



Village Planning Committee Meeting Summary

Z-SP-6-23-8

INFORMATION ONLY

Date of VPC Meeting	March 12, 2024
Request From	C-2
Request To	C-2 SP
Proposal	Self-service storage warehouse and underlying C-2 uses
Location	Southeast corner of 41st Street and Baseline Road

VPC DISCUSSION:

Committee Members Fatima Muhammad Roque and George Brooks joined the meeting during this item bringing quorum to nine members (nine needed for a quorum).

27 members of the public registered to speak in opposition to this item, 16 members of the public registered in opposition but did not wish to speak, and one member of the public registered to speak in favor of this item. Seven members of the public donated their time to Brian Harvey and three members of the public donated their time to Alberto Rodriguez.

APPLICANT PRESENTATION

Mike Maerowitz, representing the applicant with Snell & Wilmer, LLP, presented the proposal, outreach, subject site location, examples of by-right uses allowed in the C-2 zoning district, C-2 development standards, benefits of self-storage, and changes to the proposal based on community feedback.

PUBLIC COMMENT

Darcy Thomas stated that she supports the project and stated the self-storage does not produce much traffic.

Cynthia Standage-Beyer asked if the VPC had quorum. **Chair Trent Marchuk** explained that the VPC needs one more member to reach quorum and stated that he is hopeful another member will make it to the meeting.

Paul Sapio stated that he is opposed to the project, stated the neighborhood deals with other uses, stated that the Baseline Corridor is nice but ends at 40th Street, stated concerns about traffic, and stated that a child recently died on Baseline Road.

Bill McPeters stated that he is opposed to the project, stated that the project does not provided benefits to the community, echoed Paul Sapio's concerns about traffic safety and the recent fatality, stated that there was an accident at 41st and Baseline earlier that day, stated that Baseline Road has no traffic control at the intersection, stated people will have to do U-Turns to access the property, stated that a nearby café built a deceleration lane, stated that turning left onto Baseline Road is dangerous, that the proposal does not address the dangerous left turns, and that the proposal makes turning onto Baseline Road more dangerous.

Luis Enriquez stated that he is opposed to the project, stated he has been in area since 1947, stated Baseline used to be two lanes and flowers, groves, farmland, and citrus, explained he purchased a home in South Phoenix and stayed, explained that he bought one of the first homes in the area, explained that District 8 has turned into beautiful place, stated that District 8 used to be the a ghetto and where all the dumps were placed, stated that the area has maintained the country architecture of homes, stated that there will be four self-storage facilities in the area, and stated that another self-storage facility is not needed.

Brian Harvey introduced himself, explained that he has 30 years of architectural design, stated that he was asked by neighbors to speak about architecture, stated that progress has been made on the refining the proposal's traffic, safety, and design, but explained that the preservation of view corridors had not been addressed, stated that the proposal is massively out of scale, stated that the building positioning creates safety risks, stated that the architecture does not reflect the history of area, stated that the alternative designs from the community have been dismissed by the applicant team without consideration, stated that he is in opposition to the project until the preservation of view corridors is addressed, stated it feels like a large business rather than a local business, and stated that other C-2 uses would offer the community amenities.

Laurie Pheil stated appreciation that the applicant team had met with her three times, stated the applicant team's tone in the meetings was always that things could be worse if a by-right development comes to build, stated that the self-storage use is not allowed to be 30 feet tall by-right, stated that building's scale is not compatible with the neighborhood, stated that the VPC requested incorporation of the Baseline Area Overlay District (BAOD) and Mixed-Use Agricultural District design elements, stated that the proposed Multi-Use Trail abruptly stops when it hits the wash, stated that the proposal does not preserve view corridors like the BAOD requires, stated that Brian Harvey produced drawings to build a basement while lowering the height, stated that the applicant team has not given up any square footage of space since the initial presentation, stated that City of Phoenix General Plan includes planning equity policies, and stated that residents purchased properties with the belief that the BAOD would protect property values and enhance the area.

