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JUN 28 2007



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 07-138a

DATE: JUNE 7, 2007

TO: MAYOR AND CITY COUNCIL

THRU: W. MARK PENTZ, CITY MANAGER 
DOUG BALLARD, PLANNING AND DEVELOPMENT DIRECTOR 
JEFF KURTZ, ASSISTANT PLANNING AND DEVELOPMENT DIRECTOR 
BOB WEWORSKI, PLANNING MANAGER 

FROM: BILL DERMODY, CITY PLANNER 

SUBJECT: DVR06-0048 POLLACK DOBSON PLAZA
Introduction of Ordinance No. 3940

Request: Rezoning from Planned Area Development (PAD) zoning to PAD Amended in order to allow a car rental use

Location: Northwest corner of Elliot and Dobson Roads

Applicant: Advantage Rent A Car, Gerry Karcher

Owner: Pollack Investments

RECOMMENDATION

The request is for rezoning from Planned Area Development (PAD) zoning to PAD Amended in order to allow a car rental use. Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

The subject site is an existing retail center at the northwest corner of Elliot and Dobson Roads that was zoned PAD for Community Commercial (C-2) uses in 1983. The site contains typical retail uses and a Batteries Plus in the corner pad that received rezoning approval in 1996. A car rental use is not allowed in C-2 districts and thus requires rezoning.

West of the retail center is a mini-storage facility. North and farther west is a single family neighborhood. The intersection's southwest and southeast corners are occupied by retail uses.

The intersection's northeast corner is zoned C-2 and contains a former fuel station surrounded by a 9-acre vacant parcel.

Advantage Rent a Car currently inhabits a 2,475 square foot suite within a pad on the northern end of the center. The business conducts employee training in the suite, a use allowed under current zoning. The car rental portion of the business will be open Monday – Friday from 7:00 a.m. to 6:00 p.m. and Saturday from 8:00 a.m. to 2:00 p.m. No vehicle repair or sales will be conducted as part of the business. The rental use will involve no more than 10 vehicles parked on-site at any given time.

The center provides sufficient parking, even after the car rental use and previously approved Batteries Plus use are incorporated into the calculations. The center requires 205 spaces and provides 249 spaces (259 striped spaces minus 10 spaces for rental cars).

DISCUSSION

The retail center is an appropriate location for a rental car use and the center can easily accommodate any extra traffic generated by the subject business. The center has direct access to arterial streets and does not impose negative effects on surrounding residences, nor does the use negatively affect the retail neighbors in a center with excess parking.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Wednesday April 25, 2007 at the San Marcos Hotel. No citizens attended.
- Staff received three phone calls and a hand-written note in opposition to the project. All correspondence cited traffic as the main concern. At least two of the neighbors seemed to be under the mistaken impression that the use is proposed for the northeast corner, across Dobson Road, where the orange public hearing sign was initially (and erroneously) posted.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

In Favor: 5 Opposed: 0 Absent: 2 (Anderson & Irby)

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of DVR06-0048 POLLACK DOBSON PLAZA subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits and representations.
2. No more than 10 rental vehicles may be parked on-site at any time.
3. 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.

