

**CITY OF EL MIRAGE
PLANNING & ZONING COMMISSION
WORK SESSION MINUTES
APRIL 20, 2009**

I. CALL TO ORDER

Chair Hugh Flisyn called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE [NA – NO FLAG IN ROOM]

III. ROLL CALL

Members present were Chair Hugh Flisyn, Vice Chair Robert Jones, and Commission members Doug Doede and Michael Barvitz. Deidra Gossett was excused since she was out of town for the death of a family member. Staff present included Economic Development Director Scott Chesney, City Attorney Rick Flaaen, Management Assistant Sharon Antes, and Senior Planner Mark Smith. Adam Super also attended the meeting.

IV. APPROVAL OF MINUTES [WORK SESSION – NO ACTION]

V. WITHDRAWALS AND CONTINUANCES [NONE]

VI. NEW BUSINESS

Conceptual site plan for southeast corner of Dysart & Thunderbird

City Attorney Rick Flaaen informed the Commission that the City Council would be considering a development agreement with Park West and the Spectra Team that develops parcels to complement Wal-Mart properties. He showed the Commission the proposed conceptual site plan for a retail center in two buildings on the south to be developed in two phases and three pads on northern frontage to be developed later. He distributed copies of the development standards to be included in the agreement.

Mike Barvitz said he thought it should be tabled since they had not gone over the information and there was no notice or comments from the public. Hugh Flisyn said he would like to compare what was done with Food City. He would have to answer to the Homeowners Association for his decision.

Doug Doede said the plan included fifteen small 80' X 20' suites and he did not think it made sense to develop only part of the property at a time. Hugh Flisyn asked about the well on the northwest. Rick Flaaen said it had already been capped and abandoned. Flisyn asked who would be doing the road improvements. Flaaen said the City would be doing it all. The entire intersection was within the City. The entire project was \$6.1

million. The City was negotiating with the City of Surprise for \$2.3 million but it was conditioned on doing all of the off-sites at once. The City needs the right-of-way on the southeast corner. They must either buy it from the owner for its value or obtain it through this development agreement. Barvitz said he did not like the surprise and being a "red-headed step child". The City should buy it versus give the developer a blank check. Flisyn said they had problems with graffiti and BB guns along the walls. Barvitz said people did not want Food City. Flaaen said they had no right to deny it based on the user. Doede, Flisyn and Barvitz said there should be a notice and hearing for site plan approval. Robert Jones said what they said meant nothing if City Council approves the site plan tomorrow.

Scott Chesney said they had no problem sending it to them later. Flaaen said it is in the development agreement. This was the site plan approval. Barvitz said the Commission should wash their hands of it. They had no control. He thought the Council was forgetting who they work for.

Flisyn said it was like the stimulus bill in Washington; they were asked to vote yes but they did not know what was in it. He did not like coming to the meeting where they put a gun to his head and Council decides tomorrow. Barvitz said let Council decide tomorrow. Flisyn still wanted to compare it with the Food City plan and recommendation. Jones said the City was being held hostage. Flisyn said the Railroad was providing nothing. They could put in the gates that they wanted. Flaaen said the Railroad would rather not see any change to the intersection.

VII. ADJOURNMENT

The chair declared the meeting adjourned at 6:45 p.m.

Mark L. Smith, Senior Planner

Hugh Flisyn, Commission Chair

George Flores, Comm. Dev. Director

Rick Flaaen, City Attorney (as to form)