



Planning Commission
Avondale Civic Center, 11465 West Civic Center Drive, Council Chambers
Thursday, February 21, 2019 at 6:00 P.M.

Agenda

1. CALL TO ORDER

2. ROLL CALL

3. OPENING STATEMENT

4. APPROVAL OF MINUTES

The Planning Commission will consider the approval of the January 17, 2019 Meeting Minutes. The Planning Commission will take appropriate action.

5. PUBLIC HEARING ITEMS

1. PL-18-0261 Woo Minor General Plan Amendment

The Planning Commission will hold a public hearing and consider a request by Mr. David Kenyon with Kenyon Architectural Studios for a Minor General Plan Amendment on approximately 2.5 acres located on the southwest corner of El Mirage Road and Buckeye Road. The Minor General Plan Amendment request is from Medium Density Residential to Local Commercial land use. Staff contact: Rick Williams

2. PL-18-0262 Woo Rezoning

The Planning Commission will hold a public hearing and consider a request by Mr. David Kenyon with Kenyon Architectural Studios to Rezone approximately 2.5 acres located on the southwest corner of El Mirage Road and Buckeye Road. The Rezoning request is from Single-Family Residential (R1-6) to Community Commercial (C-2). Staff contact: Rick Williams

6. COMMISSION ANNOUNCEMENTS

7. PLANNING DIVISION REPORT

8. CALENDAR

March 21, 2019

9. ADJOURNMENT



Members will attend either in person or by telephone conference call.

Los miembros asistirán en persona o vía teleconferencia.

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the meeting.

Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o intérprete, deben comunicarse con la Secretaria de la Ciudad al 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

CITY COUNCIL CHAMBERS
11465 W CIVIC CENTER DRIVE
AVONDALE, AZ 85323

Thursday, January 17, 2019
5:30 P.M.

I. CALL TO ORDER

Chair Van Leuven called the Regular Meeting to order at approximately 5:38 p.m.

II. ROLL CALL

The following members and representatives were present:

COMMISSIONERS PRESENT

Russell Van Leuven, Chair
Lisa Amos, Vice Chair
David Iwanski, Commissioner
Lisa Osborne, Commissioner
Christopher Thompson, Commissioner
Linda Warren, Commissioner

COMMISSIONERS ABSENT

Denise Stanfield, Commissioner

CITY STAFF PRESENT

Jodie Novak, Planning Manager
Ken Galica, Lead Planner
Byron Easton, Senior Planner
Nicholle Harris, City Attorney

III. OPENING STATEMENT

Chair Van Leuven read the Opening Statement.

IV. APPROVAL OF MINUTES

Chair Van Leuven invited a motion to approve the minutes. Commissioner Osborne moved to accept the minutes from the December 20, 2018 regular meeting as presented. Commissioner Amos seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Chair	Aye
Lisa Amos	Aye
David Iwanski	Aye
Lisa Osborne	Aye
Denise Stanfield	Absent
Christopher Thompson	Aye
Linda Warren	Aye

The motion was approved by a 6 to 0 vote.

V. **BUSINESS ITEMS**

a. **Training on new voting system**

City of Avondale Information and Technology staff trained the Commission on use of the new presentation software and voting system.

VI. **PUBLIC HEARING ITEMS:**

a. **PL-18-0229 - Verde Trails Unit I Preliminary Plat Amendment**

A request by Ms. Amy Weidman, Silver Fern Companies LLC, on behalf of Evergreen- Hillcrest LLC, for approval to amend the Verde Trails Unit I Preliminary Plat. The plat includes approximately 213 acres located at the southwest corner of 107th Avenue and Broadway Road. The proposed amendment provides for a street and sidewalk connection between the approved Verde Trails Unit I Parcel 8 and reconfigures a cul-de-sac to a through street to provide connectivity to Wier Avenue in Parcel 11. The amendment eliminates one lot in Parcel 8 and adds one lot in Parcel 11. Staff Contact: Ken Galica

Ken Galica, Lead Planner, said the subject property used to be known as Hillcrest. Most of the surrounding property is in unincorporated Maricopa County and zoned for Rural Residential use. Terra Mobile Ranchettes, a mobile home community, is directly to the south. The major PAD amendment for Verde Trails was approved by City Council in May 2018, with a preliminary plat approved in August 2018. The PAD approved 675 single-family residential lots, a 16.1-acre school site, a 14.8-acre cluster home site, and a 6.6-acre commercial site. The Littleton ESD declined the school site, so the PAD allows for that space to be developed as additional single-family lots. The cluster home site will be developed at a future time.

Mr. Galica said the purpose of the proposed preliminary plat amendment is to improve pedestrian and vehicular connectivity between lots approved as part of Unit I in the Verde Trails Community, and new lots being planned adjacent to the site. Two new street and sidewalk connections will be provided: one between Parcel 8 and Parcel 7, the original school site, and another between Parcel 11 and Wier Avenue/Verde Trails Unit II. The original plat had two cul-de-sacs next to each other. The westernmost of the two has been replaced with a through street connecting to Wier avenue and into Verde Trails II.

Mr. Galica said the proposed amendment is in conformance with the Verde Trails PAD and the Zoning Ordinance, subdivision regulations and the Single-Family Residential Design Manual. The amendment supports a key goal of the City of Avondale in all planning documents a improve walkability. Staff recommends approval of the preliminary plat amendment to Unit I subject to two recommended conditions of approval.

Chair Van Leuven opened the public hearing. Upon acknowledging no requests to speak, Chair Van Leuven closed the public hearing.

Chair Van Leuven invited a motion. Commissioner Thompson moved to accept the findings and recommend approval of Application PL-18-0229, a request to amend the approved preliminary plat for Verde Trails Unit I, subject to the two staff recommended conditions of approval. Commissioner Amos seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Chair	Aye
Lisa Amos	Aye
David Iwanski	Aye
Lisa Osborne	Aye
Denise Stanfield	Absent
Christopher Thompson	Aye
Linda Warren	Aye

The motion was approved by a 6 to 0 vote.

b. **PL-18-0230 - Verde Trails Unit I, Parcel 7 Preliminary Plat**

A request by Ms. Amy Weidman, Silver Fern Companies LLC, on behalf of Evergreen- Hillcrest LLC, for approval of the Verde Trails Parcel 7 Preliminary Plat. The plat includes approximately 16.1 acres located south of the southwest corner of 107th Avenue and Broadway Road. The proposed plat subdivides the 16.1 acres into 70 single-family residential lots, common open space, and landscape areas. Staff Contact: Ken Galica

Ken Galica, Lead Planner, said the subject property is zoned Verde Trails PAD with City of Phoenix jurisdiction east of 107th Avenue. The PAD surrounds it on two sides and Terra Mobile Ranchettes is to the south. The PAD was zoned in 2007 with a major amendment approved in May of 2018. Parcel 7 gave the Littleton ESD the option to purchase the school site for an elementary school, but the District declined that opportunity and instead entered into a donation agreement with the developer to provide financial assistance for the district to use elsewhere. The PAD allows for a minimum size of 5,175 square feet on Parcel 7. The proposed plat includes 70 single family lots.

Mr. Galica stated that access to Parcel 7 will come from Wier Avenue, which will be a new collector roadway, as well as the Bloch Road connection, which was reviewed in the previous agenda item. There is 20.9 percent open space provided, which exceeds the City's minimum requirement of 15 percent. The open space consists of a parkette and a trail system. The preliminary plat is in conformance with the Verde Trails PAD, and the Zoning Ordinance, subdivision regulations and

the Single-Family Residential Design Manual. All common design elements throughout the site will match the design for the remainder of the Verde Trails community. The developer will construct all required improvements, and there will be a common HOA across the entire community. Staff recommends approval subject to four recommended conditions of approval.

Commissioner Amos inquired about the proximity of the project to the proposed State Route 30. Mr. Galica indicated the anticipated route on a map, noting that ADOT has not finalized the alignment.

Chair Van Leuven asked about the school that will serve this development. Mr. Galica responded that the donation agreement is \$1,000 per rooftop from the developer to the District. Littleton ESD is a school of choice district, meaning that there are no assigned schools and students can choose which school to attend. The nearest school is at 107th Avenue and Lower Buckeye Road.

Chair Van Leuven opened the public hearing. Upon hearing no requests to speak, he closed the public hearing.

Chair Van Leuven invited a motion. Commissioner Osborne moved to accept the findings and recommend approval of Application PL-18-0230, a request for Preliminary Plat approval for Verde Trails Unit I Parcel 7 subject to four staff recommended conditions of approval. Commissioner Amos seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Chair	Aye
Lisa Amos	Aye
David Iwanski	Aye
Lisa Osborne	Aye
Denise Stanfield	Absent
Christopher Thompson	Aye
Linda Warren	Aye

The motion was approved by a 6 to 0 vote.

c. **PL-18-0268 - Verde Trails Unit II Preliminary Plat**

A request by Ms. Carolyn Oberholtzer with Bergin, Frakes, Smalley & Oberholtzer, on behalf of the Tobin Living Trust, for approval of the Verde Trails Unit 2 Preliminary Plat. The plat includes approximately 35.5 acres located approximately ¼-mile east of the southeast corner of Avondale Boulevard and Broadway Road. The proposed plat subdivides the 35.5 acres into 146 single-family residential lots, common open space, and landscape areas. Staff Contact: Ken Galica

Ken Galica, Lead Planner, said this is the same property that the Planning Commission recommended approval of PAD zoning for in the December meeting. The subject property is currently Maricopa County, zoned Rural 43. It is being annexed concurrently with the rezoning request and is scheduled for final adoption of annexation by City Council on February 4, 2019. Surrounding uses are mainly agricultural with some rural residential. The developer is the same

as the remainder of the Verde Trails property and Verde Trails II is designed to blend together with Verde Trails I to create a cohesive subdivision.

Mr. Galica explained that access to the site will be from Broadway Road to the north, and from Wier Avenue to the south. Two lot sizes are proposed of 5,750 and 6,325 square feet. Lots along Broadway Road are staggered to provide variation in streetscape. The 19 percent of open space exceeds the City's requirement and is fully integrated with the rest of the development's trail system. The HOA will be common with the other Verde Trails parcels. The proposal is in conformance with the PAD that is currently in process. The developer will construct all required street and infrastructure improvements.

Commissioner Warren inquired about the proximity of the nearest public safety facilities. Mr. Galica said currently the nearest fire station is located at Avondale Boulevard and Durango Street, which is 1.5 miles to the north. The nearest police station is at City Hall, about 2.5 miles away. A joint police and fire public safety site is anticipated at the nearby Alamar development within the next five years.

Chair Van Leuven opened the public hearing. Upon acknowledging no requests to speak, he closed the public hearing.

Chair Van Leuven invited a motion. Commissioner Amos moved to accept the findings and recommend approval of Application PL-18-0268, a request for preliminary plat approval for Verde Trails Unit II, subject to five staff recommended conditions of approval. Commissioner Iwanski seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Chair	Aye
Lisa Amos	Aye
David Iwanski	Aye
Lisa Osborne	Aye
Denise Stanfield	Absent
Christopher Thompson	Aye
Linda Warren	Aye

The motion was approved by a 6 to 0 vote.

VII. COMMISSION ANNOUNCEMENTS

Chair Van Leuven welcomed the new Commissioners.

VIII. PLANNING DIVISION REPORT

Ms. Novak also welcomed the three new members to the Planning Commission.

IX. CALENDAR

Ms. Novak announced that the next meeting is scheduled for February 21, 2019.

X. ADJOURNMENT

Chair Van Leuven entertained a motion to adjourn the regular meeting. Commissioner Thompson moved to adjourn. Commissioner Osborne seconded the motion.

ROLL CALL VOTE

Russell Van Leuven, Chair	Aye
Lisa Amos	Aye
David Iwanski	Aye
Lisa Osborne	Aye
Denise Stanfield	Absent
Christopher Thompson	Aye
Linda Warren	Aye

The motion was approved by a 6 to 0 vote.

With no further business, the meeting concluded at approximately 6:13 p.m.

FOR SPECIAL ACCOMMODATIONS

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the meeting.

