

PLEASE RESPOND ELECTRONICALLY TO LOGAN ZAPPOLO 2ND FLOOR, 602-256-3322



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned
From: Joshua Bednarek
Planning & Development Department Director

Date: December 19, 2025

Subject: P.H.O. APPLICATION NO. PHO-7-25--Z-100-89-1(2) – Notice of Pending Actions by the Planning Hearing Officer

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **January 21, 2026**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **December 26, 2025**.

DISTRIBUTION

Mayor's Office (Tony Motola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
City Council District 2 - Christine Pedersen (council.district.2@phoenix.gov)
Aviation (Jordan D. Feld)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Joel Asirsan), 2nd Floor
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Todd Shackelford), 16th Floor
Public Transit (Skitch Kitchen)
Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Joshua Bednarek, Tricia Gomes), 3rd Floor
Planning and Development/Information Services (Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Logan Zappolo), 2nd Floor
Village Planner (Matteo Moric, Paradise Valley Village)
Village Planning Committee Chair (Ms. Anita Mortensen, Paradise Valley Village)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-7-25-Z-100-89-1(2)

Council District: 2

Request For: Stipulation Modification

Reason for Request: Modification of Stipulation 2 regarding substantial conformance to the elevations presented.

HEARING INFORMATION

Hearing Type	Hearing Date	Hearing Time	Hearing Location
Planning Hearing Officer	01-21-2026	10:00 AM	Meetings to be held virtually

Reason for Request: Modification of Stipulation 2 regarding substantial conformance to the elevations presented.

HEARING INFORMATION

Hearing Type	Hearing Date	Hearing Time	Hearing Location
Village Planning Committee	01-05-2026	6:00 PM	Paradise Valley Community Center, Multi-Purpose Room, 17402 N. 40th Street

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Steve Mariani	Owner	280 2nd Street, Suite 230 Los Altos CA USA 94022	520-780-4666		smariani@westvalleyproperties.com
Justin Brown	Representative	2046 Riverview Auto Drive, Suite 400 Mesa AZ 85201 United States	602-678-3466		justin.brown@kimley-horn.com
Justin Brown	Applicant	2046 Riverview Auto Drive, Suite 400	602-678-3466		justin.brown@kimley-horn.com

Property Location: Approximately 335 feet west of the intersection of Tatum Boulevard and Kelton Lane

Acreage: 1.08

Geographic Information

Zoning Map APN Quarter Section
M11 215-19-386 Q36-38

Village:

Paradise Valley

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning@phoenix.gov or visit our website at <https://www.phoenix.gov/pdd/licensing-time-frames>

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature: _____ DATE: _____

Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,080.00	\$0.00	12/10/25	PHO (1-2 stipulations)



November 7, 2025

Planning Hearing Officer
Phoenix City Hall
Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

RE: *Modification of Stipulations of Case No. Z-100-89 (4727 E. Bell Road)*

Dear Planning Hearing Officer:

This firm represents ALDI (Arizona) LLC. regarding their proposed development which is located at 4727 E. Bell Road, Phoenix, AZ (the "Property"). The Property is subject to rezoning application Z-100-89 which granted zoning entitlements for the total +/- 19.84-acre commercial development site that includes a variety of existing restaurants, retail stores, and a grocery store. Overall, there are currently 41 tenants in the development, and there are three vacant spaces allowing room for three more tenants to the property. One of these vacant spaces will be filled by the proposed ALDI grocery store. The site previously existed as a "Big Lots!" store and is being improved to be an ALDI grocery store. The site is currently zoned as PSC which is a planned shopping center and allows medium density commercial that is able to provide a wide range of commercial activity.

ALDI (Arizona) LLC. is now ready to move forward with the proposed retail use, with a few refinements. After careful review of the approved plans, necessary adjustments have been made to make the project viable and to serve increasing market demands in the area. To permit a viable grocery store and adhere to the ALDI architectural branding designs, there will need to be a modification to the appearance of the existing shopping center. The new +/- 24,258 sf grocery store is keeping with the Council-approved site plan and the intended commercial use for the Property which exists as part of an existing shopping center along a major arterial roadway. Further, this development will serve the needs of a growing population providing an affordable grocery store option for nearby residents as well as future residents to the area. This proposal seeks to modify the stipulation #2 from zoning case Z-100-89 to add the following: *"Elevations for Lot 5, the ALDI grocery store, shall be in general conformance with the elevations depicted on the plans stamped on October 23, 2025."* This modification is being requested to be able to adhere to the ALDI standard design

despite the fact that this will introduce different surface textures and colors to the shopping center using a combination of deeper brown tones and metal exterior elements in contrast to the existing light neutral and brown stucco appearance of the existing retail stores and restaurants.

Given the minor site plan changes, it is necessary and appropriate to modify the 2021 stipulations. Accordingly, we respectfully request modifications and additions of Case No. Z-100-89-1-H3. The following is a legislative edit of the approved stipulations with proposed revisions:

Stipulations with Modifications for Z-100-89:

1. The site plan shall be subject to Planning and Development Department review per Section 507 of the Zoning Ordinance.
2. The development, on all but the 0.60 acres depicted on the AutoZone site plan date stamped September 14, 2021, shall be in substantial conformance to the site plan dated December 9, 2021 and elevations presented, and the development shall be limited to no more than four freestanding pads, as shown on the site plan, as modified by the following stipulations and approved by the Planning and Development Department.
 - a) Building 3 shall be modified (to Buildings 3A and 3B) as shown on the site plan dated November 29, 1993.
 - b) There shall be no drive-thru lanes permitted for Buildings 3A or 3B.
 - c) Buildings 3A, 3B, and 4 shall be tied together with plazas as generally depicted on the site plan dated November 29, 1993.
 - d) Buildings 3A and 3B shall be architecturally integrated and constructed in a single phase.
 - e) The development of the 0.60 acre AutoZone property shall be in general conformance with the site plan and elevations date stamped September 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

f) *Elevations for Lot 5, the ALDI grocery store, shall be in general conformance with the elevations depicted on the plans stamped on October 23, 2025.*

Note: Additional variance requested to allow the ALDI grocery store to be constructed using the standard ALDI architectural design which will deviate from the existing architectural design of the shopping center as it currently exists.

3. 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.
4. Building heights shall be limited to 30 feet except for architectural embellishments which shall not exceed 40 feet in height.
5. 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.
6. All structures shall be integrated with similar or harmonious materials, surface textures, and color as approved by the Planning and Development Department.
7. The wall treatment, including texture, coloration, and building materials shall be consistent around each entire structure exclusive of architecturally embellished parapets.
8. No truck or unloading shall occur within 50 feet of the adjacent R1-10 zoned properties.
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.
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 landscape 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.

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.

12. 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 Planning and Development Department.

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.

14. The dumpster for the grocery store shall be an enclosed compactor system with a misting component to prevent odors and pests.

15. Speed bumps shall be placed along all driveway located at the rear of the buildings.
16. All rear yard security lighting shall be placed in the landscaped buffer and shall be directed away from any residential area.
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.
18. Truck deliveries to the shopping center shall be prohibited during the hours of 11:00pm and 6:00am.
19. No trash compactors servicing the shopping center shall be operated between the hours of 11:00pm and 6:00am.
20. The shopping center shall be regularly monitored by a security patrol engaged by the developer or the shopping center tenants.
21. All entrances to the shopping center shall be paved with red bomanite.
22. All pads shall be landscaped simultaneously with the landscaping of the shopping center.
23. All HVAC units installed in the shopping center shall have vertical exhaust features.
24. Deterrent type plant material shall be placed on the side of the decorative block fence which faces the shopping center for security purposes.
25. A three-foot berm or wall shall be provided along Bell Road.
26. Development shall commence within 24 months of final City council approval in accordance with Section 506 of the Zoning Ordinance.

