

ATTACHMENT B



City of Phoenix PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report Z-157-24-3 March 5, 2025

[North Mountain Village Planning Committee Meeting Date:](#)

March 19, 2025

[Planning Commission Hearing Date:](#)

April 3, 2025

Request From:

[C-2 SP](#) (Intermediate Commercial, Special Permit) (2.38 acres)

Request To:

[C-3](#) (General Commercial) (2.38 acres)

Proposal:

Commercial uses

Location:

Approximately 1,080 feet north of the northeast corner of the I-17 Freeway and Thunderbird Road

Owner:

Fred Simpson, Home Depot USA, Inc.

Applicant:

Benjamin Johnson, Kimley-Horn and Associates

Representative:

Justin Kinkade, Kimley-Horn and Associates

Staff Recommendation:

Approval, subject to stipulations

General Plan Conformity			
General Plan Land Use Map Designation		Commercial	
Street Map Classification	I-17	Freeway	Approximately 150-foot east half street
	26th Avenue	Local	30-foot west half street
<p>CONNECT PEOPLE & PLACES CORE VALUE; OPPORTUNITY SITES; LAND USE PRINCIPLE: Support reasonable levels of increased intensity, respectful to local conditions and surrounding neighborhoods.</p> <p>The proposed C-3 zoning designation would allow a limited area for additional services offered by an established home improvement business and serve the surrounding residential neighborhoods.</p>			

***CELEBRATE OUR DIVERSE NEIGHBORHOODS; CERTAINTY & CHARACTER;
DESIGN PRINCIPLE: Require appropriate transitions/buffers between neighborhoods and adjacent uses.***

The proposal will only rezone a portion of the site, adjacent to a residential tract, which will protect the surrounding neighborhood to the north. Additionally, site landscaping and 26th Avenue is located to the east of the site, acting as a buffer to the residential properties to the east.

***BUILD THE SUSTAINABLE DESERT CITY CORE VALUE; TREES AND SHADE;
DESIGN PRINCIPLE: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.***

The proposal, as stipulated, will require parking lot landscaping within the subject site to be restored in accordance with the standards in the Zoning Ordinance.

Applicable Plans, Overlays, and Initiatives

[Black Canyon / Maricopa Freeway Specific Plan](#): Background Item No. 6.

[Tree and Shade Master Plan](#): Background Item No. 7.

[Zero Waste PHX](#): Background Item No. 8.

Surrounding Land Uses/Zoning

	<u>Land Use</u>	<u>Zoning</u>
On Site	Parking lot and equipment rental area	C-2 SP
North	Landscape/drainage area and single-family residential	C-2 SP, PAD-11
East (across 26th Avenue)	Single-family residential	R1-8
South	Home improvement store and parking	C-2 SP
West (across I-17 freeway)	Multifamily and single-family residential	PAD-14, R1-8

C-3 (General Commercial)		
<u>Standards</u>	<u>Requirements</u>	<u>Provisions on the Proposed Site Plan</u>
<i>Minimum Building Setbacks</i>		
North (adjacent to C-2 SP)	0 feet	Not depicted (approximately 120 feet)
East (adjacent to 26th Avenue)	Average 25 feet, minimum 20 feet	Not depicted (approximately 410 feet)
South (adjacent C-2 SP)	0 feet	0 feet
West (adjacent to I-17 Freeway)	Average 25 feet, minimum 20 feet	Not depicted (approximately 165 feet)
<i>Minimum Landscape Setbacks</i>		
North (adjacent to C-2 SP)	0 feet	Not depicted (approximately 75 feet)
East (adjacent to 26th Avenue)	Average 25 feet, minimum 20 feet	Not depicted (approximately 35 feet)
South (adjacent C-2 SP)	0 feet	Not depicted (approximately 0 feet)
West (adjacent to I-17 Freeway)	Average 25 feet, minimum 20 feet	Not depicted (* 0 - more than 25 feet)
Lot Coverage	Maximum 50 percent	Not depicted
Maximum Building Height	Maximum 2 stories, 30 feet	Not depicted
Minimum Parking	A minimum of 4 spaces per 1,000 square feet, maximum 5 spaces per 1,000 square feet	Not depicted