Catherine Napoli explained that she has been a resident in the area since 1997, stated that residents were told by the developer that the community should accept the proposal

because the elevations had been updated and the ingress/egress had been moved to Baseline Road, stated that the building's proposed location will limit sight view triangles when people are trying to turn onto Baseline Road, stated a U-turn will be required to go westbound out of the development, stated that the development team refuses to bring the height down, and stated that the development will create a potentially deadly scenario.

Alberto Rodriguez explained his history in the area and background, stated that he is opposed to the project, stated that other uses would support the Connect Oasis General Plan Core Value, stated that the Circle K across Baseline is the only retail use that the school to the north has access to, stated that an amenity that students could use would be beneficial, stated that a proper crossing at 40th Street is needed, stated a need to slow down traffic on Baseline Road, stated that self-storage will only employ two or three people, echoed concerns about recent traffic accidents, and stated that the development will make things more dangerous.

Julia Taggart explained that she had been through the same process in Sunnyslope, stated that a HAWK costs \$250,000 and requires a six month survey, stated that self-storage did not help the community in Sunnyslope, stated that her community had been dealing with traffic safety issues, stated that Cave Creek Road was approved for a HAWK but it will not be built for 10 years, stated that law suits will happen, and encouraged the community to attend the Planning Commission and City Council hearings on the case.

Chair Marchuk stated that there had been some confusion on the role of the VPC and asked staff to explain who the VPC members are and what they do. **Mr. Rogers** explained that the VPC is voluntary committee made up of residents and workers in South Mountain that are meant to represent the needs and wants of the South Mountain community.

Brian Harvey explained some proposed design changes he had developed to provide a more compatible and safer development, explained that 1/3 of the building could be a basement and explained that he had sought out a quote for excavation, stated that building setbacks will improve the design, stated that he had won a Tempe beautification award on industrial building, stated that the development team had given up zero square footage, stated that the development team needs to consider moving somewhere else or changing the design massing, stated that when the building comes in a whole block will have views blocked, and stated that the out-of-state developer is unwilling to modify the design.

Shane Gore asked how the development will comply with the South Mountain Village Character Plan and the General Plan, asked about the envisioned benefits for the community, and stated that the top self-storage companies each made approximately 4 billion in profit and can afford to build a HAWK.

Patrick McGrorty stated he has been in the area since 2005, stated that the building is out of character with the area, stated that the building should be one story, stated that other C-2 uses would generally be one story, stated that he lives just south of the subject site, stated the project will block his views and inhibit him from sitting with his daughter to watch planes land, and stated that the notched building elevation is the least he is willing to compromise on.

APPLICANT RESPONSE

Mr. Maerowitz stated that in his experience you cannot please everyone, stated that what is important is to invite the neighbors into the discussion, and stated that the proposed self-storage use is low traffic generating use. Mr. Maerowitz explained that, in response to community concerns, the development team had altered the proposal by moving the ingress/egress to Baseline Road, spoke to the Street Transportation Department to help with the timing of the intersection, changed the proposed building materials and colors, changed the rooflines, and changed the landscaping. Mr. Maerowitz explained that community outreach process is a negotiation, stated that everyone needs to be reasonable, and stated that building a basement is not a reasonable request because it is cost prohibitive. Mr. Maerowitz explained that self-storage uses can benefit communities by providing extra space for storage, stated it is a low traffic generating use, stated that there are no back-of-house functions that are disruptive, stated that the proposal will provide certainty for the property, and explained that the development team is planning to come back with a proposal that shows a dedicated turn lane.

QUESTIONS FROM THE COMMITTEE

Committee Member Fatima Muhammad Roque asked for more information on the traffic analysis conducted for this project and how many units are proposed. **Mr. Maerowitz** explained that the applicant team had investigated the peak trip generation and stated that during weekdays there will be approximately nine trips and on weekends there will be approximately 20 trips, explained that the applicant team had worked with the Street Transportation Department to fix the traffic light timing, explained that the proposal is for 726 units, and explained that units are smaller interior units.

