

#21

DEC 13 2012



MEMORANDUM **Transportation & Development - CC Memo No. 12-146a**

DATE: NOVEMBER 26, 2012

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *DD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: ERIK SWANSON, CITY PLANNER *ES*

SUBJECT: DVR12-0035 POLLACK BUSINESS PARK NORTH PHASE 2

Request: Action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former zoning district of I-1/PAD

Location: Northeast corner of Arizona Avenue and Elliot Road

Applicant: Dave Gibson; Robert Kubicek Architects & Associates

RECOMMENDATION

The request is for action on the existing Planned Area Development (PAD) zoning to extend the conditional schedule for development, remove, or determine compliance with the three-year schedule for development or to cause the property to revert to the former zoning district of I-1/PAD. The existing PAD zoning designation is for commercial retail/office/showroom and light industrial uses on an approximate 10-acre site. Planning Commission and Staff, upon finding consistency with the General Plan recommend approval of a three (3) year timing extension.

EXTENSION OF THE TIMING CONDITION

The request is for action on the existing 10-acre parcel located at the northeast corner of Arizona Avenue and Elliot Road. In 1981 the site, as part of a larger industrial development, received zoning approval for an I-1/PAD zoning designation; the zoning was vested due to construction occurring within the larger development. In early 2006, the site received zoning and Preliminary

Development Plan approval, to include retail uses. The zoning was conditioned to start construction within three (3) years of Council approval, causing the expiration to occur on April 23, 2009. The site received an extension of the zoning in 2009, causing expiration to occur in 2012. The current request is to extend the zoning for a second time for an additional three years. The proposed three-year time extension would be in effect, pending City Council approval, until April 23, 2015, as the time limit is calculated from the previous zoning approval's expiration.

The City has the following options when a zoning district's timing condition expires. The City could, through administrative action, extend the timing condition for another period of time, eliminate the timing condition, determine compliance with the three-year schedule for development, or by legislative action revert the zoning to its former zoning classification. If the City should approve the timing condition extension, all other conditions in the original approval would remain in effect

BACKGROUND

The site received its PAD zoning in 2006 in order to allow a mix of retail, light industrial, and showroom uses. Previously, it was zoned Planned Industrial (I-1)/PAD as part of the larger Arizona Corporate Park that flanks both sides of Elliot Road on the east side of Arizona Avenue that is designated for Employment by the General Plan. The rezoning to PAD allowed a logical transition from retail uses that would be more viable along the street frontages to the pure warehouse/industrial uses in the heart of the corporate park, while still maintaining the employment focus. A Preliminary Development Plan was processed concurrently with the 2006 rezoning that provided for the site layout, architecture, landscaping, and signage.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code. Due to the location of the subject site, and its surrounding users, a neighborhood meeting was not held. In lieu of the neighborhood meeting, a letter notifying the surrounding property owners of the request was sent. Staff has received no telephone calls or letters opposed to this application.

PLANNING COMMISSION VOTE REPORT

Motion to Approve:

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of extending the timing condition for case DVR12-0035 POLLACK BUSINESS PARK NORTH PHASE 2, for an additional three (3) years, with all of the conditions in the original approval remaining in effect.