* Existing condition

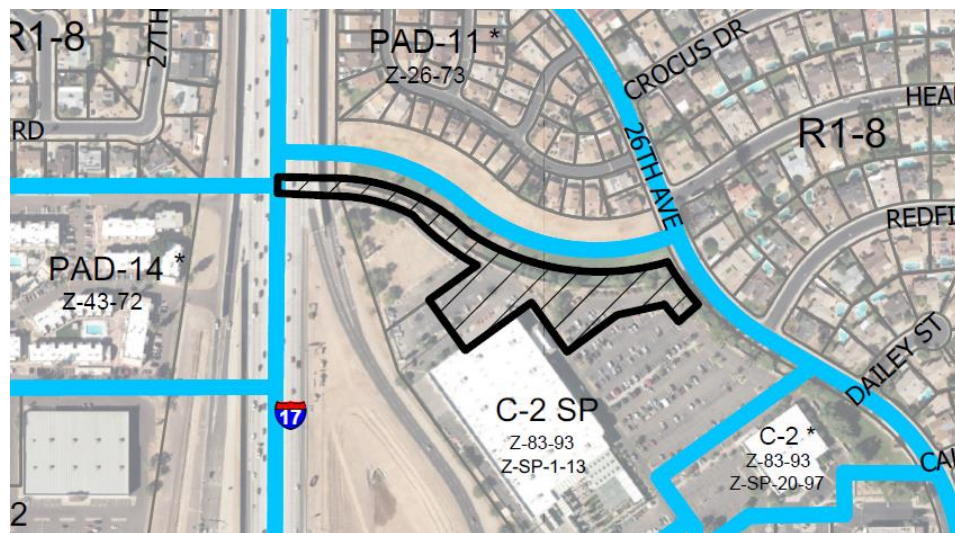
Background/Issues/Analysis

SUBJECT SITE

1. This request is to rezone 2.38 acres located approximately 1,080 feet north of the northeast corner of the I-17 Freeway and Thunderbird Road from C-2 SP (Intermediate Commercial, Special Permit) to C-3 (General Commercial) to allow commercial uses.

SURROUNDING LAND USES AND ZONING

2. North of the subject site are landscape and drainage areas, and single-family residential development zoned C-2 SP and PAD-11 (Planned Area Development). East of the site, across 26th Avenue, is a single-family residential subdivision zoned R1-8 (Single-Family Residence District). South of the subject site is a home improvement store zoned C-2 SP (Intermediate Commercial, Special Permit). The I-17 Freeway is located west of the subject site. Further west, across the I-17 Freeway is a multifamily development zoned PAD-14 (Planned Area Development) and a single-family subdivision zoned R1-8 (Single-Family Residence District).



Existing Zoning Aerial Map

Source: Planning and Development Department

GENERAL PLAN LAND USE MAP DESIGNATION

3. The subject site, as well as the surrounding area to the south are designated as Commercial on the General Plan Land Use Map. The single-family subdivision north of the subject site is designated as Residential 10 to 15 dwelling units per acre. East of the subject site, across 26th Avenue is designated as Residential 3.5 to 5 dwelling units per acre. The I-17 Freeway is designated as Transportation on the General Plan Land Use Map. The requested C-3 zoning district is consistent with the General Plan Land Use Map designation.



General Plan Land Use Map
Source: Planning and Development Department

PROPOSAL

4. **Site Plan**

The conceptual site plan, attached as an exhibit, depicts 19 stalls for compact power equipment rentals along the large landscape area between the existing home improvement store and 26th Avenue. The reserved parking stalls for equipment rentals serve as additional services provided by the existing home improvement store. Customer and employee parking is located south of the proposed reserved stalls, across the existing drive aisle.

5. **Elevations**

The building elevations / pictures, attached as an exhibit, depict the existing home improvement store. The conceptual site plan does not depict any newly proposed buildings or structures within the proposed C-3 zoning.

