" BOX ----- 41%
24" BOX ----- 0%
PERCENTAGE OF COVERAGE --- 45%
TREE / PARKING RATIO - 1/4.9
46 TREE / 227 PARKING STALLS
PERCENTAGE OF ADWR - 91%

MEDIAN ISLAND PLANT MATERIAL

Table with columns: BOTANICAL NAME, COMMON NAME, TYPE / # EMIT. TUBES, SIZE, QUANTITY, REMARKS. Lists plants like Dalbergia sissoo, Lantana camara, Hesperaloe parviflora.

SEE SHEET L2 FOR NOTES

OWNERSHIP OF DOCUMENTS
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Architect / Engineer
Emel2 Architects & Planners, P.C.

CACTUS WARD
CACTUS & 159TH AVE
SURPRISE, ARIZONA

Project for:
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

Table with columns: Project Number, Plan Series, Property Number.

Project Number: 0000
Plan Series:
Property Number:

Sheet Title: LANDSCAPE PLAN

HHA 7034

Sheet: L-1 SHEET 1 of 5

LANDSCAPE PLAN

HENRY HAWS & ASSOCIATES, INC.
(480) 964-1695 FAX (480) 827-0522
LANDSCAPE ARCHITECTS
PLANNERS
531 SOUTH MESA DRIVE, MESA, ARIZONA 85210





**CITY OF SURPRISE  
COMMUNITY DEVELOPMENT DEPARTMENT**

**CUP08-260**

**Conditional Use Permit  
for:  
Carden Elementary School**

Planning and Zoning Commission  
Hearing Date: **January 6, 2009**

**STAFF:** Lance Ferrell, Planner, 623.222.3135

**LOCATION:** Located on the northwest corner of Acoma Drive and 156<sup>th</sup> Avenue.

**DESCRIPTION OF THE REQUEST:** Approval of a conditional use permit.

**SUMMARY ANALYSIS:** The applicant is requesting a conditional use permit approval for a time extension on the portable classrooms and a reduction in the size of the school property in the previously approved site plan/conditional use permit.

**SUGGESTED MOTION:** I move to approve CUP08-260, a conditional use permit for Carden Elementary School, and to adopt staff's findings and stipulations 'a' through 'd'.

**City of Surprise  
Planning and Zoning Division**

**EXECUTIVE SUMMARY**

**CUP08-260  
Carden Elementary School**

<b>APPLICANT:</b>	Nick Wood Snell & Wilmer, LLP One Arizona Center Phoenix, AZ 85004 Phone: 602.382.6000
<b>OWNER:</b>	Tim Smith Carden Elementary Charter School, Inc 15688 West Acoma Drive Surprise, AZ 85379 Phone: 602.439.5026
<b>HEARING DATE:</b>	January 6, 2009
<b>STAFF:</b>	Lance Ferrell, Planner, 623.222.3135
<b>LOCATION:</b>	Located on the northwest corner of Acoma Drive and 156 <sup>th</sup> Avenue.
<b>DESCRIPTION of the REQUEST:</b>	Approval of a conditional use permit.
<b>STAFF RECOMMENDATION:</b>	Approval
<b>SUMMARY ANALYSIS:</b>	The applicant is requesting a conditional use permit approval for a time extension on the portable classrooms and a reduction in the size of the school property in the previously approved site plan/conditional use permit.

**HISTORY**

1. The original conditional use permit for Carden Elementary School was approved by the Planning and Zoning Commission on April 2, 2002.
2. On May 21, 2002, a conditional use permit amendment was approved. This amendment allowed the use of portable classrooms with a removal date stipulated as no later than January 6, 2003.
3. On December 17, 2002 a conditional use permit amendment was approved extending the use of the portable classrooms until July 1, 2004.

**STAFF ANALYSIS****Proposal:**

The applicant is requesting approval of a new conditional use permit to replace the existing CUP that would:

1. Modify the size of the school property;
2. Extend the time period for the use of the portable classrooms; and,
3. Provide for the continued use of the temporary on-site parking area beyond the current life expectancy of the pavement surface (two years).

The original conditional use permit was approved with 19.63 gross acres on April 2, 2002. Due to current market conditions, the construction, and operation of the additional school to the east (Imagine School), the applicant has decided to decrease the size of the project from 20 acres to 12 acres. The applicant would like to expand in the future but does not anticipate that the full 20 acres, as originally approved, will be required. With approval of this CUP, the ultimate footprint of Carden Elementary School will be constrained within the 12-acre parcel on which it currently sits. The parcel to the north along Custer Lane is also owned by the applicant. The original intention of the applicant was to use this eight-acre parcel to the north for school expansion. The two lots were never combined; thus, the request is to remove the northern eight-acre parcel from the scope of the originally approved conditional use permit.

The second request of the conditional use permit is to extend the use of 10 portable classrooms. As the school starts to expand and buildings are completed, some of the portable classrooms will be removed as students move into the new permanent classrooms. The applicant is requesting that the portable classrooms be permitted for an additional five years, until 2013 or until the second phase has been completed. In addition the applicant has also requested that an additional six months be granted to the site for the sale and removal of the portable classrooms.

The third request is to allow the continued use of the temporary on-site parking area beyond a two-year period. The applicants installed this parking/drop-off area this year in order to address a traffic congestion problem on Acoma Drive. The applicant used a recyclable

## ITEM

material for this temporary parking lot with a useful life span of approximately two years. The applicant would like to continue using this temporary parking area beyond this two-year period with the understanding that the applicant would repair and/or repave as necessary.

### **Circulation:**

Circulation will remain the same with three access points along Acoma Drive. Parking has been increased on-site with a temporary parking lot that has been constructed west of the existing parking lot. This has greatly assisted the drop-off and pick-up process for the school, and has eliminated cars parked in the city right-of-way.

### **Issues**

City staff is not agreeable to the time period proposed by the applicant for the continued use of the portable classrooms. When the original application was submitted in 2002, there was presented to the city a comprehensive development plan that included permanent classrooms. This proposal projected a unified architectural theme.

However, after the costs for construction were determined, the owner approached the City with the proposal to use temporary classrooms until financing could be secured to construct the permanent facilities. It appears that little or no progress has occurred in this effort.

What originally was approved as a temporary use to last no longer than two years has now expanded to over six years. The applicant's proposal to continue the use of **temporary** classrooms for an additional five years seems excessive.

Staff is suggesting stipulation b, which limits the continued use of the portables to an additional year (June 2010), with the potential to extend an additional year (June 2011) if construction has commenced on the permanent classrooms. This approach should incentivize the applicant to complete planning on Phase 2 and implement the construction of permanent facilities.

### **Departmental Review:**

All city departments have recommended approval of the project subject to all stipulations.

The Traffic Division: had comments regarding the life span of the temporary parking lot. All issues have been addressed.

The Fire Department: had no comments.

The Planning Division: had comments regarding the time frame around the extension of the portable classrooms. This issue has not been resolved with the applicant. Planning staff has added a stipulation (b) that reflects staff's current position.

The Building Safety Division: provided standard comments that were addressed.

The Water Services Department: provided standard comments that were addressed.

The Engineering Department: provided standard comments that were addressed.