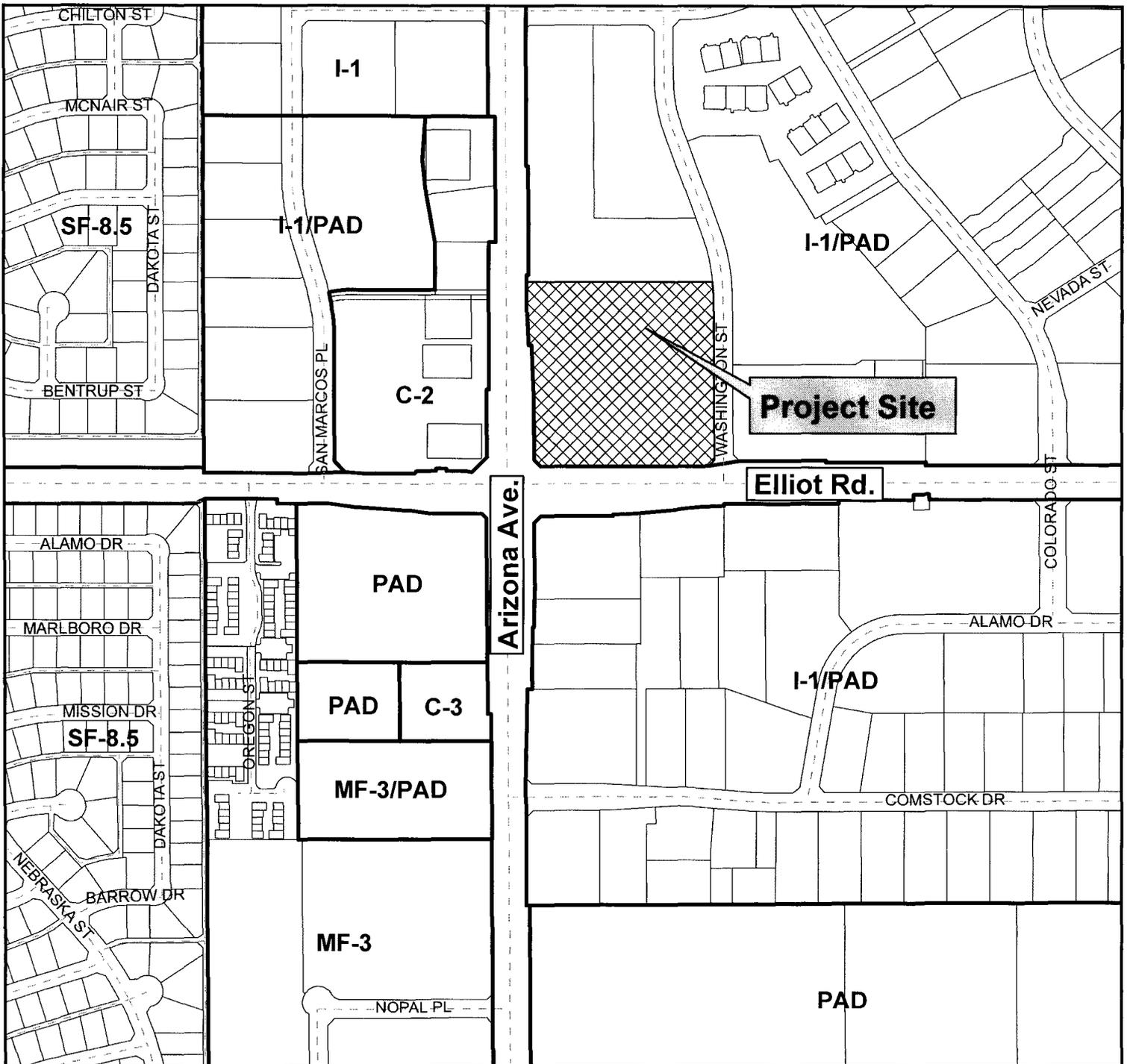
PROPOSED MOTION

Move to approve the request, extending the timing condition for case DVR12-0035 POLLACK BUSINESS PARK NORTH PHASE 2 for an additional three (3) years, in which the zoning would be in effect until April 2015, with all of the conditions in the original approval remaining in effect.

CC Memo 12-146a
November 26, 2012
Page 3 of 3

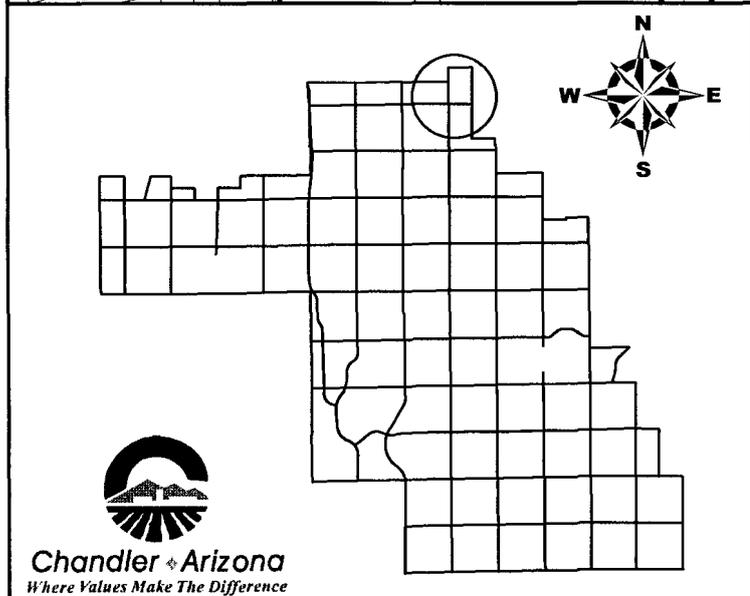
Attachments

1. Vicinity Maps
2. Site Plan
3. Ordinance No. 3775

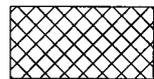


Elliot Rd.