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Staff Signature

Date

Planning Commission Date: February 21, 2019

PREPARED BY: Rick Williams, Senior Planner
REVIEWED BY: Jodie Novak, Planning Manager
RECOMMENDATION: **APPROVAL – SUBJECT TO CONDITIONS**

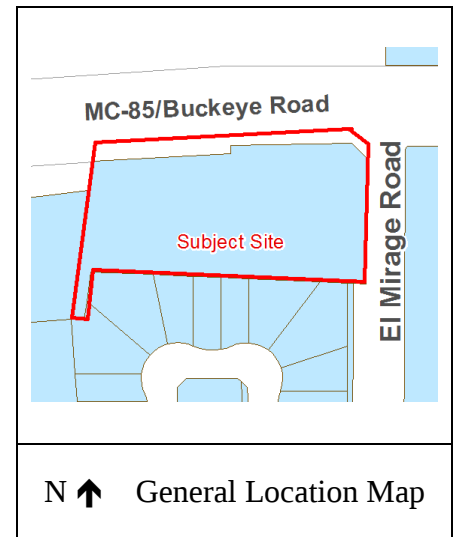
SUBJECT: Hold a public hearing for case PL-18-0261 Woo, a request for a Minor General Plan Amendment on approximately 2.5 acres from Medium Density Residential to Local Commercial

PARCEL SIZE: 2.5 Acres

LOCATION: Southwest corner of El Mirage and Buckeye roads (Exhibits A, B, and C).

APPLICANT: David Kenyon, Kenyon Architectural Studios

OWNER: Donald H. Woo



BACKGROUND:

The approximately 2.5-acre site was originally annexed into the City of Avondale in 1976 with the adoption of Ordinance No. 240. Upon annexation, there were two structures on the subject site, one unidentified structure and the other a mini-mart, Fiesta Barn convenience store. Archived aerial maps indicate that between 1976 and 1993, the unidentified building was removed from the site and the mini-mart remained. Historical data indicates that the subject site was rezoned to R1-6 (Single-Family Residential) prior to 1990, which is still current today. The convenience store remains in operation on the property as well as a weekend swap meet that has been in operation since annexation into the City. Currently, the site's existing commercial use, convenience store, is considered a legal non-conforming use as it is not in conformance with the current zoning or the General Plan Land Use designation for the site.

The subject site is bordered by Buckeye Road to the north and El Mirage Road to the East. The existing uses of the surrounding properties are as follows:

- **North:** Buckeye Road, then the southern portion of the Coldwater Springs residential subdivision zoned PAD.
- **South:** Coldwater Springs Phase III residential subdivision, zoned PAD

- **East:** Coldwater Springs Phase III residential subdivision, zoned PAD
- **West:** Vacant undeveloped land zoned R1-6 (Single-Family Residential).

DETAILS OF REQUEST:

The applicant is requesting a Minor General Plan Amendment to amend the General Plan 2030 Land Use Map for a 2.5-acre site from Medium Density Residential to Local Commercial. The Local Commercial designation provides for the daily needs of goods and services to the residents residing within the surrounding area.

Under separate application (PL-18-0262), the applicant has requested to rezone the subject property from R1-6 (Single-Family Residential) to C-2 (Community Commercial) to bring the property into conformance with the requested amendment to the General Plan Land Use Map. The rezone application will be considered through a separate public hearing item.

PUBLIC INPUT:

The applicant conducted a neighborhood meeting to discuss the proposed applications on Tuesday, January 29, 2019, 6:00 P.M, at the Avondale Civic Center Library. The meeting was advertised in the Southwest Valley Republic, a notification sign was erected on the subject property, and all property owners within a 1,000-foot radius of the subject site were notified by postcard of the meeting.

The neighborhood meeting was attended by five citizens from the surrounding neighborhood. The citizens had questions regarding the future use of the site, what improvements would occur on the site, and traffic and parking for the weekend swap meet that occurs on site. In general, all applicants were in support of the submitted applications and encouraged with the aesthetic improvements to the site. A full summary of the meeting is attached to this report as Exhibit F, Citizen Participation Meeting Summary. A summary of discussion items are as follows:

- Attendees asked when the proposed improvements would be installed on the site. The applicant stated that the landscape improvements, building improvements, and signage upgrade will be installed with the first phase of any site improvements.
- Two of the attendees expressed concerns with parking and traffic generated by the weekend swap meet. The applicant and City Staff stated that there may be opportunities to move weekend vendors from the west side of the site to the east side and designate the eastern entrance to the site as an emergency vehicle access only.
- A resident who lives adjacent to the southern property line of the subject site expressed concern with vermin that may be coming from the site. The applicant stated that they would contact the owner of the property and that preventive measures would be installed.

Postcards notifying nearby property owners of the Planning Commission meeting were mailed on January 31, 2019. Additionally, the hearing sign was updated to include the time and date of the meeting on February 4, 2019. Lastly, a notice of the Planning Commission hearing was published in the Southwest Valley Republic on February 6, 2019. To date, Staff has received no additional correspondence with regards to these applications via phone, letter, or email.

ANALYSIS:

The Planning Commission must determine that the proposed amendment meets four findings in order to approve the General Plan Amendment. Staff's analysis of each of the required findings is presented below:

1. The development pattern contained on the Land Use Plan inadequately provides the appropriate optional sites for the use and/or change proposed in the amendment.

The subject site is designated on the Land Use Map as Medium Density Residential which provides for a suburban lifestyle with single-family detached housing units at a density of 2.5 to 4 du/ac. The existing commercial use, the Fiesta Barn convenience store, has been in operation since the site was annexed into the City of Avondale. The current use is not consistent with the current land use designation for the site. The proposed amendment would change the land use designation for the site from Medium Density Residential to Local Commercial which is consistent with the existing use on the site and would bring the land use map into conformance with the existing commercial use.

2. The amendment constitutes an overall improvement in the General Plan 2030 and is not solely for the good or benefit of a particular landowner or owners.

The existing commercial use is legally non-conforming and does not conform with the current land use designation of Medium Density Residential. The proposed amendment from Medium Density Residential to Local Commercial will facilitate an overall improvement to the General Plan 2030 in that it will bring the existing land use into conformance with the General Plan and govern future development on the site. The Local Commercial designation provides for the daily needs of goods and services to the residents residing within the surrounding area.

3. The amendment will not adversely impact the community as a whole and/or a portion of the community by: (1) significantly altering acceptable land use patterns; (2) requiring large and more expensive public infrastructure improvements including, but not limited to roads, water, wastewater, and public safety facilities than would otherwise be needed without the proposed change, or (3) adversely impacting the existing land use.

- 1) At 2.5 acres, the re-designation of the property from Medium Density Residential to Local Commercial will not significantly alter acceptable land use patterns or adversely impact existing land uses.
- 2) The property is currently served by existing infrastructure and surrounded by properties receiving various levels of City services. Amending the land use map to Local Commercial will not require additional infrastructure improvements beyond typical uses associated with Local Commercial improvements.
- 3) The change to the Local Commercial land use designation will result in a positive impact on the surrounding area and will not adversely impact surrounding land uses.

4. The amendment is consistent with the overall intent of the General Plan 2030 and other adopted plans, codes, and ordinances.

The proposed amendment is consistent with several goals of the General Plan 2030 such as:

Goal #1: Land Use Element – Establish an Avondale identity based on a healthy lifestyle that promotes land uses which foster an economically sustainable and socially dynamic community.

Policy D. Enhance the attractiveness of infill parcels as an option for new development throughout Avondale.

Goal #3: Land Use Element - Promote a strong balance of high quality residential, employment, recreation, and educational land uses.

Policy C. Encourage a mix of uses and amenities when master planning large developments, such as single-family residences, offices, educational institutions, shopping centers, trails, parks, community gardens and recreational facilities to encourage social interaction, and create a larger sense of community amongst residents.

Strategic Plan Goals and Objectives:

INITIATIVE: Foster sustainable community development

STRATEGIC GOAL: Maintain and expand quality infrastructure and improve connectivity to City amenities.

INITIATIVE: Encourage and support creative innovation in development and service delivery

STRATEGIC GOAL: Encourage a flexible environment responsive to market trends.

Conclusion:

Staff finds this request meets the four required findings and recommends approval of the Minor General Plan Amendment.

RECOMMENDED MOTION:

I move that Planning Commission accept the findings and recommend **APPROVAL** of application PL-18-0261 Woo, a request for a Minor General Plan Amendment to amend the General Plan 2030 Land Use Map for approximately 2.5 acres of land from Medium Density Residential to Local Commercial.

SUPPORTING DOCUMENTS ATTACHED:

