

ATTACHMENT C

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

May 20, 2026

ITEM NO: 5	
	DISTRICT NO. 8
SUBJECT:	
Application #:	PHO-1-26--Z-29-23-7(8)
Location:	Approximately 300 feet east of the northeast corner of 43rd Avenue and Baseline Road
Zoning:	C-1
Acreage:	7.53
Request:	<ol style="list-style-type: none">1) Modification of Stipulation 1 regarding elevations.2) Modification of Stipulation 5 regarding access along 43rd Avenue.3) Deletion of Stipulation 9 regarding a multi-use trail easement (MUTE) and a multi-use trail (MUT).4) Deletion of Stipulation 13 regarding streetscape requirements.5) Modification of Stipulation 19 regarding review of conceptual site plan and elevations for Lot 4.6) Deletion of Stipulation 22 regarding review of conceptual site plan and elevations for lot 5.7) Deletion of Stipulation 23 regarding minimum bicycle parking.8) Deletion of Stipulation 24 regarding minimum electric bicycle charging spaces.
Applicant:	Wendy Riddell, Berry Riddell, LLC
Owner:	Randy Raskin, 43rd Ave and Baseline Development, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed, approval with modifications.

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard the request on May 11, 2026 and recommended approval with the deletion of Stipulation 19 by a vote of 10-0.

DISCUSSION:

Sarah Sawyer, representative with Berry Riddell LLC, presented the subject site located at the northeast corner of Baseline Road and 43rd Avenue. She explained that the roughly 4-acre parcel is surrounded by medical office to the west, and a large City of Phoenix owned drainage channel along the north and east of the subject site. Ms. Sawyer reviewed the zoning history of two rezoning cases. The first from 2023, which was for the larger 7-acre parcel, was rezoned to C-1 which allowed for 6 commercial lots including a hotel on lot 5. She added that both the neighborhood and Village Planning Committee were concerned with the hotel development. In 2025 the area inclusive of the hotel was rezoned for a self-storage facility. Ms. Sawyer overviewed the stipulation requests which remove reference to the area that was rezoned in 2025 and seek approval of the site plan and elevations for Lot 4. She presented the previously approved site plan consisting of the 6 commercial lots including a hotel and their proposed site plan highlighting the self-storage facility to the north and the remaining four commercial lots. Ms. Sawyer explained each of the deletions to eliminate references to the portion of the original rezoning case that has been rezoned through the 2025 case. She acknowledged Stipulation 1 requires high quality modern architecture features, which are included in the proposed elevations.

Byron Easton, Planning Hearing Officer, asked why the deletion of Stipulation 9 and 13 is necessary.

Ms. Sawyer replied the Multi Use Trail will connect to the Trail to the south.

Mr. Easton asked if their subject site has a small area that still fronts 43rd Avenue.

Ms. Sawyer replied, yes and added the stipulation has been included in the 2025 rezoning case stipulations. She presented the proposed elevations for Lot 4 explaining it is consistent with Stipulation 1 with the design elements. Ms. Sawyer stated they have contacted neighbors from both previous rezoning requests and received no response and added the Laveen Village recommended unanimous approval at the May 11, 2026, Village Planning Committee Meeting.

Mr. Easton confirmed the Laveen Village Planning Committee recommended approval by vote of 10-0. He added he has not received any public correspondence on this item, and he believes the elevations are tasteful, the site is well parked, and in general conformance with the previously approved site plan. Mr. Easton asked for some clarification on the specific requests of the modifications regarding general conformance to the proposed elevations. Wendy Riddell, representative with Berry Riddell LLC, explained during the Village Planning Committee Meeting the committee members explained they are getting away from general conformance to elevations for retail shopping centers as this creates a limitation to getting commercial tenants in.

Mr. Easton recommended denial as filed, approval with modifications.

FINDINGS:

- 1) The request to modify Stipulation 1 regarding architectural features of the street facing elevations is recommended for approval with a modification to remove reference to Lot 5 and update the correct date stamp for the proposed site plan. The northern area of the original zoning case (Lot 5 & 6) was rezoned in 2025 (Z-69-25-8) to accommodate a mini-storage development. Therefore, Stipulation 1 should no longer refer to Lot 5 as it is not part of this PHO boundary. However, the rest of the stipulation will still apply to street facing buildings shown on the new, proposed site plan date stamped April 3, 2026.
- 2) The request to modify Stipulation 5 regarding access along 43rd Avenue is recommended to be approved. The original stipulation required enhanced landscaping planters on both sides of the vehicular entrances, excluding the north side of the entry/exit drive along 43rd avenue. The north side of the entry/exit drive along 43rd avenue is no longer included in this PHO boundary and should be removed.
- 3) The request to delete Stipulation 9 regarding the multi-use trail easement (MUTE) and a multi-use trail (MUT) is recommended to be denied. Although the 43rd Avenue frontage is smaller than what was included in the original zoning boundary, the site still fronts onto 43rd Avenue as shown on the applicants updated site plan. The MUTE extends across the frontage, therefore the stipulations from the original zoning case continue to apply to that smaller area. The applicant shows the existence of the MUTE on the proposed site plan dated April 3, 2026 and shall honor those improvements.
- 4) The request to delete Stipulation 13 regarding streetscape requirements is recommended to be denied. Although the 43rd Avenue frontage is smaller than what was included in the original zoning boundary, the site still fronts onto 43rd Avenue as shown on the applicants updated site plan. There is still a portion of streetscape area containing sidewalk and landscaping adjacent to the smaller frontage, therefore the stipulations from the original zoning case continue to apply to that smaller area.
- 5) The request to modify Stipulation 19 regarding review of conceptual site plan and elevations for Lot 4 is recommended to be approved with a modification to delete the stipulation in its entirety and to update the section heading to remove Lot 6 and reference the current proposed site plan date stamped April 3, 2026. The original stipulation asks for legislative review of the elevations for Lot 4 (subject of this PHO) and Lot