Arizona Ave.

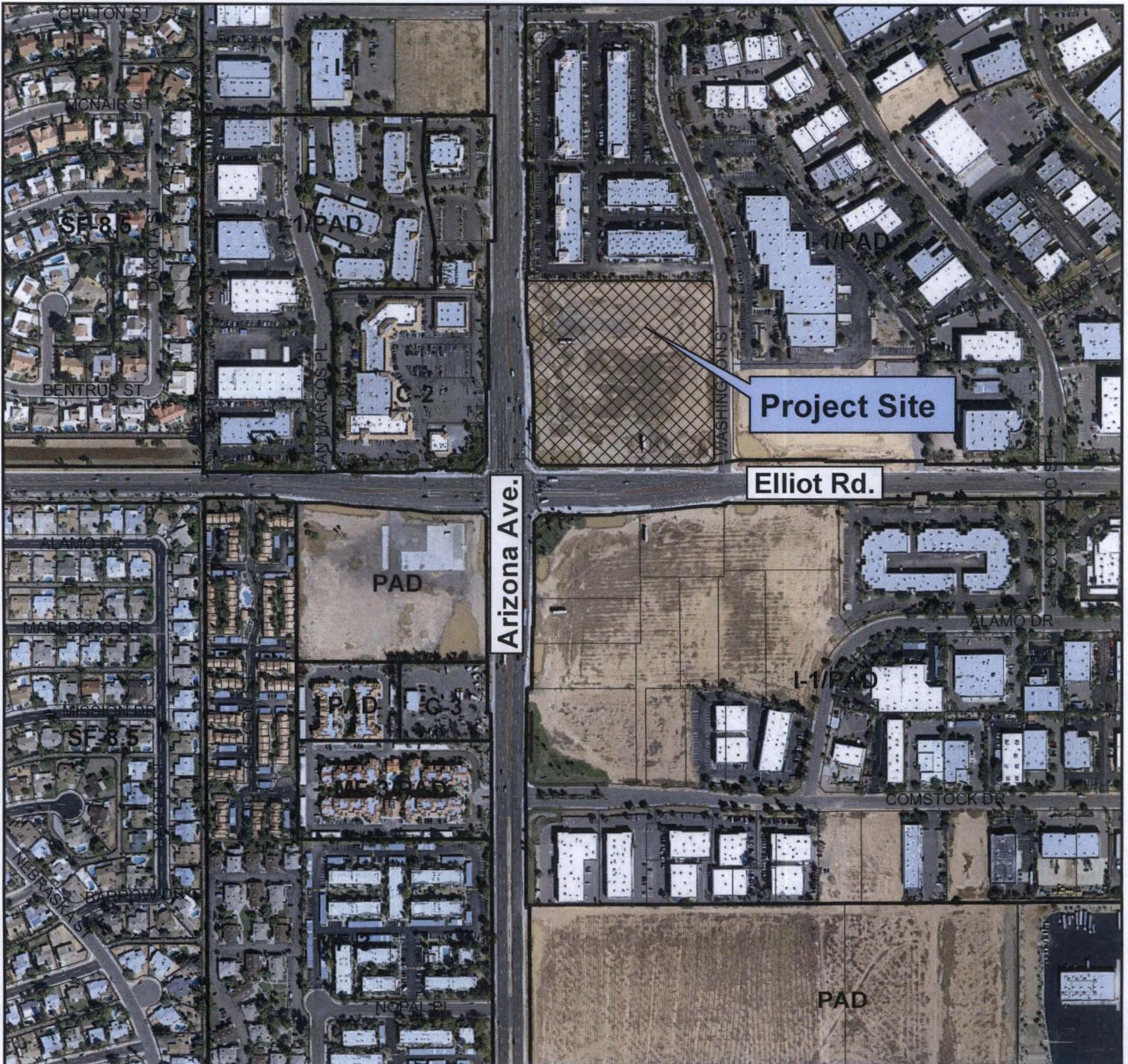


Vicinity Map



DVR12-0035

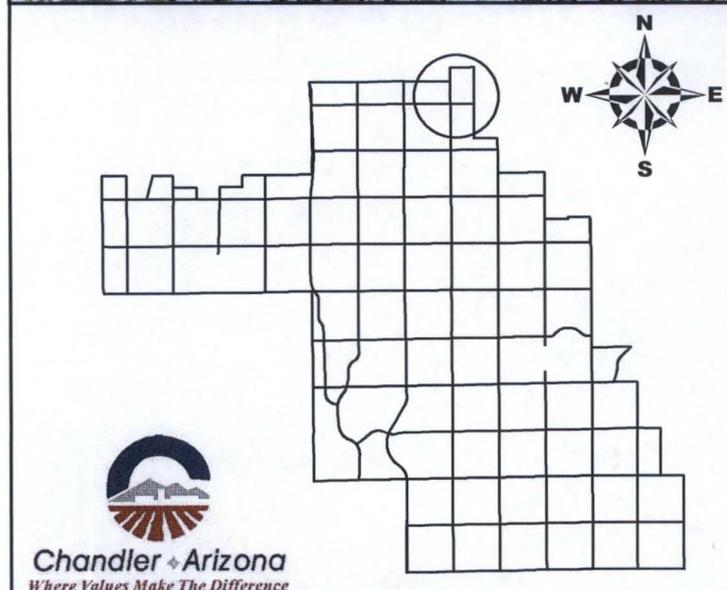
**Pollack Business Park North
Phase 2**



Project Site

Elliot Rd.

Arizona Ave.