Exhibit A – Aerial Vicinity Map

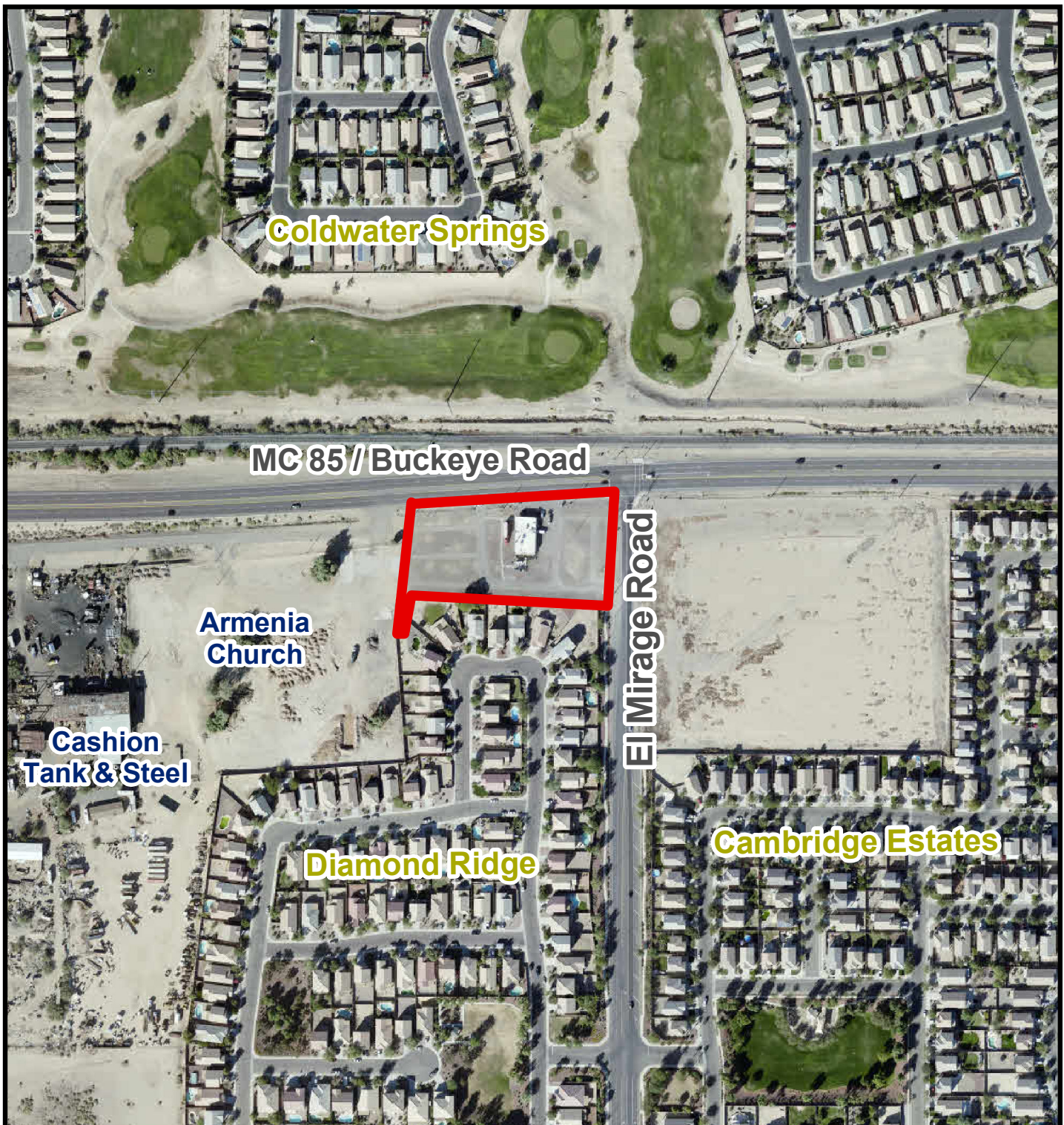
Exhibit B – Aerial Zoning Map

Exhibit C – General Plan/Proposed General Plan Land Use Map

Exhibit D – Summary of Related Facts

Exhibit E – Woo Minor General Plan Amendment Narrative

Exhibit F – Citizen Participation Meeting Summary

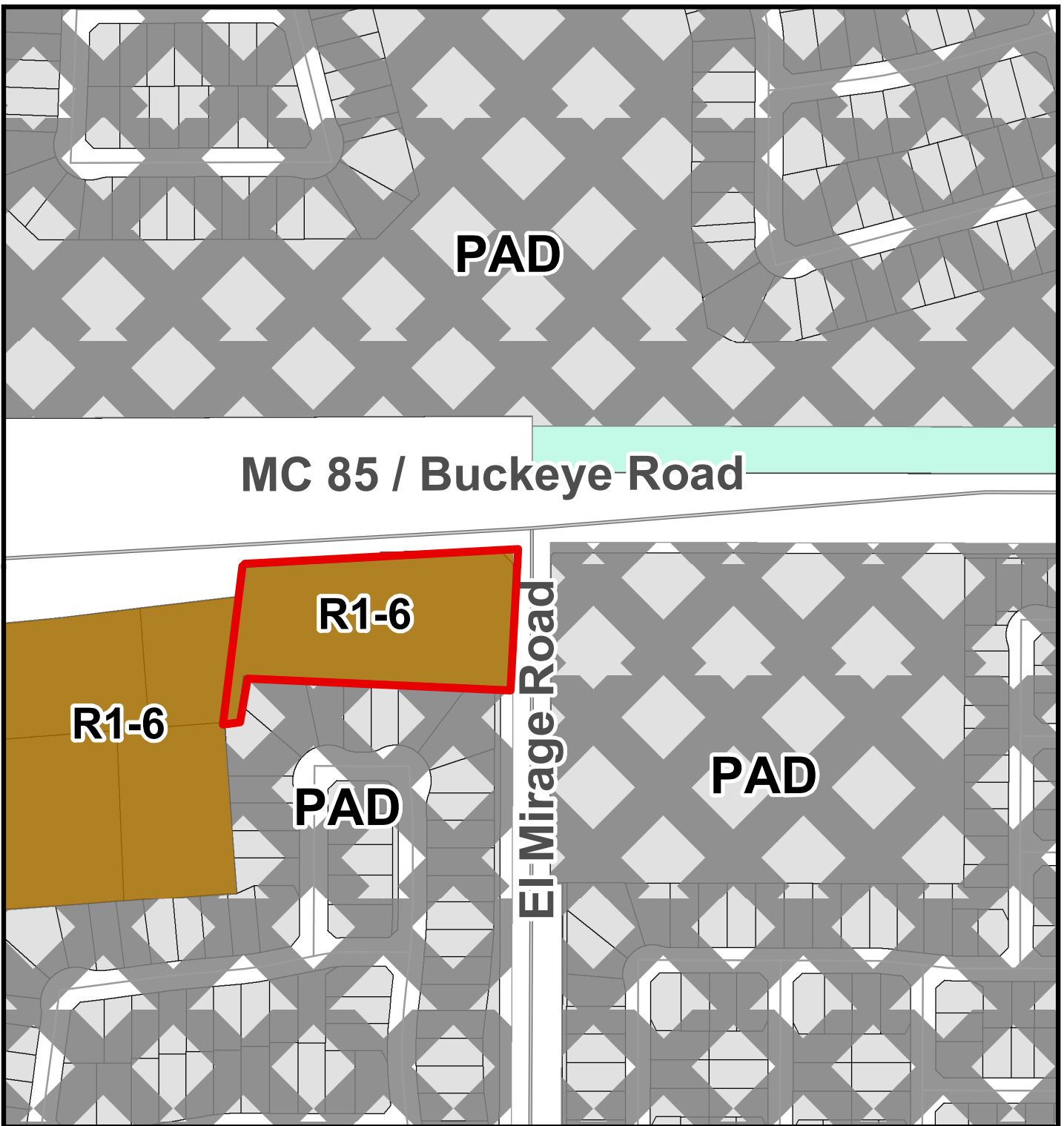


Aerial Photograph



 Subject Property



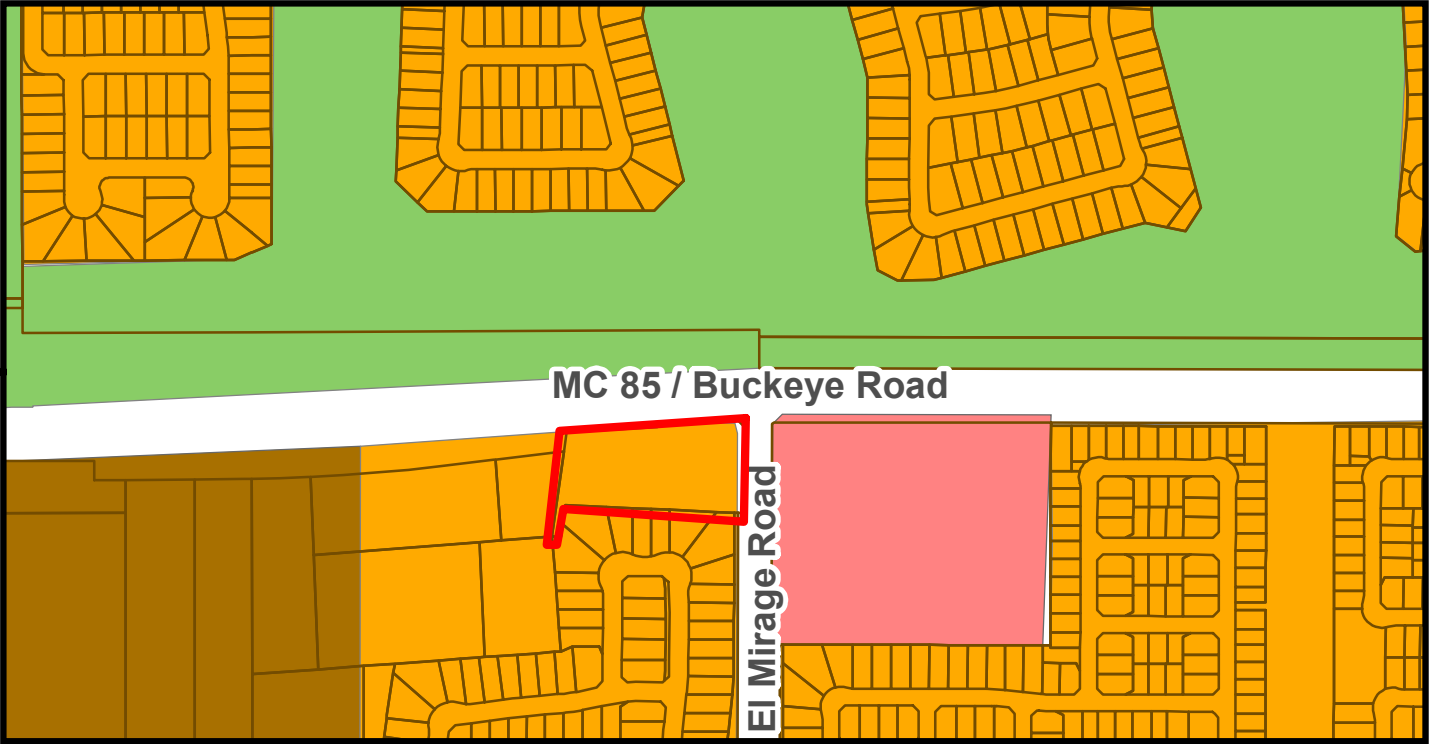


Zoning Vicinity Map

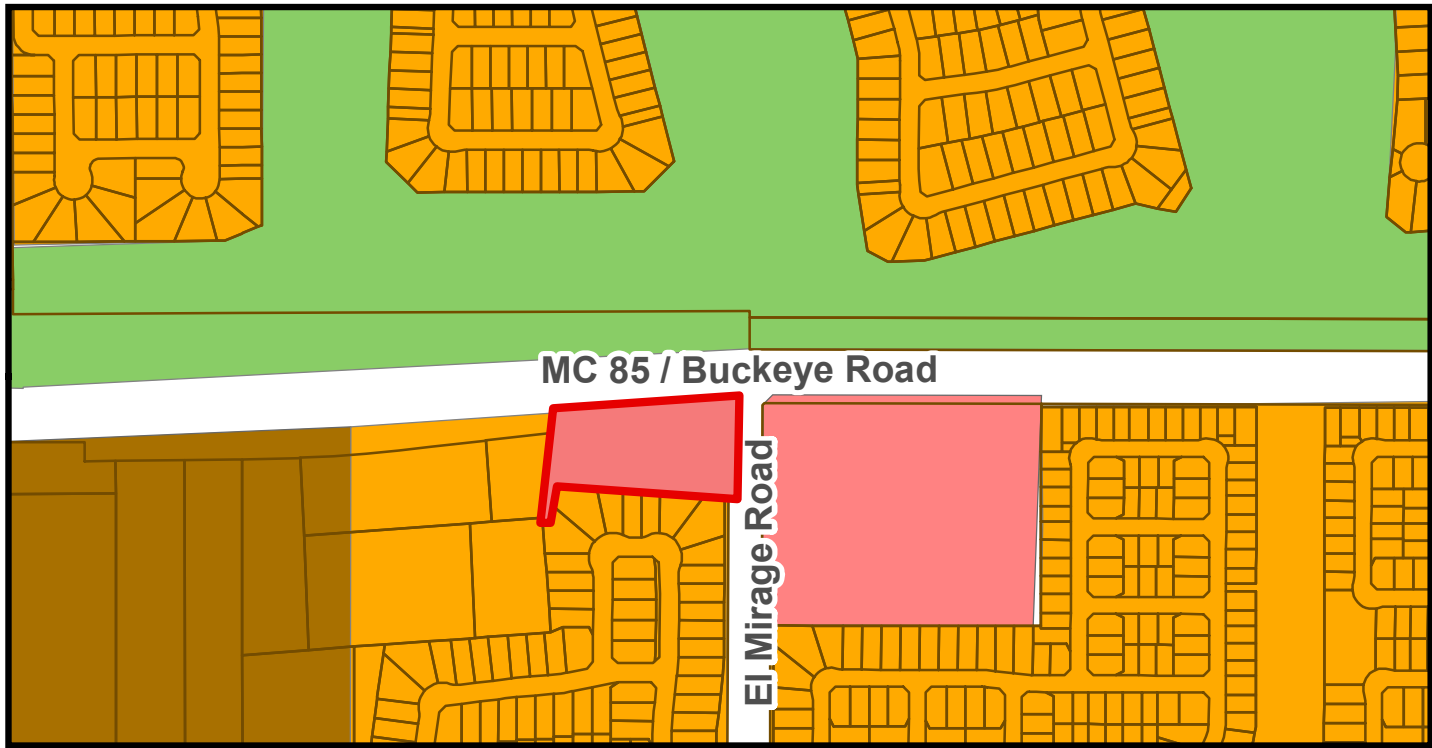


 Subject Property





CURRENT LAND USE MAP

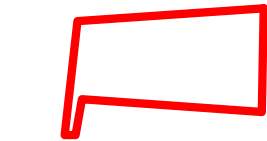


PROPOSED LAND USE MAP

General Plan Land Use Map



- | | |
|----------------------------|---------------------------------|
| Medium Density Residential | High Density Residential |
| Local Commercial | Medium/High Density Residential |
| Mixed Use | Public/Civic |
| Education | |
| Open Space | |



Subject Property

SUMMARY OF RELATED FACTS
APPLICATIONS PL-18-0261 & PL-18-0262

<i>THE PROPERTY</i>	
PARCEL SIZE	Approximately 2.48 acres
LOCATION	Southwest corner of Buckeye Road and El Mirage Road
PHYSICAL CHARACTERISTICS	One existing structure on the site (Fiesta Barn)
EXISTING LAND USE	Medium Density Residential
EXISTING ZONING	R1-6 Single-family Residential
JURISDICTION	Annexed into the City of Avondale in 1976, Ordinance No. 240

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH	Buckeye Road, then the southern portion of the Coldwater Springs residential subdivision zoned PAD.
EAST	El Mirage Road, then a vacant 14-acre commercial parcel that is a part of the Coldwater Springs Phase III residential subdivision zoned PAD.
WEST	Vacant undeveloped land Zoned R1-6 Single-family Residential
SOUTH	Coldwater Phase III residential subdivision zoned PAD

<i>GENERAL PLAN</i>	
The subject property is designated as Medium Density Residential. The Medium Density Residential (MDR) General Plan designation allows for development of detached single-family residential uses at a suburban density of 2.5 to 4.0 dwelling units per acre.	

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton Elementary School District; Tolleson Union High School District
ELEMENTARY SCHOOL	Student's choice (No defined school). The closest district school is Quentin Elementary School, generally located at the northwest corner of 107 th Avenue and Lower Buckeye Road. The Verde Trails development included a potential elementary school site at the southwest corner of Wier Avenue and 107 th Avenue, however the district declined to purchase that site for construction of a new school.
HIGH SCHOOL	La Joya Community High School

<i>STREETS</i>	
Buckeye Road (County Road)	
Classification	Major Arterial
Existing half street ROW	None
Standard half street ROW	65 feet

Exhibit D

Existing half street improvements	2 travel lane
Standard half street improvements	2 travel lanes, ½ center turn lane, curb and gutter, sidewalks, street lights and landscaping.
El Mirage Road	
Classification	Minor Arterial
Existing full street ROW	100 feet
Standard full street ROW	50 feet
Existing half street improvements	None
Standard half street improvements	1 travel lane in each direction, ½ center turn lane, bike lane, curb and gutter, detached sidewalks, street lights and landscaping.