Committee Member Kay Shepard stated concerns about the building's aesthetics. **Mr. Maerowitz** stated that the development team aims to create the most attractive self-storage building possible and clarified that although the subject site is not within the BAOD, the proposal has incorporated BOAD design elements such as the inclusion of wood, stone veneer, and sloping roofs. Committee Member Shepard stated that the design project aligns with a parking garage, stated that just because the proposal is more attractive than most self-storage uses does not mean the proposal is desirable, and stated that the development will block views. Mr. Maerowitz explained that the building is lower than the maximum height allowed and stated that the City of Phoenix says that view corridors are not protected.

Committee Member Darlene Jackson questioned the use of words like "give", brought attention to the history of South Phoenix, highlighted issues such as drugs, crime, and family member deaths, emphasized the importance of community engagement, stated that community outreach should be engaging rather than telling, stated disappointment in not seeing the humanity in the project, stated the need to connect with the community, stated that suggestions are not being considered, questioned whether the project is useful for the community, and expressed a desire to hear more about the human side of the project. **Mr. Maerowitz** stated that he hopes it does not sound like the development team are brushing off the community, mentioned significant changes made in response to community feedback, particularly regarding traffic, design, and landscaping, explained that the proposed building aligns with what is expected to be seen in Baseline areas, and highlighted the human side of the project, mentioning that four units would be reserved free of charge for the community.

Committee Member Lee Coleman inquired about the zoning that allows self-storage by right. **Mr. Rogers** responded that self-storage facilities are allowed in C-3 and above zoning districts.

Committee Member Tremikus Muhammad asked why the company wasn't considering the alternatives the neighborhood has offered. **Mr. Maerowitz** explained that the team made a lot of requested changes, emphasized the need for reasonable requests, mentioned that they looked into building a basement, but it was cost-prohibitive, and discussed dedicated right-in/right-out options to move traffic off of 41st Street. Committee Member Muhammad asked if it is reasonable for the community to accept a drop in property value. Mr. Maerowitz explained that being adjacent to a vacant C-2 property negatively impacts home values and stated that the proposal for self-storage will improve values by removing the possibility of a use that includes loading and other nuisances.

Committee Member Greg Brownell emphasized the importance of the community standing firm against threats of "something worse," highlighted the community's courage in risking something else rather than approving something they do not like, and stressed the importance of not being afraid of something unknown.

Vice Chair Arthur Greathouse III asked about the context behind the building's height being lower than 30ft. **Mr. Maerowitz** explained that a higher building wouldn't be a huge benefit and wouldn't impact views unnecessarily, while still being economically sound.

Committee Member Muhammad Roque asked about the number of jobs and rental rates and stated that four out of 726 units had been allocated to the community.

Mr. Maerowitz provided details on employment opportunities, rental rates, and community units and explained that four units will be reserved for the community.

because Safestor will continue to own the property and wants to provide benefits for the community. Committee Member Muhammad Roque asked about the standard occupancy. **Christopher Russ**, with the applicant team, stated that the development is expected to be 90% leased within two years. Committee Member Muhammad Roque clarified that the vacancy rate would be around 10% and stated the four units reserved for the community is much less than 10%.

Committee Member Coleman asked about due diligence in site selection and asked why a C-3 site wasn't found. **Mr. Maerowitz** explained that if a suitable C-3 zoned property were available, the applicant team would pursue it, and stated the benefits of the site being next to residences. Committee Member Coleman stated that there are C-3 zoned sites all over South Mountain.

Committee Member Brownell questioned the philosophy of picking a site with opposition rather than settling for a site zoned C-3 and questioned the logic that the self-storage use will be good for a neighborhood that opposes it. **Mr. Maerowitz** stated that it is important that self-storage is close to residences and discussed the benefits of the Special Permit process in showcasing the development to the community.