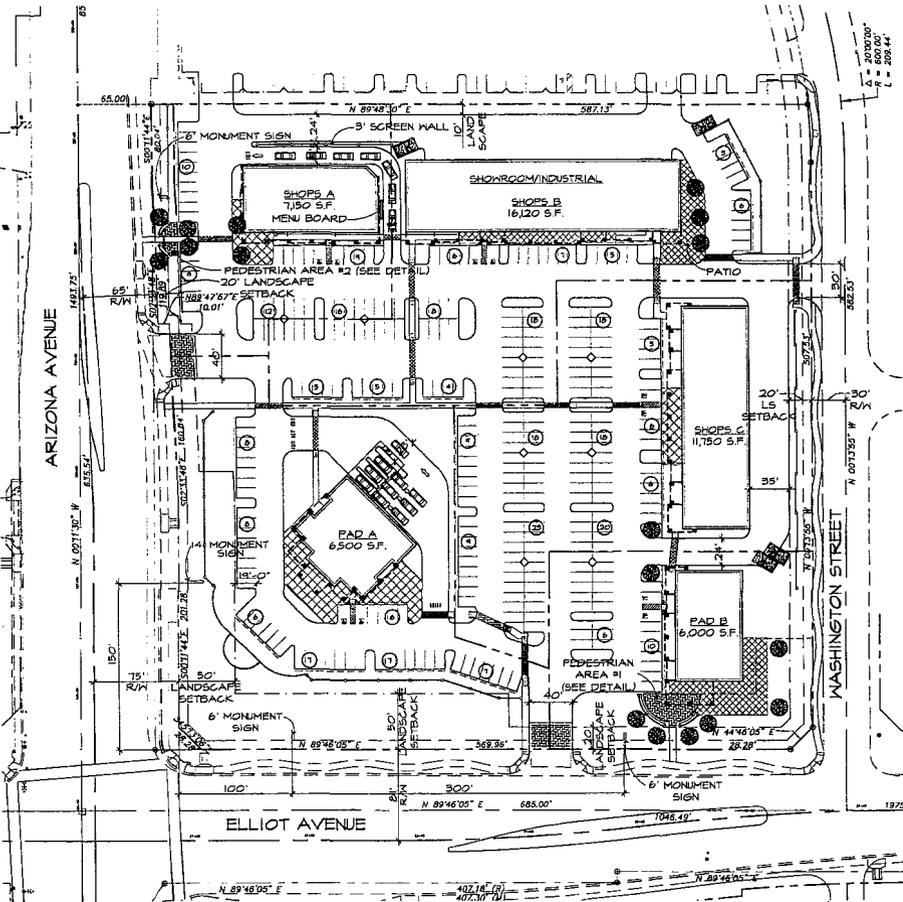
Vicinity Map



DVR12-0035

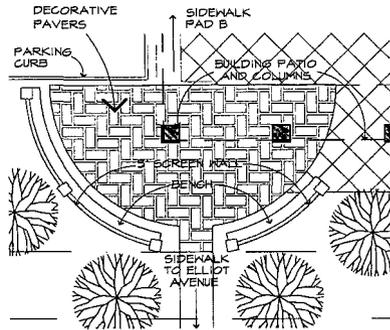
**Pollack Business Park North
Phase 2**





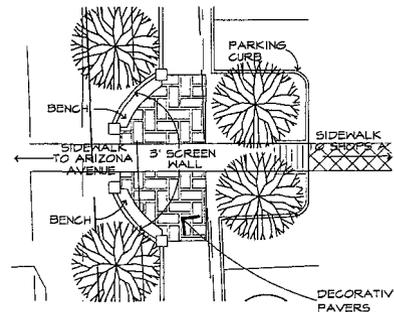
preliminary site plan

scale: 1" = 50'-0"



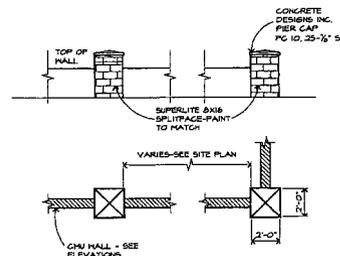
pedestrian area #1

scale: 1" = 10'-0"



pedestrian area #2

scale: 1" = 1'-0"



screen wall detail

scale: 1/4" = 1'-0"

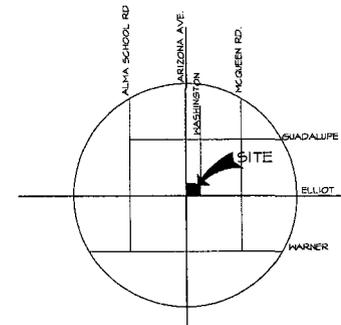
project directory

DEVELOPER:
MICHAEL A. POLLACK REAL ESTATE INVESTMENTS
1136 W. BASELINE ROAD
MESA, ARIZONA 85210
CONTACT: MICHAEL A. POLLACK
PHONE: (480) 858-0888

ARCHITECT:
ROBERT KUBICEK ARCHITECTS & ASSOCIATES
2233 EAST THOMAS ROAD
PHOENIX, ARIZONA 85016
CONTACT: DAVE GIBSON
PHONE: (602) 435-3900
FAX: (602) 455-0464
E-MAIL: dgibson@rkaa.com

site data

SITE LOCATION	NEC ELLIOT AND ARIZONA AVE CHANDLER, ARIZONA