CC MEMO 07-138a

June 7, 2007

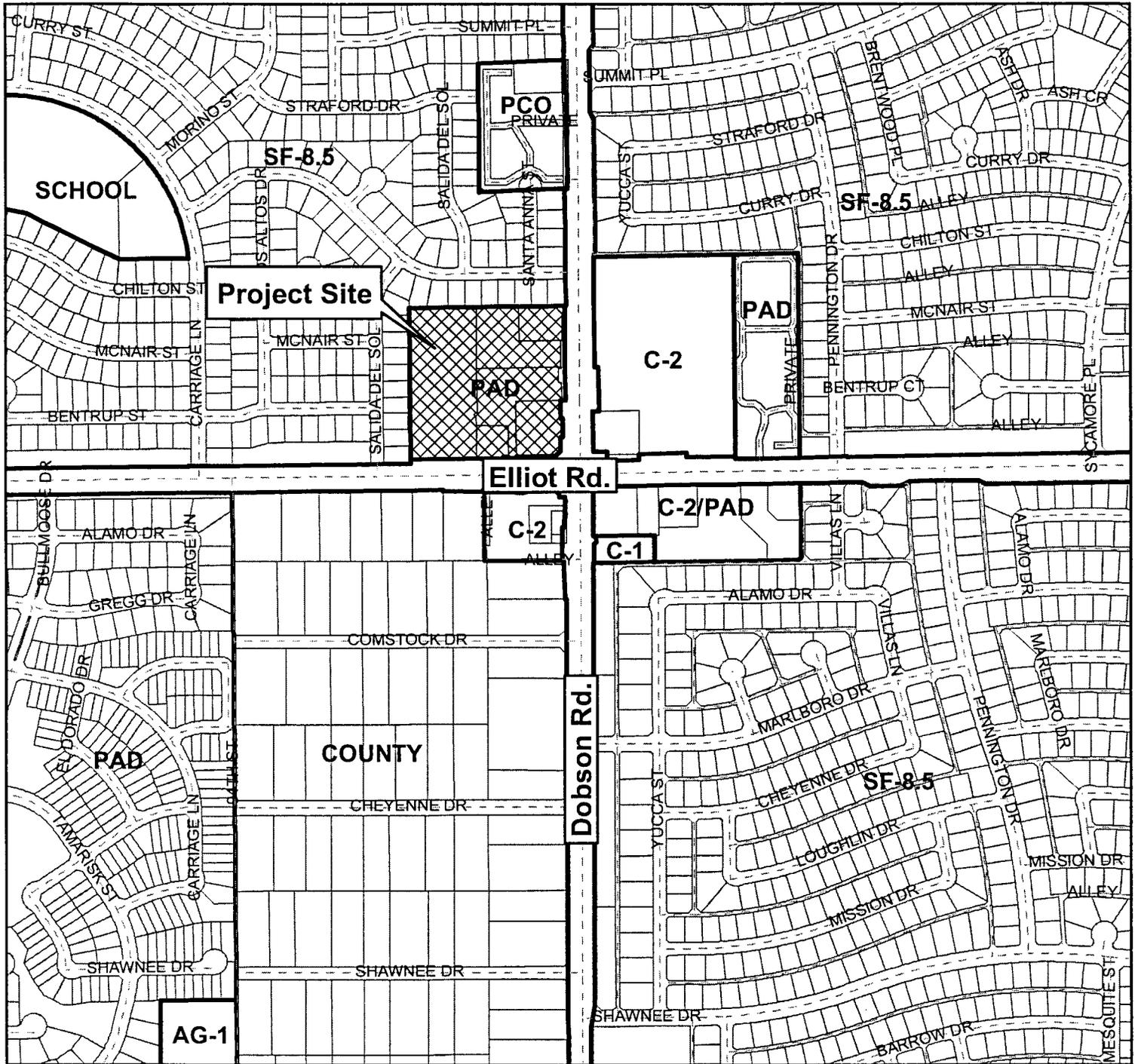
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PROPOSED MOTION

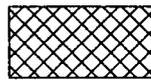
Move to introduce and tentatively adopt Ordinance No. 3940 approving the Planned Area Development zoning in case DVR06-0048 POLLACK DOBSON PLAZA subject to the conditions recommended by Planning Commission and Staff.

