



Village Planning Committee Meeting Summary

Z-86-18-2

Date of VPC Meeting	September 19, 2019
Request From	S-1 (18.13 acres)
Request To	CP/GCP (18.13 acres)
Proposed Use	Recreational Vehicle and Boat Storage Facility
Location	Northeast and southeast corners of Black Canyon Highway and the Dynamite Boulevard alignment
VPC Recommendation	No Recommendation due to abstentions
VPC Vote	1-4-3, 4-1-3

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Mr. David Simmons, staff, went over the request, gave an overview of the history of the case and explained why it was back at the VPC for a formal recommendation. Mr. Simmons went over the site plan changes that have occurred since the VPC originally heard the request and went through the omitted, updated and added stipulations that resulted as a result of the site plan reconfiguration and public hearing that took place to date.

Ms. Heather Dukes, with the Law Offices of Lazarus, Silvyn & Bangs, P.C., representing the applicant, went over the site plan reconfiguration, which was a result of public outcry over the multifamily development to the north. She went over deed restrictions to be added to the northern most parcel of the rezoning request that will further protect the multifamily community to the north. Ms. Dukes highlighted Stipulation No. 15 in the staff report and explained that this language ensures that any future development that is proposed as part of this rezoning area will be required to go through a hearing process. She went over the General Plan designation and surrounding zoning in the area. She explained that the surrounding sites will either develop as multifamily or Commerce Park/General Commerce Park uses. Ms. Dukes provided an enumerated list of concerns that have been addressed as a result of meeting with concerned stakeholders in the area.

- Concerns about lighting have been addressed.
- Noise limitations are addressed through the City Codes, wall heights and enhanced landscaping.
- Phasing, landscaping and setbacks have been addressed.
- High quality building materials have been addressed.

- Trip generation from the use has been addressed.
- Hours of operation have been addressed.

Ms. Dukes then went over the number of support letters that have been received to date and showed a slide depicting where the letters were generated from in relation to the site. She went on to discuss the public outreach efforts.

Chairman Joseph Grossman inquired about ownership of the surrounding land.

Ms. Dukes confirmed the ownership information.

Mr. Larry Lazarus explained the ownership of land and the resulting land swap that occurred.

Public Comment:

Ms. Sarah Battle, representing Sage Apartment, expressed concerns about decreased property values, character of the area changing, compromised views, tenant leases being broken as a result of proposed use, increase in crime, lighting, hours of operation of proposed use and noise. She voiced concerns about the salt water pool amenity abutting the storage use and thinks that this will deter tenants from using this very expensive feature of the property. She shared that the tenants at Sage Apartments would like to see employment opportunities in the area.

Mr. Ozzie Virgil asked how many more apartment units are planned to the north of Sage Apartments.

Ms. Battle shared that around 200 more units are planned as part of the Sage Apartment expansion.

Ms. Peggy Neely stated that she had left this meeting the last time this case was heard thinking we had a recommendation for denial and we did not due to staff's mistake. She shared that the Planning Commission had to have a special meeting to be briefed on what had happened at the VPC meeting. She shared that the Planning Commission did not seem to have a lot of concerns so if the VPC really wants their voices to be heard they should show up to Planning Commission. Ms. Neely asked the VPC what land uses they really want to see along the I-17 corridor. She asked if they want to see big business. She stated that the proposed use is a temporary use and in the next 10 or so years the next big and best developer will come in, scrape this storage use off the site and build something else. She stated that she has nothing against the property owner, but the VPC has to think about what type of uses they want to see along this corridor in the future.

Mr. Matthew Kenney asked Ms. Neely if she realized that there are multiple duplicate signatures on the petitions she provided for the VPC's review.

Ms. Neely stated that she will take a look at that.

Mr. Cliff Freedman, President of Citizens Improvement Association (CIA), spoke in support of the project. He shared that he does not work for anyone and is not being paid for his time here tonight. He asked how CIA got involved with this case. He shared they got involved due to mailings that were sent out by the applicant. He shared that this use is needed in the area and gave a personal example of the need for boat storage in the area. As a result of the lack of boat storage in the area he ended up selling his boat due to expensive boat slip storage costs at Scorpion Bay. He stated that this is a perfect place for this type of use. He stated that Ms. Neely was paid by another developer to kill the RV and boat storage project. He shared that CIA has been working with surrounding neighbors, compiled over 100 statements of support and confirmed ownership through deeds because this use is highly needed in the area. He stated that of the over 100 statements of support, none are fraudulent and there are no duplicate signatures.

