



Village Planning Committee Meeting Summary

PHO-1-24—Z-56-16-3

Date of VPC Meeting	August 21, 2024
Date of Planning Hearing	September 18, 2024
Officer Hearing	
Request	1) Deletion of Stipulation 1 regarding minimum landscape setback along the east property line.
Location	Approximately 320 feet east of the southeast corner of 19th Avenue and Cactus Road
VPC Recommendation	Approval
VPC Vote	12-0

VPC DISCUSSION:

Staff Presentation:

Chase Hales, staff, presented an overview of the Planning Hearing Officer (PHO) request and gave a brief refresher on what the PHO process entailed, citing that it had been a while since the Committee had heard a PHO case.

Applicant Presentation:

Sean Hamill, with United Engineering Group, shared an overview of the site and location. Mr. Hamill gave a history of the zoning case and reviewed the stipulation that was being requested to be deleted. Mr. Hamill stated that the proposed Family Dollar had been built, and that the residual land had been sold and was now looking to be developed by his client. Mr. Hamill stated that his team had submitted for development pre-app in the summer of 2023 and after several iterations the stipulation was discovered. Mr. Hamill stated that there was already a generous setback on other parts of the property due to the slope of the hillside, but due to the positioning of the Family Dollar Store, there was a bottleneck in which some of the parking stalls and some of the proposed amenities would be in the stipulated setback.

Questions from the Committee:

Committee Member Sommacampagna asked if the applicant was providing 40 feet of setbacks in other areas of the project. Mr. Hamill stated that the required landscaping setbacks were certainly met, it was the stipulated setback that created an issue. **Chase Hales**, staff, explained that only 15 feet was required by the Zoning Ordinance. **Vice**

Chair Matthews asked to clarify that if the stipulation were to be deleted as proposed, the setback would revert to 40 feet. Mr. Hales stated that the rear setback that would then apply would be 15 feet.

Committee Member Adams asked if proposed multifamily product would be for sale or for rent. Mr. Hamill stated that the product would be single family homes for rent.

Committee Member Garbarino asked if there would be a staff report. Mr. Hales explained that no staff report is created for PHO requests.

Committee Member Garbarino asked if the setback requirement would be deleted, what the greatest landscape distance would be based on the proposed site plan. Mr. Hamill stated that he did not have all of the information at hand but could confidently say that the distance would be at around 30 feet at a minimum.

Committee Member Carmona asked if a wall or fence would be placed on the eastern edge of the property. Mr. Hamill stated that due to the requirement of the Hillside Ordinance, there would be no wall along the eastern edge of the property, only a retaining wall in the hillside would be used.

Committee Member Garbarino asked if access to the preserve would be provided as an amenity. Mr. Hamill stated there would not be.

Committee Member Sommacampagna asked if it was known why the 40 feet was stipulated in the rezoning case. Vice Chair Matthews stated that in the original zoning case's minutes with the Village Planning Committee, it was desired to reduce the distance from 50 feet to 40 feet.

Public Comments:

None.

Committee Discussion:

None.

Motion:

Committee Member Adams motioned to recommend approval of PHO-1-24--Z-56-16-3. **Committee Member Veidmark** seconded the motion.

Vote:

12-0, Motion to recommend approval of PHO-1-24--Z-56-16-3 passed with Committee Members Adams, Alauria, Carmona, Garbarino, Jaramillo, Molfetta, O'Hara, Pamperin, Sommacampagna, Whitney, Viedmark, and Vice Chair Matthews in favor; none in opposition; and none in abstention.