

# ATTACHMENT D

## REPORT OF PLANNING COMMISSION ACTION June 4, 2026

ITEM NO: 2	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-145-24-1
Location:	Approximately 200 feet north of the northwest corner of 35th Avenue and Bell Road
From:	PSC
To:	C-2
Acreage:	2.58
Proposal:	Commercial uses
Applicant:	Brian Greathouse, Burch & Cracchiolo, P.A.
Owner:	Bell Rd & 35th, LLC and Woodland Plaza, LLC
Representative:	Brian Greathouse, Burch & Cracchiolo, P.A.

### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Deer Valley** 5/4/2026 Approval, per the staff recommendation with modifications. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Deer Valley VPC recommendation.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to approve Z-145-24-1, per the Deer Valley Village Planning Committee recommendation.

Maker: Gorraiz  
Second: James  
Vote: 7-0  
Absent: Matthews, Soronson  
Opposition Present: Yes

### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposal will allow for an expanded list of uses thereby fostering increased opportunities for small businesses.
3. The subject site is appropriate for general commercial use because of its proximity to an arterial street intersection and existing commercial zoning.

### **Stipulations:**

1. ~~Prior to the issuance of a permit for tenant improvements for any C-2 use, the landscaping within the rezone area,~~ LANDSCAPING shall be replenished in accordance

with the C-2 zoning district LANDSCAPE standards for planting type, size, and quantity, as approved by the Planning and Development Department.

2. The 55 feet of right-of-way easement shall be dedicated as fee title right-of-way for the west half of 35th Avenue, adjacent to Assessor Parcel Number 207-19-006M.
3. AT SUCH TIME AS REQUESTED BY THE CITY, DEDICATE A total of 70 feet of right-of-way ~~shall be dedicated~~ for the north half of Bell Road, adjacent to Assessor Parcel Number 207-19-006Q.
4. New construction on the site consisting of 2,000 square feet or more as depicted on the site plan dated April 21, 2026, shall require ~~a minimum 6-foot wide detached sidewalk separated by a minimum 10-foot wide landscape area to be constructed on the west side of 35th Avenue adjacent to Assessor Parcel Number 207-19-006M and along the north side of Bell Road adjacent to Assessor Parcel Number 207-19-006Q. The landscape areas shall be planted as follows,~~ THE FOLLOWING IMPROVEMENTS, as approved by the Planning and Development Department:

A. A MINIMUM 6-FOOT-WIDE DETACHED SIDEWALK SEPARATED BY A MINIMUM 10-FOOT-WIDE LANDSCAPE AREA SHALL BE CONSTRUCTED ON THE WEST SIDE OF 35TH AVENUE ADJACENT TO ASSESSOR PARCEL NUMBER 207-19-006M AND ALONG THE NORTH SIDE OF BELL ROAD ADJACENT TO ASSESSOR PARCEL NUMBER 207-19-006Q. THE LANDSCAPE AREAS SHALL BE PLANTED AS FOLLOWS:

- ~~a.~~ (1) Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, on both sides of the sidewalk to achieve a minimum of 75% shade.
- ~~b.~~ (2) A minimum of five 5-gallon drought-tolerant shrubs per tree and a mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, maintained to a maximum height of 36 inches (excluding accents), evenly distributed throughout the landscape areas to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

- ~~5.~~ B. Adjacent to Assessor Parcel Numbers 207-19-006M and 207-19-006Q, replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
- ~~6.~~ C. All streets within and adjacent to Assessor Parcel Numbers 207-19-006M and 207-19-006Q, 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.
75. 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.

86. 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.

This publication can be made available in alternate format upon request. Please contact Saneeya Mir at 602-686-6461, [saneeya.mir@phoenix.gov](mailto:saneeya.mir@phoenix.gov), TTY: Use 7-1-1.