## FINDINGS

1. Staff finds that the proposed conditional use permit for Carden Elementary School meets the intent of the R1-43 zone.
  - **The City of Surprise Municipal Code allows schools in residentially zoned areas with a conditional use permit.**
2. Staff finds that the proposed use is consistent with the policies, objectives, and land use map of the Surprise General Plan and is consistent with the purpose of the zoning district in which the site is located.
  - **The General Plan 2020 land use map illustrates a low density residential land use classification, which allows for such supporting land uses.**
3. Staff finds that the proposed use will not be materially detrimental to the health, safety, or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood, or the city when consideration is given to the character and size of the use and hours of operation.
  - **The subject school site is setback substantially from all residential dwellings. Impacts on noise, odor, and lighting are found to be negligible.**
4. Staff finds that the proposed site is adequate in size and shape to accommodate the intended use and requirements are met for the R1-43 zoning district, including but not limited to: setbacks, walls, landscaping, and buffer yards.
  - **All setbacks, landscaping requirements, walls, and buffers comply with the R1-43 zoning classification.**
5. Staff finds that the proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient.
  - **The property has access from Acoma Drive to the south. The Traffic Division has reviewed the Traffic Impact Analysis and is recommending approval of all ingress/egress points shown on the site plan.**
6. Staff finds that adequate conditions or stipulations have been incorporated into the approval of the conditional use permit to ensure that any anticipated detrimental effects can be mitigated.
  - **Stipulations have been added to this report. Staff is recommending the project for approval, subject to all stipulations.**

7. Review of conditional use permits shall include, but not limited to, examination of the following factors, where applicable:
- a. Ingress and egress to property and proposed structures, pedestrian and vehicular circulation with particular reference to fire protection.
    - **The subject project has three immediate points of access from Acoma Drive.**
  - b. Off-street parking and loading.
    - **It was reviewed and found that the project has enough parking to sustain the proposed use.**
  - c. Impact on public services, including schools, recreation, and utilities.
    - **The site is substantially setback from adjacent residential dwelling units and impacts on noise, odor, and lighting were reviewed and determined to be of minimal impact.**
  - d. Screening and buffering of uses.
    - **The site provides adequate buffering and screening to minimize the impacts on surrounding uses. Other commercial buildings, parking, and landscaping not only separates this site from the adjacent residential community but also serves as a buffer.**
  - e. Signage
    - **Signage design and placement will be formally reviewed and approved at the time of building permit.**
  - f. Exterior lighting with reference to adjacent properties.
    - **Lighting for the entire plan was reviewed by staff. It was found that all foot-candles will be at zero along any adjacent residential property lines.**
  - g. Storm-water retention and landscaping.
    - **The Engineering Department reviewed the retention and drainage on the site and found it to be in compliance with the Surprise Municipal Code. The proposed landscaping meets the city's standards regarding species, quantity, placement, and size.**
  - h. Site and building design.
    - **At this time the applicant is not requesting approval for any buildings so there is no need for design review.**
  - i. Drainage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination.
    - **The Engineering Department reviewed the retention and drainage on the site and found it to be in compliance with the Surprise Municipal Code. Environmental impacts were reviewed and shall be checked at the time of Certificate of Occupancy in reference to dust control.**
  - j. Volume or character of traffic.
    - **A Traffic Impact Analysis was not required at this time because there will be no construction of buildings with the approval of this conditional use permit. When Phase II is**

**submitted for a conditional use permit a TIA will be required at that time.**

**Granting of a conditional use permit:**

No conditional use permit shall be given for a use that is not listed in Chapter 125 as a conditional use or is not deemed by the commission as equivalent to a listed conditional use in the particular district in which it is proposed to be located. The Planning and Zoning Commission may place any conditions which are deemed necessary to mitigate potential impacts and ensure compatibility of the use with surrounding development and the city as a whole, and which are required to preserve the public health, safety, and general welfare. These conditions may include but are not limited to:

1. Requirements for setbacks, open space, buffers, fences or walls, and landscaping to mitigate conflicts from visual, noise, lighting, and similar impacts associated with the use.
  - a. **Setbacks, open space, buffers, and fences/walls were reviewed and found to comply with the approved conditions under the R1-43 zoning classification for schools.**
  
2. Regulations pertaining to hours of operation, methods of operation, and phasing of the development of the site to mitigate impacts to surrounding properties and neighborhoods.
  - a. **No specific conditions are necessary to mitigate impacts.**

The commission may grant the application by motion, imposing such conditions and safeguards as it deems necessary, or it may deny the application. If an application is denied, the denial shall constitute a finding that the applicant has not shown that the conditions required for approval exist.

**STIPULATIONS**

**REQUIRED ACTIONS.** The applicant and/or owner shall comply with the following stipulations of Case CUP08-260, Carden Elementary School.

- a. All parcel numbers shall be active prior to submittal of any building permit and shall stay active throughout the construction process until a Letter of Compliance and/or Certificate of Occupancy is issued. Any subdivision or lot split shall be reviewed and approved by the City of Surprise prior to recordation with Maricopa County.
- b. The extension for the use of the existing portable classrooms will expire on June 30, 2010, or June 30, 2011, if construction is initiated on the expansion of the school has started.
- c. At the end of the useful service life of the temporary parking lot surface (two [2] years from its initial installation), the temporary surface shall either be reinstalled with another temporary surface or replaced with a permanent parking lot on the property. A permanent parking area may be installed upon all or a portion of the temporary parking lot at any time subject to approval of the Engineering Department as long as there is no decrease in parking spaces. If permanent parking areas are installed prior to the final approval of the Phase II site plan, the applicant understands that any such improvements to the temporary parking lot are done at-risk and that the final approved site plan may require modification to the parking lot.
- d. This Conditional Use Permit does not address or convey any rights or entitlements to any proposed future revisions to the previously approved site plan. Such revisions shall require a new Conditional Use Permit application.



RECEIVED

**LVA** urban design studio  
 land planning • landscape architecture  
 120 south ash avenue • tempe, arizona 85281 • phone: 480.994.0994

Carden Traditional School

Vicinity Map - 3 Mile Radius

DEC 19 2008  
 COMMUNITY DEVELOPMENT



CUPD 08-260

Jonathan E. Frank  
602.382.6341  
Internet: jfrank@swlaw.com

December 15, 2008

Dennis Dorch  
Senior Planner  
City of Surprise  
Community Development Department  
12425 West Bell Road  
Surprise, AZ 85374

**Re: *Final Conditional Use Permit Amendment Request Narrative for the Carden Elementary School – Case CUP08-260***

Dear Mr. Dorch:

On behalf of Carden Elementary School, Inc (“Carden”), I am pleased to submit this request for an amendment to the existing Conditional Use Permit (the “CUP”) for Carden’s existing K through 8<sup>th</sup> grade elementary school located at 15688 West Acoma Road. The purpose of this letter is to provide a project narrative as requested in the City of Surprise Conditional Use Permit Application Packet.

Description of Request: This request is to amend the stipulations of the existing CUP (Case CUPA02-305) to (i) reduce the size of the CUP area, (ii) modify the current stipulation regarding the date of discontinuation of use of commercial modular classroom structures on the site, (iii) approve an interim parking lot & replacement schedule and (iv) provide a future development concept plan & associated time frames for final site plan development/approval.

