



Village Planning Committee Meeting Summary Z-53-84 (PHO-1-20)

Date of VPC Meeting	June 10, 2020
Planning Hearing Officer	June 17, 2020
Hearing Date	
Request	<ol style="list-style-type: none"> 1) Deletion of Stipulation 1 prohibiting vehicular access to 57th Avenue. 2) Deletion of Stipulation 4 regarding an emergency vehicle crash gate on 57th Avenue. 3) Technical correction to Stipulation 5.
Location	Northwest corner of 57th Avenue and Thomas Road
VPC Recommendation	Approval with one modification
VPC Vote	6-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Brandon Sirochman left during this item, bringing the quorum to 8.

Three public speaker cards were submitted in favor, wishing to speak.

Sarah Stockham, staff, provided an overview of the request. She displayed an aerial map, previously approved site plan, and briefly reviewed the site's history and applicant's request for stipulation modifications and deletions.

Brian Greathouse, with Burch & Cracchiolo PA, representing the applicant, presented an overview of the request, the history of the site, and displayed an aerial map and images of the existing buildings. Mr. Greathouse introduced **Brock Danielson**, with West Thomas Apts LLC, the owner of the property. Mr. Greathouse explained that Mr. Danielson has been investing in the community by rehabilitating the apartments with the stated goal to leave the site better than they found it. Mr. Greathouse added that while Stipulation 1 prohibits vehicular access on 57th Avenue, the gate has been operating as an exit-only gate for the residents for the past 20-30 years. Mr. Greathouse concluded his presentation by reviewing the stipulations, his request, and shared the date of the Planning Hearing Officer meeting.

Christopher Demarest shared that he lives close to the subject site and there is heavy traffic on 57th Avenue due to the proximity of several parks and Maryvale High School. He stated that he does not support the request.

Mike Weber asked what the purpose of the gate will be on 57th Avenue if the site will only have access from Thomas Road.

Mr. Greathouse responded that the gate on 57th Avenue will continue to be exit-only, as it currently exists on the site today.

Viri Hernandez asked the applicant to confirm they will not be adding an entrance of 57th Avenue, clarification on the applicant's comments on how the owner is investing in the community, what will happen to site if the request is not approved due to the current violation of Stipulation 1, and if rents will increase for the current residents with the proposed improvements to the site. Ms. Hernandez also requested pedestrian and traffic counts of the intersection of 57th Avenue and Thomas.

Sarah Stockham, staff, stated that the Neighborhood Services Department handles property violations and is complaint-based.

Mr. Greathouse replied that request is not to add an entrance on Thomas Road, but to modify the stipulations to comply with existing site conditions. Mr. Greathouse continued that the owner's investments include building and site improvements.

Mr. Danielson added that the improvements are to stabilize the asset and bring it up to standard, and most of the renovation is complete. Mr. Danielson shared that they have increased the rent slightly on some of the units, but the rates are competitive with the area.

Joe Barba shared that he appreciated the owner's investment in the area and for those living in the apartment building. Mr. Barba added that he appreciated the owner's efforts to do the right thing and modify the stipulations to match the site conditions.

Jeff O'Toole asked Mr. Demarest if he would support the request given that the traffic pattern will not change.

Mr. Demarest replied that he will not support the request, and 57th Avenue is still a very busy road.

Vice Chair Gene Derie shared that he appreciated the property owner's desire to improve the site and clean up the stipulations. Mr. Derie added that if the committee voted not to remove Stipulation 1, it would have a bottleneck effect for traffic Thomas Road. He continued that turning left on Thomas Road is already difficult, which is why he suspects the previous property owner added the exit-only gate on 57th Avenue so residents could go north and access Osborn Road to travel east or west. Mr. Derie concluded that he will support the request.

Mr. O'Toole stated that if the committee did not approve the request, it could create worse traffic problems than already exist today.

Ms. Hernandez asked if there had been any community input in the process, and as someone who attended Maryvale High School and walked by the site, if those who live in the community had the opportunity to talk about the exit on 57th Avenue.

Vice Chair Gene Derie confirmed that staff did not receive any speaker cards and asked if there had been any complaints to Neighborhood Services regarding the site.

Ms. Stockham, staff, stated that she did not have information on complaints to the Neighborhood Services Department for the site.

Mr. Demarest asked the applicant if they would consider contributing to speed bumps on 57th Avenue.

Mr. Danielson stated that he is open to any dialogue with the community and since he has known the property, the gate on 57th Avenue has been broken and thus, open for vehicular entrance and exit. Mr. Danielson stated that now that the gate is fixed, those waiting to exit the property must stop which slows down traffic and people can no longer enter from 57th Avenue.

Vice Chair Gene Derie asked Mr. Weber if he would agree to change the motion he had in mind to modify Stipulation 1 to prohibit vehicular ingress from 57th Avenue.

Mr. Weber replied that he wouldn't mind seeing the 57th Avenue gate be an entrance and an exit. Mr. Weber replied that he would make a motion to allow the 57th Avenue gate to be exit-only.

Public Comment:

None.

MOTION

Mike Weber made a motion to recommend approval with one modification as follows:

Modification:

Modification to Stipulation 1 to prohibit vehicular ingress from 57th Avenue, so that the gate will remain as exit-only.

Jeff O'Toole seconded the motion.

DISCUSSION:

Ms. Hernandez noted that there was no community input during the process and that we do not know the impact of the 57th Avenue gate to the nearby community.

VOTE

6-2, motion passes; with members Barba, Battle, DuBose, O'Toole, Weber, and Derie in favor and members Demarest and Hernandez opposed.

Vice Chair Gene Derie, noting it is unusual to do so, asked the applicant if he was ok with the modified language for Stipulation 1.

Mr. Greathouse responded affirmatively and that an entrance on 57th Avenue is infeasible due to lack of space for a deceleration lane.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

None.