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MAR 05 2007



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM**

**Planning and Development – CC Memo No. 07-047**

**DATE:** FEBRUARY 22, 2007

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER  
DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR  
JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR  
BOB WEWORSKI, PRINCIPAL PLANNER

**FROM:** BILL DERMODY, CITY PLANNER

**SUBJECT:** PDP06-0055 PURRFECT AUTO

**Request:** Preliminary Development Plan (PDP) approval for an auto service and retail building

**Location:** 125 E. Ray Road  
East of the southeast corner of Ray Road and Arizona Avenue

**Applicant:** Looker & Cappello Architects

**Owner:** AMG Development of Arizona

**Project Info:** 0.98 acre site, 3,300 square feet of auto service and 3,280 square feet of inline retail shops

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan and the approved PAD zoning, Planning Commission and Staff recommend approval of the Preliminary Development Plan subject to conditions.

**BACKGROUND**

The request is for Preliminary Development Plan (PDP) approval to construct an auto service and retail building within the Dene Retail Center located east of the southeast corner of Ray Road and Arizona Avenue. The Dene Retail Center, previously known as the Evergreen Retail Center, received conceptual Planned Area Development (PAD) zoning approval for commercial

uses in 1998 as part of a larger multi-use project. At the time of the 1998 rezoning, the subject site was conceptually shown as a fast-food restaurant, but all parts of the center were stipulated to require separate PDP approval. The eastern two-thirds of the Dene Retail Center received PDP approval in 2001 and has been developed as inline retail shops. In 2004, the subject site, which occupies approximately the western third of the center, received PDP approval for a 2,812 square foot fast-food restaurant with a drive-through similar to the conceptual layout in the 1998 rezoning. The property is bordered on the west by a Walgreen's, on the east by the rest of the Dene Retail Center, and on the south by an existing apartment complex.

The proposed building has an auto service facility in the rear and approximately three inline retail shops facing Ray Road. The auto service facility has eight work bays and four overhead doors oriented east-west, with associated accessory office space on the north side, adjacent to the retail shops. The overhead doors are screened from Ray Road by a combination of a stepped masonry wall and trees along the western property line.

The building's architecture matches the rest of the center and the adjacent Walgreen's. The brick columns and arches, concrete S-tile roof, cornice details, parapet extensions, and color scheme are replicated. Additionally, the covered colonnade is extended from the existing center around the proposed building and extended along the western side to the auto service office area.

The site design, landscaping, and building architecture are in accordance with the properties' conceptual PAD. The development quality equals that of the other existing developments in the center. The request conforms to the Commercial Design Standards.

The project provides adequate parking with 48 spaces compared to the code requirement of 46 spaces. The rest of the center provides its own sufficient parking and does not rely on cross-parking easements with this property.

The request proposes wall signage to match that of the existing center, including individual pan-channel letters with internal illumination. In keeping with established sign regulations in the center, the wall signs are limited to 36 inches in height for one line of copy and 44 inches for two lines of copy with logos no larger than 25% of the sign copy. No new monument signage is proposed.

### **DISCUSSION**

The opinion of Planning Commission and Staff is that the request is an appropriate use of the final vacant parcel at this commercial location. The proposed retail shops are well integrated with the existing retail and the auto service area is naturally screened by its placement at the rear of the parcel and in between existing commercial buildings. The proposal does not significantly detract from the visibility of adjacent retail—not only does existing landscaping partially obscure the eastern portion of the center from view to the west already, but the proposal utilizes nearly the same footprint on its north end as the previously approved fast-food restaurant. Planning Commission and Staff find that the proposed development fits relatively seamlessly into its environment at this location.

**PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on February 7, 2007 at the Downtown Community Center. One citizen, who owns the eastern third of the Dene Retail Center, attended to express displeasure with the site layout. The citizen would like the building to be inline with the existing retail shops to the east (no closer to Ray Road) so that it looks more like one, unified center and so that views to his portion of the center from the west along Ray Road are not blocked by this building.
- At the time of this writing, Staff has received direct communication from two citizens in opposition to the request. One citizen, a neighboring property owner, repeated the concerns he raised at the neighborhood meeting. The other neighbor is a prospective tenant of the neighboring retail shops who raised similar concerns regarding visibility to their suite from the west—a letter from this neighbor is attached.

**COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 6    Opposed: 0    Absent: 1 (Cason)

Recommended Conditions Nos. 8 through 10 were added in response to Planning Commission concerns regarding operation of the auto business. Condition No. 11 was added to provide more security and screening to the area near the bay doors. A neighboring property owner to the east testified in opposition to the approval because of the decreased visibility to his property from Ray Road that would occur with the development.

**RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and PAD zoning, recommend approval of PDP06-0055 PURRFECT AUTO subject to the following conditions:

1. Compliance with original stipulations adopted by the City Council as Ordinance No. 2825, in case PL97-0177 EVERGREEN RETAIL CENTER.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Purrfect Auto", kept on file in the City of Chandler Planning Services Division, in File No. PDP06-0055, except as modified by condition herein.
3. The landscaping in all open spaces and rights-of-way shall be maintained by the adjacent property owner or property owners association.
4. The landscaping shall be maintained at a level consistent with or better than at the time of planting. The site shall be maintained in a clean and orderly manner.
5. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls and the Director of Public Works for arterial street median landscaping.

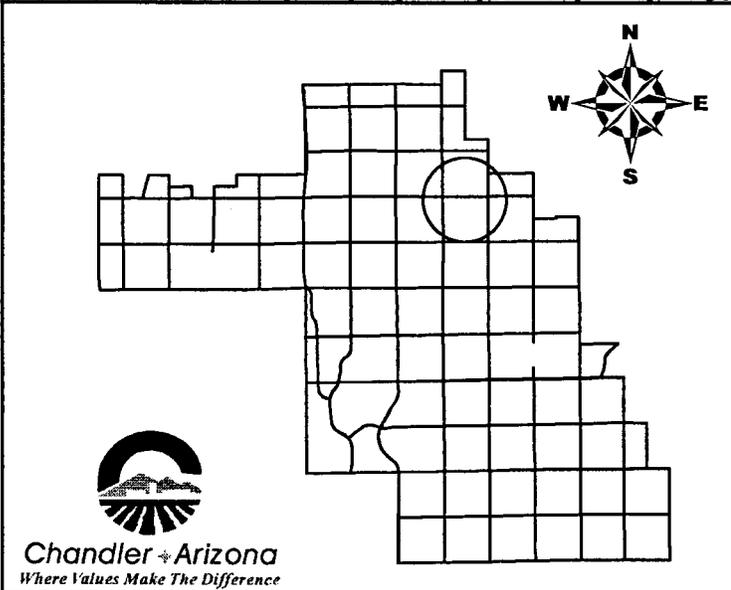
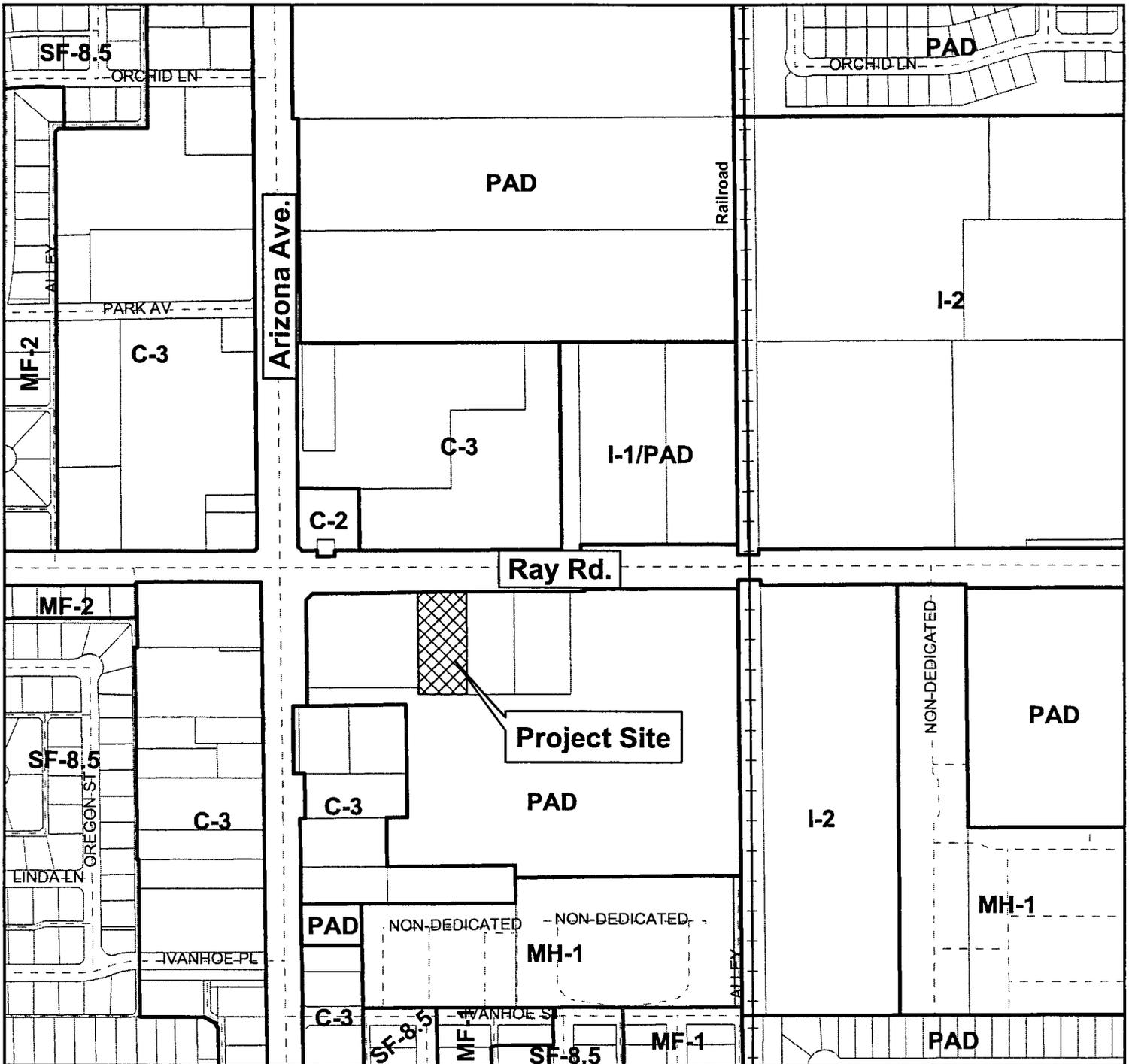
6. Sign packages, including free-standing signs as well as wall-mounted signs, shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
7. All raceway signage shall be prohibited within the development.
8. All automobile services and associated equipment storage shall be conducted only inside the building.
9. In accordance with City Code, no vehicle shall be stored outdoors for more than one week.
10. There shall be no loudspeakers.
11. The screen wall along the western property line shall be 5 feet in height near the auto service bay doors and step down toward Ray Road.

