



Village Planning Committee Meeting Summary

Z-59-25-1

INFORMATION ONLY

Date of VPC Meeting	July 15, 2025
Request From	C-2
Request To	PUD
Proposal	Neighborhood commercial center
Location	Approximately 660 feet east of the southeast corner of 43rd Avenue and Pinnacle Peak Road

VPC DISCUSSION:

Three members of the public registered to speak on this item, with two in favor and one opposed.

APPLICANT PRESENTATION:

Stephen Anderson, representing the applicant with Gammage and Burnham, PLC introduced himself and the members of the development team that were present. Mr. Anderson stated that his presentation was for information only and the Committee would not be voting on the proposal but would be able to discuss the proposal. Mr. Anderson stated that the Committee was familiar with the site since it is located adjacent to Hurricane Harbor Water Park and had been rezoned to Intermediate Commercial the prior year. Mr. Anderson stated that the reason they were back was because during the prior rezoning case, they did not have a primary tenant for the commercial property, which triggered a stipulation of the prior case that required them to come back for public hearing. Mr. Anderson stated that they now have a primary user for the commercial site. Mr. Anderson oriented the Committee to the proposed site plan, referencing the eastern four acres as being associated with Tractor Supply Company as part of Phase I, and the western portion of the site being part of Phase II. Mr. Anderson displayed a rendering of the building calling out the building's architecture and massing, while stating that the rendering did not represent the extent of the landscaping that is to occur along Pinnacle Peak Road. Mr. Anderson stated that Tractor Supply Stores are a national chain with 30 stores in Arizona and five stores in the Valley and likened the stores to a small-scale Home Depot or Lowes but with an agrarian flavor. Mr. Anderson stated that Tractor Supply Company is finding popularity outside of the central city and that they tend to be a destination store as opposed to a convenience business such as Walgreens or Dutch Bros. Mr. Anderson stated that Tractor Supply Stores are not large traffic generators, and that deliveries typically happen four times per week as opposed to a grocery store. Mr. Anderson

displayed a series of Google street view images of other stores in the market to give an idea of how these operate noting that the parking lots are well attended but never full. Mr. Anderson displayed an aerial photograph of the site stating that access was from Pinnacle Peak Road only since the properties to the west and south were part of the water park while the property to the east is encumbered by a wash. Mr. Anderson stated that the city widened Pinnacle Peak Road in 2023, which led to a stipulation of the prior case that required the master developer to pay the city back \$2.3 Million. Mr. Anderson stated that Lennar Homes owns the site to the east and has started salvage operations on the site. Mr. Anderson stated that the Traffic Impact Analysis has been approved by the city and that two conditions came out of that study, with one being a requirement for an eastbound deceleration lane at the western entrance to the site and the other being that the eastern access be right-in/right-out only. Mr. Anderson stated that all customer traffic would enter and exit via the western access, while delivery trucks would only enter and exit the site via the eastern entrance and that the two would not comingle. Mr. Anderson stated that while the eastern access is right-in/right-out only, the western access will be full turning movements. Mr. Anderson stated that the site's geography drives landscaping since the property to the south and west is part of the water park and does not require screening, while the east side is adjacent to the wash. Mr. Anderson stated that the building will be setback 137 feet from the east property line and more than 200 feet from the future homes. Mr. Anderson stated there is a 75 percent shade requirement along Pinnacle Peak Road which will be equipped with a detached sidewalk. Mr. Anderson stated the proposed building would be one story in height and would actually partially screen the adjacent water slide that is 55 feet high. Mr. Anderson stated they opted to rezone the site to Planned Unit Development, which will allow them to proceed in a manner that is good for them and the community, as it allows them to prohibit uses such as marijuana dispensaries, Tobacco Oriented Retail, etc. Mr. Anderson stated that they can also prohibit residential, which was a concern expressed by some of the residents during the prior rezoning case. Mr. Anderson stated that they can also amend their development standards, with many being vastly more restrictive than would otherwise be allowed including a limitation on loading hours. Mr. Anderson stated that under the current zoning, deliveries can occur any time of day but they are prohibiting deliveries between the hours of 10:00 p.m. and 6:00 a.m. Mr. Anderson stated that drive-through uses require a separate hearing process under the current zoning and that with the proposed Planned Unit Development no additional hearing process would be required since they are effectively fulfilling the requirement now, further noting that the Village Planning Committee is bypassed through the Use Permit process. Mr. Anderson displayed an image of the recently completed Laveen location noting how the store looks from the front. Mr. Anderson stated they held two neighborhood meetings, with one being in April of this year and the other being in June. Mr. Anderson stated that the April meeting was held prior to summer break in deference to comments received during the prior rezoning case. Mr. Anderson stated they received first review comments from the city and that public hearings have not been scheduled.