(1) CUP Area: Currently, the existing CUP encompasses approximately twenty (20) acres. It was thought at the time of approvals (2002 & 2004) that the school would eventually expand and require the full twenty (20) acre parcel. With the recent addition of a neighboring middle/high school, Carden no longer requires such a large campus. If approved, our request will reduce the CUP area from the current twenty (20) acres to twelve (12) acres, which is the appropriate size for this school at final build out. The north eight (8) acres are longer a part of the campus (see minor land division approved April 23<sup>rd</sup>, 2003, Maricopa County Recorder’s Office Book 636, Page 09), and are part of a rezoning request (currently in the pre-application phase) for a single-family residential development, which is being processed separately. See Exhibit A for the revised CUP area boundaries.

Dennis Dorch  
Senior Planner  
December 15, 2008  
Page 2

(2) Time Limit – Modular Classrooms: The existing CUP includes a stipulation regarding the use of the commercial modular classrooms (as shown on Exhibit 2). The stipulation permitted the use of these structures until July 1<sup>st</sup>, 2004. The modular structures were originally intended to provide classroom space to support the initial phase of the campus while the second phase was constructed. Financial market conditions created a funding problem and the second phase was unable to proceed as quickly as originally envisioned. Today, these structures provide critical classroom space for the student body necessitating their continued use until such time as permanent replacement structures can be built on the campus (the Phase II development). This CUP amendment requests that the current stipulation be modified as follows:

Current Stipulation: “(n) The temporary portable classroom buildings shall be allowed to be utilized until July 1, 2004, with an additional 6-month extension to allow the applicant to complete construction of the permanent buildings. The portable buildings must be removed from the site by aforesaid date; and...”

Proposed Stipulation: “(x) The temporary portable classroom buildings shall be removed from service upon the first to occur of either:

- (1) the completion of the Phase II construction; or
- (2) August 20<sup>th</sup>, 2013.

These buildings shall be removed from the property no later than six (6) months thereafter.”

This stipulation, as proposed, will permit the use of the portable buildings for a period of up to five (5) years, with six (6) months to remove the units from property. Because it takes time to identify a buyer for such items, it is appropriate to provide a sales window after the use of the portables ceases.

It is Carden’s goal to commence construction of Phase II as soon as possible. Carden is making every effort to secure appropriate financing, as expedient development of Phase II is its number one priority as this development is critical to the well being of the school. However, because of current market conditions and the uncertain nature of available funding sources, it is necessary to provide adequate additional time for finalizing funding, design, and approval of future development plans (including any future CUP amendments required for final site plan approval), which this stipulation provides. While Carden hopes final build out will take less than 5 years, based on Carden’s ongoing diligent efforts and analysis of the current credit market with respect to the financing of this project, we believe that the 5-year period is a realistic outside date.

Please note that the existing modular classroom facilities provide space for 200 of the elementary school’s 500 students and teachers. If this space is not available for use, the resulting lack of classroom capacity may force the closure of the entire school. The primary goal of the

Dennis Dorch  
Senior Planner  
December 15, 2008  
Page 3

Carden Elementary School is to ensure that there is adequate space to operate the school. In order to accomplish that goal, we hereby request an adequate time frame to assure students, parents and the surrounding neighborhood that the school will continue to provide excellent service to the children of the community.

(3) Interim Parking Area: The existing school was approved with 56 parking spaces. This has proven to be inadequate, as overflow parking along Acoma Drive has been an issue in the recent past, particularly during drop-off and pick-up times. To address this, the Carden, with review/approval of the City of Surprise Engineering Department, has constructed a temporary parking lot at the southwest corner of the property. This area provides 96 spaces on a recycled asphalt surface.

Since the current CUP is silent with regard to the temporary parking area, Carden requests approval of an interim site plan that illustrates the location of the temporary parking area. The temporary lot will remain on site and will be replaced by permanent parking no later than commencement of Phase II construction. An appropriate stipulation regarding this parking area is:

Proposed Stipulation: "(x) The temporary parking area, as generally shown on the document identified as "Conceptual Site Plan: Parking Overlay" and date stamped \_\_\_\_\_, shall be replaced with a permanent parking lot no later than commencement of the Phase II construction. The design of the permanent parking lot shall be subject to approval by the Director of the City's Engineering Department."

This stipulation permits the temporary parking lot to remain until it is replaced with a permanent parking lot, which will be required as part of the Phase II development. The above stipulation is intended to grant the Director of the City's Engineering Department the ability to review and permit the permanent parking lot without requiring the school to process a formal site plan amendment.

Additionally, because the temporary surface has a limited two (2) year useful lifespan, replacement or reinstallation of the temporary surface maybe required prior to development of the Phase II portion of the campus. To facilitate the replacement or reinstallation at the appropriate time, the following stipulation is suggested:

Proposed Stipulation: "(x) At the end of the useful service life of the temporary parking lot surface (two [2] years from its initial installation), the temporary surface shall either be reinstalled with another temporary surface or replaced with a permanent parking lot at the property owner's discretion. A permanent parking area may be installed upon all or a portion of the temporary parking lot at any time subject to approval of the Engineering Department. If permanent parking areas are installed prior to the final approval of the Phase II site plan, the applicant understands that any such improvements to the temporary parking lot are done at-risk and that the final approved site plan may require modification to the installation".

Dennis Dorch  
Senior Planner  
December 15, 2008  
Page 4

The above stipulation permits the option of reinstalling the temporary parking surface if, at the time of replacement, Phase II has not yet been approved. This will ensure that a dust-proof and safe parking area is provided at all times while maintaining flexibility for Carden to move forward on Phase II once the funding resources are available.

(4) Future Development Concept Plan: The "Conceptual Site Plan: Phase II Campus" exhibit is enclosed to provide a conceptual future plan for the school campus at build out. The conceptual site plan is intended to illustrate full build out of the school property. Because the original site plan shows the larger school site, it no longer reflects the long-term plan for the school. It is appropriate to provide a land use concept plan.

The conceptual site plan submitted with this request (CUP08-260) is for reference only and for approval by this application. The final Phase II site plan will be submitted at the time of development for full TAC review.

Project Location: The project is located at 15688 West Acoma Road. The site is developed with administration offices, classrooms and a multi-purpose room, all of which was built in 2002. Most of the western half of the site is vacant and features native plants. Currently, the south west portion of the site contains the temporary overflow parking lot.

Historical Data: The subject site was originally part of a farming operation as evidenced by remnants of an irrigation system and the lack of large native vegetation. As previously noted, this site was originally approved for a CUP for the Carden Elementary School in 2002, Case CUPA02-100. Because the initial case contained a time stipulation on the modular buildings, an amendment was requested in 2004 to extend the removal deadline to July of 2004, Case CUPA02-305. This deadline passed without the filing of a modification request. This year Carden received notice from the City that they must either remove the structures or request a CUP modification. Carden promptly began work on the programming for the final campus design and creation of a revised master plan for this submittal. At this time, removal of the modular classroom structures is not an option as there would be insufficient classroom space for the school, forcing the removal of 200 students. This would cause a devastating disruption to the students' education. Teacher's jobs would be at risk and the student's families would have to seek available space in other schools (many of which are currently at capacity).