**PROPOSED MOTION**

Move to approve Preliminary Development Plan in case PDP06-0055 PURRFECT AUTO subject to the conditions recommended by Planning Commission and Staff.

**Attachments:**

1. Vicinity Map
2. Development Booklet, Exhibit A
3. Site Plan
4. Landscape Plan
5. Building Elevations
6. Perspective View
7. Previously Approved Site Plan (Fast-Food Restaurant)
8. Ordinance No. 2825
9. Letter from Neighbor

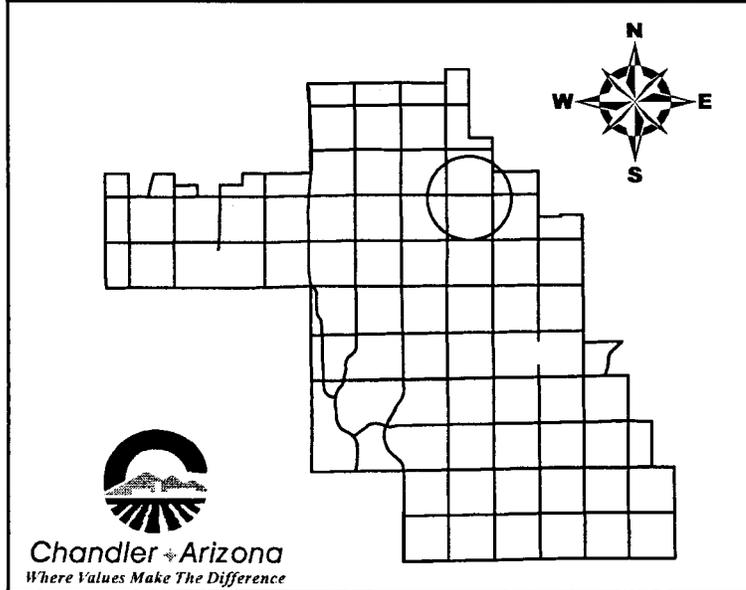


**Vicinity Map**

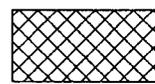
**PDP06-0055**

**Purrfect Auto**

CITY OF CHANDLER 11/21/2006



**Vicinity Map**

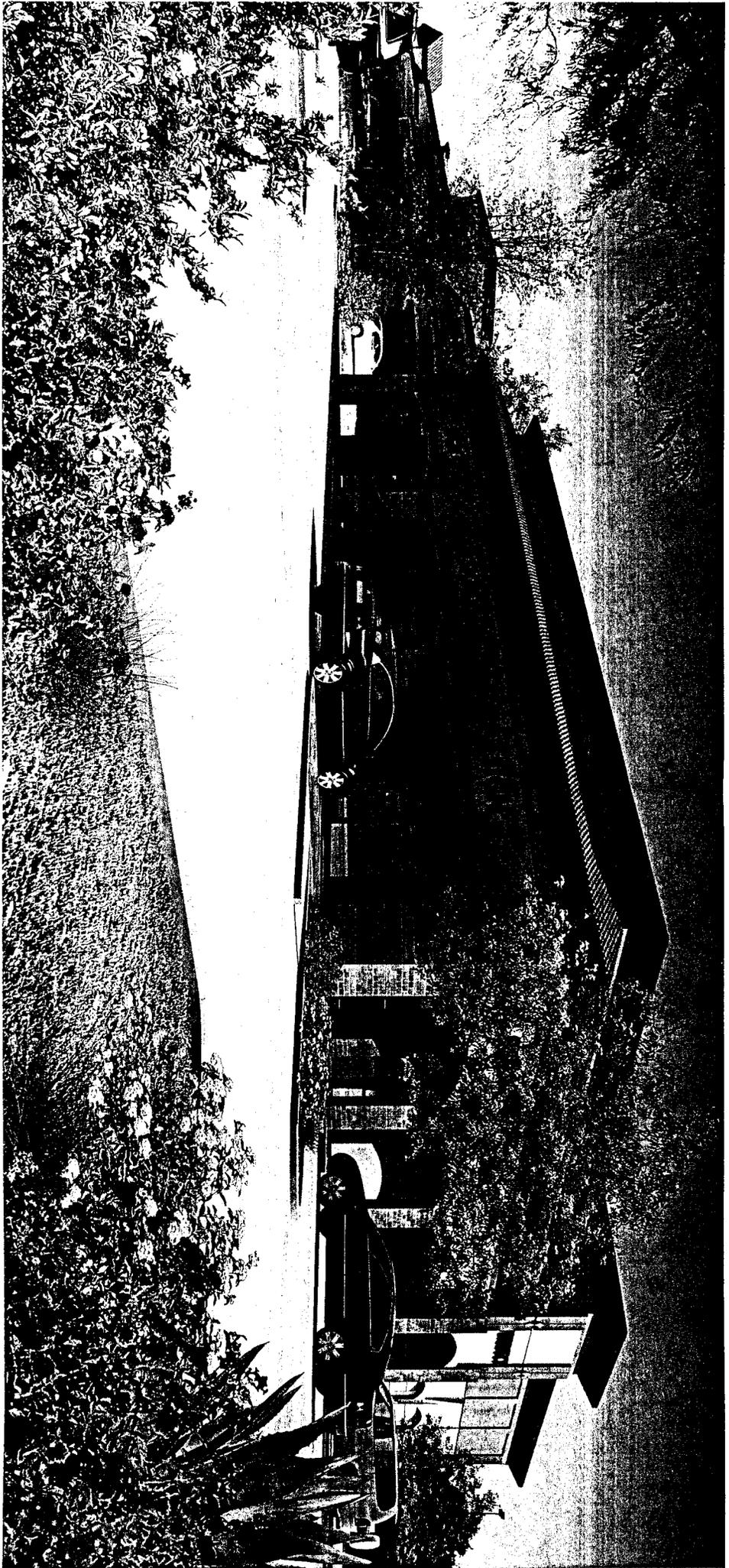


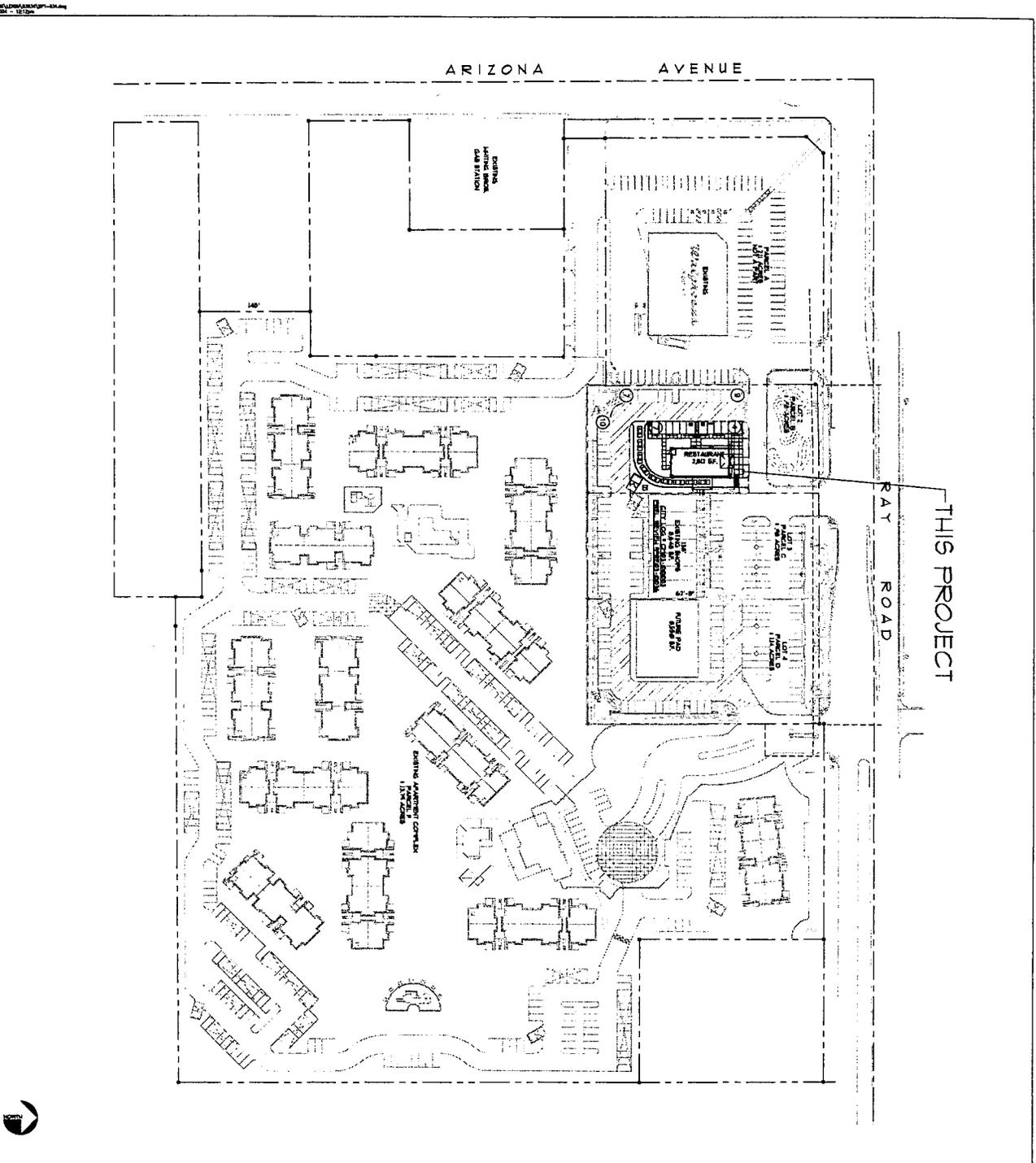
