



Village Planning Committee Meeting Summary
PHO-3-20-Z-14-05-1

Date of VPC Meeting	November 19, 2020
Planning Hearing Officer	December 16, 2020
Hearing Date	
Request	<ol style="list-style-type: none"> 1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped August 31, 2007. 2) Deletion of Stipulation 2 regarding a master architectural theme. 3) Modification of Stipulation 3 regarding landscape setbacks along 7th Avenue, Misty Willow Lane, and internal streets. 4) Deletion of Stipulation 5 regarding parking lot landscaping. 5) Modification of Stipulation 7 regarding recording documents that disclose the existence and characteristics of Goodrich-Universal Propulsion Company. 6) Technical correction to Stipulation 4.
Location	Approximately 633 feet east of the northeast corner of 7th Avenue and Misty Willow Lane
VPC Recommendation	Approval with a modification
VPC Vote	10-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS

Mr. David Simmons, staff, went over the request with the committee. He explained each change that was being requested on each stipulation. He went over the original site plan and shared that the original parcel has been subdivided and is now under separate ownership.

Mr. Nico Howard, applicant, went over the request and shared that he is the owner of the southernmost parcel, which triggered this PHO request. The southernmost parcel will be split further, and 5.00 acres of the parcel will house a medical marijuana cultivation facility, which already has entitlements for the use, the request is specifically targeted to alter existing stipulations, which no longer apply to the site.

Chairman Joseph Grossman inquired about odor issues from such a use and asked if there were stipulations in place to mitigate this as it is a potential nuisance.

Mr. Howard shared that this is regulated by the State, therefore, there is no need to stipulate to this.

Ms. Michelle Gardner asked if the site meets separation requirements and asked if any other cultivation facilities were in close proximity.

Mr. Howard shared that the separation requirements for the proposed use from other medical marijuana facilities is one mile. He shared that this is outlined in the City of Phoenix Zoning Ordinance.

Mr. Brandon Shipman asked if the committee were only considering the revised stipulations, not the proposed use.

Mr. Howard shared that we are here tonight to consider the PHO request as the use is already entitled.

Mr. Keith Greenburg asked if there is a security plan.

Vice Chair Trilese DiLeo asked if the entire parcel was intended to house a cultivation facility.

Mr. Howard shared that only 5.00 acres of the southern parcel is planned for a grow facility, which is a fraction of the overall parcel. He shared a proposed site plan of the parcel reflecting the portion for the proposed cultivation facility.

Mr. Brandon Shipman shared that he is in support of the request.

Vice Chair DiLeo stated that she would like changes made to Stipulation 7, which is requesting to strike the language related to the former rocket propulsion testing facility (Goodrich Universal Propulsion Co.). The Goodrich site is no longer in use but is still undergoing environmental remediation and will be for the foreseeable future. She shared that striking this language could be detrimental to new users on the site. She emphasized the importance of keeping a disclosure requirement in the stipulation about the contaminated aquifer.

Ms. Gardner reminded the committee that they are here to consider the requested stipulation changes, not the land use and stated that she is in support of the request.

MOTION

Vice Chair Trilese DiLeo motioned to recommend approval of Case No. PHO-3-20-Z-14-05-1 with a modification to the applicant's request for Stipulation 7 to include a requirement for a disclosure statement regarding the aquifer contamination resulting from the Universal Propulsion Co.

Committee member **Ms. Michelle Gardner** seconded the motion.

VOTE

10-0 Motion to approve with a modification passed; with Committee members Grossman, DiLeo, Gardner, Greenburg, Kenney, Levy, Lewis, Osborne, Romero, and Shipman in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS

No comment.