In summary, the requested modifications to the stipulations under Case No. Z-100-89 will allow ALDI (Arizona) LLC. to complete updates to the existing development. As with many projects, particularly after the passage of time, appropriate changes are necessary. However, the proposed building and improvements will fulfill the same

demands as the original approval in a manner that will be positive for the area. For these reasons and those stated above, we request approval of this application.

Additionally, Kimley-Horn is reaching out to the opposition from previous zoning cases in order to resolve any possible disputes during the application process.

Very truly yours,

KIMLEY-HORN AND
ASSOCIATES, INC.



By

Sterling Margetts



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

March 21, 2013

Tim Rasnake
5055 East Washington Street, Suite 200
Phoenix, AZ 85034

RE: Z-100-89-1 (NEW DISTRICT 2) – Southwest corner of Tatum Boulevard and Bell Road

Dear Applicant:

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506 of the Zoning Ordinance, has on March 20, 2013, considered a request for 1) Modification of Stipulation 2 regarding substantial conformance to the site plan and the required maximum number of freestanding pads on the property; and 2) Technical corrections to Stipulations 1, 3, 6, 10.c, 10.d, 11, 12, 13, and 26.

The City Council ratified application Z-100-89-1 (NEW DISTRICT 2) as recommended by the Planning Hearing Officer for approval with modified stipulations.

Stipulations:

1. That the site plan be subject to Planning and Development Department review as per Section 507 of the Zoning Ordinance.
2. Mod That development 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 be architecturally integrated and constructed in a single-phase.

March 21, 2013

Page 2

3. That a 40-foot landscaped setback 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.
4. That building heights be limited to 30 feet except for architectural embellishments which shall not exceed 40 feet in height.
5. That any commercial center signage be identified and approved through the use permit procedure for a Comprehensive Sign Package, with the PSC zoning district being applicable.
6. That all structures be integrated with similar or harmonious materials, surface textures, and color as approved by the Planning and Development Department.
7. That the wall treatment, including texture, coloration and building materials shall be consistent around each entire structure exclusive of architecturally embellished parapets.
8. That no truck unloading shall occur within 50 feet of the adjacent R1-10 zoned properties.
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.
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.

March 21, 2013

Page 3

- 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.
- 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.
- 12. That shade protected walkways connecting transit facilities detached pads and the principal structure and shade trees adjacent to transit waiting areas be provided as approved by the Planning and Development Department.
- 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.
- 14. The dumpster for the grocery store shall be an enclosed compactor system with a misting component to prevent odors and pests.
- 15. Speed bumps shall be placed along all driveways located at the rear of the buildings.
- 16. All rear yard security lighting shall be placed in the landscaped buffer and shall be directed away from any residential area.
- 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.
- 18. Truck deliveries to the shopping center shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.
- 19. No trash compactors servicing the shopping center shall be operated between the hours of 11:00 p.m. and 6:00 a.m.
- 20. The shopping center shall be regularly monitored by a security patrol engaged by the developer or the shopping center tenants.

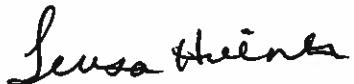
PHO Z-100-89-1 (NEW DISTRICT 2) Approval Letter

March 21, 2013

Page 4

21. All entrances to the shopping center shall be paved with red bomanite.
22. All pads shall be landscaped simultaneously with the landscaping of the shopping center.
23. All HVAC units installed in the shopping center shall have vertical exhaust features.
24. Deterrent type plant material shall be placed on the side of the decorative block fence which faces the shopping center for security purposes.
25. That a three-foot berm or wall be provided along Bell Road.
26. That development commence within 24 months of final City Council approval in accordance with Section 506 of the Zoning Ordinance.

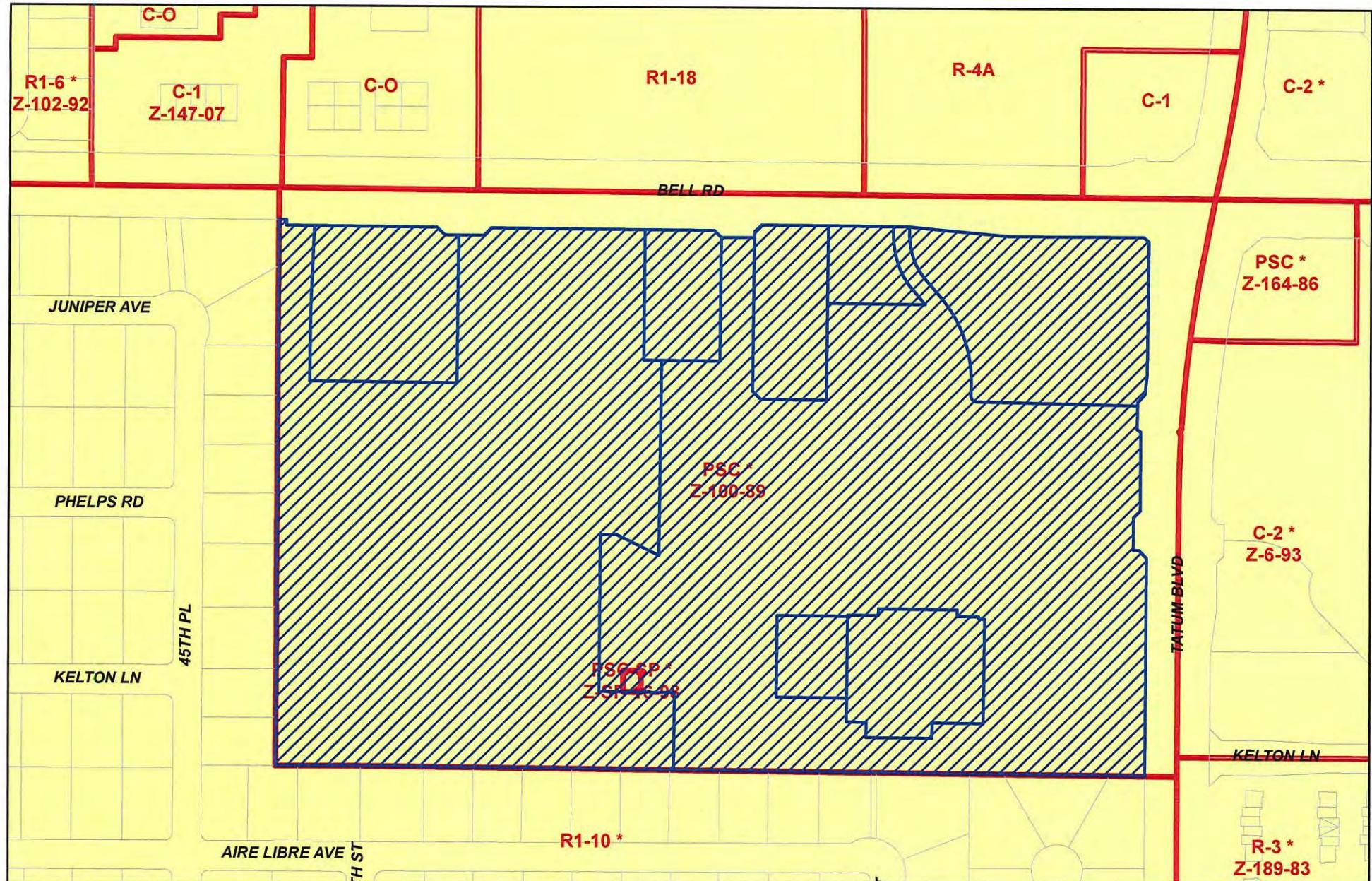
Sincerely,



Teresa Hillner

Planner III

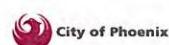
c: Tatum Venture, LLC; 1840 East Warner Road, Suite 137; Tempe, AZ 85284
Ray Brown, P&D-Planning (Electronically)
Sandra Hoffman, P&D-Development (Electronically)
Penny Parrella, City Council (Electronically)
Book
Case File



