

ATTACHMENT C

REPORT OF PLANNING HEARING OFFICER ACTION
Byron Easton, Planner III, Hearing Officer
Logan Zappolo, Planner I, Assisting

January 21, 2026

ITEM NO: 1	
	DISTRICT NO. 2
SUBJECT:	
Application #:	PHO-7-25--Z-100-89-1(2)
Location:	Approximately 335 feet west of the intersection of Tatum Boulevard and Kelton Lane
Zoning:	PSC
Acreage:	1.08
Request:	1) Modification of Stipulation 2 regarding substantial conformance to the elevations presented.
Applicant:	Justin Brown, Kimley-Horn and Associates
Owner:	Steve Mariani, West Valley Properties
Representative:	Justin Brown, Kimley-Horn and Associates

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with additional stipulations.

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee heard this request on January 5, 2026 and recommended approval by a vote of 14-0.

DISCUSSION

Justin Brown, representative of Kimley-Horn and Associates, provided an overview of the subject property and the request for a new ALDI Grocery store. Mr. Brown stated the purpose of the request is to update the elevations that vary from the stipulated elevations that were approved on December 9th, 2012. He added the new ALDI will be taking over the suite that was previously a Big Lots store. Mr. Brown provided background of the PHO history on this site, and stated that on December 15, 2021, there was a PHO approval to update the elevations for a proposed Auto Zone. Mr. Brown added that the applicant is requesting a modification of Stipulation 2 regarding substantial conformance to the elevations presented for Rezoning Case No. Z-100-89-1(2), to allow for the proposed ALDI's exterior modifications. Mr. Brown explained the changes to the façade will include new materials and an updated sign, while the columns and building height will remain the same. Mr. Brown presented the new materials, which will include vintage wood, aluminum composite panels, new automatic entry doors,

and the paint/plaster designed to match the existing development. Mr. Brown presented the conceptual site plan and explained this will remain the same other than a new landscape planter included to meet ADA guidelines. Mr. Brown listed neighboring commercial businesses within this shopping center including Sprinkler World, Petco, Walmart, Five Guys, Mattress Firm, and others.

Byron Easton, Planning Hearing Officer, explained there was no opposition received for this case. He included the proposed elevations are adding metal, removing arches, and adding wood to the building façade, he then asked if the Village Planning Committee had any issues with the proposed materials for the elevations.

Mr. Brown responded there was no opposition present at the Village Planning Committee meeting, and the committee were in favor of the proposed elevations.

Mr. Easton explained the request and stated the site plan is in substantial conformance since it isn't changing. He stated that it was his understanding that the elevations are intended to modernize the shopping center with updated materials and explained that the Paradise Valley Village Planning Committee recommended approval by vote of 14-0. Mr. Easton added he does not want to delete Stipulation 2 entirely since there are additional sub-stipulations that pertain to other portions of the site. Mr. Easton asked for the correct date stamp on the site plan.

Logan Zappolo, Planning Hearing Officer Assistant, confirmed the date stamp for the elevations is November 10, 2025.

Mr. Easton recommended approval with additional stipulations to add a general conformance stipulation to the elevations date stamped November 10, 2025 and a Prop 207 stipulation.

FINDINGS:

- 1) The request to modify Stipulation 2 regarding general conformance to a site plan and elevations is recommended for approval with an additional stipulation (Stipulation 3) to specify which date stamped elevations are to be conformed to. Stipulation 2 contains sub-stipulations that mainly refer to the stipulated site plan and should not be modified. This project will not alter the site plan and is a simple tenant improvement, with the suite changing from a Big Lots to an ALDI grocery store.

The proposed conceptual elevations depict architectural features such as added metal, the removal of arches and added wood accents. The proposal is compatible with the land use pattern in the surrounding area.

- 2) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record.

STIPULATIONS:

1.	That The site plan SHALL be subject to Planning and Development Department review as per Section 507 of the Zoning Ordinance.
2	That THE development SHALL be in substantial conformance to the site plan dated December 9, 2012, and elevations presented, and that development be limited to no more than four freestanding pads, as shown on the site plan as may be modified by the following stipulations.
a.	That Building 3 be modified (to Buildings 3A and 3B) as shown on the site plan dated November 29, 1993.
b.	That there be no drive-thru lanes permitted for Buildings 3A or 3B.
c.	That building 3A, 3B, and 4 shall be tied together with plazas as generally depicted on the site plan dated November 29, 1993.
d.	That Building 3A and 3B architecturally integrated and constructed in a single-phase.
3.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED NOVEMBER 10, 2025 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. 3.	That A 40-foot landscaped setback SHALL be provided along bell Road. Landscaping shall include mature 2-1/2-inch caliper shade trees to be planted 20 feet on center or in equivalent groupings as approved by the Planning and Development Department.
5. 4.	That Building heights SHALL be limited to 30 feet except for architectural embellishments which shall not exceed 40 feet in height.
6. 5.	That Any commercial center signage SHALL be identified and approved through the use permit procedure for a Comprehensive Sign Package, with the PSC zoning district being applicable.
7.	That All structures SHALL be integrated with similar or harmonious

