



TOWN OF
QUEEN CREEK
 ARIZONA

TO: PLANNING & ZONING COMMISSION

THROUGH: BRETT BURNINGHAM, DEVELOPMENT SERVICES DIRECTOR

FROM: ERIK SWANSON, PLANNING ADMINISTRATOR, MALLORY RESS, PLANNER I

RE: PUBLIC HEARING AND POSSIBLE ACTION ON CASES P23-0020 AND P23-0165 HOME DEPOT CUP AND SITE PLAN AMENDMENT, A REQUEST FROM CASSANDRA PERMENTER, SCOTT A MOMMER CONSULTING, TO AMEND THE EXISTING SITE PLAN AND FOR A CONDITIONAL USE PERMIT TO ACCOMMODATE ADDITIONAL DISPLAY AREAS, STORAGE AREAS, AND RENTAL EQUIPMENT, INCLUDING RENTAL TRUCKS, WITHIN THE EXISTING PARKING LOT, LOCATED WITHIN POWER MARKETPLACE, EAST OF THE SOUTHEAST CORNER OF POWER AND RITTENHOUSE ROADS

DATE: April 10, 2024

Suggested Action:

Move to recommend approval of Home Depot CUP and Site Plan Amendment (P23-0020 and P23-0165), subject to the Conditions of Approval outlined in this report.

Introduction / Summary:

This proposal consists of a request from Cassandra Permenter, Scott A Mommer Consulting, for a CUP and Site Plan Amendment approval to allow Home Depot to provide additional outdoor display areas, storage areas and rental equipment, including rental trucks, within the existing parking lot, located within Power Marketplace, east of the southeast corner of Power and Rittenhouse roads. The CUP approval is required for the outdoor storage of the rental trucks.

History:

Sept. 6, 1994: Town Council approved the annexation of approximately 203 acres, including the future Home Depot site (Ord. No. 50-94)

Nov. 5, 2003: Town Council approved the rezoning of approximately 123 acres from R1-43 to I-1 and C-2 with a PAD overlay, including approval of the Power Marketplace Commercial center site plan and the Home Depot site (Case RZ03-009, S07-03, SP12-03, Ord. No. 271-03)

Project Information:

Project Name:	Home Depot CUP and Site Plan Amendment (P23-0165 and P23-0020)
Site Location:	East of the SEC of Power and Rittenhouse Roads
Current Zoning:	C-2
General Plan Designation:	Commercial
Surrounding Zoning Designations:	
North-	C-2 (Power Marketplace II)
South-	C-2 (Power Marketplace – Future rezoning request for MDR)
East-	EMP-A (Power Marketplace Business Park)
West-	C-2 (Power Marketplace)
Total site Acreage:	Approx. 15.59 acres

Building Area:	151,848sq.ft.
Parking:	
Required -	506
Provided -	495
Use of Existing Parking:	
Equipment Rental-	12
Compact Power-	8
Penske Truck Rental-	16
Outdoor Sales -	10
Load-N-Go -	7

Discussion:

This proposal consists of a request from Cassandra Permenter, Scott A Mommer Consulting, for CUP and Site Plan Amendment approval to allow for the existing Home Depot property within the Power Marketplace Commercial Center to utilize existing parking stalls, for additional outdoor display areas, storage areas, rental equipment areas, and rental trucks. The CUP is required for the outdoor storage of the rental trucks.

Site Plan Amendment

The original Home Depot site plan was approved in 2003. At the time of approval the Zoning Ordinance required 498 parking spaces, however, the site was over parked and additional spaces were provided for customer/employee parking and for outdoor display areas. As presented under this project, the current Zoning Ordinance requires a total of 506 parking spaces. The applicant is proposing 495 parking spaces for use by customers and employees. These 495 spaces include 461 standard parking stalls, 16 ADA stalls, 12 Pro-Parking stalls, and 6 curbside pick-up stalls. An additional 88 existing spaces are slated for use for outdoor display, storage, equipment rental and truck rental. These 88 spaces include 16 spaces for rental equipment, 8 spaces for compact power rental equipment, 16 spaces for moving truck rental, 11 spaces for trailer sales display, 28 spaces for outdoor storage and 9 spaces for Load-N-Go. It should be noted that the original approved site plan allowed for the 11 parking stalls for trailer sales, 4 parking spaces for equipment rental, 2 Load-N-Go spaces, and 18 spaces for outdoor storage. To clarify, under this Site Plan Amendment the applicant is requesting the use of an additional 53 existing parking stalls for outdoor display, Penske Truck Rental, outdoor sales, Load-N-Go, and equipment rental. Below is the breakdown of this request:

- Load-N-Go: 7 additional spaces
- Outdoor Sales: 10 additional spaces
- Equipment Rental: 12 additional spaces
- Compact Power Equipment Rental: 8 spaces
- Penske Truck Rental: 16 spaces

In addition to the above listed use of existing parking stalls for outdoor sales, display, rental, etc., the applicant has proposed storage of garden sheds at an existing improved area adjacent to the building. The applicant is also proposing the installation of bike parking for 10 bicycles with this Site Plan Amendment. Given that 495 parking spaces are available for customer and employee parking, which is less than a 10% deviation from the 506 parking spaces required under the Zoning Ordinance, and a supporting parking analysis was provided by the Applicant, attached as Exhibit 5, staff is in support of this request.

Conditional Use Permit

As discussed, the applicant is proposing outdoor storage of rental trucks, which requires CUP approval. The applicant has designated 16 parking stalls for the storage of these rental vehicles within the existing parking lot. Although 16 stalls are proposed for vehicle storage the applicant has provided information in their narrative indicating that typically no more than 5-7 trucks will be on site at any given time. Additionally, no semi-trucks or tractor trailer type vehicles may be rented under this program. All trucks will have box enclosures varying from 12' to 26' and do not require a

CDL, or other special driver's license. No fueling, servicing or maintenance of the trucks will take place onsite.

The stalls are proposed to be located adjacent to the southwestern entry drive to the Home Depot parking lot. This location allows for easy access for customers renting or returning the trucks to the parking area without having to traverse the rest of the parking lot. Additionally, the proposed location at the south of the site provides significant distancing (approximately 525 feet) of the rental trucks from Rittenhouse Rd. The Home Depot property is setback 790 feet from Germann Road and a varied distance of 277 feet through 350 feet from Power Road. Within the area adjacent to Germann is currently a vacant parcel that is the subject of a rezoning application for a multi-family use with a top height of 35ft. Within the area adjacent to Power Road is the Power Marketplace Commercial Center with additional commercial buildings and parking area. Given the proposed location of the truck rental parking and the ancillary use of 16 parking spaces for these vehicles, staff is in support of this request.

Public Participation:

A neighborhood meeting was held on February 26, 2024 and property owners within a 1,200ft distance of the Home Depot site were notified of the meeting. No residents attended this meeting and the meeting was closed 20 minutes after it began. After the meeting, the applicant received an email from U-haul representatives inquiring of the meeting. The applicant followed up with the representatives to assist in answering any questions, however, no follow-up response was provided by the representatives. To date the applicant and Staff have not received any public input.

Analysis:

General Plan: The General Plan Land Use designation for this project is Commercial. This project site request is in conformance with the property's General Plan Land Use designation.

Zoning Review: The property is zoned C-2 (General Commercial). The primary use of the site as a hardware store is a permitted within the C-2 zoning district. The ancillary use requested under the CUP is considerable as a secondary use for the property.

Adequate Public Facilities: There is no expansion to the site proposed and no additional use requested of the Town's public facilities. The project has been reviewed by staff and is staff is satisfied that adequate public facilities are already provided at the site.

Conditional Use Review: Conditional Use Permits are authorized under Article 3.5 Conditional Use Permits of the Zoning Ordinance. Conditional uses are those uses that are generally compatible with the land uses permitted by right in a zoning district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use as a particular location within a given zoning district.

Staff believes the applicant has met the intent of the criteria for evaluating a conditional use; therefore, Staff supports the applicant's request.

Conditions of Approval:

1. This project shall be developed in accordance with the plans attached to this case and all the provisions of the Zoning Ordinance and Town Code applicable to this case.
2. The conditions imposed under Ordinance No. 271-03 remain in full force and effect, as applicable to this site, except as modified herein.
3. Outdoor storage, equipment storage and seasonal sales shall be permitted as shown in the Site Plan dated 01/09/2023, with last revision date 01/17/2024, without the need for a temporary use permit.
4. Any expansion of use beyond the Site Plan dated 01/09/2023, with last revision date 01/17/2024, shall require a new use permit.

Attachment(s):

1. Aerial
2. General Plan Map
3. Zoning Map
4. Site Plan
5. Project Narrative
6. Parking Analysis