Operational Aspect of Use: The Carden Elementary School operates like a typical neighborhood elementary school. However, unlike many public elementary schools, this campus does not include a school bus system and requires parents to either transport their children or have their children walk/bike to school. The school provides educational services from 8am to 3pm, Monday through Friday. There are 180 instruction days in the typical calendar year. Primary activities on the campus are during these days and hours.

Dennis Dorch  
Senior Planner  
December 15, 2008  
Page 5

**Infrastructure:** The existing structures and associated infrastructure were built with the future expansion of the campus in mind. Sewer, water and electrical systems are either on-site or immediately adjacent to the expansion area. Acoma Drive provides public access to the site and is fully dedicated and constructed to full city standards along the front of the campus. No new major infrastructure systems are anticipated. Moreover, the City of Surprise is in the process of installing additional traffic signalization at the intersection of Reems Road and Acoma Road, enhancing local traffic flows.

**Phasing:** The school is being developed in two (2) phases. The first phase is complete and includes the existing school facility and modular classrooms. Phase Two, which will consist of approximately 28,000 square feet of additional space, will double the square footage of the existing school buildings. The new construction will include a multi-purpose gym, media center, additional classroom space, a turf amphitheater, new play lot and a turf play field. The new campus will include 233 parking spaces which is a 300% increase over current conditions. Upon completion of Phase II, the modular commercial classroom structures will be removed from the site.

Our proposed amendment to the Carden Elementary School CUP will permit the school to continue to utilize the existing modular classrooms until the campus can be expanded in Phase II. It also enables the school to provide an increased number of parking spaces and new larger drop-off/pick-up area which improves traffic circulation and safety around the school. We look forward to working with you on this request.

Very truly yours,

Snell & Wilmer



Jonathan E. Frank

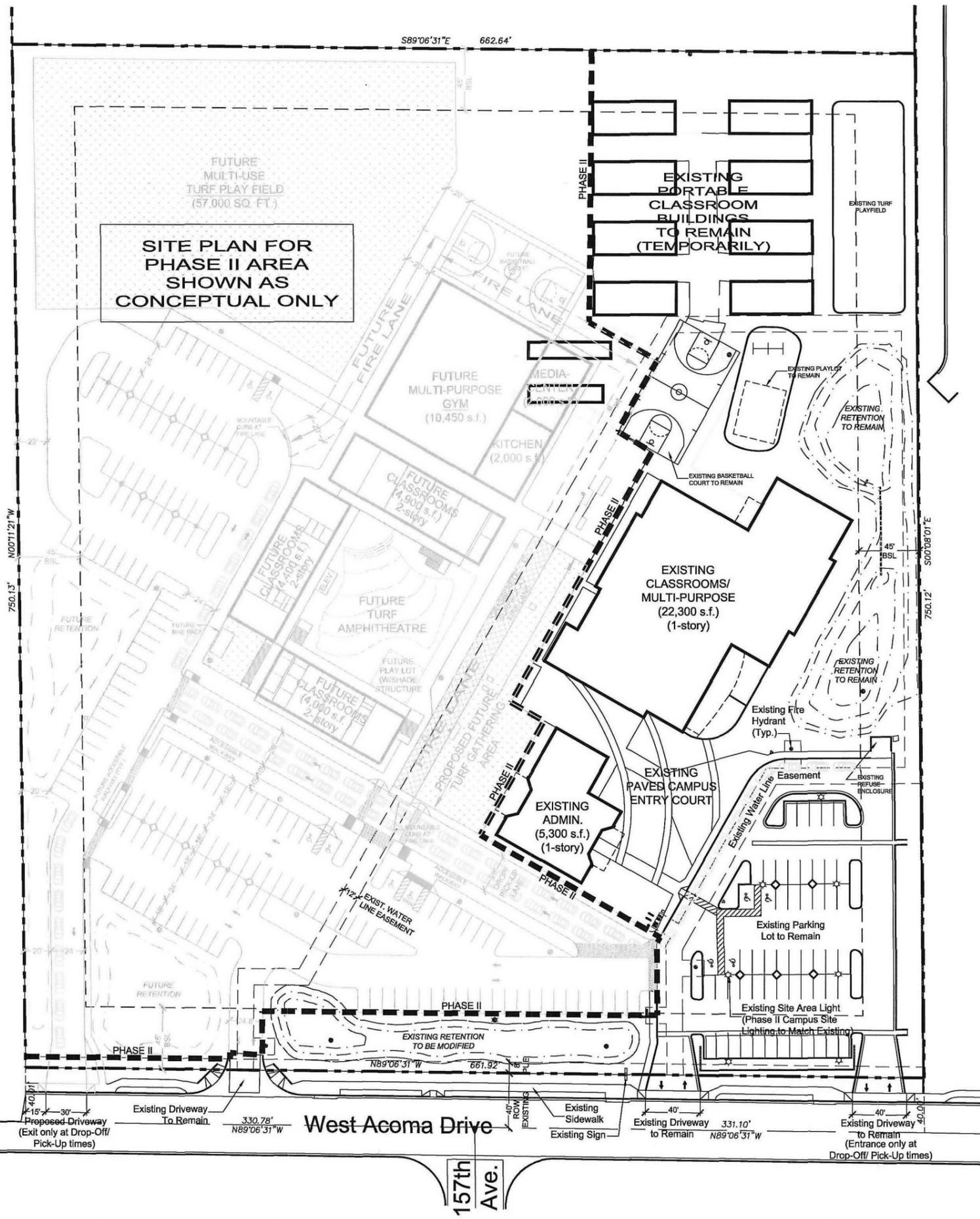
JEF:NJG  
Enclosures



Exhibit A



Exhibit B



**SITE PLAN FOR PHASE II AREA SHOWN AS CONCEPTUAL ONLY**

**PROJECT TEAM**

**OWNER**  
 Timothy A. Smith  
 Learning Matters Educational Group  
 4744 W. Grovers Ave.  
 Glendale, AZ. 85308  
 Phone: (602) 439-5026  
 Fax: (602) 889-0351

**LEGAL REPRESENTATIVE**  
 Noel J. Griemsmann  
 Snell & Wilmer Law Offices  
 One Arizona Center  
 Phoenix, AZ. 85004  
 Phone: (602) 382-6000  
 Fax: (602) 382-6070

**PLANNER**  
 Ron Harris  
 LVA Urban Design Studio, LLC  
 120 South Ash Avenue  
 Tempe, AZ. 85281  
 Phone: (480) 994-0994  
 Fax: (480) 994-7332



**VICINITY MAP (NTS)**

**SITE DATA**

Gross Area: 12.01 ac.  
 Net Area: 11.40 ac.  
 Zoning: R1-43  
 Existing Bldg. Area: 27,600 sq. ft.  
 Proposed Bldg. Area: 27,750 sq. ft.  
 (Future Proposed Type V-N w/ Fire sprinklers, Group E - Educational Occupancy)