Committee Member Jackson summarized the discussion, emphasized the economic benefits of further investing in the community, asked why they had not taken the hit and invested in the community, and stated she believes the community is worth more than just four units.

Committee Member Coleman commented on the need for the product but not in the specific area and suggested that locating near a multifamily development would be more beneficial than near an established single-family residential community.

Dr. Brooks asked for clarification that no decisions were to be made at the meeting. **Chair Marchuk** stated that the meeting is for informational purposes only, emphasized the importance of hearing the community and VPC perspectives, stated that more than 36 comment cards had been received, summarized various responsibilities outlined in the Village Handbook, encouraged residents to not be afraid of the unknown, stated residents should understand the risk, stated that the VPC are representatives of the community, and stated that the process has multiple steps.

Village Planning Committee Meeting Summary Z-SP-6-23-8

Date of VPC Meeting	April 9, 2024
Request From	C-2
Request To	C-2 SP
Proposal	Self-service storage warehouse and underlying C-2 uses
Location	Southeast corner of 41st Street and Baseline Road
VPC Recommendation	Denial
VPC Vote	10-0-1

VPC DISCUSSION:

50 members of the public registered to speak in opposition to this item, five members of the public registered in opposition but did not wish to speak, two members of the public registered to speak in favor of this item, and one member of the public registered in favor but did not wish to speak. Seven members of the public donated their time to Brian Harvey and three members of the public donated their time to Alberto Rodriguez.

STAFF PRESENTATION

Samuel Rogers, staff, presented the request, the location of the subject site, the surrounding context, the General Plan Land Use Map designation, the site plan, proposed elevations, the staff recommendation, the staff findings, and concluded by presenting the proposed stipulations.

Mike Maerowitz, representing the applicant with Snell & Wilmer, LLP, requested a continuance to provided time to prepare plans that address community concerns.

Chair Trent Marchuk stated that in order to consider the continuance request there is a need to consider the appropriateness of the proposed use. **Mr. Maerowitz** explained that a development's impact on a neighborhood is a function of the design, clarified the difference between requesting a Special Permit and a C-3 designation, and stated that one purpose of the Special Permit process is to address community design concerns.

Committee Member Greg Brownell stated that the request for the continuance needs to be addressed before discussing the case. **Chair Marchuk** asked staff for clarification on the process. **Mr. Rogers** stated that discussion of the land use is germane to the continuance request. Chair Marchuk stated that the committee should discuss the land use and continuance request.

Committee Member Kay Shepard stated that if the motion to continue fails the VPC will hear the presentation and make a recommendation on the case. **Committee Member Emma Viera** stated that it is important to consider the case's issues today out of respect to the people attending the meeting. Chair Marchuk stated that if the land use is not acceptable it is not necessary for the applicant to revise their plans.

Chair Marchuk discussed public comment, asked the community members to raise their hands if they wanted to deny the continuance request, and stated the community wants to deny the continuance request.

MOTION

Committee Member Kay Shepard made a motion to deny the continuance of Z-SP-6-23-8. **Committee Member Emma Viera** seconded the motion.

VOTE

5-6, motion to deny the continuance of Z-SP-6-23-8 failed with Committee Members Brooks, Shepard, Smith, Viera, Marchuk in favor and Committee Members Brownell, F. Daniels, T. Daniels, Falcon, Jackson, and Greathouse opposed.

APPLICANT PRESENTATION

Mike Maerowitz, representing the applicant with Snell & Wilmer, LLP, presented the proposal, outreach, subject site location, examples of by-right uses allowed in the C-2 zoning district, C-2 development standards, benefits of self-storage, and changes to the proposal based on community feedback.

PUBLIC COMMENT

Darcy Thomas expressed her support for the project, stated that the project had been improved through negotiation with the neighborhood, stated that the project would be the best look large box retail store in the neighborhood, emphasized the importance of quiet uses and expressed a preference for a lower building, and stated that some neighbors support the project, but explained she had difficulty in rallying them to attend the meeting.