Case Number : Z-100-89 (PHO-5-12)

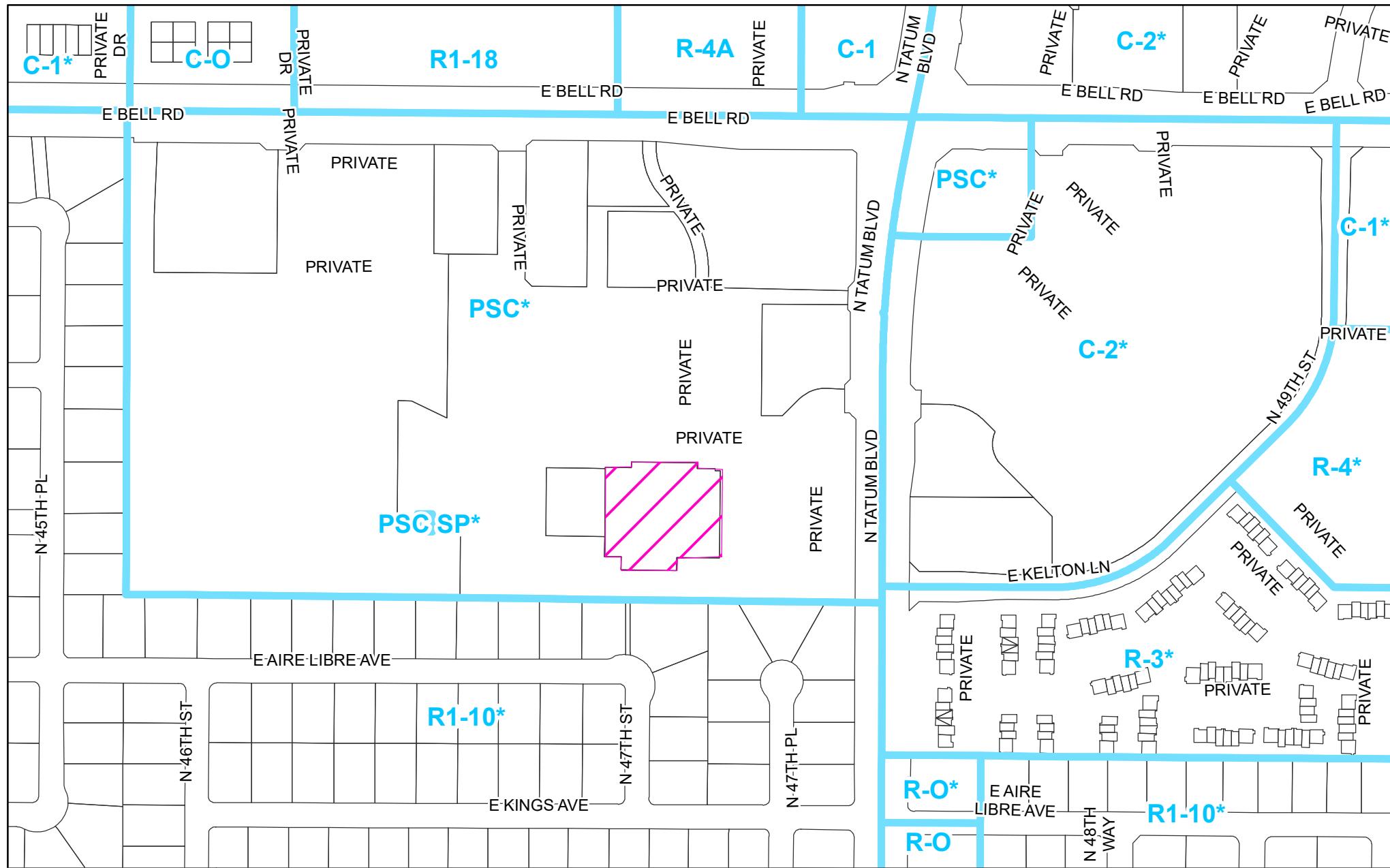
Property Location : SWC of Tatum Blvd and Bell Rd