Total Bldg. Area: 55,350 sq. ft.  
 Net. Site Coverage: 11.1%

**PARKING DATA**

**Required:**  
 Existing Campus: 56 (Per Previous Site Plan approval)  
 Proposed Classrooms: 37  
 Proposed Multi-Purpose: 52 (For special events - combined with parent parking)  
 Parent Parking: \*200 spaces (Est)  
 (Drop Off/Pick up time)  
 \*Refer to sheet 2 for calculation  
 Sp. Total: 145 spaces

**Provided:**  
 Existing Campus: 56 (Incl. 4 Accessible)  
 Proposed Classrooms: 37 (Incl. 2 Accessible)  
 Proposed Parent Parking: 140 (Incl. 4 Accessible)(1 Van Accessible)  
 Total: 233 spaces  
 Drop off/Pick Up ONLY: 67 spaces (Stacking spaces)  
 Total Parent Drop off/Pick Up Parking Provided: 207 spaces

**LEGAL DESCRIPTION**

The East half of the East half of the Southwest quarter of the Northeast quarter AND the West half of the West half of the Southeast quarter of the Northeast quarter of Section 7, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Also described as follows:

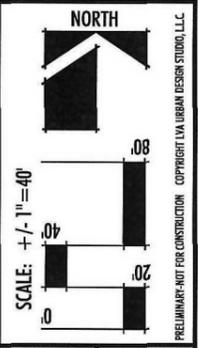
Lot 1 of MINOR LAND DIVISION FOR LEARNING MATTERS CHARTER SCHOOL as recorded in Book 636 of Maps, page 9, records of Maricopa County, Arizona.

**FLOOD ZONE**

This property lies in Flood Zone X-Dotted according to FIRM 04013C158H as published by FEMA on September 30, 2005.

**BASIS OF BEARINGS**

The Basis of Bearings shown is the South line of the Northeast quarter of Section 7, being North 89° 06' 31"W, as taken from Book 636 Maps, page 9.



15688 W. Acoma Rd.  
 Surprise, AZ.

**Carden Traditional School**

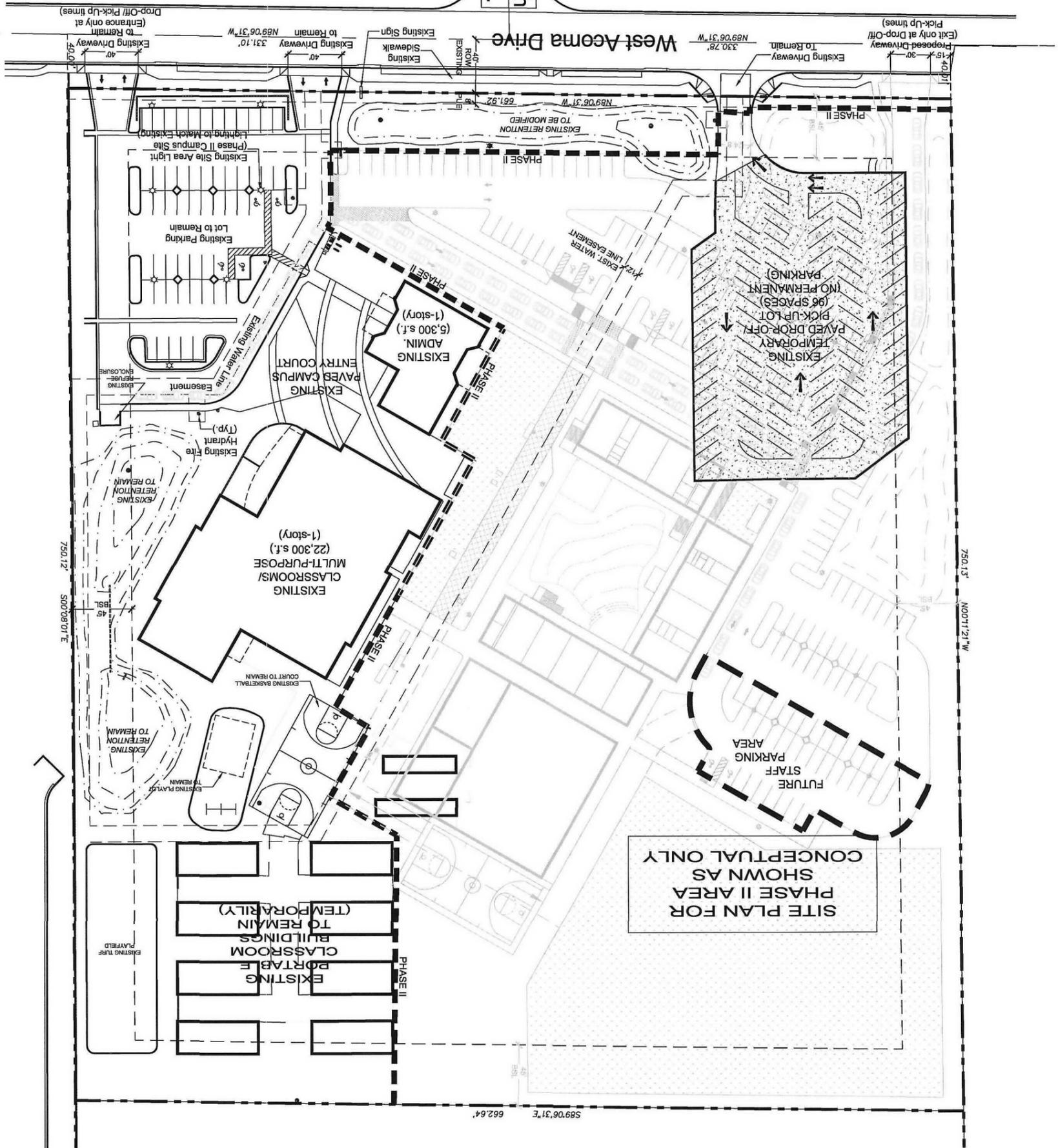
**Conceptual Site Plan: Phase II Campus**

**LVA urban design studio**  
 land planning • landscape architecture  
 120 south ash avenue • tempe, arizona 85281 • phone: 480.994.0994

Date:	12/15/08
Project No.:	0833
Drawn By:	DPM
Revised:	
Sheet:	1 of 4

**PRELIMINARY ONLY-NOT FOR CONSTRUCTION**

CUPD 08-260



SITE PLAN FOR  
PHASE II AREA  
SHOWN AS  
CONCEPTUAL ONLY

TOTAL # OF CURRENT STUDENTS: 500 (K-8) (55.5% GRADE AVERAGE)

DROP OFF TIMES  
8:00 A  
(K-5)  
(167 STUDENTS)  
\*56 CARS

TOTAL CAR COUNT: 111

\* ASSUME (3) STUDENTS / CAR, BASED DATA RECEIVED FROM SCHOOL

TOTAL EST. # OF FUTURE STUDENTS: 900 (K-8) (100% GRADE LEVEL AVERAGE)

DROP OFF TIMES  
8:30 A  
(6-8)  
(300 STUDENTS)  
\*100 CARS

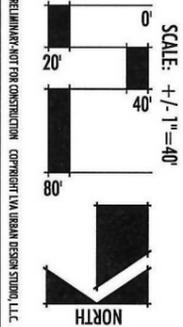
8:00 A  
(K-5)  
(600 STUDENTS)  
\*200 CARS