<i>UTILITIES</i>
There currently is a 12” water line existing in El Mirage Road There currently is a 36” sewer main existing in El Mirage Road.



DONALD H WOO

FAMILY LTD PTRS #1

Minor General Plan Amendment Project Narrative (Revised)

Application: PL-18-0261

12301 W Buckeye Rd. Avondale, Arizona 85323

Resubmitted: December 17, 2018

by

Kenyon **A**rchitectural Studio

115 East Campo Desierto Road

Tempe Arizona 85281

Contact: David Kenyon

480-695-8602

Kastudio82@gmail.com

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Introduction and Request

DONALD H WOO (FAMILY LTD PTRS #1) owns 108,289 square feet (2.48 net acres) at the southwest corner of Buckeye Road (Arterial) and El Mirage Road (Collector) at 12301 W. Buckeye Rd. (the "Property") and is requesting an amendment to the General Plan 2030 (the "General Plan") to change the Land Use designation of the Property from Medium Density Residential ("MDR") (Fig.2) to Local Commercial to bring a legal nonconforming use into conformance with the 2030 General Plan and rezone the property to be in conformance with the Zoning Ordinance in order to expand the current use and improve the site.

A Minor Land Division Application (MLD—PL-18-0263) and Rezoning Application (REZONE--PL-18-0262) is submitted in conjunction with this request to facilitate the renewal and rejuvenation of the existing commercial structure and improved land use that includes landscaping, screened parking, improved access and parking that would be consistent with an arterial location. The Property is designated within the Central Core and no Specific Plans are noted for this area in the General Plan.

The existing uses and zoning of the surrounding properties are as follows (Figure 2):

NORTH: MC-85, then a 69.4-acre parcel (COLDWATER SPRINGS GOLF LLC) zoned as PAD.

WEST: 0.74-acre parcel (IGLESIA CRISTIANA ARMONIA INC) zoned R1-6 (MDR), then Phase 1 of Del Rio Ranch III, then 1.84 acres (DEL RIO LANDING LLC-Cashion Tank And Steel Co. zoned R1-6.

SOUTH: Subdivision "DIAMOND RIDGE PLACE" zoned PAD (MDR)

EAST: El Mirage Road, then 9.6-acre vacant undeveloped land, zoned (PAD) and noted as Local Commercial ("LC") on the General Plan.

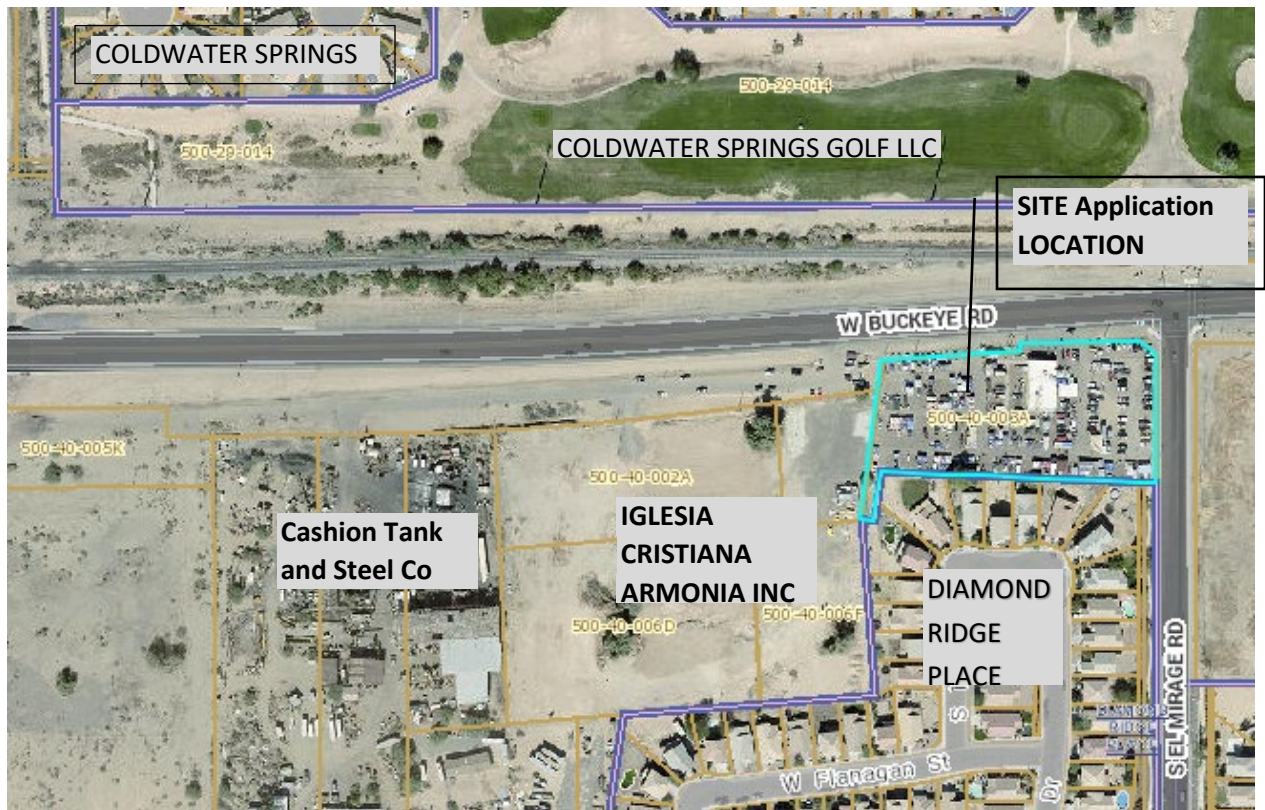


Figure 1: Aerial Vicinity Map

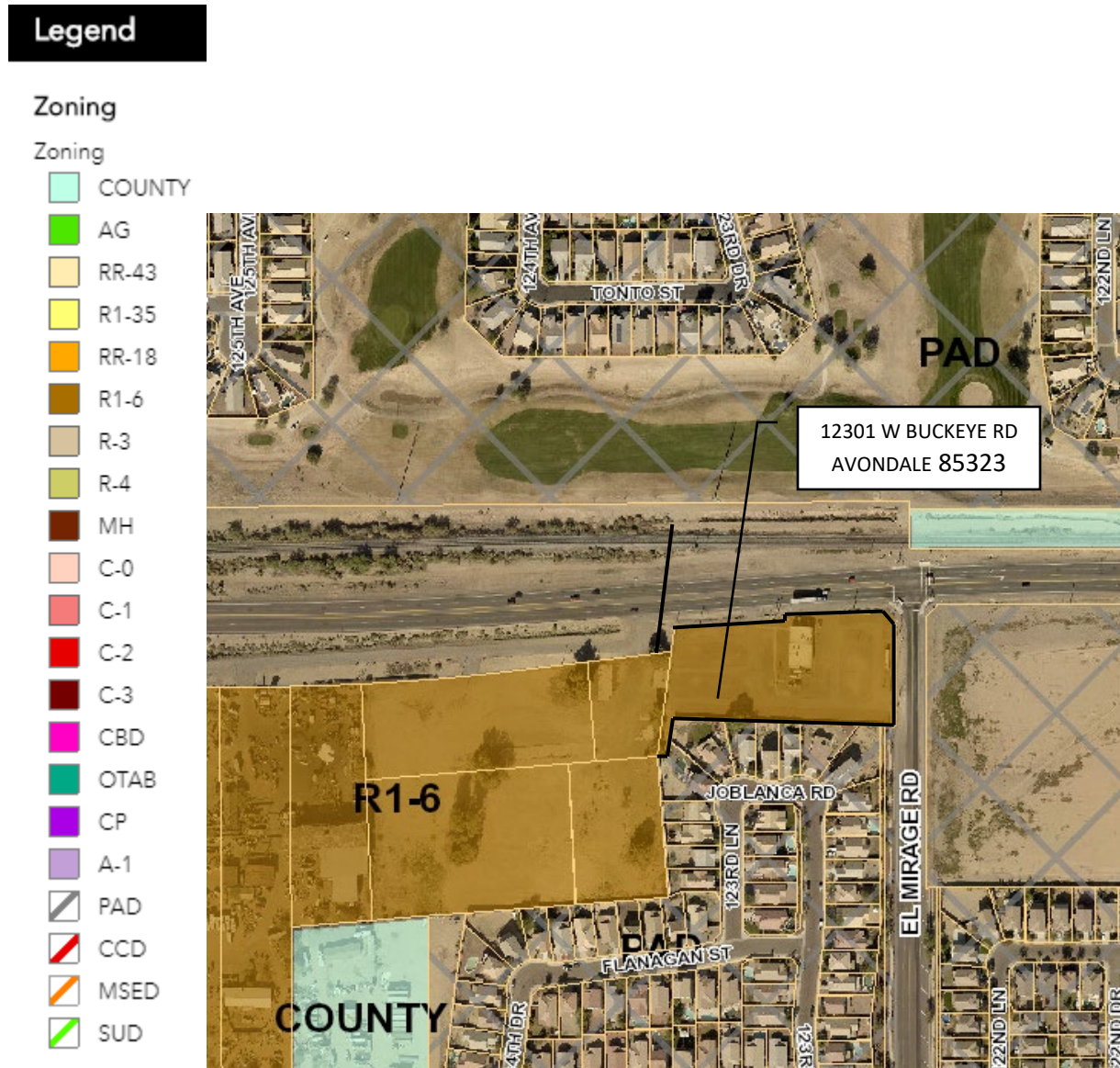


Figure 2: Zoning Vicinity Map

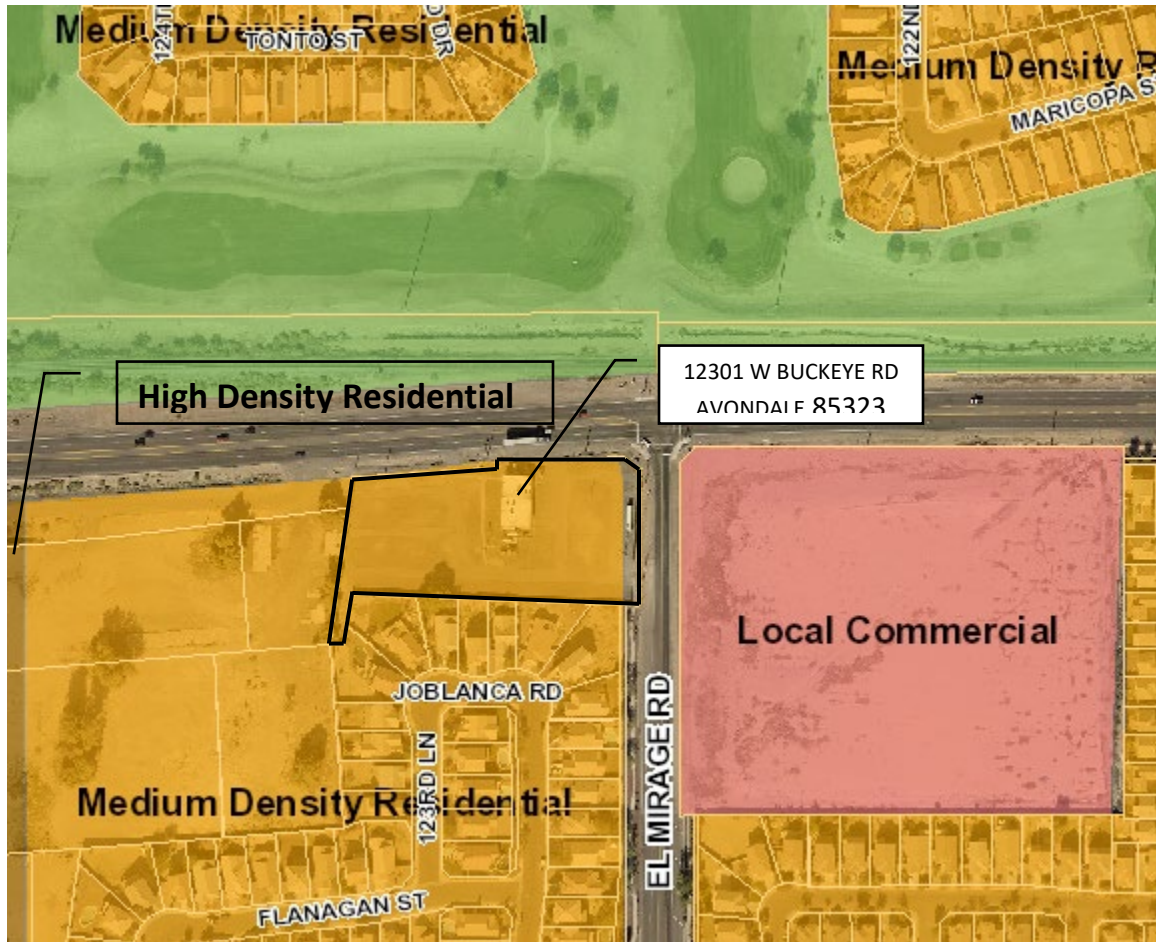


Figure 3: GP Land Use Map

Analysis

The property, which sits on the southwest corner of MC 85 Buckeye Road and El Mirage and although it is zoned as MDR the parcel located on the southeast corner of MC 85 Buckeye Road and El Mirage is noted on the General Plan as Local Commercial (Fig.3) The Property that this application refers to is currently a legal nonconforming use with the intention to bring the property to be in conformance with the Zoning Ordinance in order to expand the current use and improve the site. The City of Avondale 2017 Transportation Update is proposing that eventually El Mirage Rd. and MC 85 – Buckeye Road will become 6 lanes. MC 85-Buckeye Road will remain, according to the City of Avondale 2017 Transportation Update a designated truck route. There will be noted increases in traffic along both thoroughfares that would be less than amenable for residential and more appropriate for commercial use. The Property, prior to annexation to the City (July 28, 1976 Ordinance 239), existed as a commercial use parcel. The current use remains unchanged since the annexation. This application addresses this discrepancy and seeks a land use change from an MDR to Local Commercial The following Amendment Criteria addresses various Goals as described in the General Plan 2030 that give support to the Minor General Plan Amendment request.