Date: 12/31/2012

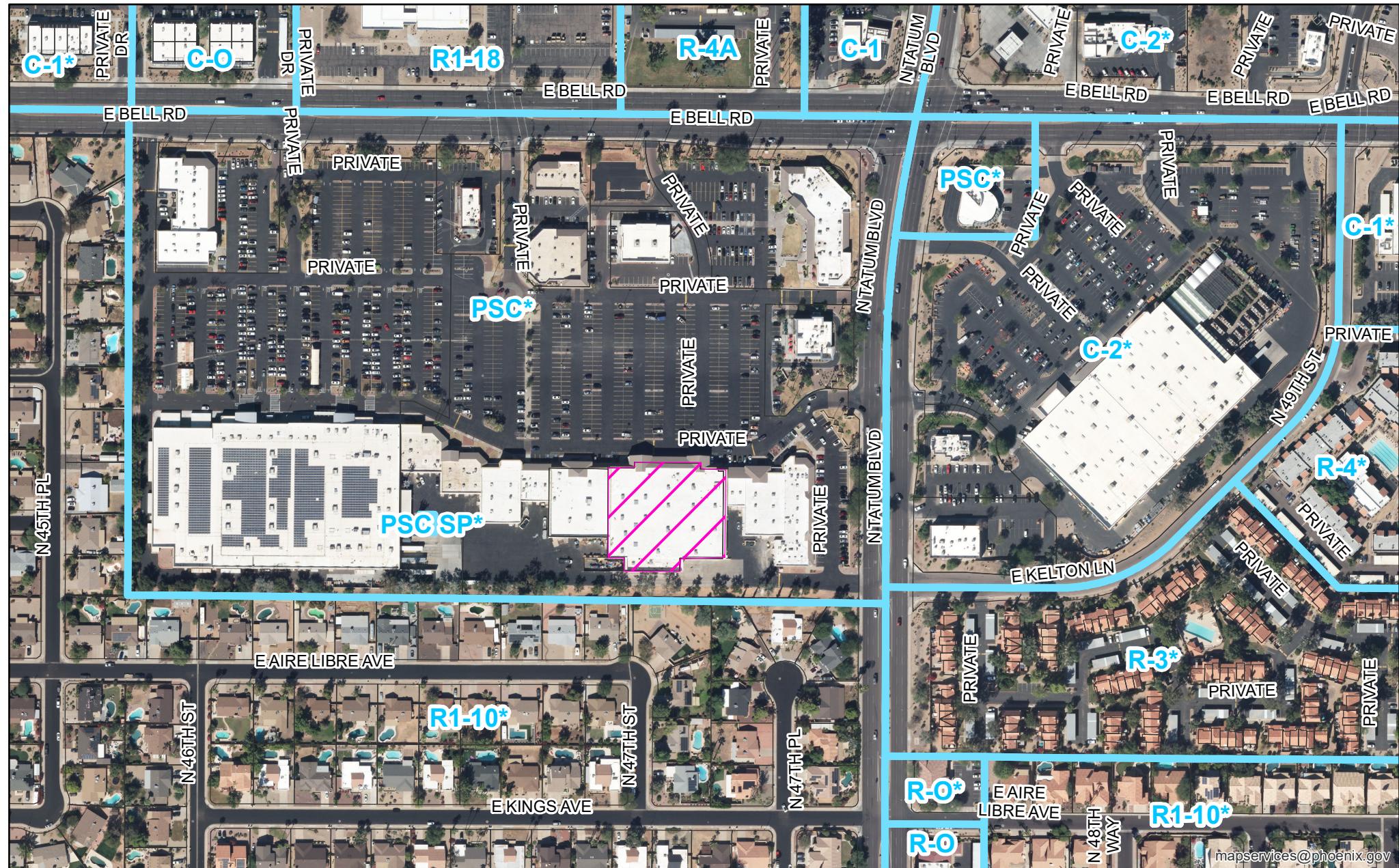


Planning & Development Department

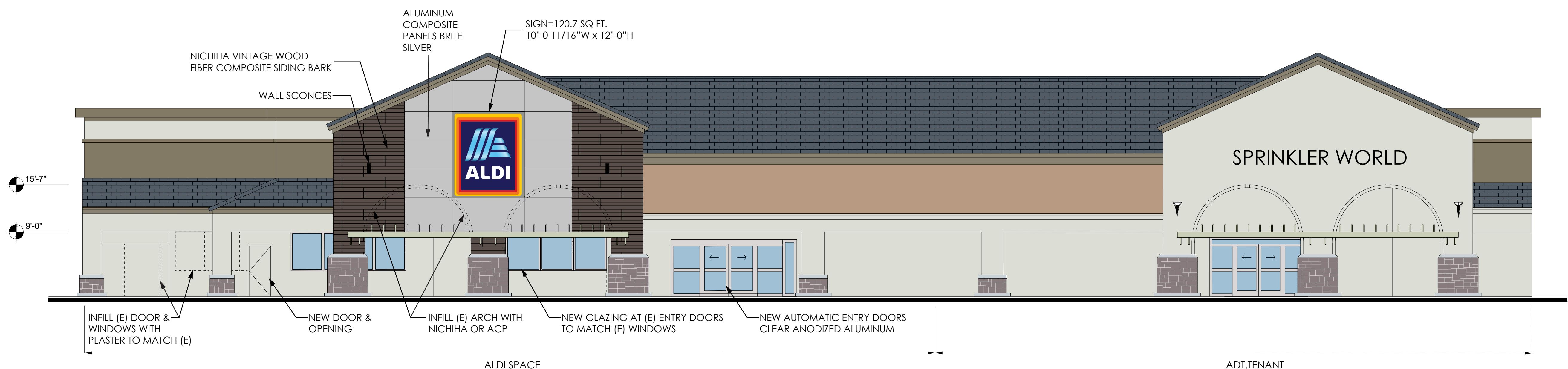
0250 100 Feet



PHO-7-25-Z-100-89-1f&L Property Location: Approximately 335 feet west of the intersection of Tatum Boulevard and Kelton Lane



PHO-7-25-Z-100-89-1(2) **Property Location:** Approximately 335 feet west of the intersection of Tatum Boulevard and Kelton Lane



FRONT ELEVATIONS

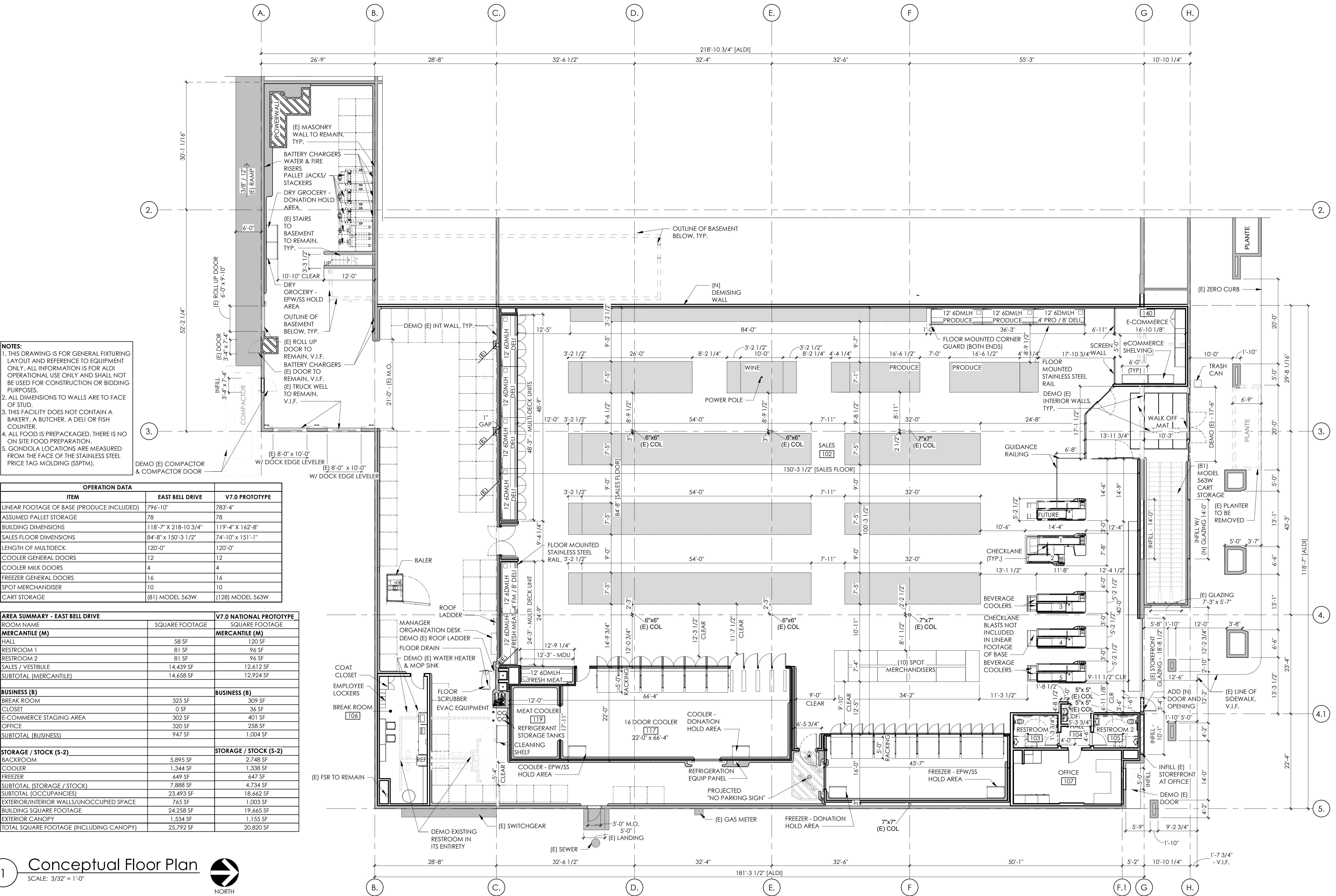
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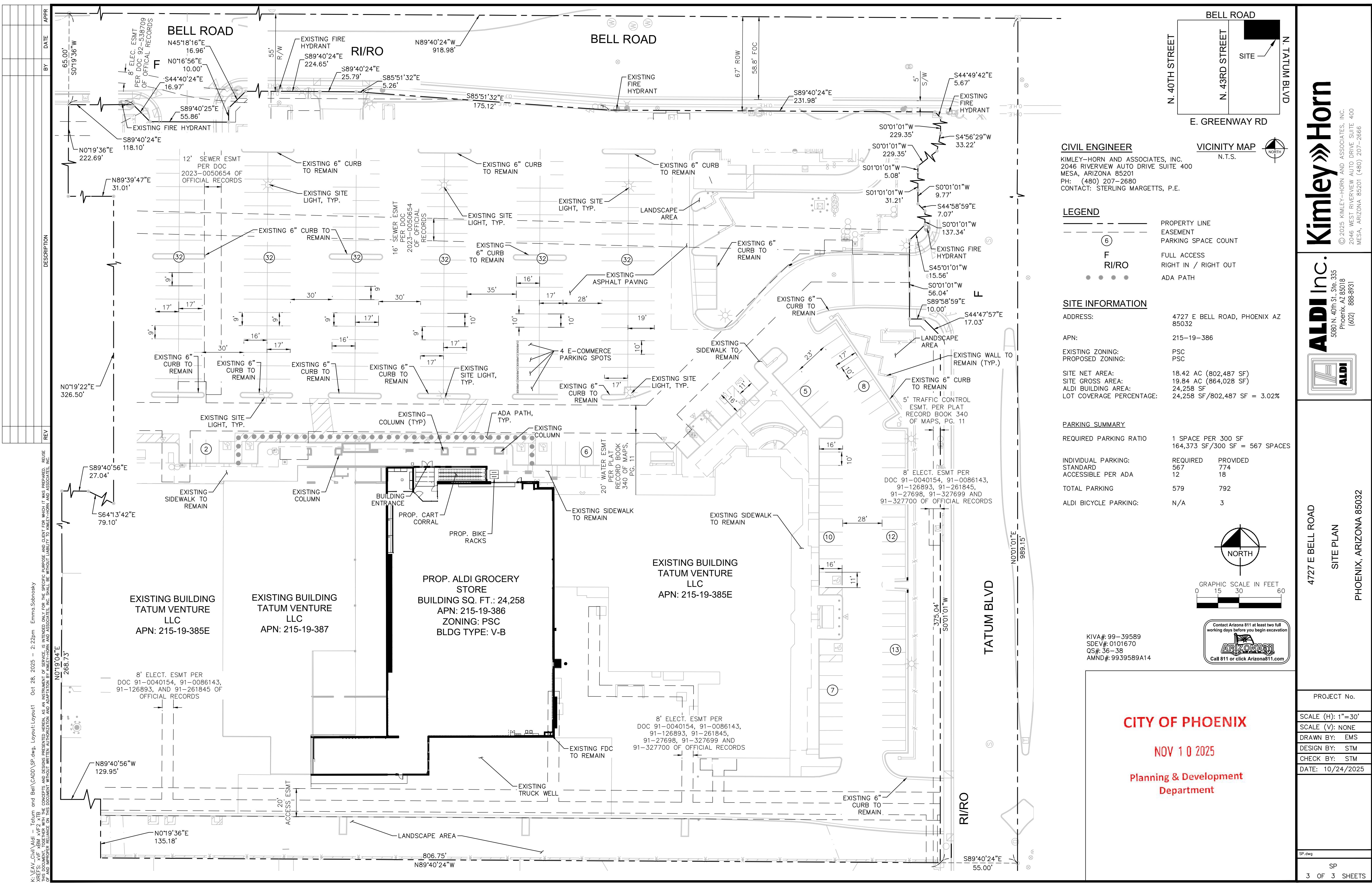