PEAK CAR COUNT: 200 (AT DROP-OFF/PICK-UP TIMES)

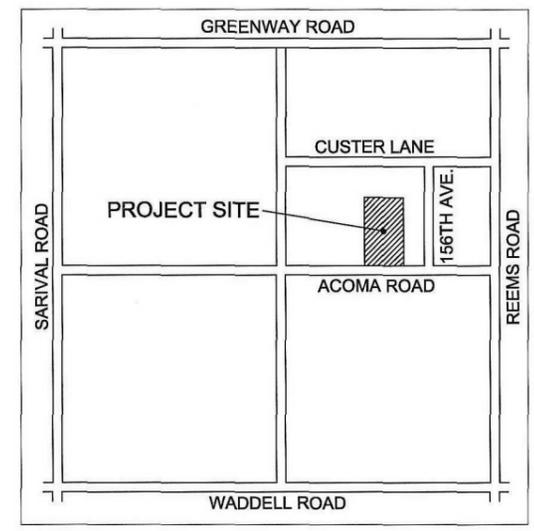
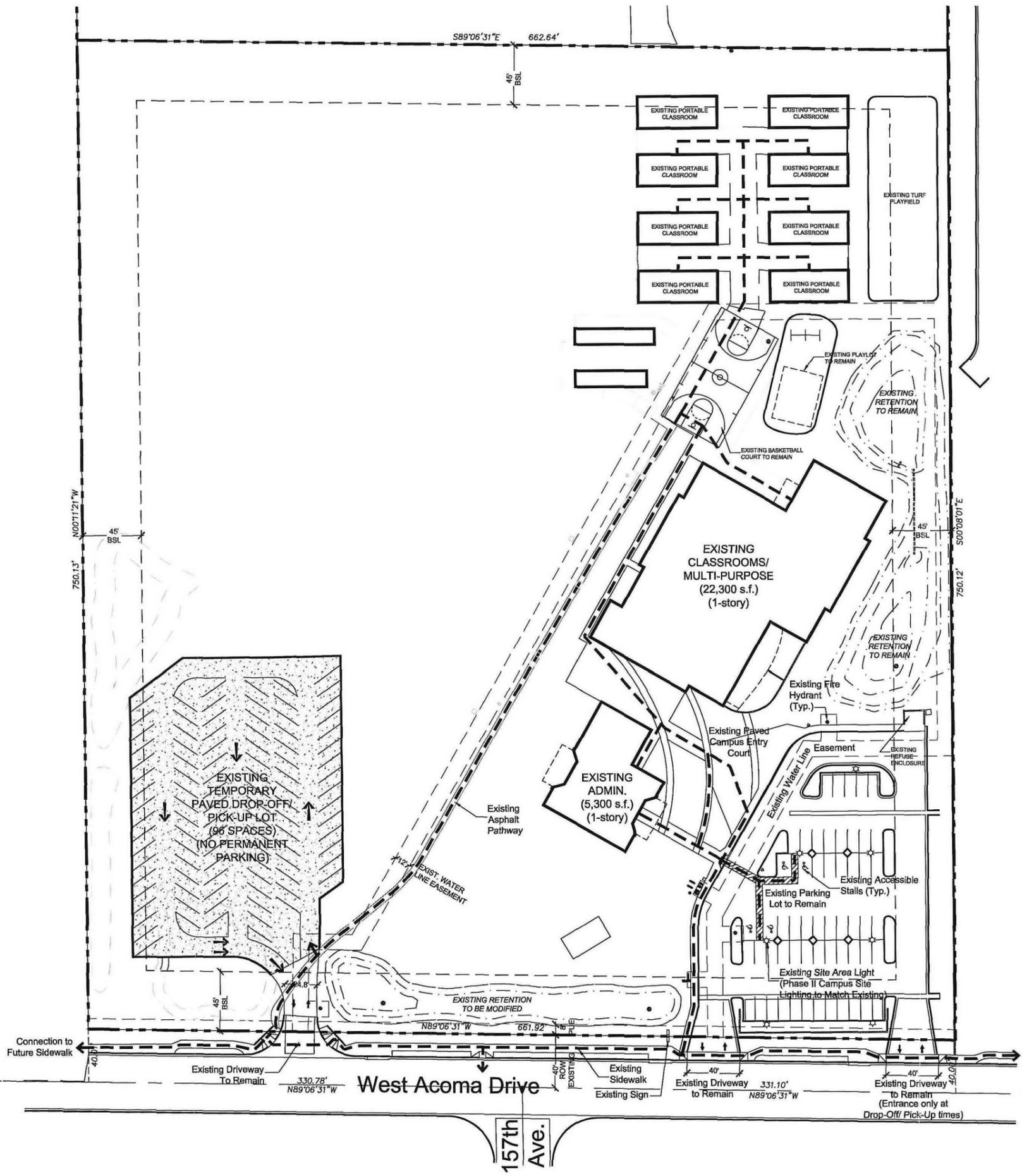
\* ASSUME (3) STUDENTS / CAR, BASED ON DATA PROVIDED

**CVA** urban design studio  
land planning • landscape architecture  
120 south oak avenue • tempe, arizona 85281 • phone: 480.994.0994

**Carden Traditional School**  
15688 W. Acoma Rd.  
Surprise, AZ.  
**Conceptual Site Plan: Parking Overlay**



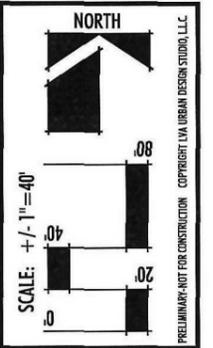
Date: 12/15/08  
Projed No.: 0833  
Drawn By: DPM  
Revised:  
Sheet: 2  
4



VICINITY MAP (NTS)