EXISTING ZONING:	I-1 / PAD
REZONE:	PAD (RETAIL) W/C-2 TYPE COMMERCIAL USES ALLOWED.
ASSESSOR'S PARCEL NUMBER:	302-24-251
GROSS SQUARE FOOTAGE:	(44,421 S.F.) 10.13 AC
NET SQUARE FOOTAGE:	(32,254 S.F.) 7.31 AC
PROPOSED USE:	RETAIL
CONSTRUCTION TYPE:	V-B, (W / A.F.E.S.)
BUILDING:	
SHOPS A:	7,150 S.F.
SHOPS B:	16,120 S.F.
SHOPS C:	11,750 S.F.
BANK PAD A:	6,500 S.F.
PAD B:	6,000 S.F.
	47,520 S.F.
SITE COVERAGE:	14.7%
PARKING REQUIRED:	
RETAIL (41,020 @ 1/250):	165 SPACES
BANK (6,500 @ 1/150):	44 SPACES
TOTAL PARKING REQUIRED:	209 SPACES
TOTAL PARKING PROVIDED:	314 SPACES
ACCESSIBLE SPACES REQUIRED:	7 SPACES
ACCESSIBLE SPACES PROVIDED:	10 SPACES



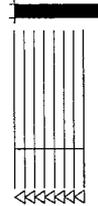
vicinity map

scale: n.l.s.

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RKAA
Architects And Associates, Inc.