**PDP06-0055**

**Purfect Auto**









**17** OVERALL SITE PLAN

**1** VICINITY MAP

**2 LEGAL DESCRIPTION**

**3 PROJECT DATA**

**CODE DATA**

**FIRE PROTECTION**

**FIRE ALARM**

**CONCRETE**

**COMMISSIONER'S COMMENTS**

**REVISIONS**

**SP-1**

**2 OF 14**

**SITE DATA**

PROJECT: 285 SR RESTAURANT BUILDING ON PORTING AND

PARCELS: 31 PARCELS INCLUDING 3 ACCESSIBLE SPACES

**CODE INFO**

ALL REQUIREMENTS SET BY LOCAL ORDINANCES SHALL BE MET

**CONCRETE**

CONCRETE SHALL BE 4000 PSI

**COMMISSIONER'S COMMENTS**

REVISIONS

**LEGAL DESCRIPTION**

LOCATION OF PROJECT

**PROJECT DATA**

**CODE DATA**

**FIRE PROTECTION**

**FIRE ALARM**

**CONCRETE**

**COMMISSIONER'S COMMENTS**

**REVISIONS**

**SP-1**

**2 OF 14**

**LEXON**  
DEVELOPER SERVICES  
LLC

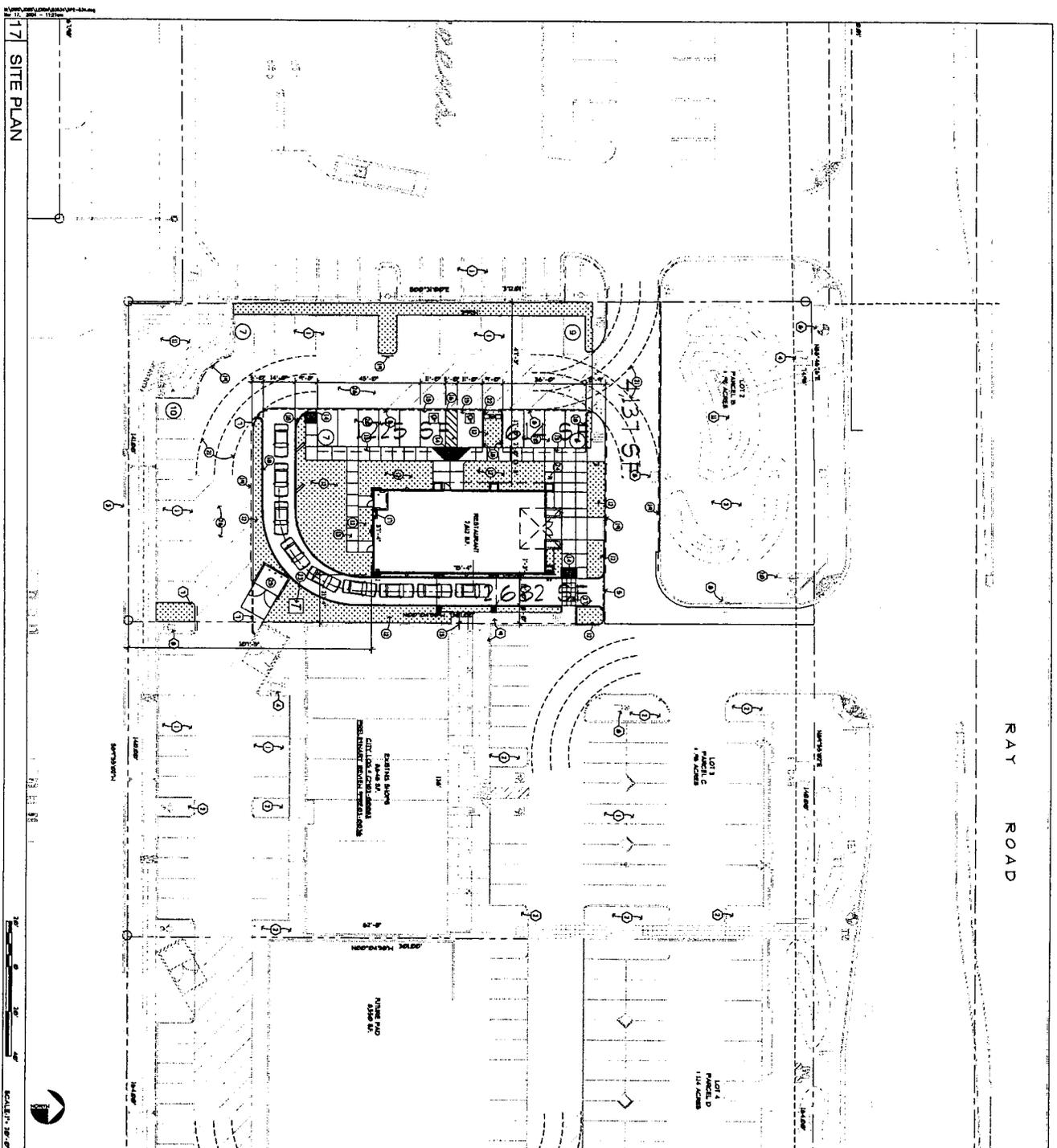
8520 N. 12<sup>th</sup> Street, # 202  
Phoenix, AZ 85014

**RESTAURANT BUILDING  
FOR LEXON DEVELOPMENT**

ARIZONA AVE. & RAY ROAD  
CHANDLER, ARIZONA

**K&I**

1850 N. CENTRAL AVE. SUITE 200  
PHOENIX, ARIZONA 85004  
PH: 602-252-3202  
FAX: 602-252-3203



RAY ROAD

17 SITE PLAN

- ① EXISTING PAVED LOT
- ② EXISTING LANDSCAPE AREA, SEE LANDSCAPE DRAWINGS
- ③ EXISTING 6" X 12" CURB WALL
- ④ EXISTING ELECTRICAL TRANSFORMERS
- ⑤ EXISTING CURB TO BE IMPROVED
- ⑥ EXISTING FIRE HYDRANT
- ⑦ EXISTING FIRE LANE MARK
- ⑧ EXISTING PAVEMENT/POLE LIGHT
- ⑨ EXISTING MANHOLE
- ⑩ EXISTING FUTURE USE
- ⑪ EXISTING RETENTION AREA, SEE CIVIL DRAWINGS