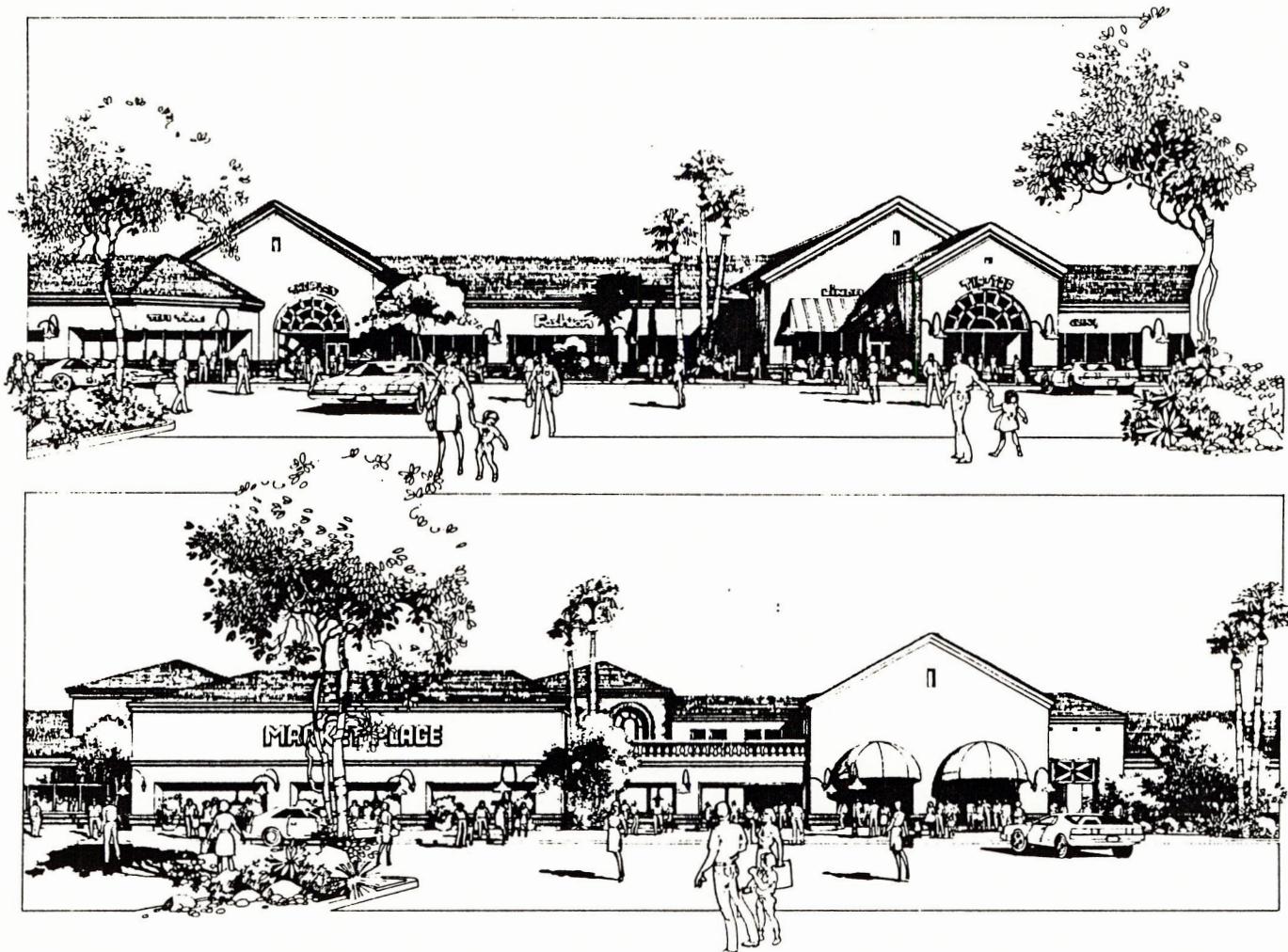
CITY OF PHOENIX

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Planning & Development
Department

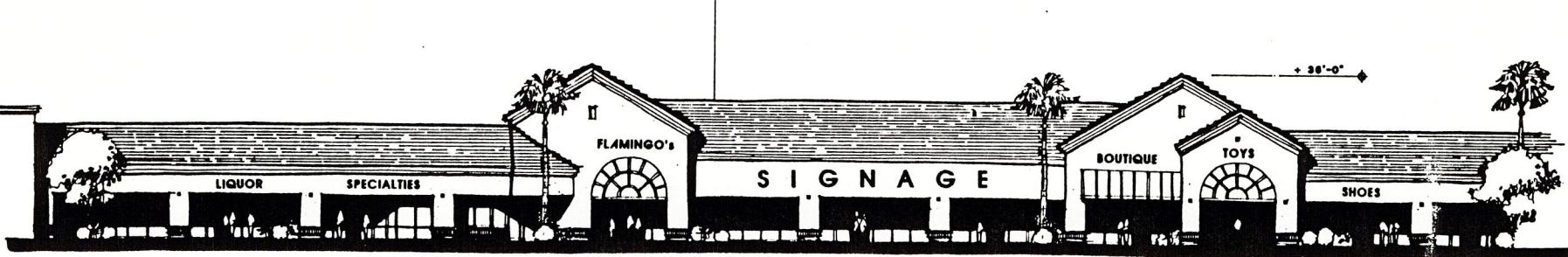






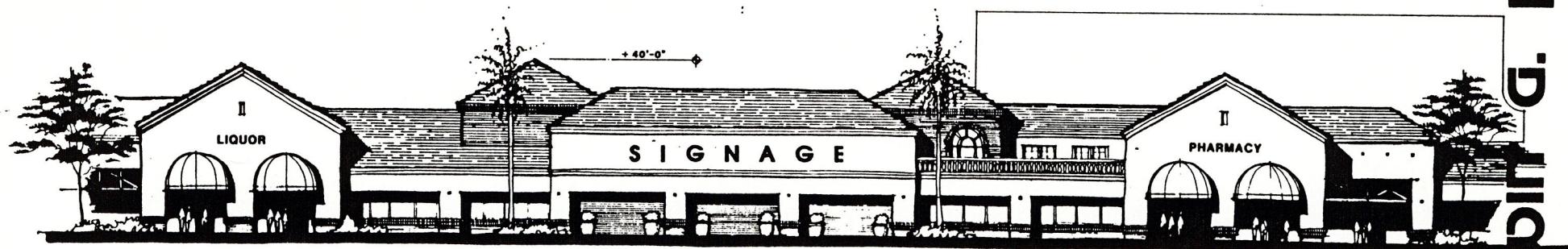
IRWIN G. PASTERNAK qp, p.c.