QUESTIONS FROM THE COMMITTEE:

Committee Member Ricardo Romero asked what kind of feedback was received during the public meetings. **Mr. Anderson** stated that they had four people present during their first outreach meeting and six or seven people present during their second outreach meeting. Mr. Anderson stated that concerns were expressed over the property being zoned commercial, and that they discussed traffic in great detail including the placement and functionality of the driveways. Mr. Anderson stated that they discussed the use prohibitions and development standards.

Committee Member Susan Herber stated that she had been in a Tractor Supply store, and she described it as being bigger than an Ace Hardware store and smaller than a Home Depot store. Committee Member Herber stated that she felt the store was clean and that the personnel were friendly. **Mr. Anderson** thanked Committee Member Herber for her compliment and stated that seeing the store in person helps to understand the operation in that it is an interesting niche that allows them to be smaller than a typical Home Depot store.

Vice Chair Lopez-Biggs stated that he was concerned over how semi-trucks would enter and leave the site in that truck access would be restricted to eastbound right-in and eastbound right-out movements. **Mr. Anderson** stated that the truck route would be such that trucks would exit Interstate 17 at Happy Valley Road, then proceed west to 43rd Avenue, then south to Pinnacle Peak Road, then east to the site. Mr.

Anderson stated that when leaving the site, trucks would travel east along Pinnacle Peak Road to Interstate 17 and reiterated there would be about four trips per week.

Committee Member Gerrald Adams asked for clarity on the truck route. Vice Chair Lopez-Biggs provided clarity. **Committee Member Trilese DiLeo** stated that she visits the Cave Creek store frequently and does not see very much truck traffic.

Committee Member DiLeo asked if the Cave Creek location was as busy as what is projected for this store. Mr. Anderson stated that the Cave Creek store is projected to have similar traffic. Vice Chair Lopez-Biggs stated that deliveries four times a week is not busy, but expressed concerns over 43rd Avenue being located in a primarily residential area. Mr. Anderson stated that the City has a standard for intersection spacing and the standard is violated at 41st Avenue on the north side of Pinnacle Peak Road due to that area being constructed prior to the adoption of the standard, and that the existing condition creates the potential for conflicting left turn movements. Mr. Anderson stated that the City does not want the proposed driveway located at the eastern end of the site to create additional conflicts at that location. Mr. Anderson stated that the spacing between 42nd Avenue and 43rd Avenue is sufficient to allow full turning movements at the western driveway. Vice Chair Lopez-Biggs asked if it would make better sense to flip the project. Mr. Anderson stated that the current configuration is better for customer convenience compared to the truck drivers who rarely visit the site. Mr. Anderson further stated that the site was compressed due to its proximity to the water park and stated that Tractor Supply intends to rotate the entire store so that it faces on-coming eastbound traffic, which allows them to place their enclosed outdoor display area to the south of the main building. **Committee**

Member Michael Hoover asked if the eastern access would be for delivery only or if the customer would have access to that location. Mr. Anderson stated that the area to the east of the store would be for deliveries only but clarified that customers will have the ability to access the enclosed outdoor display area from the main parking lot through a gate for the purposes of loading, then pass through the garden center to exit the site using the eastern driveway. Committee Member Hoover stated that drivers might try to exit the site westbound. Committee Member DiLeo asked if this store would be different from the Cave Creek store with respect to lumber sales. Mr. Anderson stated that it was not different, and they expected to draw from a large trade area, which might include small quantities of lumber. **Jonathan Renfro** with STNL Development stated they do sell small quantities of lumber but typically in the form of fence posts, and that they also sell fencing materials, hay, salt licks, etc. which are stored in and loaded from the outdoor display area. Committee Member DiLeo asked if 59th Avenue is a reasonable alternative route for semi-trucks as opposed to 43rd Avenue. **Committee Member Romero** stated there is a mountain in the way. Committee Member DiLeo stated that she was excited for the new store due to its proximity to her home and the convenience of the location. **Committee Member Sandra Hoffman** expressed concerns over additional truck traffic at the intersection of 43rd Avenue and Happy Valley Road where a memorial was erected due to a recent fatality at that location. Mr. Anderson stated that issue came up during one of the outreach meetings and that as a result, they contacted the Council District Office who confirmed that funding for a dedicated left turn arrow at 43rd Avenue and Happy Valley Road had been approved but construction not yet scheduled. Vice Chair Lopez-Biggs asked if the Committee could add a stipulation to the zoning case when it comes back to require the city to add the left-turn arrow at that location. **Mr. Kuhfuss** stated that the Committee would not be able to stipulate that the city take action relative to this application. Committee Member Hoffman stated that it was her understanding that the applicant had completed their development Pre-Application meeting and that one of the things that came out of that meeting was a requirement for an eastbound deceleration lane leading to the west entrance. Mr. Anderson stated that was the case and clarified the exact location of the deceleration lane, further stating that the deceleration lane would fit within the existing right-of-way and would not touch the existing sidewalk. Committee Member Hoffman asked for clarity regarding the space located between the Tractor Supply store parking lot and the future development area to the west. Mr. Anderson clarified they do not have a defined user for the future development area and clarified the phase line includes the west driveway. Mr. Anderson stated that the area in question was for outdoor trailer display. Mr. Renfro clarified that area would be for small utility trailers as opposed to large flatbed trailers.