Mr. Fred Bishop, property owner abutting proposal, stated that the land swap resulted in a better footprint for the storage use. He is happy with the high-quality design. He shared that the applicant has worked hard collaborating with neighbors. He stated that he is in support.

Applicants Response:

Ms. Heather Dukes acknowledged the high dollar salt water pool amenity abutting the storage use and said it is a very nice feature of the apartment community. She explained that there is an 11 – foot wall between the pool area and the storage use as well as a 20 – foot landscape buffer. She stated that there is no evidence crime will increase as a result of the storage use as this is a passive use. She went over the site plan slide and showed the VPC that only four RV storage spaces will abut the multifamily use. She stated that this development is not a low-quality fly by night development. She emphasized that this use is much needed in the area and worked diligently with neighbors to achieve the current design and configuration.

Vice Chair Trilese DiLeo asked how many jobs this use will generate.

Mr. Mark Temen, applicant, stated that this use is not a job engine and was never intended to be an employment hub. He also stated that this use is not a traffic generator either generating about 22 trips per day. He stated that this is the lowest intensity use for the site imagined.

Chairman Joseph Grossman inquired about the needs assessment that was done by the applicant.

Mr. Temen went over the details of the needs assessment and shared that there are over 3000 RV and boat owners within the study radius.

Mr. Ricardo Romero asked Mr. Temen if this is his first storage facility.

Mr. Temen shared that this is his first storage facility project.

Mr. Romero asked Mr. Temen what his intent is on the northern most parcel not included on the storage use site plan.

Mr. Temen stated that nothing has been planned for the northern parcel and it is simply an investment property at this point.

Mr. Russell Osborn wanted clarity on Stipulation No. 15.

Mr. David Simmons explained that any future proposal for the northern most parcel in this request will have to go through a public hearing process.

MOTION:

Vice Chair Trilese DiLeo made a motion to deny Case No. Z-86-18-2.

Mr. Ricardo Romero seconded the motion.

VOTE:

(1-4-3), The motion to deny Case No. Z-86-18-2 failed; with Committee Members Romero in favor; Kenney, Levy, Osborne and Virgil not in favor; Grossman, DiLeo and O'Brien abstaining.

Chairman Joseph Grossman stated that he thinks this case should have come back to the VPC as a new submittal. He believes that the original vote cast by the VPC during the May meeting was very clear even though it was not by the book. He reiterated that the case should have come back to the VPC as a new proposal due to all of the modifications that have occurred since the May VPC meeting. He stated that this is very disingenuous. He stated that the VPC needs to have a discussion on what we believe is appropriate or not appropriate for this corridor, which we will not discuss today due to lack of time.

Vice Char DiLeo echoes the Chairman's sentiments. She stated that the property owner has a right to come back to the VPC for a formal recommendation. She stated that she simply does not want to see a storage use on this site. She would like to see an employment center.

Mr. Ozzie Virgil stated that he recognizes that the Sage Apartment will be against any proposal on this site. He stated that they are opposed to other projects on the other side of the I-17 that will not affect them at all. He stated that an increase in crime as a result of the storage use is a mute concern. He stated that the 200 more units Sage Apartments is planning will generate more crime than the proposed storage use.

Mr. Russell Osborn stated that not every piece of land is suitable for commerce and employment center uses. He shared that he thinks the RV and boat storage

use is appropriate for this site. He stated that the VPC needs to look at more than just job opportunities within this corridor.

Mr. Bill Levy stated that it will be sad to see apartments along this corridor. He shared that he is in support of the storage project. He stated that he does not like that Sage Apartments is meddling in all of these other projects in the area.

Ms. Racelle Escobar reiterated that there are safeguards in place for VPC members in regard to potential liabilities that may arise.

Vice Chair DiLeo shared that she is afraid that the RV storage facility will deteriorate over time and potentially result in a blighted property.

MOTION:

Mr. Russell Osborn made a motion to approve Case No. Z-86-18-2 per the staff recommendation.

Mr. Bill Levy seconded the motion.

VOTE:

(4-1-3), The motion to approve Case No. Z-86-18-2 resulted in no recommendation; with Committee Members Kenney, Levy, Osborne and Virgil in favor; Romero not in favor; Grossman, DiLeo and O'Brien abstaining.