CONCEPTUAL ELEVATION - PLANNING & INTERIOR



CONCEPTUAL ELEVATION

RETAIL SHOPS / MAJOR



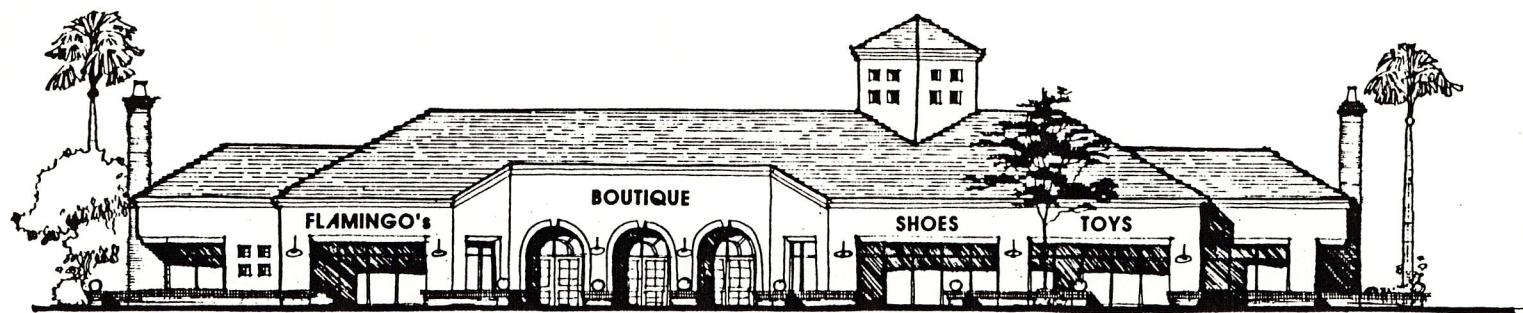
CONCEPTUAL ELEVATION

GROCERY / ANCHOR TENANT

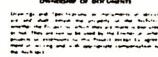


TATUM & BELL ROAD COMMERCIAL CENTER



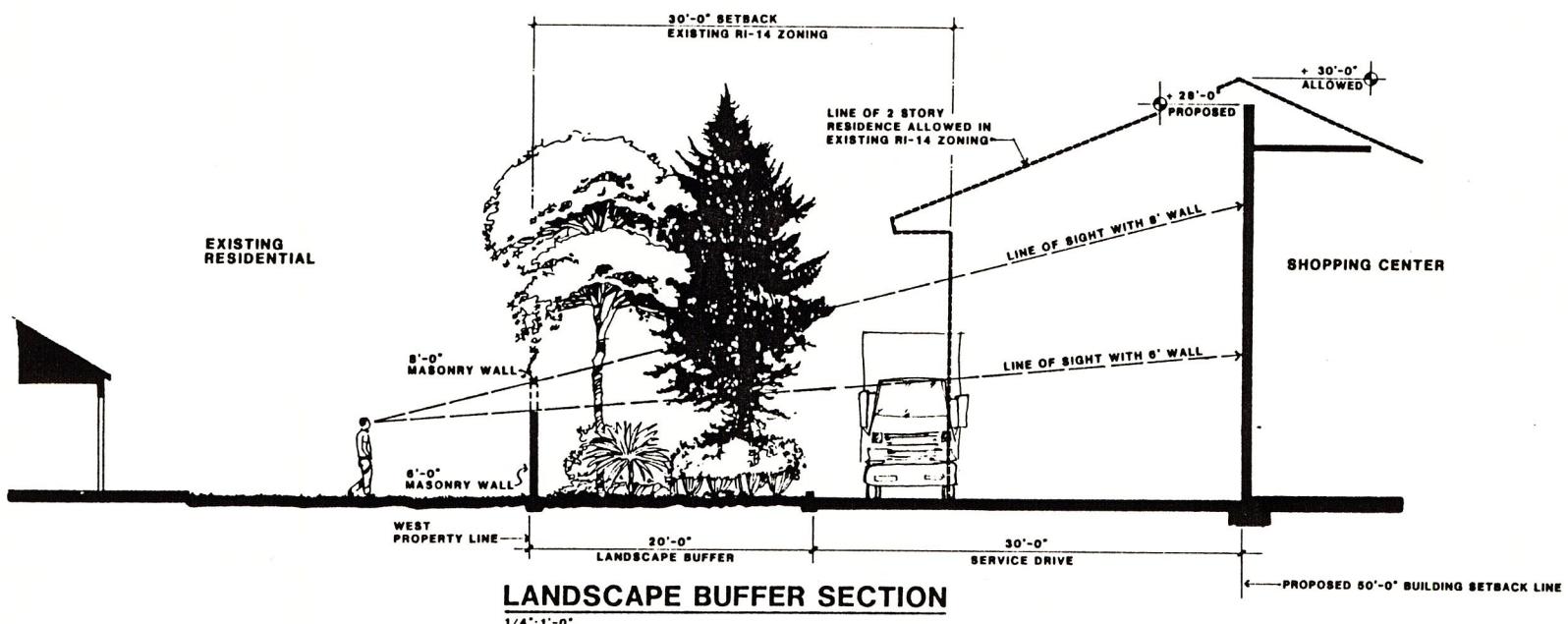


CONCEPTUAL PAD ELEVATION





87114
6-2-89



City Council Minutes

March 20, 2013

Roll Call:	Ayes:	DiCiccio, Nowakowski, Simplot, Valenzuela, Waring, Williams, Vice Mayor Gates, and Mayor Stanton
	Nays:	None
	Absent:	Johnson

MOTION CARRIED.

PETITIONS, COMMUNICATIONS, AND PUBLIC HEARINGS

Noting there was no one present wishing to speak, **MOTION** was made by Mr. Gates, **SECONDED** by Mrs. Williams, that Item 18 be granted. **MOTION CARRIED UNANIMOUSLY.**

<u>ITEM 18</u>	<u>DISTRICTS 2 AND 8</u>	<u>MODIFICATION OF STIPULATION REQUEST FOR RATIFICATION OF PLANNING HEARING OFFICER ACTION</u>
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The Council heard request to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, February 20, 2013.

DISTRICT 2
TATUM BOULEVARD AND
BELL ROAD
APPLICANT: TIM RASNAKE
OWNER: TATUM
VENTURE, LLC
REPRESENTATIVE:
TIM RASNAKE

A. Application: Z-100-89-1 (NEW DISTRICT 2)
Existing Zoning: PSC
Acreage: 35
Location: Southwest corner of Tatum Boulevard and Bell Road
Proposal:

- 1) Modification of Stipulation 2 regarding substantial conformance to the site plan and the required maximum number of freestanding pads on the property.
- 2) Technical corrections to Stipulations 1, 3, 6, 10.c, 10.d, 11, 12, 13, and 26.