- ⑫ NEW LANDSCAPE AREA
- ⑬ CONCRETE PAVEMENT, SEE CIVIL DRAWINGS
- ⑭ ACCENTUAL PARKING STALL
- ⑮ STRIPED ACCESSIBLE PARKING
- ⑯ SEE PLANTED TO MATCH EXISTING
- ⑰ NEW CONCRETE CURB, SEE CIVIL DRAWINGS
- ⑱ EXISTING CONC. AND PAVED DRIVE / FIRE LANE
- ⑲ NEW ASPHALT PAVING, 1" THICK, SEE CIVIL DRAWINGS AND SOIL REPORT
- ⑳ PREPARED VEHICLE TRAVEL SHOULD BE MADE BY OTHERS
- ㉑ PAVED LOT POLE LIGHTING, TO MATCH EXISTING
- ㉒ EXISTING AND PROPOSED LOCATION PLANT TO MATCH EXISTING, VARIETY PROPORTIONED TO MATCH EXISTING AND MATCH THE SITE PLANT COMPOSITION
- ㉓ NEW IRON PIPE, SEE CIVIL DRAWINGS
- ㉔ BOUND ACCESSIBLE DRIVE
- ㉕ INTERNALLY COLORED STRIPED CONCRETE ACCESSIBLE DRIVE TO MATCH EXISTING PAVEMENT