6.	materials, surface textures, and color as approved by the Planning and Development Department.
8. 7.	That The wall treatment, including texture, coloration and building materials shall be consistent around each entire structure exclusive of architecturally embellished parapets.
9. 8.	That No truck unloading shall occur within 50 feet of the adjacent R1-10 zoned properties.
10. 9.	The developer will be responsible for 100 percent of the cost of a traffic signal on Bell Road at the main driveway, when warranted, as determined by the Street Transportation Department.
11. 10.	The following right-of-way is to be provided within 30 days of final City Council approval for the improvements to be installed with the Bell Road Major Street Project (P-874289):
	a. The developer is to dedicate right-of-way for both Bell Road and Tatum Boulevard as per Street Improvement Project P-874289.
	b. Paving plans for P-874289 show a bus bay on Tatum Boulevard, just south of Bell Road. The bus bay is to be extended to provide a continuous 10-foot-wide right-turn lane to the main driveway on Tatum Boulevard. Right-of-way for the bus bay/right-turn lane is to be dedicated by the developer.
	c. The developer shall dedicate right-of-way for a 100-foot-long 10-foot-wide right-turn lane with a 120-foot transition on Bell Road at the future signalized driveway. The 40-foot landscaped setback described in Stipulation No. 3 above shall be measured from the existing Bell Road right-of-way and shall include all necessary dedications required by Planning and Development Department or other applicable City departments.
	d. The developer is to dedicate right-of-way for a bus bay (Detail P-1257) on Bell Road just east of the future signalized driveway. The 40-foot landscaped setback described in Stipulation No. 3 above shall be measured from the existing Bell Road right-of-way and shall include all necessary dedications required by Planning and Development Department or other applicable City departments.
12. 11.	The developer is to provide funds in escrow prior to final Planning and Development Department site plan approval for all adjacent curb, gutter and sidewalk improvements, including bus bay modifications and right turn

	lanes as indicated above.
13. 12.	That Shade protected walkways connecting transit facilities detached pads and the principal structure and shade trees adjacent to transit waiting areas SHALL be provided as approved by the Planning and Development Department.
14. 13.	The 20-foot landscaped buffer within the 50-foot rear and side yard setbacks shall be planted with mature shade trees 12 to 14 feet in height and 20 feet on center or in equivalent groupings. The details of the landscaping plan shall be approved through Planning and Development Department with the direct involvement of the property owners abutting the site along the south and west property lines.
15. 14.	The dumpster for the grocery store shall be an enclosed compactor system with a misting component to prevent odors and pests.
16. 15.	Speed bumps shall be placed along all driveways located at the rear of the buildings.
17. 16.	All rear yard security lighting shall be placed in the landscaped buffer and shall be directed away from any residential area.
18. 17.	Developer shall apply for a variance to permit an eight-foot decorative block or stucco wall to be placed along the west and south property lines. Developer shall construct the decorative boundary wall prior to commencement of construction and shall be responsible for the removal and disposal of existing fencing separating the site from the properties of adjacent property owners.
19. 18.	Truck deliveries to the shopping center shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.
20. 19.	No trash compactors servicing the shopping center shall be operated between the hours of 11:00 p.m. and 6:00 a.m.
21. 20.	The shopping center shall be regularly monitored by a security patrol engaged by the developer or the shopping center tenants.
22. 21.	All entrances to the shopping center shall be paved with red bomanite.
23. 22.	All pads shall be landscaped simultaneously with the landscaping of the shopping center.

24. 23.	All HVAC units installed in the shopping center shall have vertical exhaust features.
25. 24.	Deterrent type plant material shall be placed on the side of the decorative block fence which faces the shopping center for security purposes.
26. 25.	That A three-foot berm or wall SHALL be provided along Bell Road.
27. 26.	That Development SHALL commence within 24 months of final City Council approval in accordance with Section 506 of the Zoning Ordinance.
28.	PRIOR TO PRELIMINARY 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.

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