March 20, 2013

The Planning Hearing Officer recommended approval with modified stipulations.

The Paradise Valley Village Planning Committee reviewed this request on February 4, 2013, and recommended approval by a 13-0 vote.

Stipulations

1. That the site plan be subject to ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT review as per Section 511 507 of the Zoning Ordinance.
2. That development be in substantial conformance to the site plan dated ~~November 22, 1989~~ DECEMBER 9, 2012, and elevations presented, and that development be limited to no more than ~~three~~ FOUR freestanding pads, as shown on the site plan as may be modified by the following stipulations:
 4. a. That Building 3 be modified (to Buildings 3A and 3B) as shown on the site plan dated November 29, 1993.
 - 2-b. That there be no drive-thru lanes permitted for Buildings 3A or 3B.
 3. c. That Buildings 3A, 3B, and 4 shall be tied together with plazas as generally depicted on the site plan dated November 29, 1993.
 4. d. That Buildings 3A and 3B be architecturally integrated and constructed in a single phase.
3. That a 40-foot landscaped setback 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 ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
4. That building heights be limited to 30 feet except for architectural embellishments which shall not exceed 40 feet in height.
5. That any commercial center signage be identified and approved through the use permit procedure for a Comprehensive Sign Package, with the Planned Shopping Center zoning district being applicable.

March 20, 2013

6. That all structures be integrated with similar or harmonious materials, surface textures, and color, as approved by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
7. That the wall treatment, including texture, coloration, and building materials, shall be consistent around each entire structure exclusive of architecturally embellished parapets.
8. That no truck unloading shall occur within 50 feet of the adjacent R1-10 zoned properties.
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.
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 3 above shall be measured from the existing Bell Road right-of-way and shall include all necessary dedications required by ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT or other applicable City departments.

March 20, 2013

- 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 3 above shall be measured from the existing Bell Road right-of-way and shall include all necessary dedications required by ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT or other applicable City departments.
- 11. The developer is to provide funds in escrow prior to final ~~Development Coordination Office~~ 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.
- 12. That shade protected walkways connecting transit facilities detached pads and the principal structure and shade trees adjacent to transit waiting areas be provided, as approved by the ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT.
- 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 ~~Development Coordination Office~~ PLANNING AND DEVELOPMENT DEPARTMENT with the direct involvement of the property owners abutting the site along the south and west property lines.
- 14. The dumpster for the grocery store shall be an enclosed compactor system with a misting component to prevent odors and pests.
- 15. Speed bumps shall be placed along all driveways located at the rear of the buildings.
- 16. All rear yard security lighting shall be placed in the landscaped buffer and shall be directed away from any residential area.
- 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.

March 20, 2013

18. Truck deliveries to the shopping center shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.
19. No trash compactors servicing the shopping center shall be operated between the hours of 11:00 p.m. and 6:00 a.m.
20. The shopping center shall be regularly monitored by a security patrol engaged by the developer or the shopping center tenants.
21. All entrances to the shopping center shall be paved with red bomanite.
22. All pads shall be landscaped simultaneously with the landscaping of the shopping center.
23. All HVAC units installed in the shopping center shall have vertical exhaust features.
24. Deterrent-type plant material shall be placed on the side of the decorative block fence which faces the shopping center for security purposes.
25. That a three-foot berm or wall be provided along Bell Road.
26. That development commence within 24 months of final City Council approval in accordance with Section ~~108~~ M 506 of the Zoning Ordinance.

DISTRICT 2
TATUM BOULEVARD AND
GREENWAY ROAD
APPLICANT: MIKE CURLEY –
EARL, CURLEY, AND
LAGARDE, PC
OWNER: AIMCO
REPRESENTATIVE:
MIKE CURLEY – EARL,
CURLEY, AND LAGARDE, PC

B. Application: Z-210-82-3 (NEW DISTRICT 2)
Existing Zoning: R-3A
Acreage: 7.05
Location: Northeast corner of Tatum Boulevard and Greenway Road
Proposal: 1) Modification of Stipulation 3 regarding a maximum of 126 dwelling units on the R-3A zoned parcel.
2) Technical correction to Stipulation 5.

March 20, 2013

The Planning Hearing Officer recommended approval.

The Paradise Valley Village Planning Committee did not review this request.

Stipulations

1. One-story height limitation on all construction within 230 feet of the south property line of the Roadrunner Estates Unit 5 subdivision.
2. Maximum limit of 15 units on the R-2 parcel.
3. Maximum limit of ~~126~~ 128 units of the R-3A parcel.
4. The rear yard setback on the R-2 parcel shall be a minimum of 35 feet from the north property line.
5. Site plan control through PLANNING AND Development Services Department on all three zoning districts (i.e. R-3A, R-2, C-0) including approval of a landscaping plan to buffer surrounding properties. Neighborhood representatives shall be notified of all PLANNING AND Development Services Department hearings so that they may participate in these hearings.
6. Construction shall be in substantial compliance with both the site plan and renderings submitted to the City Council. Development of the C-0 parcel at the southeast corner of Tatum Boulevard and Betty Elyse Lane shall be in general conformance to the site plan and elevations dated November 6, 1996.
7. All three aspects of the plan (i.e. apartments, townhouses, and neighborhood office pads) will be architecturally integrated for a harmonious overall project.
8. A one-foot vehicular non-access easement shall be dedicated along the northern boundary of the R-3A parcel to eliminate access from the apartment portion of the project to the single-family neighborhood to the north.
9. R-2 project shall be built prior to occupancy of the R-3A or C-0 projects.
10. There will be a two-story height limitation on the R-3A portion.

March 20, 2013

11. The finished floor elevation of the parking deck shall not exceed seven (7) feet above finished grade.
12. The access to Betty Elyse Lane shall be closed during non-office hours.
13. The applicant shall work with the neighborhood to solve traffic problems on Betty Elyse Lane including such measures as egress only, parking programs, and neighborhood/office management meetings.
14. The trash enclosure shall be moved to the south property line.
15. The applicant must work with the Street Transportation Department on the issue of the median currently located on Tatum Boulevard in order to eliminate the entrance on Betty Elyse Lane.

DISTRICT 8
32ND STREET AND
BASELINE ROAD
APPLICANT: CITY OF
PHOENIX PLANNING
COMMISSION
OWNER: DALE
32ND STREET/BASELINE
INVESTMENTS
REPRESENTATIVE: CITY OF
PHOENIX PLANNING AND
DEVELOPMENT
DEPARTMENT

C. Application: Z-2-03-8
Existing Zoning: R1-14 BAOD (Approved MUA BAOD)
Acreage: 5.94
Location: Approximately 800 feet west and 300 feet south of the southwest corner of 32nd Street and Baseline Road
Proposal:

- 1) Administrative action to modify Stipulation 12 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development, or take legislative action to revert the approved MUA zoning to its former R1-14 zoning classification due to non-compliance with rezoning stipulations.
- 2) Technical corrections to Stipulations 1, 10, and 13.

**NOTICE OF RESULTS
PLANNING HEARING OFFICER**

Pursuant to A.R.S. Section 38-431.02, notice is hereby given to the **PLANNING HEARING OFFICER**, and to the general public that the **CITY OF PHOENIX PLANNING HEARING OFFICER** held a hearing open to public on **February 20, 2013** at **10:00 a.m.**, located in **12th Floor Central Conference Room, 200 W. Washington Street, Phoenix, AZ 85003**.