**2 KEY NOTES**

- ① EXISTING EXISTING PAVEMENT
- ② EXISTING NEW ASPHALT

**1 LEGEND**

- EXISTING LANDSCAPE AT BUILDING
- EXISTING ACCESS DRIVE/PAVED DRIVE

<p><b>REVISIONS</b></p> <table border="1"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DESCRIPTION	DATE							<p><b>LEXON</b> DEVELOPER SERVICES LLC</p> <p>6820 N. 17<sup>th</sup> Street # 800 Phoenix, AZ 85014</p>	<p><b>RESTAURANT BUILDING FOR LEXON DEVELOPMENT</b></p> <p>ARIZONA AVE. &amp; RAY ROAD CHANDLER, ARIZONA</p>	<p><b>K&amp;S</b> ARCHITECTS</p> <p>1850 N. CENTRAL AVE. SUITE 200 PHOENIX, AZ 85004</p> <p>PH: 602-252-3202 FAX: 602-252-3203</p>	<p><b>OWNER'S CHECKLISTS</b></p> <p>SHALL BE COMPLETED BY THE DEVELOPER AND SUBMITTED TO THE ARCHITECT FOR REVIEW AND APPROVAL. THE ARCHITECT SHALL REVIEW THE CHECKLISTS AND SIGNIFY APPROVAL OR DISAPPROVAL. THE ARCHITECT SHALL SIGNIFY APPROVAL OR DISAPPROVAL TO THE DEVELOPER. THE ARCHITECT SHALL SIGNIFY APPROVAL OR DISAPPROVAL TO THE DEVELOPER. THE ARCHITECT SHALL SIGNIFY APPROVAL OR DISAPPROVAL TO THE DEVELOPER.</p>
NO.	DESCRIPTION	DATE											

SP-2  
3 OF 14

ORDINANCE NO. 2825

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM C-3 AND SF-8.5 TO PAD (PL97-177 EVERGREEN RETAIL CENTER) 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 properties 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 1. Legal Description of Property:

Those portions of the Northwest quarter of the Northwest quarter of Section 27, T1S, R5E, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described in zoning case file PL97-177.

Said parcel is hereby rezoned from C-3 and SF-8.5 to PAD subject to the following conditions:

1. Dedicate additional right-of-way along Ray Road bringing the maximum width to 65'. Where a deceleration lane is required, the dedication shall be 71'.
2. Dedicate additional right-of-way along Arizona Avenue at the intersection with Ray Road bringing the maximum width to 75' for the future installation of a right turn lane.

3. Dedicate an 8 foot wide public utility easement along the Arizona Avenue and Ray Road frontages.
4. Completion of the construction, where applicable 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.
5. Undergrounding, if applicable, of all overhead electric (under 69KV), communications and television lines and any open irrigation ditches or canals located on the site or within adjacent right-of-ways and/or easements in accordance with City adopted design and engineering standards.
6. Submission to and approval by the City of Chandler of a Preliminary and Final Plat before a building permit is issued for the Walgreen's store.
7. Construction shall commence above foundation on the Walgreen's store within two (2) 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.
8. Development shall be in substantial conformance with Exhibit A - Conceptual Plan, Exhibit B - Site Plan Walgreen's, Exhibit C - Landscape Plan Walgreen's, and Exhibit D - Elevations Walgreen's, except as modified by further condition herein.
9. Preliminary Development Plans containing high turn-over uses (drive-thru services) along the Ray Road frontage shall be accompanied by a traffic study, acceptable to the City Engineer. The inclusion of high turn-over uses within this portion of the commercial development is not to be assumed as permitted via the granting of PAD Conceptual zoning approval. Such uses shall be permitted if, and only if, evidence satisfactory to the City Traffic Engineer has been provided through the Preliminary Development Plan review process that all potential traffic conflicts have been identified and satisfactorily resolved through the design of the development.
10. A high turn-over use (e.g. convenience store) may be permitted south of the proposed Walgreen's store and east of the gas station site if it is part of a well integrated masterplan of development which functionally and aesthetically incorporates both sites. The successful integration of the two sites will require the removal of the slump block wall between the two properties.
11. The exhibits and representations submitted herein are found to be in compliance with the requirements for Preliminary Development Plan approval for phase one of the Commercial

parcel. However, this does not constitute approval of the PAD Final Development Plan (Site Development Plan) by the Zoning Administrator. The exhibits and representations for the balance of the Commercial parcel and the Multifamily parcel are found to warrant a Conceptual PAD designation only. Density for the conceptual designation on the Multifamily parcel is 5.0 du/ac. Density above the conceptual designation will be granted upon quality demonstrated at the time of Preliminary Development Plan.