PLANS, OVERLAYS, AND INITIATIVES

6. **Black Canyon / Maricopa Freeway Specific Plan**

The Freeway Mitigation Program, created in the City of Phoenix by the 1988 approval of Proposition 17, authorized general obligation bonds to prepare plans and fund projects to mitigate the blighting effects on neighborhoods from existing and proposed freeway construction. The Black Canyon/ Maricopa Freeway Specific Plan study area is 32 miles long from Pinnacle Peak Road at I-17 in the north, to Pecos Road at I-10 in the south. Generally, the width of the study area is one-quarter mile on each side of the freeway.

The proposal advances Land Use Policy No. 4 (Page 11 in the plan) by replenishing parking landscaping when adjacent to single-family development.

7. **Tree and Shade Master Plan**

The Tree and Shade Master Plan encourages treating the urban forest as infrastructure to ensure the trees are an integral part of the City's planning and

development process. Sidewalks on the street frontage should be detached from the curb to allow trees to be planted on both sides of the sidewalk to provide thermal comfort for pedestrians and to reduce the urban heat island effect.

The proposal, as stipulated, will create a comfortable environment by restoring parking lot landscaping in accordance with the Phoenix Zoning Ordinance. This is addressed in Stipulation No. 1.

8. **Zero Waste PHX:**

The City of Phoenix is committed to its waste diversion efforts and has set a goal to become a zero waste city, as part of the city's overall 2050 Environmental Sustainability Goals. One of the ways Phoenix can achieve this is to improve and expand its recycling and other waste diversion programs. Section 716 of the Phoenix Zoning Ordinance establishes standards to encourage the provision of recycling containers for multifamily, commercial, and mixed-use developments meeting certain criteria. The development narrative states that the home improvement store incorporates recycling.

COMMUNITY INPUT SUMMARY

9. As of the writing of this report no letters of support or opposition have been received for the request.

OTHER

10. The site has not been identified as being archaeologically sensitive; however, in the event archaeological materials are encountered during construction, all ground disturbing activities must cease within 33-feet of the discovery and the City of Phoenix Archaeology Office must be notified immediately and allowed time to properly assess the materials. This is addressed in Stipulation No. 2.
11. Staff has not received a completed form for the Waiver of Claims for Diminution in Value of Property under Proposition 207 (A.R.S. 12-1131 et seq.), as required by the rezoning application process. Therefore, a stipulation has been added to require the form be completed and submitted prior to final site plan approval. This is addressed in Stipulation No. 3.
12. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonments, may be required.

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.