**LEGEND**

--- EXISTING ACCESSIBLE ROUTING



15688 W. Acoma Rd.  
Surprise, AZ.

**Carden Traditional School**

**Existing Site Accessibility**

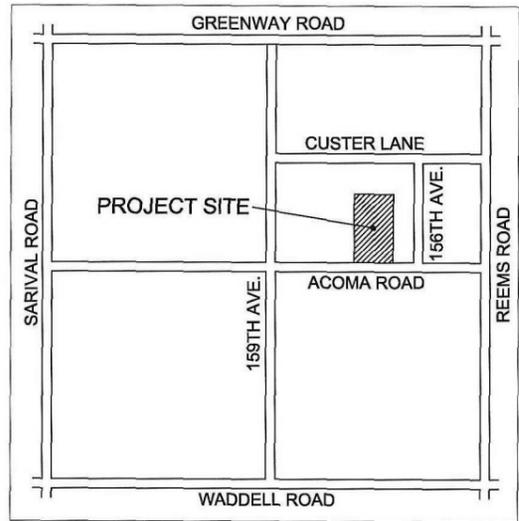
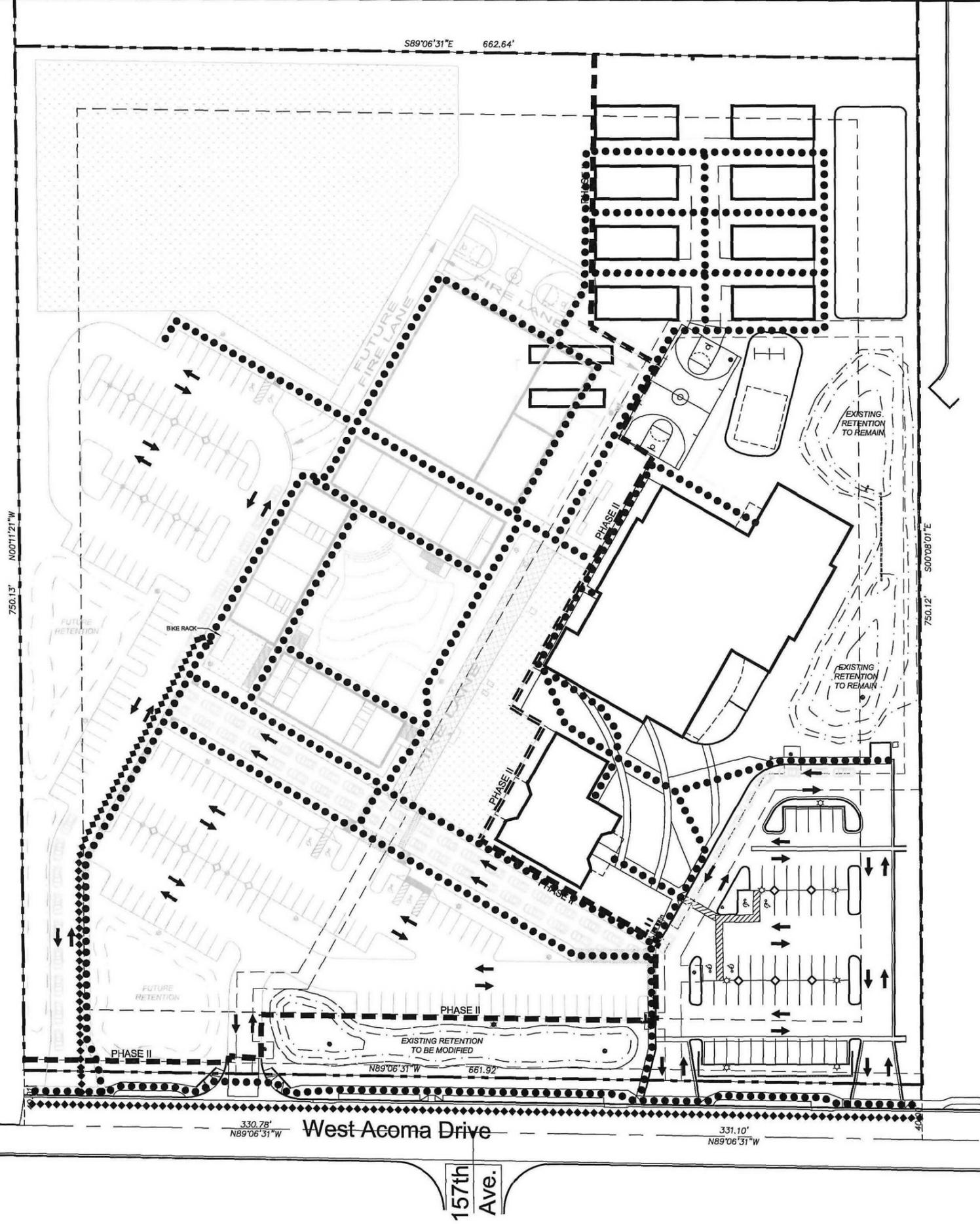
**LVA** urban design studio  
land planning • landscape architecture  
120 south oak avenue • tempe, arizona 85281 • phone: 480.994.0994

Date:	12/15/08
Project No.:	0833
Drawn By:	DPM
Revised:	
Sheet:	

3 of 4

PRELIMINARY ONLY-NOT FOR CONSTRUCTION

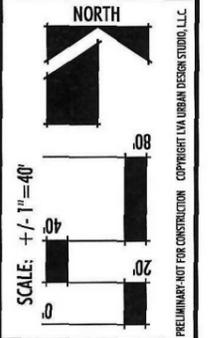
CUPD 08-260



VICINITY MAP (NTS)