6 (removed by the 2025 zoning case) prior to preliminary site plan approval. This review has happened during this PHO process and the Laveen VPC voted to approve the site plan and elevations by a vote of 10-0. Since this PHO review has happened, the stipulation can be removed.

- 6) The request to delete Stipulations 22, 23, and 24 is recommended for approval. As established in the preceding analysis, the approvals granted under the 2025 Rezoning Case effectively eliminated the original configuration of Lots 5 and 6, which were previously approved under the 2023 Rezoning Case. Stipulations 22, 23 & 24 were specific to Lot 5 and are no longer appropriate for this zoning case. In addition, I will be removing the section heading that also references Lot 5 and the old site plan.

STIPULATIONS:

Overall Site	
1.	All perimeter street facing building elevations and the south elevation on Lot 5 , as depicted on the Site Plan date stamped APRIL 3, 2026 August 18, 2023 , shall contain architectural features that reflect modern agrarian architecture including, but not limited to, detailing such as pitched roof elements, variation in window size, overhang canopies and exterior accent materials such as metal, wood, and stone, as approved by the Planning and Development Department.
2.	Enhanced pedestrian connections and pedestrian circulation shall be provided throughout the site as described below, as approved or modified by the Planning and Development Department.
a.	Pedestrian pathways shall be a minimum of 5 feet in width
b.	The following lighting treatment shall be provided throughout the pedestrian pathways:
i.	Maximum 15-foot-high lighting
ii.	A minimum of one foot candle illumination maintained throughout the pathways.
iii.	Uniform lighting shall be placed along the entire pathway to avoid bright high glare areas and low visibility dark areas.
c.	One of the following elements shall be provided at each exterior entrance/exit to the pedestrian pathways in close proximity to the multi-use trails:

	i.	Bollard path light
	ii.	Public art
	iii.	Decorative directional signage
	iv.	Building design elements that emphasize the pathway entrance
3.	Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.	
4.	All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.	
5.	All vehicular entrances to the development shall include the following elements, as approved by the Planning and Development Department:	
	a.	Enhanced landscaping planters on both sides, excluding the north side of the entry/exit drive along 43rd Avenue , with a minimum of 250 square feet of landscaping.
	b.	A minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, and minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
6.	All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper, single trunk, large canopy, drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.	
7.	Bicycle parking spaces shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.	
8.	A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along Baseline Road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG	

	supplemental detail and as approved or modified by the Planning and Development Department.
9.	A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along 43rd Avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.
10.	A minimum of 2% of the required parking spaces shall be EV Capable. This stipulation is applicable to the overall development and shall not be applied on an individual lot basis.
11.	A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
12.	Access points on Baseline Road, adjacent to the development, shall be median restricted to permit right-in/right out turn movements only, as approved or modified by the Street Transportation Department and the Planning and Development Department.
13.	The streetscape on both sides of the existing detached sidewalk along the east side of 43rd Avenue shall be replenished and planted to the following standards, as approved by the Planning and Development Department.
a.	Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
b.	Drought-tolerant shrubs, accents and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage at maturity.
14.	The streetscape on both sides of the existing detached sidewalk and the landscape median along Baseline Road shall be replenished and planted to the following standards, as approved by the Planning and Development Department.
a.	Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

	b.	Drought-tolerant shrubs, accents and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage at maturity.
		Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
15.		All existing overhead power lines 12 kv and smaller in size along the site's Baseline Road frontage shall be undergrounded. The developer shall coordinate with the affected power company for design and approval.
16.		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.
17.		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.
18.		Prior to FINAL 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.
Lots 1, 2, 3, 4, and 4 6, as depicted on the Site Plan date stamped APRIL 3, 2026 August 18, 2023		
19.		Conceptual site plan and elevations for Lot 4 and Lot 6 shall be reviewed and approved by the Planning Hearing Officer (PHO) through the public hearing process for stipulation modification prior to preliminary site plan approval. This PHO review is a legislative review for conceptual building elevations only. Specific development standards and requirements may be determined by the PHO and the Planning and Development Department.
19. 20.		A minimum of 4 bicycle parking spaces per building shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.

20. 24.	A minimum of 2 of the required bicycle parking spaces per building shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
Lot 5, as depicted on the Site Plan date stamped August 18, 2023	
22.	Conceptual site plan and elevations for Lot 5 shall be reviewed and approved by the Planning Hearing Officer (PHO) through the public hearing process for stipulation modification prior to preliminary site plan approval. This PHO review is a legislative review for conceptual building elevations only. Specific development standards and requirements may be determined by the PHO and the Planning and Development Department.
23.	A minimum of 12 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
24.	A minimum of 4 of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

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