01-27-08



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design RWK
drawn MRR
checked RWK
SP-1
RCAA Project #
042215

ORDINANCE NO. 3775

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM I-1/PAD TO I-1/PAD (DVR05-0056 POLLACK BUSINESS PARK NORTH-PHASE 2) LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF CHANDLER, ARIZONA.

WHEREAS, application for rezoning involving certain property within the corporate limits of Chandler, Arizona, has been filed in accordance with Article XXVI of the Chandler Zoning Code; and

WHEREAS, the application has been published in a local newspaper with general circulation in the City of Chandler, giving fifteen (15) days notice of time, place and date of public hearing; and

WHEREAS, a notice of such hearing was posted on the property at least seven (7) days prior to said public hearing; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission as required by the Zoning Code

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Chandler, Arizona, as follows:

SECTION I. Legal Description of Property:

See Attachment 'A'

Said parcel is hereby rezoned from I-1/PAD to I-1/PAD, subject to the following conditions:

1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Pollack Business Park North", kept on file in the City of Chandler Planning Services Division, in File No. DVR05-0056, except as modified by condition herein.
2. Right-of-way dedications to achieve full half-widths, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan.
3. Completion of the construction of all required off-site street improvements including but not limited to paving, landscaping, curb, gutter and sidewalks, median improvements and street lighting to achieve conformance with City codes, standard details, and design manuals.
4. Construction shall commence above foundation walls within three (3) years of the effective date of the ordinance granting this rezoning or the City shall schedule a public hearing to take administrative action to extend, remove or determine compliance with the schedule for development or take legislative action to cause the property to revert to its former zoning classification.
5. Undergrounding of all overhead electric (less than 69kv), communication, and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or

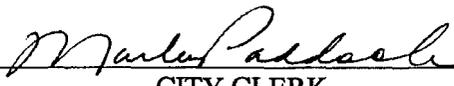
- easements. Any 69kv or larger electric lines that must stay overhead shall be located in accordance with the City's adopted design and engineering standards. The aboveground utility poles, boxes, cabinets, or similar appurtenances shall be located outside of the ultimate right-of-way and within a specific utility easement.
6. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual # 4).
 7. The developer shall be required to install landscaping in the arterial street median(s) adjoining this project. In the event that the landscaping already exists within such median(s), the developer shall be required to upgrade such landscaping to meet current City standards.
 8. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
 9. The monument signs shall have a landscaped planter at the column bases.
 10. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
 11. The maximum sign height on buildings shall be 24" for 1 line of copy and 36" for 2 lines of copy.
 12. All sign logos shall be limited to 10% of the sign area.
 13. Landscaping shall be in compliance with current Commercial Design Standards.
 14. Turf shall be limited to a maximum 10% of the landscapable area.
 15. Decorative paving shall be provided at all driveway entrances.
 16. All raceway signage shall be prohibited within the development.

SECTION II. Except where provided, nothing contained herein shall be construed to be and abridgment of any other ordinance of the City of Chandler.

SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 6th day of March 2006.

ATTEST:


CITY CLERK


MAYOR



PASSED AND ADOPTED by the City Council on the 23rd day of March 2006.

ATTEST:


CITY CLERK

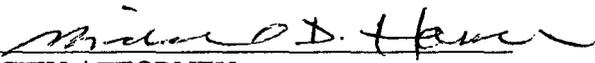

MAYOR



I HEREBY CERTIFY that the above and foregoing Ordinance No. 3775 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 23rd day of March 2006, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Published on April 5 & 12, 2006

Superior Surveying Services, Inc.

Professional Land Surveying \square Arizona \square California \square Nevada

21415 North 23rd Avenue \square Phoenix, Arizona 85027
Phone: (623)869-0223 \square Fax: (623)869-0726
info@ssincsz.com

Randy S. Delbridge, President
A. J. Wadsworth, Project Manager
David S. Klein, Project Manager

Job Number: 250649

February 18, 2006
Page 1 of 2

DESCRIPTION OF REMAINDER OF LOT 1B, ARIZONA CORPORATE
PARK LOTS 1A AND 1B AFTER RIGHT OF WAY ACQUISITION AT
THE SOUTHEAST CORNER OF ELLIOT ROAD AND ARIZONA
AVENUE, CHANDLER, ARIZONA