Attachments:

1. Vicinity Map
2. Site Plan
3. Vicinity Plan
4. Narrative
5. Ordinance No. 3940

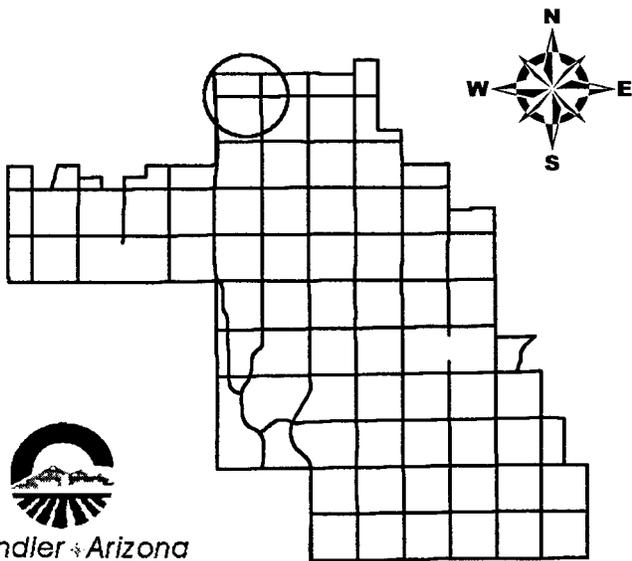


Vicinity Map

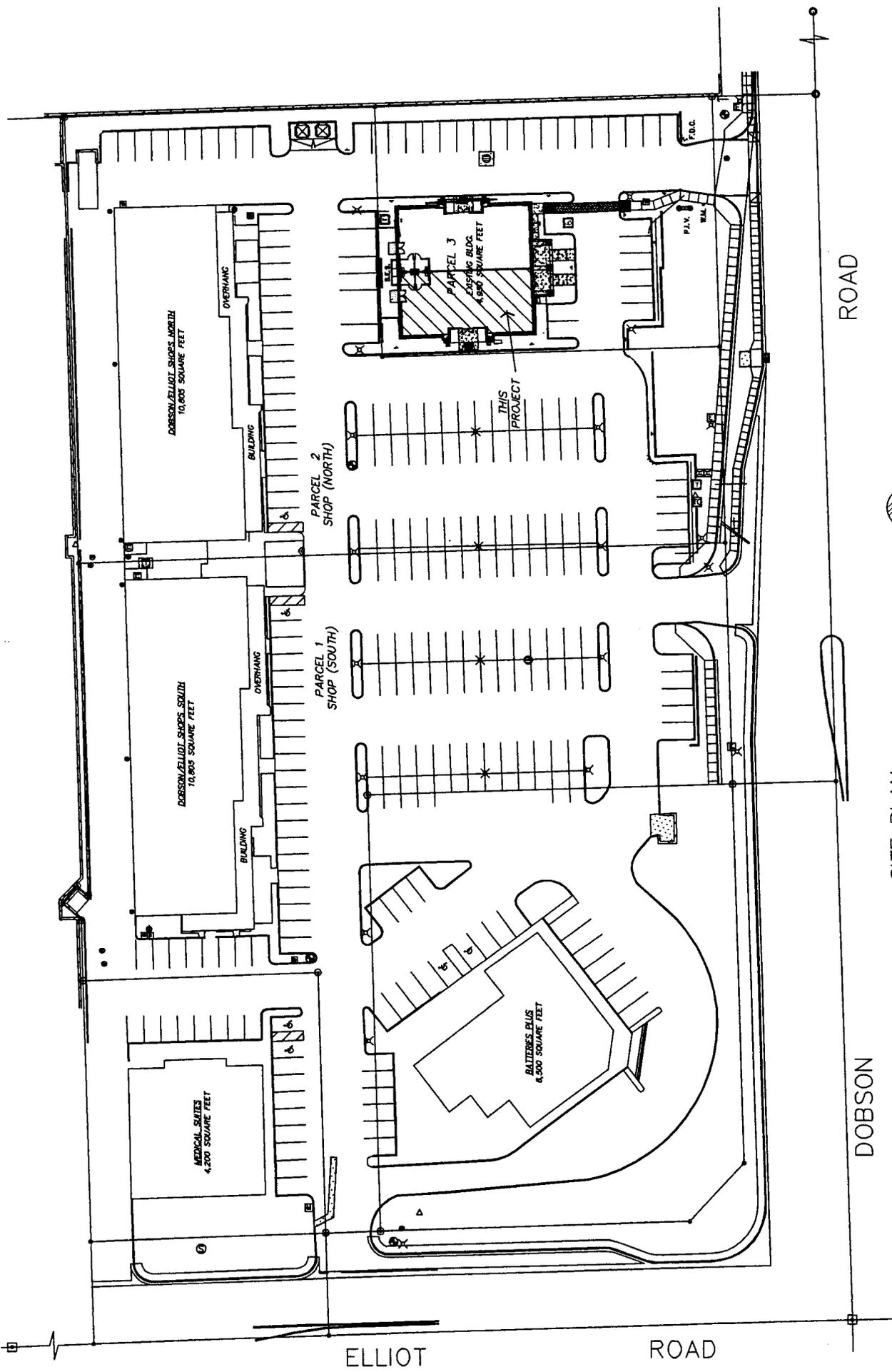


DVR06-0048

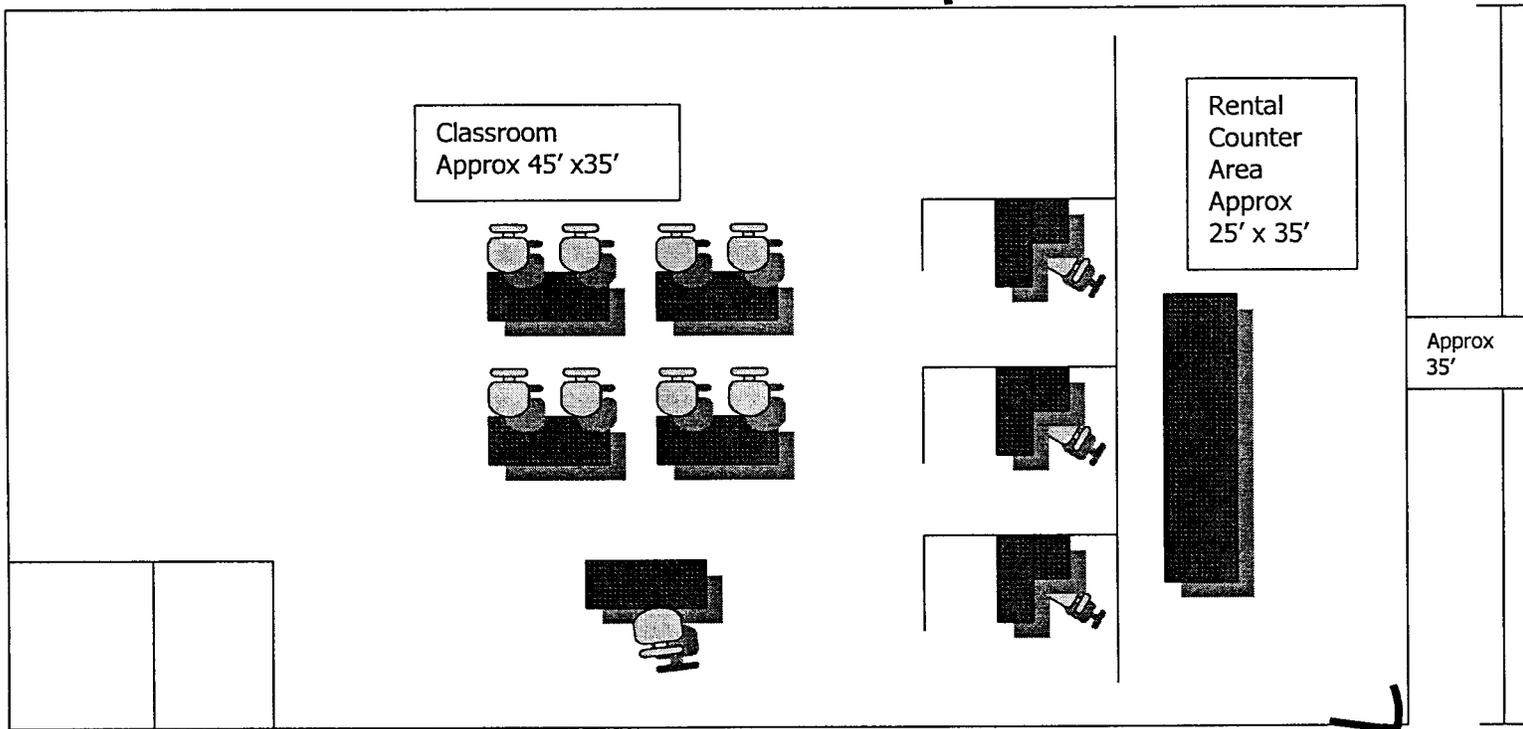
Pollack Dobson Plaza



Chandler, Arizona
Where Values Make The Difference



Approx 70'





City of Chandler
Planning & Development Administration
215 E. Buffalo St., #104
Chandler, Arizona

December 1, 2006

Re: Re zoning application 3050 # 2 North Dobson Road, Chandler, AZ, 85224

Please find attached narrative describing the intended use of the above referenced location.

Advantage Rent a Car is requesting approval to rezone this location to allow a car rental business to operate within the C-2 zoning as it is currently classified. The facility will be used for administrative and training purposes. Advantage Rent a Car also desires to conduct rental transactions from this neighborhood car rental location, and thus the purpose for the rezoning application. Advantage Rent a Car currently operates 10 locations of this type in the greater Phoenix area including the Phoenix Sky Harbor Airport. The specifics are summarized below.

- The facility will require no modifications to the current architecture, site design, landscaping, or parking.