PUBLIC COMMENT:

Jules Ketcham stated that he was appreciative of the building not being too tall and that it was being setback from Pinnacle Peak Road. Mr. Ketcham stated that he had no complaints.

Jan Harrison stated that she has been a Tractor Supply customer for ten years and was supportive of the project. Ms. Harrison stated that she frequently visits the stores located in Wickenburg and in Cave Creek and has never had any cause for concern. Ms. Harrison stated the stores are a mix of Ace Hardware, Petco, and Home Depot. Ms. Harrison stated that she walks, bikes, and hikes the area and that in the early morning she can hear roosters, horses, cows, and goats, and that many people in the area have hobby farms. Ms. Harrison stated that Tractor Supply stores are clean and convenient, and that she supports the request. Ms. Harrison stated that she was not concerned about the traffic generated by this use.

Shannon Porter stated that the Committee needed to add a stipulation requiring the city to install the left turn arrow at 43rd Avenue and Happy Valley Road and stated that she was confused as to why there was a left turn arrow installed at 43rd Avenue and Pinnacle Peak Road and not at 43rd Avenue and Happy Valley Road. Ms. Porter referenced a fatality that occurred at 43rd Avenue and Happy Valley Road and another one located at either 56th Avenue or 58th Avenue and Happy Valley Road, and that Happy Valley Road has turned into a death trap. Ms. Porter expressed concerns over the rate of growth in the area and the notion that adding more traffic lights will solve the problem when it won't since people just run the lights. Ms. Porter stated that a petition had been circulated in an effort to get the left turn arrow at 43rd Avenue and Happy Valley Road and asked who she should talk to. **Vice Chair Lopez-Biggs** stated that she should speak to her Council Member. Ms. Porter stated that the Council Office has been unresponsive. Vice Chair Lopez-Biggs stated they could not discuss that issue but based on earlier testimony the left turn arrow has been funded and that he would continue to ask about it since he is concerned about safety. Vice Chair Lopez-Biggs stated that the best thing to do was to continue to apply pressure to see that the signal gets installed. Ms. Porter stated that when the city widened Pinnacle Peak Road they installed a bike lane at 39th Drive but no right-turn lane, which causes traffic to back up at that location. Ms. Porter also stated that during the summer, traffic backs up on Pinnacle Peak Road due to the water park. Ms. Porter expressed concerns over the area being used by the homeless. Ms. Porter stated that she was not entirely opposed the request and would rather see this than apartments. **Committee Member DiLeo** asked for clarification regarding the intersection that needs the left turn arrow. Vice Chair Lopez-Biggs clarified it was 43rd Avenue and Happy Valley Road. Committee Member DiLeo asked for clarification that the reason it was an issue for the Committee was because of the truck traffic generated by the facility. Vice Chair Lopez-Biggs stated that was the case.



Village Planning Committee Meeting Summary

Z-59-25-1

*** REVISED**

Date of VPC Meeting	September 16, 2025
Request From	C-2
Request To	PUD
Proposal	Neighborhood commercial center
Location	Approximately 660 feet east of the southeast corner of 43rd Avenue and Pinnacle Peak Road
VPC Recommendation	Approval, per the staff recommendation, with modifications and a deletion
VPC Vote	9-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Two members of the public registered to speak on this item in opposition.