Writer

Nayeli Sanchez Luna / Robert Kuhfuss

March 5, 2025

Team Leader

Racelle Escolar

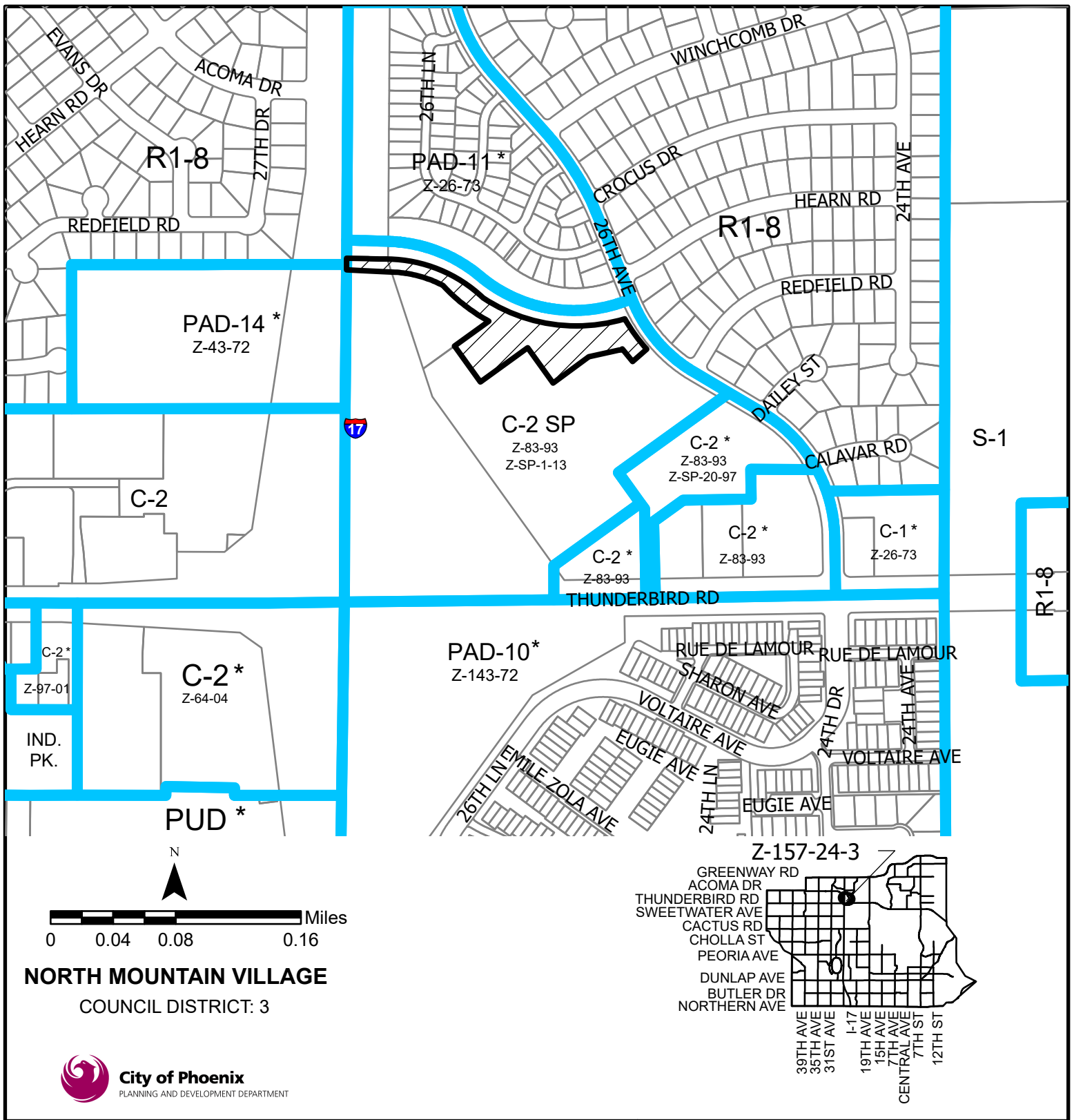
Exhibits

Sketch map

Aerial map

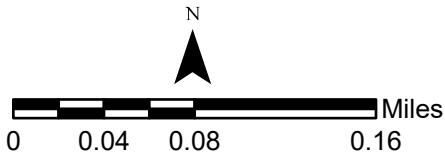
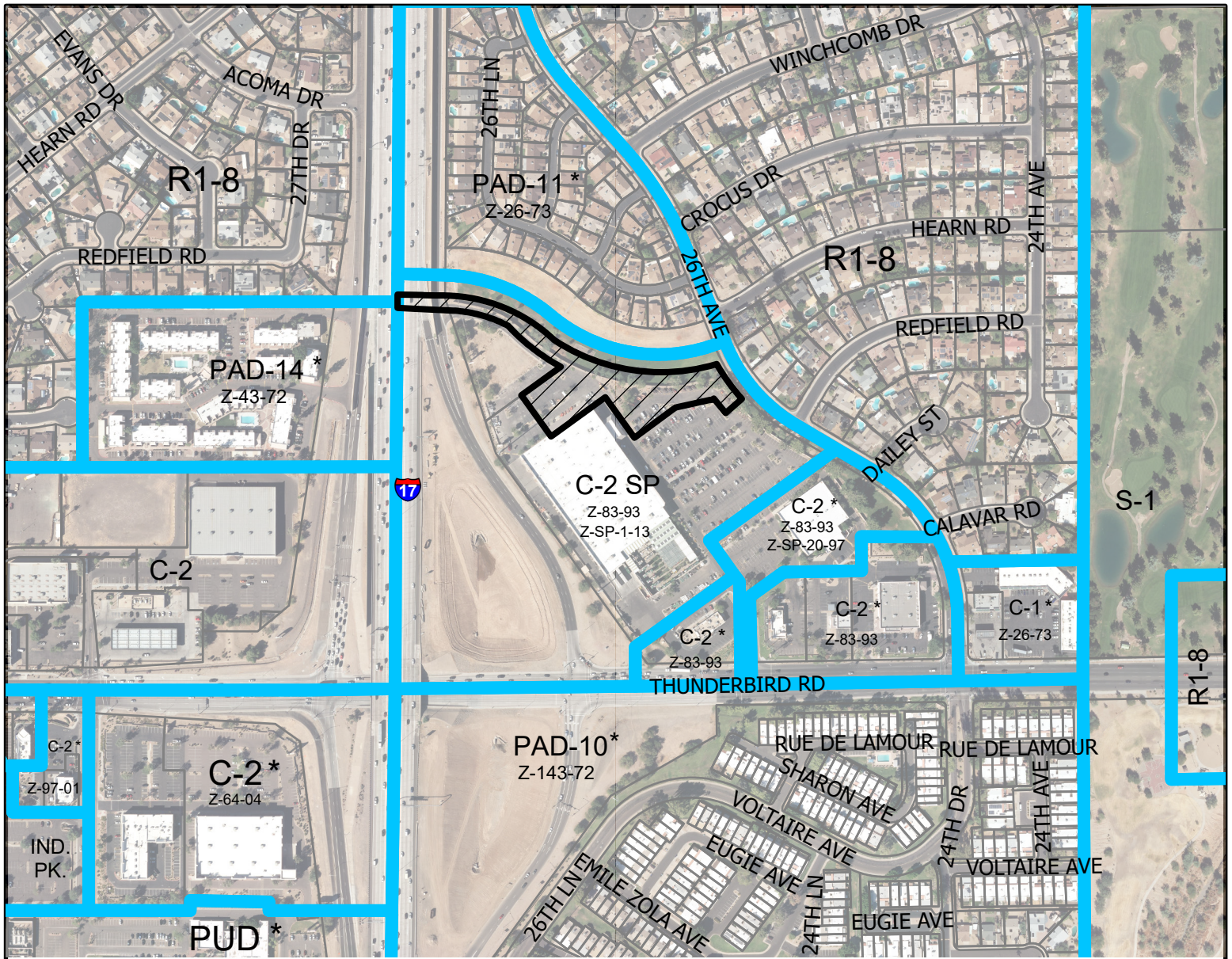
Conceptual site plan date stamped December 23, 2024

Elevations / pictures date stamped December 23, 2024

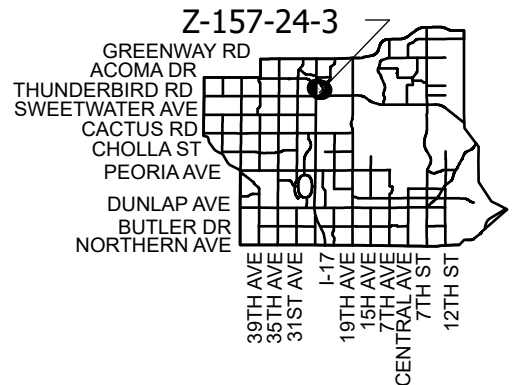


APPLICANT'S NAME: Kimley-Horn		REQUESTED CHANGE:	
APPLICATION NO: Z-157-24-3		FROM: C-2 SP (2.38 ac.)	
DATE: 1/03/2025		TO: C-3 (2.38 ac.)	
REVISION DATES:			
1/28/2025			
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.		AERIAL PHOTO & QUARTER SEC. NO.	
2.38 Acres		QS 33-23; QS 33-22	
MULTIPLES PERMITTED		ZONING MAP	
C-2 SP		L-7	
C-3			
CONVENTIONAL OPTION		* UNITS P.R.D OPTION	
34		41	
34		41	

* Maximum Units Allowed with P.R.D. Bonus



NORTH MOUNTAIN VILLAGE
COUNCIL DISTRICT: 3



APPLICANT'S NAME: Kimley-Horn		REQUESTED CHANGE:		
APPLICATION NO: Z-157-24-3		FROM: C-2 SP (2.38 ac.)		
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