Brian Harvey shared his recent interactions with the community, highlighting discussions at a budget committee meeting where advocates for marginalized voices were heartening. Mr. Harvey questioned the benefits of a C-3 use for the community and raised concerns about the proposed design, likening it to a massive industrial warehouse. Mr. Harvey also discussed alternative design proposals and the importance of considering design aspects such as view corridors and stepped design.

Laurie Pheil provided a summary of work with the development team, stated most residents do not want self-storage, stated that the neighborhood was told that building a basement was not financially viable, but now a basement is proposed, stated that self-

storage will always be a warehouse type building and the neighborhood prefers a commercial development, and stated it is better to wait for something more appropriate.

Cynthia Standage-Beyer stated that she sat through two hearing on this case, stated that she used to serve on the VPC, and expressed concerns about the project's alignment with long-range planning goals.

Catherine Napoli stated that the proposal will be the 12th self-storage use in the area, stated that self-storage is an inappropriate use for this site, stated the proposal does not align with the South Mountain Character Plan, raised safety concerns, stated that the Village needs neighborhood retail, and asked VPC members to recommend denial.

Shane Gore criticized the project's design, stated that land is the Village's most valuable resource, and stated that the applicant team cannot get the design right because the use is not appropriate for the subject site.

Mike Davis raised concerns about parking requirements, noting the need for a variance and the additional parking spaces storage units would necessitate.

Bill McPeters expressed concerns about access to Baseline Road and the potential impact of a large warehouse on property values and the neighborhood's aesthetic.

Carmen Rodriguez, explained her experience working in HR at a jail, likened the project's design to a jail, and urged against its approval.

APPLICANT RESPONSE

Mr. Maerowitz emphasized the importance of community dialogue in zoning cases, stated that the applicant has addressed all concerns raised by neighbors prior to the meeting, highlighted alternative uses for the site would result in higher traffic volumes, stated that the applicant team moved access onto Baseline Road and proposed dedicated turn lanes on 41st Street in response to community concerns, stated that the applicant team had added materials and updated the design in response to community concerns, and highlighted the shifting perspectives on design and land use, noting that despite efforts to address concerns, some community members now express opposition to the proposed use. Mr. Maerowitz clarified that if the application is approved, the specific proposal would be the only permitted project and highlighted community benefits in landscaping, design, and traffic management that would accompany the project.

QUESTIONS FROM THE COMMITTEE

Chair Marchuk noted the substantial opposition with 56 cards against and only two in support.

Committee Member Tamala Daniels stated that the distributed map shows other C-2 and C-3 zoned properties and stated that it is disappointing to hear that other communities deserve this use. **Ms. Pheil** explained that many of the listed sites already host industrial and multifamily properties, making them more appropriate for storage facilities. Committee Member T. Daniels emphasized the importance of considering the entire village and avoiding the implication that some areas are less valuable.

Committee Member Emma Viera stated that she is in opposition to the development because it lacks service to the community.

Committee Member Shelly Smith inquired about the variance on parking requirements. **Mr. Maerowitz** explained that the Phoenix's parking ratio system is based on the number of units, stated that the proposal includes very small units, and explained that the development will not need total number of required parking spaces.

Committee Member Darlene Jackson urged unity among the community and reiterated the need to focus on the request.

Committee Member Greg Brownell stated that the project should go on a C-3 zoned property and stated that there are a lot of appropriate places in the Village for the proposed use.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

MOTION

Committee Member Greg Brownell made a motion to recommend denial of Z-SP-6-23-8. **Committee Member Kay Shepard** seconded the motion.

VOTE

10-0-1, motion to recommend denial of Z-SP-6-23-8 passed with Brooks, Brownell, F. Daniels, T. Daniels, Falcon, Jackson, Shepard, Smith, Viera, and Greathouse in favor and Chair Marchuk abstained.

Chair Marchuk explained that he abstained because there was not tie to break.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.