Required Findings:

- 1. The development pattern on the Land Use Plan inadequately provides the appropriate optional sites for the use and or change proposed in the amendment.**
 - a. This property is currently legal nonconforming. The Minor General Plan Amendment will bring the property into conformity with applicable The Local Commercial land use would provide a more appropriate option for the site as it provides a transition with the Local Commercial to the east of the parcel (Fig. 3)*
- 2. The amendment constitutes and overall improvement to the 2012 Plan and is not solely for the good or benefit of a particular landowner or owners.**
 - a. The amendment will facilitate an overall improvement to the 2030 General Plan by bringing a nonconforming use into conformance*
- 3. The amendment will not adversely impact the community as a whole and/or portion of the community by:**
 - a. Significantly altering acceptable land use patterns**
 - b. Adversely impacting existing land uses**
 - c. Requiring more expensive public infrastructure improvements including, but not limited to, roads, water, wastewater, and public safety facilities than would otherwise be needed without the proposed change.**

The Minor General Plan Amendment of the Property from MDR to Local Commercial will not significantly alter acceptable land use patterns or adversely impact existing land uses.

The current land use has not changed since the property was annexed to the City of Avondale. In fact, the change to a more appropriate use will positively impact the

surrounding areas as the legal non-conforming use will confirm to the current use and will be more in sync and better meet the goals and policies of the General Plan as set forth in this Application.

The Property currently is accessed by existing infrastructure and surrounded by properties receiving various levels of City services. uses will not require more intense public infrastructure improvements than MDR. Finally, by shifting the designation to Local Commercial, bringing the Property into compliance to its current land use.

4. The amendment is consistent with the overall intent of the 2012 Plan and other adopted plans, codes, and ordinances.

- A. *Some noteworthy General Plan Objectives that this proposed Minor General Plan Amendment will achieve are:*

Objective #1: LAND USE ELEMENT - GOAL 3: Promote a strong balance of high quality residential, employment, recreation, and educational land uses.

Policy C. Encourage a mix of uses and amenities when master planning large developments, such as single-family residences, offices, educational institutions, shopping centers, trails, parks, community gardens, and recreational facilities, to encourage social interaction, and to create a larger sense of community amongst residents.

The Property is uniquely located at the corner of MC-85 Buckeye Road (Arterial) and El Mirage Road (Collector to be proposed in the future as Arterial). This location would be more appropriately designated as Local Commercial. This application seeks a land use decision that matches the long term goals of 2012 Plan and seeks a land use decision that will further the economic goals where any residential development would not have the same economic impact.

Policy A. Include neighborhood markets to provide services for local residents, employees, and transit riders.

Maintaining the farmers market facilitates business diversity that promotes local products and produce that is congruent with the Economic Element stated in the General Plan. The application supports the "Transit Oriented Development" along Buckeye Road in providing a local market for local residents. If the City intends to develop the Buckeye Road as a major thorough fare than allowing commercial uses can achieve such an objective lending support to proposed public transit development. Allowing commercial zoning will also support business development on the site thereby increasing City's sales tax revenue in a way that MDR uses would not provide.

Conclusion

The Property prior to annexation was in commercial use and has remained in commercial use. The property is best suited for Local Commercial uses given its size, shape, and the character of the land around it. FAMILY LTD PTRS #1 looks forward to working with the City to process this Minor General Plan Amendment bringing the property into legal conforming status with applicable zoning ordinances.

Exhibit F

Woo Property
General Plan Amendment
&
Rezone

Neighborhood Meeting Summary

January 29, 2019



PUBLIC MEETING SIGN-UP FORM

Project: Woo Rezoning, MLD General Plan Amendment
12301 W. Buckeye Rd Avondale AZ 85323

Projects #: PL-18-0261, PL-18-0262 and PL-18-0263

Reference Neighborhood Meeting

Date: 29 January 2019

NAME	AFFILIATION	PHONE	SIGNATURE
1. David H Kenyon	KAS architect	480 695-8602 dlkarchitect@gmail.com	
2. Michael Talbot	KAS	480-495-0768 Kastudio82@gmail.com	
3. Rick Williams	City Planner	623.333.4018 rmwilliams@avondale.org	
4. George Molina	Citizen	623 204 4651	<i>[Signature]</i>
5. Jenn Molina	Citizen	623 202 4449	<i>[Signature]</i>
6. Ivan Caballero	cityzen	623-326-8774 ivcab4@gmail.com	<i>[Signature]</i>
7. Ron SHARP	"	509-299-0401 Mr. SHARPE@YAHOO.CO4	<i>[Signature]</i>
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29 January 2019

KENYON ARCHITECTURAL STUDIO

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PUBLIC MEETING SIGN-UP FORM

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12301 W. Buckeye Rd Avondale AZ 85323

Projects #: PL-18-0261, PL-18-0262 and PL-18-0263

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4. Pat Dennis	City of Avondale	pdennis@avondale.org	(623) 337-7586
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KENYON ARCHITECTURAL STUDIO

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Planning Commission Date: February 21, 2019

PREPARED BY: Rick Williams, Senior Planner
REVIEWED BY: Jodie Novak, Planning Manager
RECOMMENDATION: **APPROVAL – SUBJECT TO CONDITIONS**

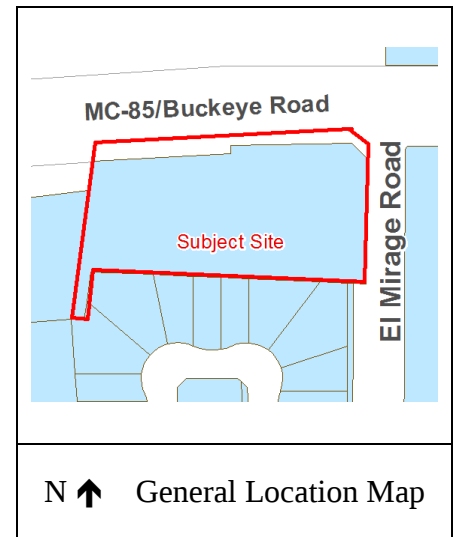
SUBJECT: Hold a public hearing for case PL-18-0262 Woo, a request to Rezone approximately 2.5 acres from R1-6 (Single-Family Residential) to Community Commercial (C-2)

PARCEL SIZE: 2.5 Acres

LOCATION: Southwest corner of El Mirage and Buckeye roads (Exhibits A, B, and C).

APPLICANT: David Kenyon, Kenyon Architectural Studios

OWNER: Donald H. Woo



BACKGROUND:

The 2.5-acre site was originally annexed into the City of Avondale in 1976 with the adoption of Ordinance No. 240. Upon annexation, there were two structures on the subject site, one unidentified structure and the other a mini-mart. Archived aerial maps indicate, between annexation of the property and 1993, the unidentified building was removed from the site and only the mini-mart remained. Historical data indicates that the subject site was rezoned to R1-6 (Single-Family Residential), prior to 1990, which is still current today. The Fiesta Barn convenience store remains in operation on the property as well as a weekend swap meet that has been in operation since annexation into the City. Currently, the site's existing use of Fiesta Barn is considered a legal non-conforming use as it is not in conformance with the current zoning or the General Plan Land Use designation for the site.

The subject site is bordered by Buckeye Road to the north and El Mirage Road to the East. The existing uses of the surrounding properties are as follows:

- **North:** Buckeye Road, then the southern portion of the Coldwater Springs residential subdivision zoned PAD.
- **South:** Coldwater Springs Phase III residential subdivision, zoned PAD

- **East:** Coldwater Springs Phase III residential subdivision, zoned PAD
- **West:** Vacant undeveloped land zoned R1-6 (Single-Family residential)

DETAILS OF REQUEST:

On behalf of the property owners, the applicant is requesting to rezone the subject property from R1-6 (Single-Family Residential) to C-2 (Community Commercial) to bring the property into conformance with the requested amendment to the General Plan and bring the site into general conformance with current C-2 zoning development standards.

Under separate application (PL-18-0261), the applicant has submitted a request to amend the General Plan 2030 Land Use Map for the subject site from Medium Density Residential to Local Commercial. The Local Commercial designation provides for the daily needs of goods and services to the residents residing within the surrounding area. The Minor General Plan Amendment application will be considered through a separate public hearing item.

PUBLIC INPUT:

The applicant conducted a neighborhood meeting to discuss the proposed applications on Tuesday, January 29, 2019, 6:00 P.M, at the Avondale Civic Center Library. The meeting was advertised in the Southwest Valley Republic, a notification sign was erected on the subject property, and all property owners within a 1,000-foot radius of the subject site were notified by postcard of the meeting.

The neighborhood meeting was attended by five citizens from the surrounding neighborhood. The citizens had questions regarding the future use of the site, what improvements would occur on the site, and traffic and parking for the weekend swap meet that occurs on site. In general, all applicants were in support of the submitted applications and encouraged with the aesthetic improvements to the site. A full summary of the meeting is attached to this report as Exhibit F, Citizen Participation Meeting Summary. A summary of discussion items are as follows:

- Attendees asked when the proposed improvements would be installed on the site. The applicant stated that the landscape improvements, building improvements, and signage upgrade will be installed with the first phase of any site improvements.
- Two of the attendees expressed concerns with parking and traffic generated by the weekend swap meet. The applicant and City staff stated that there may be opportunities to move weekend vendors from the west side of the site to the east and relegate the eastern entrance to the site to emergency vehicle access only.
- A resident who lives adjacent to the southern property line of the subject site expressed concern with vermin that may be coming from the site. The applicant stated that they would contact the owner of the property and that preventive measures would be installed.

Postcards notifying nearby property owners of the Planning Commission meeting were mailed on January 31, 2019. Additionally, the hearing sign was updated to include the time and date of the meeting on February 4, 2019. Lastly, a notice of the Planning Commission hearing was published in the Southwest Valley Republic on February 6, 2019. To date, staff has received no additional correspondence with regards to these applications via phone, letter, or email.

ANALYSIS:

The site's R1-6 (Single-Family Residential) zoning, which is intended to provide a variety of single-family detached residential dwelling types with an urban density, is not consistent with existing land uses on the site and the proposed Minor General Plan Amendment. The property is located at the corner of two arterial streets and developed with an existing convenience store, Fiesta Barn, which has been in operation since annexation into the City. The request to rezone the subject site to C-2 would remove the site's current legal non-conforming status and appropriately zone the convenience store, which is a permitted use in the C-2 zoning district. The purpose of the C-2 zoning is to accommodate development of commercial complexes providing goods and services to a community-wide trade area and be located so that primary driveways access arterial streets.

Future development of the site will be required to be in accordance with the uses and development standards as outlined in the C-2 section of the Zoning Ordinance. Specific requirements of the district will address setbacks and other development standards that are intended to ensure high-quality aesthetics from the adjacent streets and continue to play a significant role in establishing the image to residents and visitors to this area of the City.

