



Village Planning Committee Meeting Summary

Z-12-16-6 (PHO-1-19)

Date of VPC Meeting	July 9, 2019
Request	Modification of Stipulation No. 1 regarding general conformance to elevations date stamped March 18, 2016
Location	Approximately 452 feet east of the southeast corner of 42nd Place and Baseline Road
VPC Recommendation	Approval, with additional stipulations
VPC Vote	9-5 (Brooks, Aguilar, Brennan, Coleman, and S. Smith dissenting)

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

1 card was submitted in support of the request.

2 cards were submitted expressing no position.

Ms. Elyse DiMartino provided an overview of the original rezoning approval. She displayed an aerial map, zoning map, previously approved site plan and elevations, and the proposed site plan and elevations. She explained that the request before the Committee was to modify Stipulation 1 regarding the elevation plans. She explained that the previous coffee shop, the Pour House, had approved elevations via the rezoning case and that the applicant was requesting approval of the proposed elevations. She noted that the proposed elevations were for the Human Bean coffee shop. Ms. DiMartino detailed the remaining stipulations of the case and stated that they were not being modified as part of this PHO request.

Mr. Lance Baker, representative with Synectic Design, displayed aerial maps and the approved stipulations, as well as provided background regarding the original rezoning request. He explained that the Pour House was the previous applicant on the rezoning case and that he represented the new applicant, the Human Bean coffee shop. He noted that the PHO request before the Committee was to modify the Pour House elevations that were previously approved via the rezoning case. He requested that the Committee consider recommending approval of the Human Bean elevations. He noted that the remainder of the stipulations were not being modified as part of this request.

Ms. Patti Trites asked what the difference in the building size would be. **Mr. Baker** explained that the original Pour House building was approximately 2,000 square feet with 400 square feet of patio space and that the new Human Bean would be approximately 600 square feet.

Mr. Matthew Aguilar asked if the applicant was anticipating traffic congestion off-site due to this use. He expressed concerns that this use on a small property may cause congestion similar to the Dutch Brother's located at Central Avenue and Camelback Road. **Mr. Baker** stated that he did not anticipate congestion. He explained that the Human Bean has a lower volume of cars than a Starbucks or Dutch Brother's, at an estimated 20 cars per hour.

Ms. Kay Shepard stated she was excited about the Pour House locating on the subject site. She added that she liked that there was an indoor area proposed previously and had concerns that this site would no longer be a gathering place for the community. She asked the applicant if the contaminated soil has already been remediated. **Mr. Baker** stated that it had.

Mr. David Costello asked about the drive-through stacking and whether delivery trucks will block the drive-through. **Mr. Baker** explained that there is a total of 220 feet broken up into essentially three drive-through lanes. He further explained that the shortest drive through is approximately 65 feet. Mr. Baker continued that he does not anticipate any trucks blocking the drive-throughs. He added that the building is very small at approximately 600 square feet and therefore does not require large truck deliveries.

Mr. Patrick Brennan stated that he was concerned about the driveway and parking lot design. He added that the VPC was excited about the previous proposal locating on the site as it was going to function as a gathering space. **Mr. Baker** explained that there would be a 400 square foot shaded outdoor patio area for customers and community members to gather.

Mr. Shelly Smith expressed concerns about the safety of pedestrians on-site since there are so many drive-throughs.

Ms. Marcia Busching asked staff if there are any existing approved landscaping stipulations. **Ms. DiMartino** explained that there are no stipulations that address landscaping. She noted that the applicant would be required to meet the Zoning Ordinance landscaping standards.

Ms. Shepard asked if the Committee could modify any of the other stipulations of the zoning case. **Ms. DiMartino** explained that the Committee can only modify Stipulation 1; however, the Committee could add stipulations as part of their approval.

Dr. George Brooks expressed concern about the lack of community involvement. He stated he would have liked to see more community outreach done by the applicant.

