

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION April 3, 2025

ITEM NO: 4	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-157-24-3
Location:	Approximately 1,080 feet north of the northeast corner of the I-17 Freeway and Thunderbird Road
From:	C-2 SP
To:	C-3
Acreage:	2.38
Proposal:	Commercial uses
Applicant:	Benjamin Johnson, Kimley-Horn and Associates
Owner:	Home Depot USA, Inc. c/o Fred Simpson
Representative:	Justin Kinkade, Kimley-Horn and Associates

ACTIONS:

Staff Recommendation: Approval, per the staff memo dated April 3, 2025.

Village Planning Committee (VPC) Recommendation:

North Mountain 3/19/2025 Approval, per the staff recommendation, with direction. Vote: 10-0.

Planning Commission Recommendation: Approval, per the staff memo dated April 3, 2025.

Motion Discussion:

Commissioner Matthews asked staff if a stipulation can be created which requires customers to use the exit on the north side of the property, or if such a stipulation would not be enforceable legally.

Ms. Racelle Escolar stated that they can stipulate to require parking lot signage on the site. It sounded like the Home Depot was already updating their store policy to have associates verbally instruct customers to use that frontage road exit, but that the stipulations of the case likely could not do more. The city can enforce on the presence of a sign physically on the property only.

Motion details: Commissioner Matthews made a MOTION to approve Z-157-24-3, per the staff memo dated April 3, 2025.

Maker: Matthews
Second: Jaramillo
Vote: 8-0
Absent: Read
Opposition Present: Yes

Findings:

1. The requested C-3 zoning district is compatible with the General Plan Land Use Map designation.

2. The subject site is appropriate for general commercial use (equipment rental) because of its proximity to a freeway and limited application area on an existing commercial site.
3. The subject site will be buffered from adjacent single-family residential development to the north and east.

Stipulations:

1. Parking lot landscaping within the subject site shall be restored in accordance with the Standards outlined in Section 624.E.4.e of the Phoenix Zoning Ordinance.
2. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33- foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
3. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.
4. SITE LIGHTING SHALL BE PROVIDED IN THE PARKING LOT AND/OR ALONG THE DRAINAGE EASEMENT TO ILLUMINATE THE DRAINAGE EASEMENT ALONG THE NORTH PROPERTY LINE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5. EQUIPMENT RENTAL LOCATED IN PARKING AREAS ADJACENT TO THE DRAINAGE EASEMENT SHALL BE SCREENED WITH MINIMUM 2-INCH CALIPER, LARGE CANOPY, SHADE TREES PLANTED 20 FEET ON CENTER, OR IN EQUIVALENT GROUPINGS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. WHEN POSSIBLE, EXISTING TREES AND LANDSCAPING SHALL BE USED TO MEET THE LANDSCAPING REQUIREMENT.
6. A MINIMUM OF ONE SIGN SHALL BE ERECTED IN THE PARKING AREA DIRECTING EQUIPMENT RENTAL TRAFFIC TO EXIT THE SITE VIA THE FRONTAGE ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, saneeya.mir@phoenix.gov, TTY: Use 7-1-1.