- The facility will require no renovations to existing HVAC, walls, electrical, plumbing, etc. Any interior modifications will be conducted using modular workspaces.
- Hours of operation will be Monday thru Friday from 7:00am until 6:00pm, Saturday from 8:00am until 2:00pm, Sundays closed.
- Number of employees: 5 permanent. Other employees will attend classroom training in this facility, and be assigned to various locations in the Phoenix area upon completion. Trainees will not exceed 8.
- No entertainment, live music, or food service of any type will be conducted.
- No vehicle repair or vehicle sales of any type will be conducted on this site.
- All vehicles used at this facility will current model year.
- Vehicles parked on site not including employees will not exceed 10 *(see attached explanation)
- Dimensions of the space are 70 'x 35'4" approx 2475 S.F.
- Current available marked parked stalls equal 259

* As a matter of financial well being, it is common for a rental car company to utilize its fleet 85% of the time. This is a company directive for Advantage Rent a Car, and must be achieved

in order to operate in a profitable manner. Ex: If the location has a fleet of 65 cars it must maintain 55 of those vehicles on rent (not parked) at all times, thus minimizing the number of cars parked at any given time. If this utilization number is not being achieved at the location the cars are removed and redirected to other stores the have need for the extra fleet.

Thank you in advance for your consideration in this matter.

Regards,

Gerry Karcher
Advantage Rent A Car
gkarcher@arac.com
602 244 0521

ORDINANCE NO. 3940

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PLANNED AREA DEVELOPMENT (PAD) TO PAD AMENDED (DVR06-0048 POLLACK DOBSON PLAZA) 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 Planned Area Development (PAD) to PAD Amended subject to the following conditions:

1. Development shall be in substantial conformance with the exhibits and representations.
2. No more than 10 rental vehicles may be parked on-site at any time.
3. 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.

SECTION II. Except where provided, nothing contained herein shall be construed to be an 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 _____ day of _____, 2007.

ATTEST:

CITY CLERK

MAYOR

PASSED AND ADOPTED by the City Council this _____ day of _____, 2007.

ATTEST:

CITY CLERK

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3940 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the _____ day of _____, 2007, and that a quorum was present thereat.