12. Preliminary Development Plans submitted for future commercial and multi-family development shall address the issues previously identified and reiterated below.

South Commercial Area:

- Circulation between the Whiting Brothers Station and surrounding users.
- Restricted visual access to the property to the east of the Whiting Brothers Station created by the existing slump block wall along the common property line.
- Streetscape appearance along Arizona Avenue.
- Architectural and aesthetic integration between existing and future users.
- Orientation and screening of future overhead bay doors associated with proposed automotive service users.

East Commercial Area:

- Traffic circulation conflicts created by proposed high turnover uses featuring drive-thru services.
- Potential “parking lot” diagnostics and parts installation practices often fostered by automotive parts store if they are not well managed.
- Architectural and site design integration of future users with the Walgreen’s store.
- Architectural and landscape design setting along Ray Road.

Multifamily Area:

- Access to Arizona Avenue.
- Day Care proximity to the high voltage electric transmission lines.
- Project density.
- Future use and design of the eastern 200 feet of the site adjacent to the railroad tracks and SRP transmission lines.

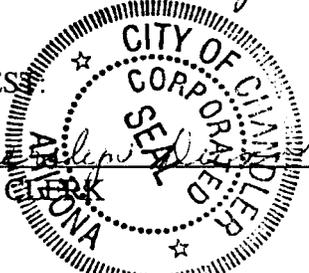
13. Due to the impact of the development, a Development Agreement in the form approved by the City as required to provide pertaining to the payment of Development Fees.
14. Founders brick shall be utilized in the exterior construction of the Walgreen’s store in the same manner and to the same extent as that within the Walgreen’s store located on Warner Road east of McClintock Road.

15. Future Preliminary Development Plans for other phases of construction, within the commercial portion of the Conceptual Plan, shall also feature a similar use of the same founders brick in their design.

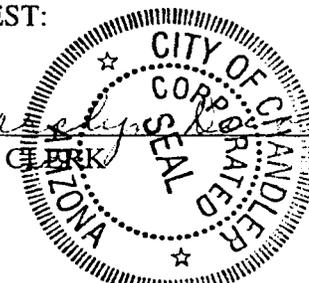
SECTION 2. Except where provided, nothing contained herein shall be construed to be an abridgment of any other ordinance of the City of Chandler.

SECTION 3. The Planning and 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 14 day of May, 1998.

ATTEST:  Carolyn Deussen  
CITY CLERK  
Jay Johnson  
MAYOR

PASSED AND ADOPTED by the City Council this 28 day of May, 1998.

ATTEST:  Carolyn Deussen  
CITY CLERK  
Jay Johnson  
MAYOR  
CERTIFICATION

I HEREBY CERTIFY that the above and foregoing Ordinance No. 2825 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 28 day of May, 1998, and that a quorum was present thereat.

Carolyn Deussen  
CITY CLERK

APPROVED AS TO FORM:

*Dennis M. O'Neill*  
CITY ATTORNEY

PUBLISHED: June 3<sup>rd</sup> 10, 1998

**H&R BLOCK®**

tax, mortgage and financial services

February 16, 2007

**Planning and Zoning Commission Meeting**

Date: Wednesday – February 21, 2007

Time: 5:30 PM

Place: City Council Chambers

Chandler Public Library, 2<sup>nd</sup> Floor

22 S. Delaware Street

Chandler, AZ 85225

RE: H&R Block

135 East Ray Road

Chandler, AZ 85225

To Planning and Zoning Commissioners:

H&R Block Enterprises Inc. has been a tenant at the above referenced address since October of 2004. Final decision to enter the Lease agreement at that time was based on a long list of due diligence to ensure this office was in the best location in the market place to serve our clients.

Of the many characteristics reviewed to determine where an H&R Block office will go, visibility is by far the premier factor and influence of our success. Our business is heavy retail and without visibility, we lose our ability to attract new clients as well as keeping a competitive edge to our local and national competitors.

It is H&R Block's opinion that "Purrfect Auto" who is in the Request Preliminary Development Plan (PDP) stage for approval of a new retail and auto service building at the southeast corner of Ray Road and Arizona Avenue will significantly affect our visibility. In turn this new development will be a negative influence on retention of clients and limit the future growth of this office.

H&R Block Enterprises Inc. respectfully requests that the Planning and Zoning commission deny this approval as we have been and will continue to be an upstanding tenant for the community and a long term partner for the Landlord.

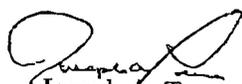
Thank you for your time and attention to this matter.



**H&R BLOCK®**

tax, mortgage and financial services

COLLIERS TURLEY MARTIN TUCKER  
Agent for H&R Block Eastern Enterprises, Inc.  
By: Barry Edwards

  
Joseph A. Tocco  
Manager