Mr. Greg Brownell stated that this proposal will beautify the site and it won't remain blighted.

Ms. Monica Hostler, member of the public, explained that she is excited for the coffee shop use. She noted that she was concerned about the traffic the use might cause and the obstruction of view from her home on the other side of the canal. She also expressed concerns about the lack of notification. She explained that the notification letter had come in the mail less than a week before the meeting and that her HOA and neighbors had not been notified. She stated that she would like to see more landscaping or something to mitigate the visual impact.

Ms. Catherine Pliess, member of the public, suggested the applicant consider relocating the patio area as it would be more enjoyable to have the patio adjacent to the canal with mountain views instead of near the busy street. She stated that she was more supportive of the previous plans which included a large indoor area.

Ms. Kay Shepard discussed making a motion to require 25% landscaping on-site and compliance with the Baseline Area Overlay District.

Mr. Baker expressed concerns with the complying with BAOD as the site is very small and oddly shaped. He explained that it would be difficult to provide a 50-foot landscape setback along Baseline Road as 50 feet would be one-third of the depth of the site.

MOTION

Ms. Kay Shepard made a motion to approve as requested with an additional stipulation to require a minimum of 25% of the site to be landscaped. **Ms. Tamala Daniels** seconded the motion.

DISCUSSION

Mr. Lee Coleman asked staff why the applicant does not need to do a site plan amendment or public hearing to discuss the site plan. **Ms. DiMartino** explained that the applicant likely submitted a new site plan through the development process which does not require a public hearing. She further explained that there are no stipulations regarding general conformance to the site plan which is why it is not part of the PHO request.

Mr. Castello asked if there were any buffers to mitigate the impacts on the neighborhood to the west per the resident's concerns. **Mr. Baker** stated that there would be canalscape guidelines that the site has to follow which includes landscaping. He explained that due to the upward slope to the canal and the subdivision wall, the building would likely be difficult to see from residential subdivision. He added that there were no amplified speakers in the drive-throughs as well, customers will order and pick-up at the window.

Ms. Muriel Smith asked if the service would be quick if the customers are ordering and picking up at the same window. **Mr. Baker** stated that it would be quick service and with the lower volume of cars, he does not anticipate any issues.

Ms. Trites asked if it was an owner or franchisee opening the Human Bean. **Mr. Baker** stated that it was part of a franchise.

FRIENDLY AMENDMENT

Ms. Marcia Busching made a motion to add a stipulation requiring the site to conform to Baseline Area Overlay District (BAOD) as much as reasonably possible. **Ms. Tamala Daniels** seconded the motion. **Ms. Kay Shepard** accepted the friendly amendment.

DISCUSSION

Ms. DiMartino expressed that staff would have difficulty implementing "as much as reasonably possible" and asked if there were aspects of the BAOD that the Committee would like to see implemented. The Committee noted that landscaping on-site was the priority.

Mr. Shelly Smith stated that with three drive-throughs, he had concerns about emissions coming from the idling cars which may cause public health issues. **Mr. Baker** noted that

the C-1 zoning allows commercial uses and that the coffee shop would be a in a small building with low traffic.

VOTE

9-5 Motion to approve the friendly amendment passed; with members Busching, Brownell, Castello, Christopherson, Daniels, Glueck, Shepard, M. Smith, and Trites in favor. Brooks, Aguilar, Brennan, Coleman, and S. Smith dissenting.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Additional Stipulations:

9. A MINIMUM OF 25% OF THE SITE SHALL BE LANDSCAPED.

Staff Comment: In the C-1 zoning district, landscaping is established by the building setbacks and parking areas rather than an overall percentage of the site.

10. THE SITE SHALL COMPLY WITH BASELINE AREA OVERLAY DISTRICT AS MUCH AS REASONABLY POSSIBLE.

Staff Comment: Committee did not identify or request any specific regulation of the BAOD to be implemented.