A portion Lot 1B, ARIZONA CORPORATE PARK LOTS 1A AND 1B, recorded as Book 297 of Maps, Page 44, Records of Maricopa County, Arizona lying within the Northwest quarter of Section 15, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 15;
THENCE North 89 degrees 46 minutes 05 seconds East 1046.49 feet along the North line of said Northwest quarter to the Northerly extension of the Easterly line of said Lot 1B;
THENCE South 00 degrees 13 minutes 56 seconds East 65.00 feet along said Easterly line and its Northerly extension to the POINT OF BEGINNING;
THENCE continuing South 00 degrees 13 minutes 56 seconds East 352.87 feet;
THENCE South 36 degrees 31 minutes 21 seconds East 64.48 feet to the Northwesterly right of way line of Alamo Drive and the beginning of a non-tangent curve to the left the center of which bears South 36 degrees 25 minutes 20 seconds East 280.00 feet;
THENCE Southwesterly along said Northwesterly right of way line and the arc of said curve through a central angle of 43 degrees 50 minutes 49 seconds, an arc length of 112.69 feet;
THENCE South 09 degrees 42 minutes 45 seconds West 94.59 feet along said Northwesterly right of way line;
THENCE North 70 degrees 59 minutes 21 seconds West 286.91 feet;
THENCE South 89 degrees 41 minutes 35 seconds West 249.98 feet;
THENCE South 00 degrees 18 minutes 25 seconds East 305.56 feet to the Northerly right of way line of Comstock Drive;
THENCE North 86 degrees 52 minutes 24 seconds West 30.06 feet along said Northerly right of way line;
THENCE North 00 degrees 18 minutes 25 seconds West 303.76 feet;
THENCE South 89 degrees 41 minutes 35 seconds West 330.46 feet;
THENCE North 00 degrees 50 minutes 53 seconds East 194.81 feet;
THENCE North 89 degrees 46 minutes 05 seconds East 4.00 feet;
THENCE North 00 degrees 50 minutes 53 seconds East 140.37 feet to the East line of the West 86.50 feet of said Northwest quarter;
THENCE North 00 degrees 17 minutes 50 seconds West 189.67 feet along said East line;
THENCE North 44 degrees 44 minutes 07 seconds East 28.27 feet to the South line of the North 102.00 feet of said Northwest quarter;



Superior Surveying Services, Inc.

Professional Land Surveying ♦ Arizona ♦ California ♦ Nevada

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info@ssincaz.com

Randy S. Delbridge, President
A. J. Wadsworth, Project Manager
David S. Klein, Project Manager

Job Number: 250649

February 18, 2006
Page 2 of 2

DESCRIPTION OF REMAINDER OF LOT 1B, ARIZONA CORPORATE
PARK LOTS 1A AND 1B AFTER RIGHT OF WAY ACQUISITION AT
THE SOUTHEAST CORNER OF ELLIOT ROAD AND ARIZONA
AVENUE, CHANDLER, ARIZONA

THENCE North 89 degrees 46 minutes 05 seconds East 180.36 feet along said South line to the beginning of a tangent curve to the left with a radius of 1930.00 feet;
THENCE Easterly along the arc of said curve through a central angle of 01 degrees 28 minutes 26 seconds, an arc length of 49.65 feet;
THENCE North 00 degrees 17 minutes 50 seconds West 4.00 feet to the beginning of a non-tangent curve to the left the center of which bears North 01 degree 42 minutes 42 seconds East 1926.00 feet;
THENCE Easterly along the arc of said curve through a central angle of 05 degrees 26 minutes 24 seconds, an arc length of 182.87 feet to the beginning of a reverse curve to the right with a radius of 1784.00 feet;
THENCE Easterly along the arc of said curve through a central angle of 05 degrees 21 minutes 12 seconds, an arc length of 166.69 feet;
THENCE North 00 degrees 17 minutes 50 seconds West 6.00 feet to the beginning of a non-tangent curve to the right the center of which bears South 01 degree 47 minutes 25 seconds East 1790.00 feet;
THENCE Easterly along the arc of said curve through a central angle of 01 degrees 33 minutes 30 seconds, an arc length of 48.68 feet to the South line of the North 65.00 feet of said Northwest quarter;
THENCE North 89 degrees 46 minutes 05 seconds East 312.73 feet along said South line to the POINT OF BEGINNING.

COMPRISING 12.885 acres or 561,286 square feet more or less, subject to all easements of record.