In addition to required compliance with the C-2 development standards, any development on the site will be expected to comply with the design requirements contained within the City's Design Manual for Commercial, Industrial, and Multi-Family Development. The Design Manual, for instance, contains specific provisions for commercial developments to create a common thematic material and color palette throughout the site.

The Fiesta Barn is a 2,500 square foot building that's located in the center of the 2.5-acre parcel. Access to the site is provided by one access point via El Mirage Road and multiple access points from Buckeye Road. In addition to the convenience store being a legal non-conforming use, the site was developed with no required site improvements such as landscaping, signage and other typical improvements associated with development. The building signage, including the existing "pole sign", does not meet current City requirements. There is sufficient parking on the site for the convenience store; however, the parking lot surface has not been resurfaced over the years and only a portion of the parking spaces have been striped. Upon approval of the rezoning request, the subject site and associated C-2 zoning development standards would be applicable for any future development, expansion on the site, or remodeling of the existing convenience store.

Staff recommends conditions of approval to ensure that the site's future development will comply with standard procedural requirements and meet or exceed the City's expectations.

Findings:

Staff recommends approval of this Rezoning request for the following reasons:

1. The C-2 (Community Commercial) zoning district is in conformance with the Goals and Objectives of the General Plan.
2. The development standards of the C-2 (Community Commercial) zoning district and the City's Commercial, Industrial, and Multi-Family Design Manual will result in future development that is in conformance with the current standards.

3. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies.

RECOMMENDED MOTION:

I move that Planning Commission accept the findings and recommend **APPROVAL** of application PL-18-0262 Woo, a request to Rezone approximately 2.5 acres of land from R1-6 (Single-Family Residential) to C-2 (Community Commercial), subject to six (6) conditions of approval.

CONDITIONS OF APPROVAL:

1. Development of the site shall be in substantial conformance with the “Woo Rezoning Narrative” dated December 17, 2018.
2. The owner/developer shall dedicate to the City of Avondale an additional 10-feet of half-street right-of-way adjacent to El Mirage Road.
3. All improvements specified in the “Woo Rezone Narrative” dated December 17, 2019 shall be completed prior to issuance of a certificate of occupancy or certificate of completion for any new building and or modification to existing building on the site.
4. Any improvements to the site shall require that the existing building be brought into conformance with the provisions contained in Section 9 (Signs) of the Avondale Zoning Ordinance with the exception of the existing “Pole Sign” which may remain on site in its current location.
5. Development shall be completed in accordance with the City of Avondale General Engineering Requirements Manual and City of Avondale Supplement to the MAG Uniform Standard Specifications and Details.
6. Development shall adhere to all applicable provisions of the Avondale Zoning Ordinance, City of Avondale Design Manual for Commercial, Industrial, and Multi-Family Residential Development.

SUPPORTING DOCUMENTS ATTACHED:

Exhibit A – Aerial Vicinity Map

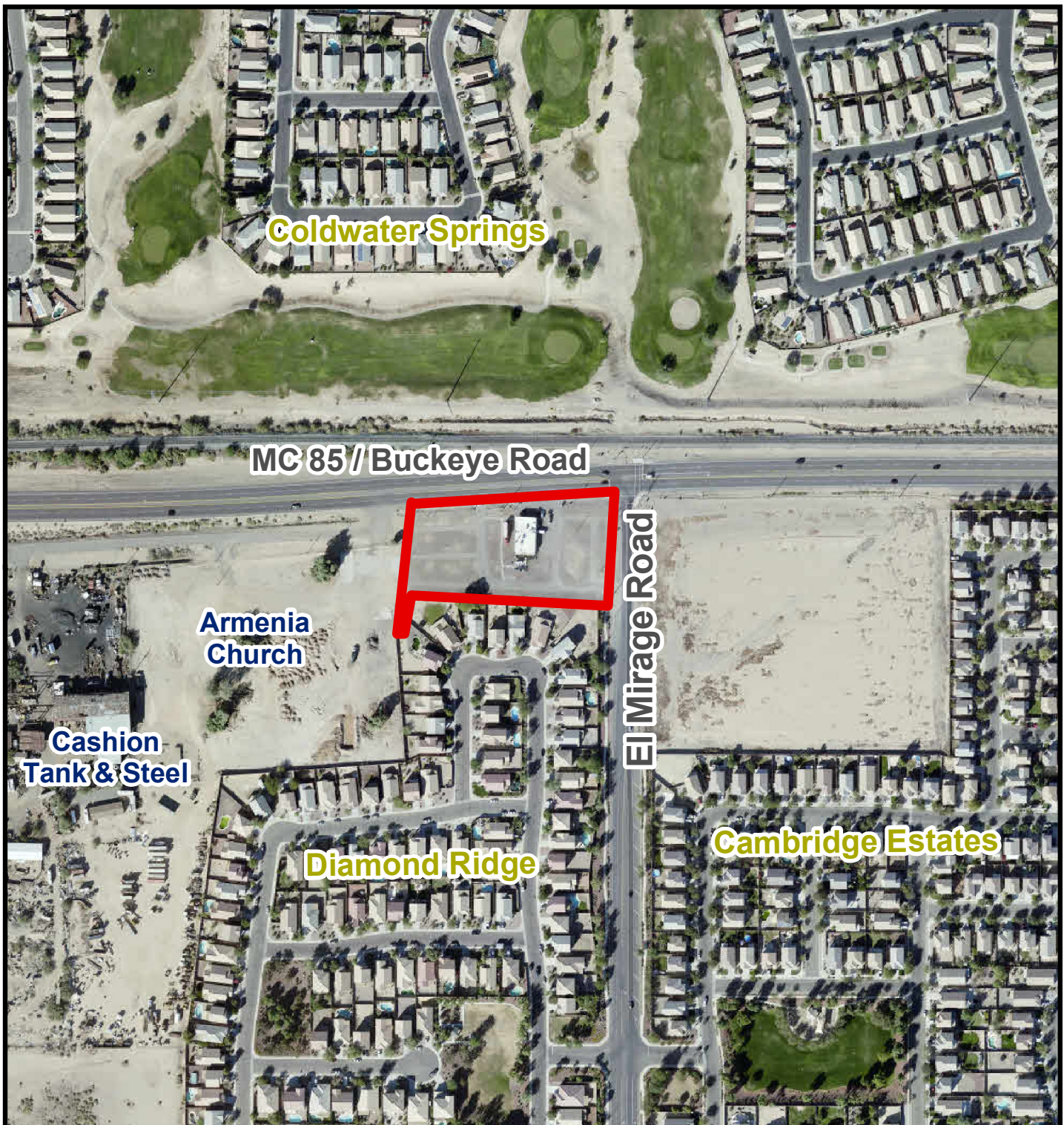
Exhibit B – Aerial Zoning Map

Exhibit C – General Plan/Proposed General Plan Land Use Map

Exhibit D – Summary of Related Facts

Exhibit E – Woo Rezone Narrative

Exhibit F – Citizen Participation Meeting Summary

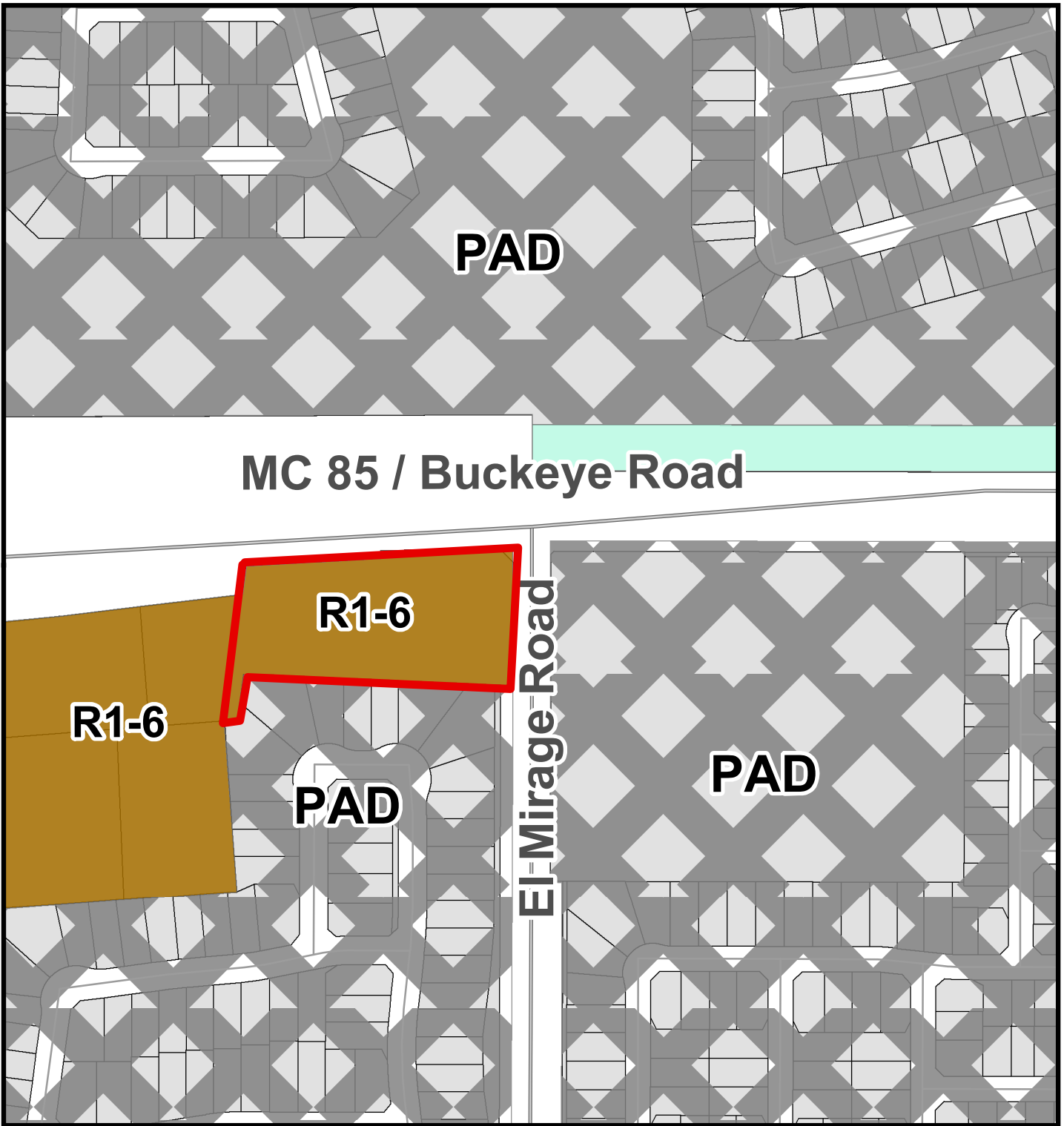


Aerial Photograph



 Subject Property



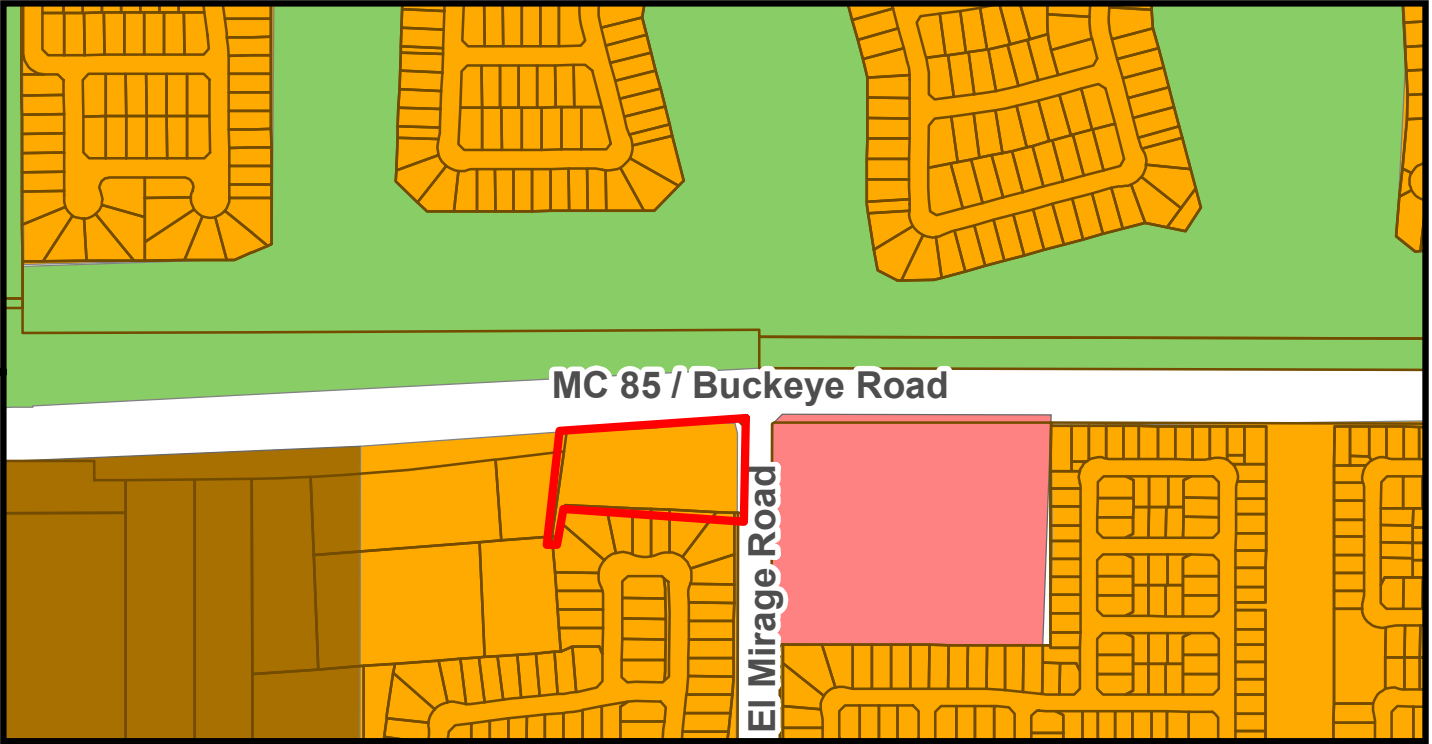


Zoning Vicinity Map

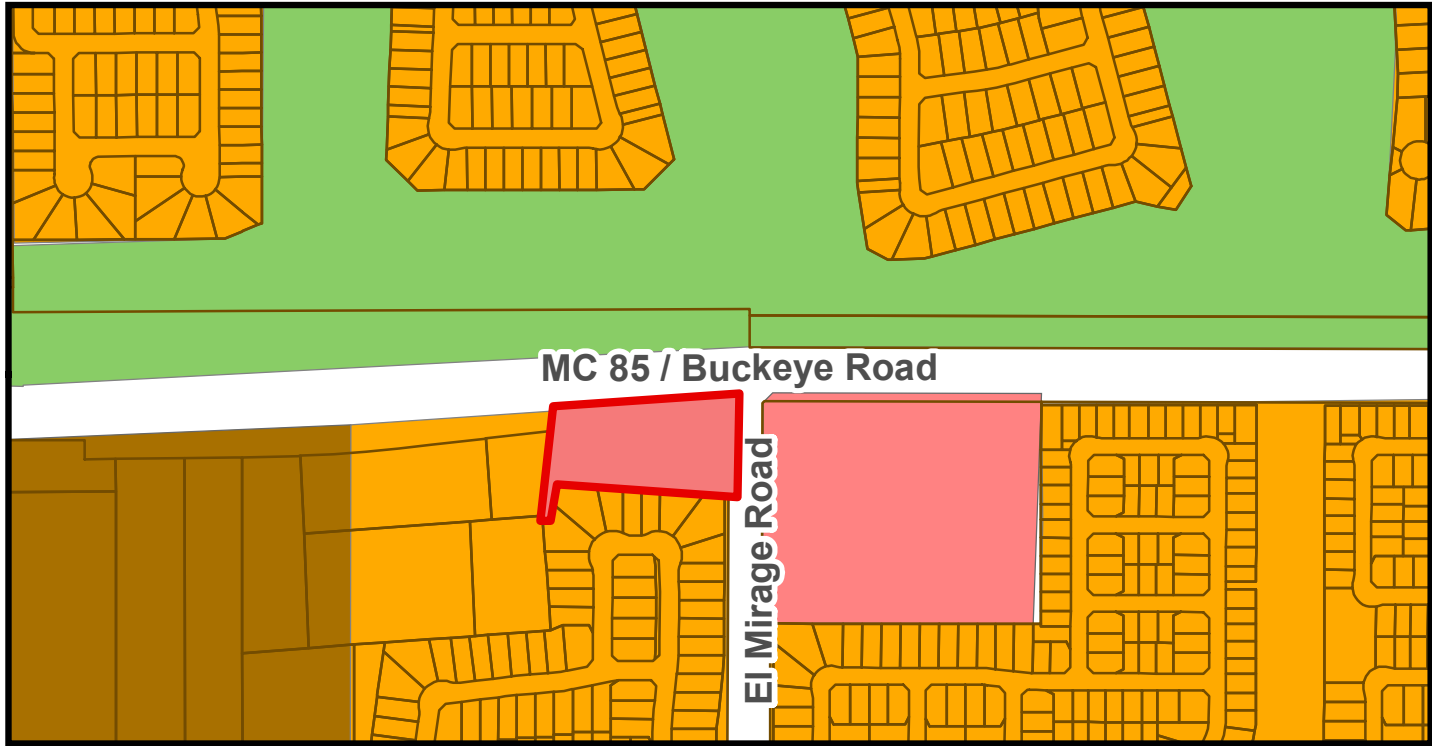


 Subject Property





CURRENT LAND USE MAP

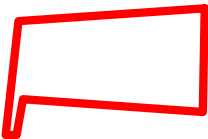


PROPOSED LAND USE MAP

General Plan Land Use Map



- | | |
|----------------------------|---------------------------------|
| Medium Density Residential | High Density Residential |
| Local Commercial | Medium/High Density Residential |
| Mixed Use | Public/Civic |
| Education | |
| Open Space | |



Subject Property

SUMMARY OF RELATED FACTS
APPLICATIONS PL-18-0261 & PL-18-0262

<i>THE PROPERTY</i>	
PARCEL SIZE	Approximately 2.5 acres
LOCATION	Southwest corner of Buckeye Road and El Mirage Road
PHYSICAL CHARACTERISTICS	One existing structure on the site (Fiesta Barn)
EXISTING LAND USE	Medium Density Residential
EXISTING ZONING	R1-6 Single-family Residential
JURISDICTION	Annexed into the City of Avondale in 1976, Ordinance No. 240

<i>SURROUNDING ZONING AND LAND USE</i>	
NORTH	Buckeye Road, then the southern portion of the Coldwater Springs residential subdivision zoned PAD.
EAST	El Mirage Road, then a vacant 14-acre commercial parcel that is a part of the Coldwater Springs Phase III residential subdivision zoned PAD.
WEST	Vacant undeveloped land Zoned R1-6 Single-Family Residential
SOUTH	Coldwater Phase III residential subdivision zoned PAD

<i>GENERAL PLAN</i>	
The subject property is designated as Medium Density Residential. The Medium Density Residential (MDR) General Plan designation allows for development of detached single-family residential uses at a suburban density of 2.5 to 4.0 dwelling units per acre.	

<i>PUBLIC SCHOOLS</i>	
SCHOOL DISTRICT(S)	Littleton Elementary School District; Tolleson Union High School District
ELEMENTARY SCHOOL	Student's choice (No defined school). The closest district school is the Littleton Elementary School, generally located at the northwest corner of Buckeye Road and Avondale Boulevard.
HIGH SCHOOL	La Joya Community High School

<i>STREETS</i>	
Buckeye Road (County Road)	
Classification	Major Arterial
Existing half street ROW	None
Standard half street ROW	65 feet
Existing half street improvements	2 travel lane
Standard half street improvements	2 travel lanes, ½ center turn lane, curb and gutter, sidewalks, street lights and landscaping.

El Mirage Road	
Classification	Minor Arterial
Existing full street ROW	100 feet
Standard full street ROW	50 feet
Existing half street improvements	None
Standard half street improvements	1 travel lane in each direction, ½ center turn lane, bike lane, curb and gutter, detached sidewalks, street lights and landscaping.

<i>UTILITIES</i>
There currently is a 12” water line existing in El Mirage Road
There currently is a 36” sewer main existing in El Mirage Road.



Kenyon Architectural Studio

City of Avondale
Planning and Community Development Department
Application for Rezoning R1-6 to C-2

Project Narrative Woo Rezoning Application

12301 W BUCKEYE RD AVONDALE 85323
South West corner of MC-85 Buckeye Road and El Mirage Road

Application #: PL-18-0262
12/17/2018(REVISED)

For:
DONALD H WOO & GINGER WOO FAMILY LTD PTRS #1
2469 S GAUCHO ST, MESA, AZ 85202-7311

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Introduction

Ownership:

DONALD H WOO & GINGER WOO FAMILY LTD PTRS #1
2469 S Gaucho Street, Mesa, Arizona 85202-7311

Annexation:

Annexation to the City of Avondale (July 28, 1976 Ordinance 239)

Zoning/GP Designation:

R1-6/Medium Density Residential (MDR). Prior to annexation the property existed as commercial use. The current use remains unchanged since the annexation and currently is legal nonconforming. (See Exhibit A, Exhibit B and Exhibit C)

Current Conditions:

The Owner is making a request to rezone parcel 500-40-003A to Community Commercial District (C-2). The building is currently a Retail market space that serves the local community and has been on the site for 43 years. Additionally, the site is used as a farmer's market on weekends and has been used in that manner since the 1970's when the parcel was under the jurisdiction of the Maricopa County and prior to incorporation into the City of Avondale. It is the intention of the owner to upgrade the site. Currently the status of property is legal nonconforming. Currently there are no other buildings or landscaping. The perimeter of the property is fenced with a chain link fence. The premise for rezoning is to add improvements to the property. This request is to provide future commercial use at a later date within the C-2 Zoning requirements

Request

The owner is requesting rezoning from Single-family R1-6 to Community Commercial C-2. The reason for the request is to expand the use and bring the property into conformance. There are two further submittals under separate application MLD (PL-18-0263) and MGPA-(PL-18-0261)

Development Standards

Meets all C-2 requirements: See Exhibit D Site Plan

Development Standards Table from Section 3-306 of Zoning Ordinance					
	R-0	C-0	C-1	C-2	C-3
Minimum Lot Width	45'	60'	None	None	None
Minimum Site Width	100'	100'	None	None	None
Maximum Lot Coverage	35%	35%	None	None	None
Maximum Building Height	30'	30'	30'	30'	40'
Front Setback	20'	20'	20'	20'	20'
Street Setback	20'	20'	20'	20'	20'
Rear Setback	20'	20'	20'	20'	20'
Side Setback	20'	15'	15'	15'	20'
Parking Setback	10'	20'	30'	30'	30'
Interior Setback	15'	15'	None	None	None
Setback from a Residential District or Use *	1' per 1' bldg. height	1' per 1' bldg. height	1' per 1' bldg. height	50'	100'
Parking Setback from Residential District or Use*	25'	25'	25'	25'	25'
Maximum Accessory Structure Height	15'	15'	15'	15'	15'

Access

MC-85/El Mirage/Shared Parking

Roadway Functional Classification: The property is located on the SW Corner of MC-85 Buckeye Road and El Mirage

MC-85 Buckeye Road: Arterial (4 Lane)

El Mirage Road: Collector (2 Lane)

The "Avondale General Plan 2030" shows a proposed transit line along Buckeye Road-MC 85 on the North side of the property.

Parking and Design: Immediate parking is available to existing Retail Store – Fiesta Barn Market and Western Union

Landscape

Existing Conditions: Currently no landscaping is in place (See Exhibit E)

Proposed improvements if any: The project will meet Avondale City's design standards and streetscape guidelines. The intended project will add an aesthetically appealing look to the currently outdated retail building with contemporary materials and renewed landscape thereby improving the visual appeal along MC-85 Buckeye Road and El Mirage. Site circulation, main parking, landscaping will all be new construction which contributes to added value for the surrounding commercial and neighborhood community. The proposed rezoning request will make no changes to pedestrian or vehicle access or flow. The project will only contribute to fulfilling the stated goals of the City of Avondale. (See Exhibit F)

Signage

Existing Conditions and Proposed Improvements

Existing signage is nonconforming. Proposed improvements include bringing all signage in compliance with current city signage ordinances.(See Exhibit G)

Summary/Justification

The proposed rezoning request will bring the property from a legal nonconforming to conforming status. The project will only contribute to fulfilling the stated goals of the City of Avondale. This project will have no negative impacts on the district or its neighbors. There are no unusual characteristics to this project that should restrict this Use Permit request.

Purposes of the Community Commercial (C-2) zoning district Section 302.d

D. Community Commercial District (C-2). The purpose of the Community Commercial (C-2) district is to accommodate development of commercial complexes providing goods and services to a community-wide trade area.

1. Encourage commercial centers that are planned, developed and managed as integrated complexes with individual users.

The Community Commercial (C-2) zoning will allow for medical, office and retail development that would be accessible for residential districts in the immediate vicinity of the property.

