



## Village Planning Committee Meeting Summary PHO-2-20— Z-18-15-2

**Date of VPC Meeting** February 1, 2021

**Planning Hearing Officer** February 17, 2021  
**Hearing Date**

**Request**

- 1) Request modification of Stipulation No. 1 regarding general conformance to the site plan date stamped May 29, 2018;
- 2) Modification of Stipulation No. 2 regarding general conformance with the landscape plan and elevations date stamped May 29, 2018;
- 3) Deletion of Stipulation No. 3 restricting the driveway along 22nd Street to right-in ingress and left-out egress.

**Location** Northeast corner of 22nd Street and Quail Avenue

**VPC Recommendation** Approval of PHO Case No. PHO-2-20-Z-18-15-2 excluding the removal of Stipulation No. 3 and an added stipulation that the dumpster be relocated to the southern property boundary.

**VPC Vote** **17-0** with committee members Balderrama, Belous, Cantor, Gerst, Goodhue, Hall, Maggiore, Mazza, Mortensen, Popovic, Severs, Sparks, Stewart, Ward, Wise, Gubser and Leshar in favor.

### **VPC DISCUSSION & RECOMMENDATION:**

*1 speaker card was submitted in opposition, wishing to speak*

**Mr. David Simmons**, staff, provided an overview of the request. He discussed the project background, the proposed updated site plan and went over each of the requested modifications to the three stipulations to include rationale.

**Mr. Richard Starr**, applicant, went over the request and touched on the General Plan Land Use map conformity, surrounding land uses and elaborated on staff's personation in regard to rationale.

**Ms. Jennifer Hall** asked the applicant if he had received any public input from the community.

**Mr. Starr** shared that he received input from the neighbor directly abutting the site to the east.

**Ms. Hall** asked if he addressed the concerns from the neighbor.

**Mr. Simmons** shared that phase of the proposal consists of a vacant lot.

**Ms. Toby Gerst** stated that the neighbor had concerns about the cmu wall and lighting.

**Mr. Starr** shared that yes, the development team did incorporate enhancements to the wall and ensured that light does not spill onto the adjacent site.

**Public Comment:**

**Ms. Suzanne Higgins**, residing nearby, stated that this site is not located in an industrial area as the applicant suggested, but is adjacent to residential abutting the northern property boundary. She said the abutting residential uses are why the stipulation no three was implemented in the original case. She also shared concerns about the dumpster being located on the northern property boundary adjacent to residential up against the wall.

**Ms. Toby Gerst** asked what the hours of operation were for the business and why the dumpster was located on the northern property boundary abutting residential.

**Mr. Starr** shared that the hours of operation were to be from 8:00 am to 6:00 pm. He also shared that there will be new curb, gutter and sidewalk, which should alleviate Ms. Higgins concerns. He also shared that there is a 10 foot landscape strip between the 8 foot wall and property boundary, which should provide an adequate buffer between the dumpster and residential uses.

**Ms. Gerst** asked if the dumpster could be moved to the southern property boundary away from residential uses.

**Chairman Robert Gubser** also asked if the dumpster could be relocated to another portion of the site.

**Mr. Starr** stated that the dumpster could be relocated, away from residential.

**Ms. Gerst** has concerns about the noise generated from trash pickup from the dumpster next to residential. She asked if the entire building could be shifted over.

**Ms. Jennifer Hall** shared that she recalls the original case coming before the committee several years ago and shared that Stipulation No. 3 was added to the case for a specific reason.

**Mr. Robert Goodhue** stated that he does not see a need to remove Stipulation No. 3.

**Mr. Roy Wise** shared that Stipulation No. 3 was put into place to restrict RV's from driving into the residential area to the north.

**Mr. Starr** shared that 22nd Street will be improved as part of this development process.

**Ms. Gerst** asked if the street improvements were only to be done on the subject site's frontage and no more than that.

**Mr. Starr** confirmed that the improvements would only be done on the actual street frontage of the subject site.

**MOTION:**

**Ms. Toby Gerst** made a motion to recommend approval of Rezoning Case No. PHO-2-20-Z-18-15-2 excluding the removal of Stipulation No. 3 and an added stipulation that the dumpster be relocated to the southern property boundary.

**Ms. Jennifer Hall** seconded the motion.

**VOTE:**

**17-0** with committee members Balderrama, Belous, Cantor, Gerst, Goodhue, Hall, Maggiore, Mazza, Mortensen, Popovic, Severs, Sparks, Stewart, Ward, Wise, Gubser and Leshar in favor.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

NA