**LEGEND**

- PEDESTRIAN/ STUDENT CIRCULATION
- ◆◆◆◆ BICYCLE CIRCULATION
- ↔ DIRECTION OF VEHICULAR TRAFFIC



15688 W. Acoma Rd.  
Surprise, AZ.

**Carden Traditional School**

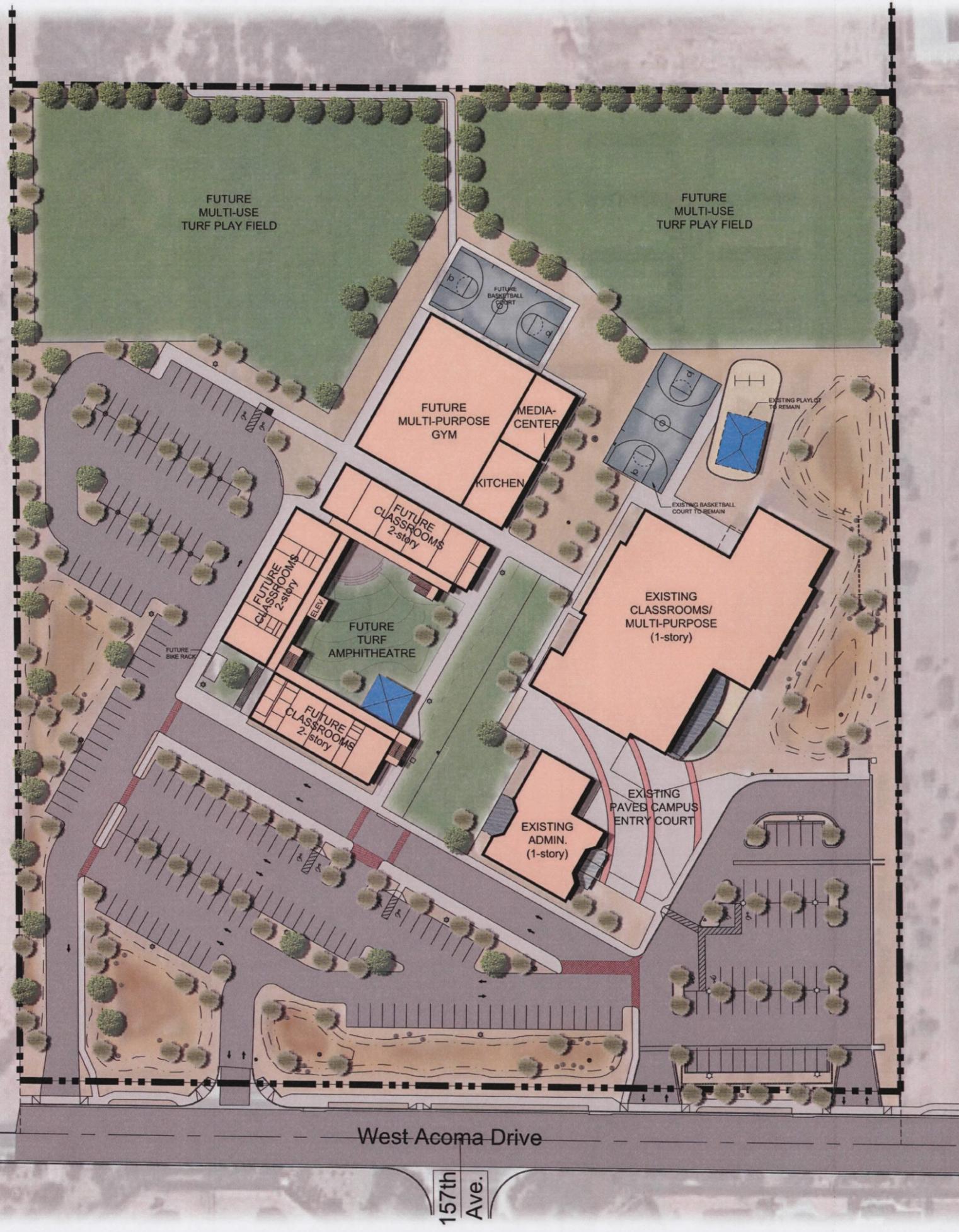
**Site Circulation Plan**



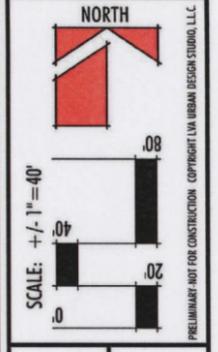
Date:	12/15/08
Project No.:	0833
Drawn By:	DPM
Revised:	

PRELIMINARY ONLY-NOT FOR CONSTRUCTION

CUPD 08-260



VICINITY MAP  
(NTS)



15688 W. Acoma Rd.  
Surprise, AZ.

**Carden Traditional School**  
**Conceptual Site Plan: Phase II Campus**



Date: 10/28/08  
Project No.: 0833  
Drawn By: DPM  
Revised:

Sheet: 1 of 1

PRELIMINARY ONLY-NOT FOR CONSTRUCTION

CUPD 08-260



## COMMUNITY DEVELOPMENT DEPARTMENT

**Date:** January 6, 2009  
**To:** Planning and Zoning Commissioners  
**From:** Jeffrey J. Mihelich, Community Development Director  
**Re:** Visitability Program

---

### Introduction

Staff is recommending that we institute a new visitability program in Surprise. Outlined below are the program components.

### Background

Over the past several months, staff has been working closely with the Homebuilder's Association on developing a visitability program that creates awareness, demonstration activities, and long-term availability of homes that are accessible to persons with disabilities. Generally speaking, homebuilders were having difficulties 'embracing' the concept of mandatory visitability requirements in all new homes. This is understandable considering the current economic state, particularly the 'slumping' housing market. Staff has, however, over the course of several meetings, developed a visitability program that can be supported by the housing industry.

### Recommended Program Components

The recommended program components are:

1. **Model Signage** - All new model homes and sales areas shall include signage that read - "Ask Us About Accessibility Options."
2. **Education** - An educational DVD shall be available to sales staff and potential home buyers regarding the benefits of visitability.
3. **Off-Site Model** - An off-site model, potentially built as part of a new HUD Neighborhood Stabilization Program affordable housing unit, shall be constructed and made available to those interested in touring a visitable home. This home will include a zero-step entry, 32" clearance into habitable rooms, an accessible washroom with 30" x 48" maneuverable space, wider hallways, lever hardware, and washroom grab bar reinforcements.
4. **Buyer Financial Assistance** - Gap-financing to help cover upfront down payment costs for visitability upgrades with assistance from local banks.
5. **Zero-step entrance** at all model homes.

Recommendation

The visitability program was reviewed and unanimously recommended for approval by the City of Surprise Disability Advisory Commission (DAC).

Staff concurs with the DAC and recommends approval of the attached resolution and ordinance.

**SUGGESTED MOTION:**

**I move to recommend approval for a Text Amendment to Chapter 125 to require a “Zero-Step” entrance for all model homes and the implementation of a Visitability Program.**

**ORDINANCE #09-02**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 125, SECTION 125-224, SINGLE-FAMILY HOME PRODUCT DESIGN GUIDELINES, BY CREATING THE REQUIREMENT OF A “ZERO-STEP” ENTRANCE FOR ALL MODEL HOMES IN THE CITY OF SURPRISE.**

**WHEREAS**, Arizona Revised Statute §9-802 allows a municipality to enact the provisions of a code or public record by reference without having to publish the entire code or public record; and

**WHEREAS**, the Disabilities Advisory Commission has reviewed and supports the “Zero-Step” entrance concept.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Surprise, as follows:

**Section 1.** Chapter 125, Section 125-224 Single-Family Home Product Design Guidelines of the Surprise Municipal Code is hereby created to read as follows:

**Sec. 125-224. Single-Family Home Product Design Guidelines**

(a) *Adopted; purpose.* The Single-Family Residential Home Product Design Guidelines, which were made a public record by Resolution No. 02-253, are hereby adopted by the city, and are incorporated in this section by reference as though they had been fully and completely set forth in this section. The purpose of the Single-Family Residential Home Product Design Guidelines is to establish development standards that encourage neighborhood interaction, promote greater architectural diversity and provide an increased level of aesthetic quality to our communities.

(b) *Conflict.* In the event any provision of the Single-Family Home Product Design Guidelines conflicts with a provision within this Code, the provision within the Single-Family Home Product Design Guidelines Manual shall govern and control.

(c) A “Zero-Step” entrance shall be required for all model homes within the City of Surprise.

- i. A “Zero-Step” entry shall have a floor or landing on each side of the primary entrance door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level, except for exterior landings, which are permitted to have a slope not to exceed .25 units vertical in 12 units horizontal (2%). Thresholds for such doors shall not exceed ½” in height, and thresholds with changes in level greater than

1/4" shall be beveled with a slope not greater than one unit vertical in two units horizontal.

- ii. The Community Development Director may waive the requirement for a "Zero-Step" entry if it is found that it would prove to be cost prohibitive. In such cases however, the builder must still provide a zero-step entry into at least one model home and an unobstructed pathway to all models.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Lyn Truitt, Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Sherry A. Aguilar, City Clerk

\_\_\_\_\_  
Michael D. Bailey, City Attorney

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

**RESOLUTION # 09-03**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE  
CITY OF SURPRISE, ARIZONA APPROVING THE  
IMPLEMENTATION OF A VISITABILITY PROGRAM.**

**WHEREAS**, it is the City's intent to implement a program that is intended to increase the number and percentage of homes in Surprise that can better accommodate persons with disabilities, and;

**WHEREAS**, city staff, together with the Disabilities Advisory Committee, recommended the implementation of a Visitability Program to City Council.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Surprise, Arizona, as follows:

**Section 1.** The City Council hereby accepts the Visitability Program as described in Exhibit A attached hereto and incorporated herein by reference, and acknowledges that the City Manager or delegate will make future administrative changes as necessary to the Program to comply with existing laws, city policies and market conditions.

**Section 2.** The City of Surprise establishes a Visitability Program to be implemented and revised as necessary by the Community Development Director under the direction of the City Manager.

**APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
L.E. Truitt, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Sherry Aguilar, City Clerk

\_\_\_\_\_  
Michael D. Bailey, City Attorney

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_