2. Be located so that primary driveways access arterial streets.

The Property meets this requirement with primary access along MC85 Buckeye Road on the north and El Mirage to the east.

3. Include users with a building square footage up to two hundred thousand (200,000) gross building square feet.

The current retail space on the property is 3,360 sqft. and does not exceed the 200,000 gross building square footage maximum for the C-2 zoning.

4. Encourage development that is consistent with the policies and the guidelines established in any specific plan and the General Plan.

Rezoning the property will change the current status from legal nonconforming to legal conforming to applicable zoning requirements applied. This request will improve the property with required landscaping, additional approved development and improved goods and service to the community.

Exhibits

Exhibit A: Vicinity Map

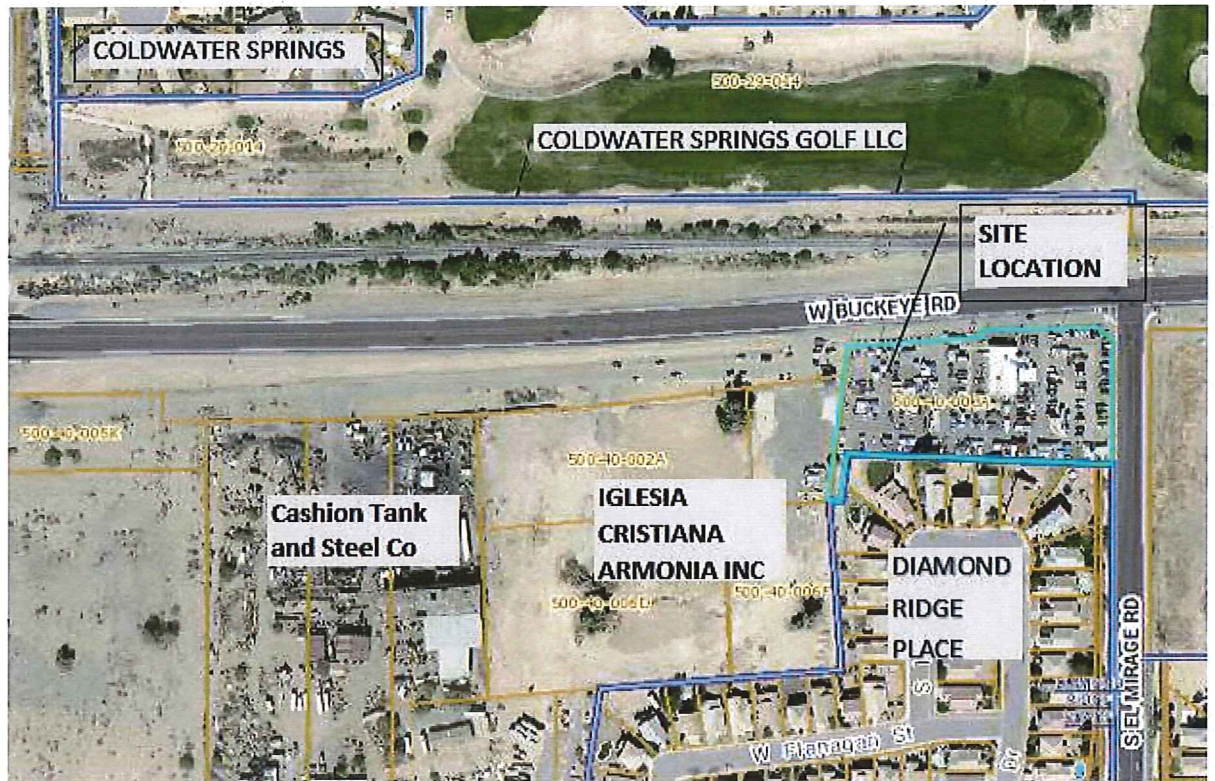


Exhibit B: General Plan Map

Exhibit B: General Plan Map

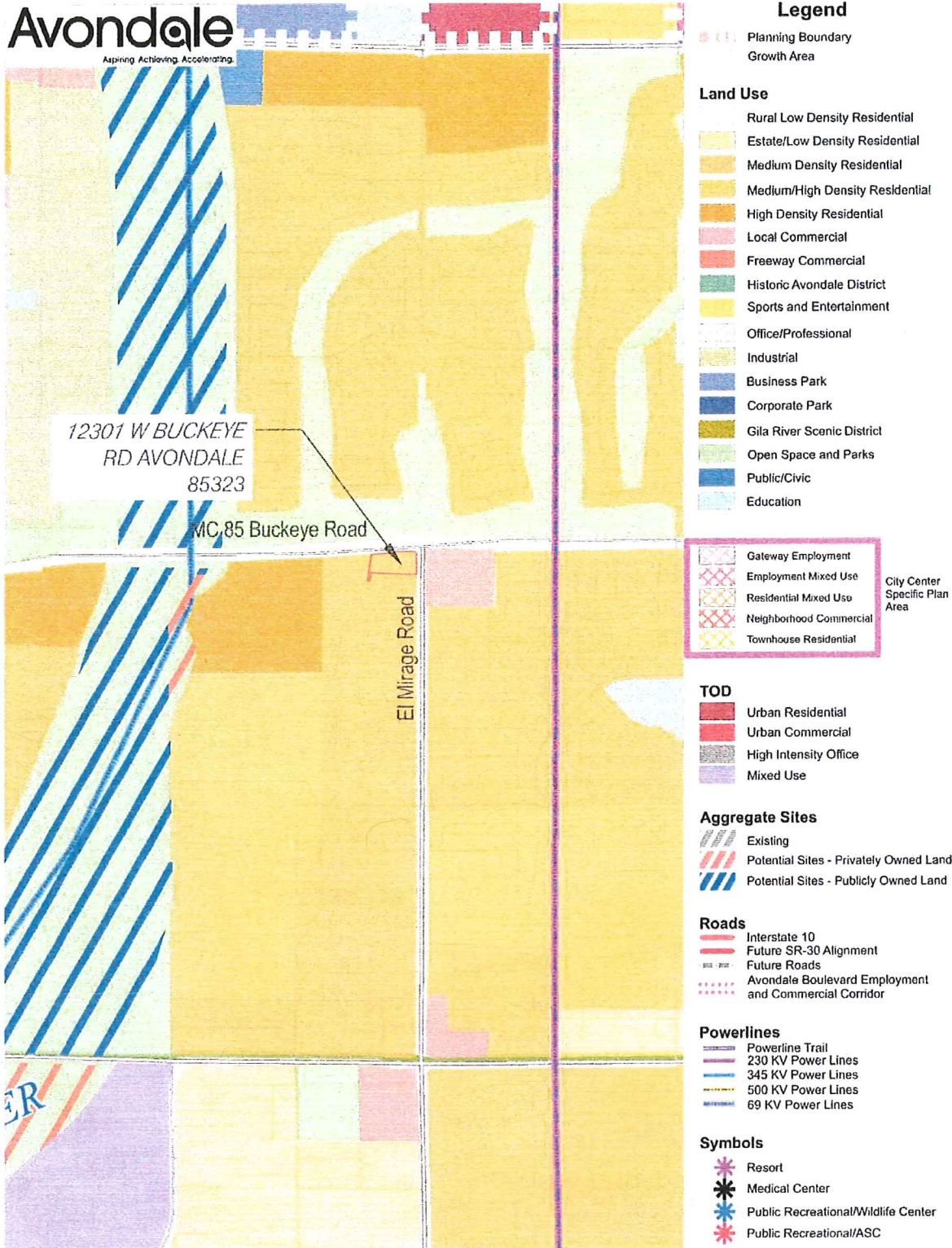


Exhibit C: Zoning Map

Zoning

- COUNTY
- AG
- RR-43
- R1-35
- RR-18
- R1-6
- R-3
- R-4
- MH
- C-0
- C-1
- C-2
- C-3
- CBD
- OTAB
- CP
- A-1
- PAD
- CCD
- MSED
- SUD

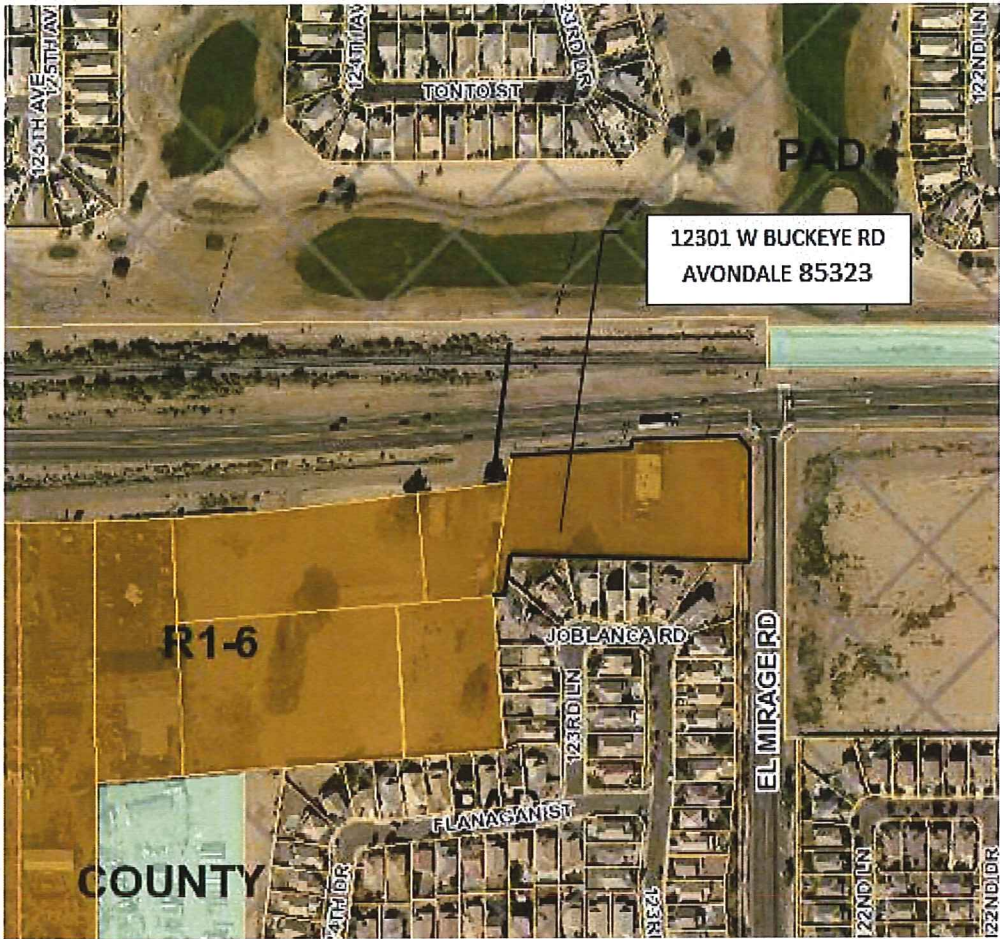


Exhibit D: Site Plan

Exhibit E: Existing Landscape Conditions



Exhibit F: Color LS Plan

Exhibit G: Existing Signage

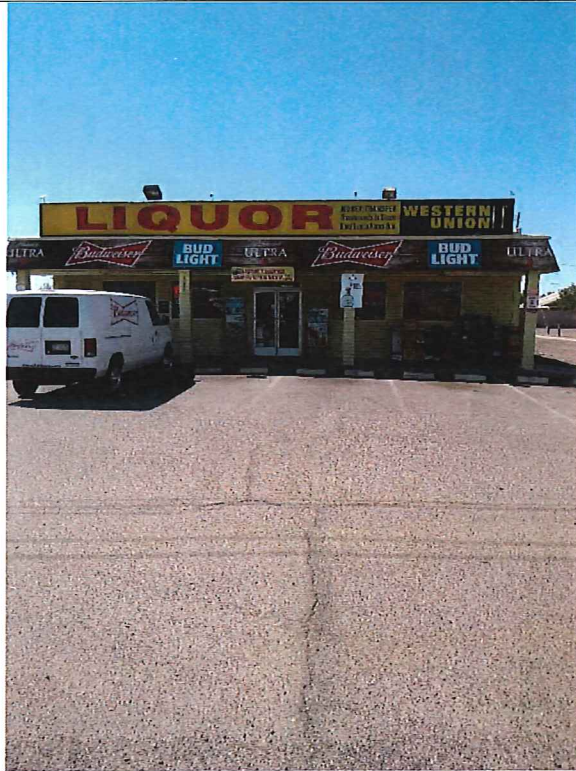


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General Plan Amendment
&
Rezone

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KENYON ARCHITECTURAL STUDIO

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