STAFF PRESENTATION

Robert Kuhfuss, staff, presented the land use, zoning, and General Plan information on the site and surrounding area. Mr. Kuhfuss presented a slide depicting the site plan and discussed the various aspects of the site plan, including the site layout, pedestrian connections, vehicular access, and screening. Mr. Kuhfuss displayed a slide depicting the four building elevations, and highlighted the need for additional screening of the plant nursery/outdoor display area located to the south of the main building. Mr. Kuhfuss discussed the need for a continuation of the pedestrian connection to the west during Phase II. Mr. Kuhfuss stated that staff had received one item of support. Mr. Kuhfuss discussed the various recommended stipulations and the rationale for those stipulations. Mr. Kuhfuss presented staff's findings and recommendation.

APPLICANT PRESENTATION

Stephen Anderson, representing the applicant with Gammage and Burnham, PLC, presented an overview of the site and the surrounding area. Mr. Anderson provided an overview of the proposed uses allowed under the PUD, stating that the list had been tailored to address neighbor concerns. Mr. Anderson provided alternative stipulation language for Stipulations No. 1.b, 1.c and 1.d regarding the use of black wind screen material with the chain link on the east and west sides of the plant nursery/outdoor display area and stated that staff was in full agreement with the proposed changes. Mr. Anderson discussed the opacity of the screening and stated that they were proposing

98% opacity but were requesting that the south side of the outdoor display area be non-opaque. Mr. Anderson stated that both Stipulations No. 1.b and 1.d contained a

typographical error regarding the distance of the opaque screening from the south property line and suggested that the error be corrected in the revised stipulation language. Mr. Anderson stated that Stipulation No. 4 contained language that would potentially cost the applicant hundreds of thousands of dollars and did not believe the five-acre site should be subject to that stipulation as written. Mr. Anderson stated that the project will require approximately \$14 million in investments, generate approximately \$400,000 in construction tax revenue, and provide 25 to 30 jobs.

QUESTIONS FROM THE COMMITTEE

Committee Member Gerrald Adams asked if the black wind screen material would create a heat issue within the nursery area, and what the proportional amount of the \$2.3 million escrow deposit was. **Mr. Anderson** stated that he had not calculated the proportional amount and that the wind screen material is routinely used by Tractor Supply Company and provided examples of the stores located in Cave Creek and Laveen where that material has been utilized.

Committee Member Paul Clark asked how long the wind screen material would last. **Mr. Anderson** stated that it would last between 10 and 15 years. Committee Member Clark asked if Tractor Supply Company owned the property. Mr. Anderson stated that it was currently owned by Lennar and that ownership would convey in about six to eight weeks.

Committee Member Ricardo Romero asked for confirmation that Lennar is aware of the \$2.3 million commitment. **Mr. Anderson** confirmed that was the case and that Tractor Supply Company would be reimbursing Lennar for their share of the amount. Committee Member Romero asked if the property was in escrow. Mr. Anderson stated that it was and that the contract was contingent upon obtaining zoning entitlement.

Committee Member Sandra Hoffman stated that Stipulation No. 4 should include language that ties back to the original zoning case. **Mr. Anderson** stated that he agreed. **Mr. Kuhfuss** stated that he had been in conversations with the Street Transportation Department regarding Stipulation No. 4 and was told that the Street Transportation Department did not intend for both Lennar and Tractor Supply Company to pay \$2.3 million each but rather the Street Transportation Department was seeking to have the escrow account fully funded prior to the issuance of any construction permits associated with the larger site. Mr. Anderson stated that in reality, the escrow account would be funded but not before the PUD request went to City Council. **Vice Chair Braden Lopez-Biggs** asked if the original stipulation was tied to the entire 85 acres that was part of the original zoning request. Mr. Anderson stated that was the case and that the State Land Department had made that a condition of the sale of the property as well. Committee Member Hoffman stated that she would be supportive of referencing a proportional amount in Stipulation No. 4 along with referencing the original zoning case in the stipulation. Vice Chair Lopez-Biggs agreed. Mr. Anderson stated that he was not

familiar with the terms of purchase contract but believed that the issue had been worked out between Tractor Supply Company and Lennar.

Mr. Anderson stated that he had been in contact with the Council District who stated that the left-turn signal at 43rd Avenue and Happy Valley Road was scheduled for 2026.