The results of the meeting were as follows:

RESULTS

Withdrawn

1. Application: Z-12-06-8 (CONTINUED FROM JANUARY 16, 2013)
Existing Zoning: R1-8 BAOD
Acreage: 43.60
Location: Approximately 328 feet west of the southwest corner of 24th Street and Baseline Road
Proposal:

- 1) Modification of Stipulation 1 regarding general conformance to a site plan.
- 2) Modification of Stipulation 2 regarding four sided architecture.
- 3) Modification of Stipulation 3 to revise the lot numbers to reflect the proposed site plan.
- 4) Deletion of Stipulation 4 regarding alternative garage locations.
- 5) Modification of Stipulation 5 regarding a multi-use trail.
- 6) Modification of Stipulation 7 regarding perimeter walls between lots backing onto 24th Street and the public right-of-way.
- 7) Modification of Stipulation 8 regarding view walls along the Highline Canal.
- 8) Modification of Stipulation 9 regarding landscaping.
- 9) Deletion of Stipulation 10 regarding amenities on the west parcel.
- 10) Modification of Stipulation 11 regarding open space and amenities.
- 11) Modification of Stipulation 14 regarding street improvements.
- 12) Modification of Stipulation 15 to revise the lot numbers to reflect the proposed site plan.
- 13) Modification of Stipulation 16 to revise the lot numbers to reflect the proposed site plan.
- 14) Deletion of Stipulation 18 requiring a six-foot wall along the west property line of the site's west parcel.
- 15) Technical correction to Stipulation 6.

Applicant: Beazer Homes
Owner: Triyar Captial LLC, Are Fund LLC, Baseli
Representative: Hoskin Ryan Consultants, Inc.

2. Application: Z-2-03-8
Existing Zoning: R1-14 BAOD (Approved MUA BAOD)
Acreage: 5.94

Approved deletion of

Stipulation 12 and modification to Stipulations 1, 10, and 13	Location: Approximately 800 feet west and 300 feet south of the southwest corner of 32nd Street and Baseline Road
	Proposal: 1) Administrative action to modify Stipulation 12 to extend or remove the conditional time stipulation, or determine compliance with the schedule for development or take legislative action to revert the approved MUA zoning to its former R1-14 zoning classification due to noncompliance with rezoning stipulations 2) Technical corrections to Stipulations 1, 10, 13
	Applicant: City of Phoenix Planning Commission
	Owner: Dale 32nd Street/Baseline Investments
	Representative: City of Phoenix Planning and Development Department
	3. Application: Z-100-89-1 (NEW DISTRICT 2) Existing Zoning: PSC Acreage: 35 Location: Southwest corner of Tatum Boulevard and Bell Road Proposal: 1) Modification of Stipulation 2 regarding substantial conformance to the site plan and the required maximum number of freestanding pads on the property. 2) Technical corrections to Stipulations 1, 3, 6, 10.c, 10.d, 11, 12, 13, and 26.
Approved with modified stipulations	Applicant: Tim Rasnake Owner: Tatum Venture, LLC Representative: Tim Rasnake
Approved as requested	4. Application: Z-210-82-3 (NEW DISTRICT 2) Existing Zoning: R-3A Acreage: 7.05 Location: Northeast corner of Tatum Boulevard and Greenway Road Proposal: 1) Modification of Stipulation 3 regarding a maximum of 126 dwelling units on the R-3A zoned parcel. 2) Technical correction to Stipulation 5. Applicant: Mike Curley – Earl, Curley & Lagarde, PC Owner: AIMCO Representative: Mike Curley – Earl, Curley & Lagarde, PC

For further information, please call Ray Brown, Planner I, Planning and Development Department at 602-495-5788 or contact us via electronic mail at zoning@phoenix.gov. This electronic mail address will not accommodate zoning enforcement/violation complaints.

For reasonable accommodations, call Nici Browe at Voice/ 602-495-0256 or the City TTY Relay 602-534-5500 as early as possible to coordinate needed arrangements.

February 5, 2013

Paradise Valley Village Planning Committee
 Minutes
 Monday, February 4, 2013
 Paradise Valley Community Center
 Multipurpose Room
 17402 North 40th Street

MEMBERS PRESENT

Roger Baele, Chair
 Christopher Alejandro
 Bill Andres
 Adam Canter
 Jerry Cobb
 Denise George
 Robert Goodhue
 Jim Mapstead
 Dennis Matrunola
 Fiona Mesko
 Richard Pennock
 David Ulibarri
 Fred Zook

MEMBERS ABSENT

Jon Griffin, Vice Chair (excused)
 Jack Alsbaugh (excused)
 Matthew Avrhami (excused)
 Doug Banfelder (excused)
 Alan Sparks (excused)
 Mark Steinbrueck (absent)

STAFF PRESENT

Craig Mavis
 Joshua Bednarek

1. Call to Order and Announcements.

The meeting was called to order at 6:00 P.M. with a quorum (ten required) of 13 members present.

New committee member, **Mr. David Ulibarri**, introduced himself to the group and said he looked forward to serving on the committee.

2. Review and approval of the October 1, 2012 meeting minutes.

Mr. Fred Zook made the motion to approve the minutes and was seconded by **Mr. Robert Goodhue**. Approved, 13-0.

3. Presentation, discussion and possible recommendation on case PHO-5-12-Z-100-89-1, a request for modifications to stipulation 2 regarding substantial conformance to the site plan and the required maximum number of freestanding pads on the property and technical corrections to stipulations 1,3,6,10.c,10.d,11,12,13 and 26 for the property located at the southwest corner of Tatum Boulevard and Bell Road.

Presentation by Tim Rasnake.

The Planning Hearing Officer will consider this request on February 20, 2013.

Mr. Mavis gave a presentation to the committee that outlined the proposed stipulation modification. He explained that the request was to modify a stipulation associated with zoning case, Z-100-89-1, regarding substantial

conformance to the site plan, specifically the maximum number of permitted freestanding pads on the property. He explained that the technical corrections were to change the Planning and Development Services Department to Planning and Development Department. He asked the committee to hear the request and make a recommendation to the Planning Hearing Officer.

The applicant's representative, **Mr. Jere Planck**, described the proposed stipulation modification request. He explained that the request was necessary in order for a new Starbucks with a drive through window to be built at the site.

Mr. Planck described the landscape improvements that would be made along Tatum Boulevard. He indicated that there would be no changes made to the access points off Tatum Boulevard to the site. He stated that the entire shopping center was over parked by approximately 500 parking spaces and the new Starbucks would not negatively impact the parking or the traffic flow at the site. **Mr. Planck** explained to the committee that the length of the queuing lane met the zoning ordinance requirements and where the drive through window would be located on the new building.

MOTION: **Mr. Mapstead** made a motion to approve the request. **Mr. Goodhue** seconded the motion.

VOTE: Approval, 13-0

4. Presentation and discussion on the PlanPHX project.

Mr. Joshua Bednarek gave a presentation to the committee that outlined the staff outreach, the emerging topics and data from the PlanPHX project. He asked the committee for feedback if the project was on the right track and how to get more North Phoenix residents involved.

The committee suggestions included the 32nd Street Corridor working group, block watches, hand outs at specific businesses, the Sunnyslope Village Alliance, and the North Mountain Business Alliance.

Chairman Baele and **Mr. Mapstead** commended **Mr. Bednarek** for his efforts on this project.

5. Committee member requests for information, follow up or future agenda items. (not for committee discussion)

No requests were made by the committee.

6. Staff update on cases recently reviewed by the Committee. (not for committee discussion or public input)

Mr. Mavis provided the committee with information regarding a bike summit coordinated by **Mr. Joseph Perez** with the Street Transportation Department. He stated that the dates were March 9 at Shea Wellness (10401 North 32nd Street) from 10:00 AM to 2:00 PM and April 13 at the Paradise Valley Community Center (17402 North 40th Street) from 10:30 AM to 2:30 PM. He provided the contact information for **Mr. Perez** if there were any questions regarding the event.

7. Committee member requests for information, follow up or future agenda items. (not for committee discussion)

Mr. Mavis noted this was a typo on the agenda as it was covered under item #5.

8. Adjournment.

The meeting was adjourned at 6:45 PM.