



**Village Planning Committee Meeting Summary**  
**Z-4-20-8**

<b>Date of VPC Meeting</b>	September 8, 2020
<b>Request From</b>	R1-6
<b>Request To</b>	CP/GCP
<b>Proposed Use</b>	Landscape contractor office and yard
<b>Location</b>	Approximately 400 feet south of the southwest corner of 38th Street and Southern Avenue
<b>VPC Recommendation</b>	Approve per staff recommendation
<b>VPC Vote</b>	<b>15-0-0</b> Motion passes; none in dissent; none in abstention.

**VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*No requests to speak from members of the public were received.*

**Mr. Bojorquez**, staff, provided a presentation on the proposed rezoning case. Staff went over the location of the site, general plan land use designation, policy guidance, proposed site plan and recommended stipulations. Staff recommends approval, as presented in the staff report. He then invited the applicant to provide their presentation with the committee.

*Member Larios joined the meeting at 6:15pm bringing the quorum to 15 members.*

**Mr. Tom Galvin**, with Rose Law Group, introduced himself and provided background information on Black Eagle, the future property owner and operator, a local landscaping company. He indicated the location of the site, discussed the site plan and went over the requested zoning plus background of Black Eagle. An overview of the community outreach was provided, including immediate neighbors and organizations such as South Mountain Community College. He discussed the proposed use on the site, mentioning that most of the business is conducted off-site, and went over site improvements as stipulated. An overview of community engagement was provided, indicating employment, local causes, intention to use edible landscaping, and other activities where Black Eagle is involved. He concluded the presentation by discussing various General Plan goals and project benefits.

**Mr. Aguilar** asked how the issue of food deserts and the barriers to the formerly incarcerated are being addressed.

**Mr. Galvin** responded that they are planning to grow fruit trees and agave, in addition to partnering with local organizations to collect these.

**Mr. Nick Labadie**, with Rose Law Group, introduced himself and added that some of the local organizations who work with the formerly incarcerated recommended to them did not provide a response. However, Black Eagle does not discriminate against employing formerly incarcerated individuals.

**Mr. George Brooks** suggested connecting with other local organizations seeking to address the food desert issue.

**Mr. Greg Brownell** stated that the company has been a good neighbor and looks forward to working together to address the food desert issue.

**Ms. Marcia Busching** asked where the six-foot tall block walls are to be located on the site and how it relates to “Connecting People and Places” in the General Plan. She asked if open view fencing can be considered instead.

**Mr. Labadie** responded that there is an existing block wall along the perimeter of the site. He discussed the stipulations pertaining to landscaping and trail improvements along 32nd Street, including the wall treatment stipulation to help soften the impact on the adjacent trail along 32nd Street.

**Mr. Bojorquez**, Staff, explained that the Zoning Ordinance requirements for the Commerce Park Zoning District dictate a requirement for a minimum 6-foot tall solid wall to screen open uses and storage areas.

**Mr. Gene Holmerud** asked for clarification on the location of the multi-use trail in the property.

**Mr. Labadie** responded that the multi-use trail is existing along the frontage of the property, west of 32nd Street. He discussed the existing trail and the stipulations pertaining to the trail.

**Mr. Joseph Larios** stated that he is pleased with the presentation provided on the General Plan elements. He asked on how much of the site area is being allocated for food production on the site. He added that determining the specific area dedicated towards food production is good practice.

**Mr. Labadie** responded that they are not sure but are hoping to determine this by working with other groups including the South Mountain Community College.

**Ms. Fatima Said** and **Ms. Kay Shepard** expressed that they are pleased with the presentation provided.

**Ms. Muriel Smith** asked if the applicant was willing to help individuals with questions related to cacti falling on property due to the weather.

**Mr. Galvin** responded that they will discuss this with their client before the case appears at the Planning Commission.

**Mr. Shelly Smith** asked the applicant how they planned to address issues pertaining to leaving debris and materials on the street as vehicles enter and leave the site.

**Mr. Labadie** responded that the proposed rezoning stipulations do not address that, but that at the use permit process certain elements of the site could be looked into.

**Mr. Bojorquez**, Staff, added that the site would undergo a site plan review process which will review the site for compliance with commercial standards. Also, the use permit process will address the location of material storage and other elements on the site.

**Chairwoman Trites** asked if the existing barbed wire is to be kept on the site.

**Mr. Labadie** responded that the barbed wire will be removed.

**Chairwoman Trites** opened and closed the public portion of the meeting.

#### **MOTION**

**Ms. Shepard** made a motion to approve the case per the staff recommendation in the staff report. **Ms. Daniels** seconded the motion.

#### **VOTE:**

**15-0** Motion passes; None in dissent.

**Ms. Busching** explained her vote, stating that she does not like the solid wall or increasing the solid wall's height. She asked the applicant to consider view fencing instead of the solid wall.

#### **STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.