PUBLIC COMMENT

Beverly Richards stated that the proposed use does not fit with the community and that she was opposed to the request. Ms. Richards stated that small homes don't need this type of facility and there was an underutilized strip mall across the street. Ms. Richards stated there were no farms or equestrian properties in the area and that if needed, people can drive to the Tractor Supply Store in Cave Creek or Surprise. Ms. Richards stated that the provision for no left-turns onto Pinnacle Peak means truck traffic would be routed onto streets that have a school zone. Ms. Richards expressed concerns about the desert disappearing.

Tammy Weaver stated that she was opposed. Mr. Weaver stated that seasonal recreational uses would not drive the foot traffic needed to serve the Tractor Supply Company store and that there were stores near the Goodwill store that are vacant. Ms. Weaver expressed concerns with the noise associated with the loading and unloading of trucks and stated the area was located within a flood zone. Ms. Weaver asked how long the lease was for.

APPLICANT RESPONSE

Mr. Anderson stated that the restriction regarding no left turns was a result of the potential conflict created by the existing streets intersecting Pinnacle Peak Road on the north side of the street, and that the site was not located in a flood zone. Mr. Anderson stated it was a 20-year lease.

MOTION:

Committee Member Sandra Hoffman motioned to recommend approval of Z-59-25-1, per the staff recommendation, with modifications to Stipulations No. 1.b, 1.d, and 4, and the deletion of Stipulation No. 1.c. **Committee Member Paul Clark** seconded the motion.

COMMITTEE DISCUSSION

Committee Member Michael Hoover asked for clarification regarding the motion. Committee Member Hoffman stated that it was her intent that Stipulation No. 4 reference the original zoning case number. **Committee Member Clark** agreed.

VOTE:

9-0, motion to recommend approval of Z-59-25-1, per the staff recommendation, with modifications and a deletion, passes with Committee Members Adams, Clark, Davenport, Hoffman, Hoover, Romero, Sutphen, Thomas, and Lopez-Biggs, in favor and none opposed.

VPC RECOMMENDED STIPULATIONS

1. An updated Development Narrative for the Tractor Supply Company – Phoenix Deer Valley PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped September 8, 2025, as modified by the following stipulations.

- a. Front Cover, add “City Council adopted: [Insert Adoption date]”
- * b. Page 5, 1. General Development Standards, Table 1: General Development Standards, E. Loading Hours, Setbacks and Screening, vi. Screening for Outdoor Display Area / Plant Nursery, modify as follows:
~~Placement of minimum 8’ high black vinyl coated chain link fence within Phase I to be in general conformance with fenced outdoor display area / plant nursery shown on south side of Tractor Supply Company store building in Exhibit 3 and to be setback a minimum of 145 feet from north perimeter property line. This screening / access control does not apply to permanent outdoor sidewalk display areas nor permanent outdoor trailer and equipment display areas within Phase I.~~
The outside display area / plant nursery located to the south of the main Phase I building shall be screened from view using opaque fencing and gates of a height not less than 8’, or the height of the material being screened, except that the southern edge may utilize black vinyl coated chain link fence when parallel to and within 25’ of the southern property line. This provision does not apply to permanent sidewalk display areas or permanent trailer and equipment display areas.

THE OUTSIDE DISPLAY AREA / PLANT NURSERY LOCATED TO THE SOUTH OF THE MAIN PHASE I BUILDING SHALL BE SCREENED FROM VIEW USING OPAQUE FENCING AND GATES OF A HEIGHT NOT LESS THAN 8 FEET, OR THE HEIGHT OF THE MATERIAL BEING SCREENED, EXCEPT THAT THE SOUTHERN EDGE MAY UTILIZE A NON-OPAQUE BLACK VINYL COATED CHAIN LINK FENCE WHEN PARALLEL TO AND WITHIN 25 FEET OF THE SOUTHERN PROPERTY LINE. BLACK VINYL COATED CHAIN LINK FENCE AND GATES MAY ALSO BE UTILIZED ALONG THE WESTERN, EASTERN, AND NORTHERN EDGES OF THE OUTSIDE DISPLAY AREA / PLANT NURSERY ONLY WITH A UV-STABILIZED POLYPROPYLENE FENCE SCREEN MATERIAL OR SIMILAR FENCE SCREEN MATERIAL FASTENED TO THE FENCE OR GATE AND PROVIDING MINIMUM 98 PERCENT OPACITY, WITH THE COLOR OF THE SCREEN MATERIAL SUBJECT TO THE APPROVAL OF THE PLANNING AND DEVELOPMENT STAFF DURING THE SITE PLAN REVIEW PROCESS. THIS PROVISION DOES NOT APPLY TO

PERMANENT SIDEWALK DISPLAY AREAS OR PERMANENT TRAILER AND EQUIPMENT DISPLAY AREAS.

- * ~~c. **Page 10, 4. Fences and Walls: Modify as follows:**~~ This section shall also not restrict the use of chain link fence located south of the Tractor Supply Company store building as set forth in Section E.vi of Table 1 this PUD development narrative.
- * ~~d. Page 18, I. Comparative Zoning Standards, Table 6: Comparative Zoning~~
c. Standards, E. Loading Hours, Setbacks and Screening, vi. Screening for Outdoor Display Area / Plant Nursery, modify as follows:
~~Placement of minimum 8' high black vinyl coated chain link fence within Phase I to be in general conformance with fenced outdoor display area / plant nursery shown on south side of Tractor Supply Company store building in Exhibit 3 and to be setback a minimum of 145 feet from north perimeter property line. This screening / access control does not apply to permanent outdoor sidewalk display areas nor permanent outdoor trailer and equipment display areas within Phase I.~~
The outside display area / plant nursery located to the south of the main Phase I building shall be screened from view using opaque fencing and gates of a height not less than 8', or the height of the material being screened, except that the southern edge may utilize black vinyl coated chain link fence when parallel to and within 25' of the southern property line. This provision does not apply to permanent sidewalk display areas or permanent trailer and equipment display areas.

THE OUTSIDE DISPLAY AREA / PLANT NURSERY LOCATED TO THE SOUTH OF THE MAIN PHASE I BUILDING SHALL BE SCREENED FROM VIEW USING OPAQUE FENCING AND GATES OF A HEIGHT NOT LESS THAN 8 FEET, OR THE HEIGHT OF THE MATERIAL BEING SCREENED, EXCEPT THAT THE SOUTHERN EDGE MAY UTILIZE A NON-OPAQUE BLACK VINYL COATED CHAIN LINK FENCE WHEN PARALLEL TO AND WITHIN 25 FEET OF THE SOUTHERN PROPERTY LINE. BLACK VINYL COATED CHAIN LINK FENCE AND GATES MAY ALSO BE UTILIZED ALONG THE WESTERN, EASTERN, AND NORTHERN EDGES OF THE OUTSIDE DISPLAY AREA / PLANT NURSERY ONLY WITH A UV-STABILIZED POLYPROPYLENE FENCE SCREEN MATERIAL OR SIMILAR FENCE SCREEN MATERIAL FASTENED TO THE FENCE OR GATE AND PROVIDING MINIMUM 98 PERCENT OPACITY, WITH THE COLOR OF THE SCREEN MATERIAL SUBJECT TO THE APPROVAL OF THE PLANNING AND DEVELOPMENT STAFF DURING THE SITE PLAN REVIEW PROCESS. THIS PROVISION DOES NOT APPLY TO PERMANENT SIDEWALK DISPLAY AREAS OR PERMANENT TRAILER AND EQUIPMENT DISPLAY AREAS.

Revised language shall also be expressed in bold font.

2. There shall be direct accessible pedestrian connectivity between the Phase 1 building and the Phase II building independent of the required connection to the city walk on Pinnacle Peak Road as approved by the Planning and Development Department.
3. All mitigation improvements shall be constructed and/or funded as identified and assigned in the Traffic Impact Study approval letter dated April 24, 2025.
4. **A PROPORTIONATE AMOUNT OF THE FUNDS TOTALING \$2.3 MILLION DOLLARS FOR THIS 5.81 ACRE SITE** ~~Funds totaling \$2.3 million dollars~~ shall be deposited into an escrow account to the Street Transportation Department to reimburse the City installed improvements adjacent to Pinnacle Peak Road by project ST85100400, prior to final site plan approval. **THE PROPORTIONATE AMOUNT FOR THIS 5.81 ACRE SITE SHALL BE DETERMINED BASED ON THE 80.31 TOTAL ACRES OF PROPERTY, INCLUDING THIS 5.81 ACRE SITE, COVERED BY REZONING CASE NO. Z-28-24-1.**
5. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
6. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
7. 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.
8. 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.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff has no concerns with the modifications to Stipulation Nos. 1.b and 1.d, and the deletion of Stipulation No. 1.c. The Street Transportation Department is not supportive of the modification to Stipulation No. 4.