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY *GMB*

PUBLISHED:

EXHIBIT "A"**PARCEL NO. 1:**

Parcel 1 SHOP (SOUTH), DOBSON/ELLIOT PLAZA, according to the plat of record in the office of the county Recorder of Maricopa County, Arizona, recorded in Book 321 of Maps, Page 14;

EXCEPT a parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7, from which the East quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West a distance of 2644.09 feet;

Unofficial Document

thence North 78 degrees 19 minutes 26 seconds West a distance of 255.72 feet to the Southeast corner of Parcel 1 (South) of Map of Dedication of Dobson/Elliot Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records, and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West along the South line of said parcel a distance of 29.00 feet to the West line of said parcel;

thence North 00 degrees 27 minutes 55 seconds West along said West line a distance of 17.00 feet;

thence North 89 degrees 15 minutes 21 seconds East a distance of 29.00 feet to the East line of said parcel;

thence South 00 degrees 27 minutes 55 seconds East a distance of 17.00 feet to the POINT OF BEGINNING; and

EXCEPT a parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7 from which the East quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West a distance of 2644.09 feet;

thence North 11 degrees 12 minutes 49 seconds West a distance of 294.91 feet to the most Easterly Southeast corner of Parcel 1 (South) of Map of Dedication of Dobson/Elliot Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West along a line common to said parcel and the North line of that parcel described in 96-0383992 of Official Records of Maricopa County, a distance of 15.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 72.12 feet;

thence South 89 degrees 15 minutes 21 seconds West a distance of 12.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 52.38 feet;

thence North 89 degrees 15 minutes 21 seconds East a distance of 12.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 5.00 feet to the North line of said Parcel 1 (South);

thence North 89 degrees 15 minutes 21 seconds East along said North line a distance of 15.00 feet to the Northeast corner of said parcel;

thence South 00 degrees 27 minutes 55 seconds East along the East line of said parcel a distance of 129.50 feet to the POINT OF BEGINNING;
Unofficial Document

Said Exceptions being conveyed to the City of Chandler by Order of Immediate Possession recorded May 28, 2002 as 2002-0542676 of Official Records.

PARCEL NO. 2:

Parcel 1 SHOP (NORTH) and Parcel 3, DOBSON/ELLIOT PLAZA, according to the plat of record in the office of the County Recorder of Maricopa County, recorded in Book 321 of Maps, Page 14;

EXCEPT from said Parcel 1 Shop (North), the following described property:

A parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7 from which the east quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West a distance of 2644.09 feet;

thence North 07 degrees 56 minutes 22 seconds West a distance of 422.82 feet to the Southeast corner of Parcel 1 (North) of Map of Dedication of Dobson/Elliott Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records, and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West along the South line of said parcel a distance of 17.00 feet;

thence North 00 degrees 27 minutes 55 seconds West a distance of 105.51 feet;

thence North 89 degrees 15 minutes 21 seconds East along the North line of said parcel a distance of 17.00 feet to the Northeast corner of said parcel;

thence South 0 degrees 27 minutes 55 seconds East along the East line of said parcel a distance of 105.51 feet to the POINT OF BEGINNING; and

EXCEPT from said Parcel 3, the following described parcel:

A parcel of land lying within the Southeast quarter of Section 7, Township 1 South, Range 5 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 7 from which the East quarter corner of said Section 7 bears North 0 degrees 27 minutes 55 seconds West, a distance of 2644.09 feet;

thence North 06 degrees 26 minutes 56 seconds West a distance of 527.61 feet to the Southeast corner of Parcel 3 of Map of Dedication of Dobson/Elliot Plaza, recorded in Book 321 of Maps, Page 14, Maricopa County Records, and the POINT OF BEGINNING;

thence South 89 degrees 15 minutes 21 seconds West Unofficial Document along the South line of said parcel a distance of 12.00 feet;

thence North 00 degrees 27 minutes 55 seconds West, a distance of 94.99 feet to the South line of a 12' Water Easement as recorded as 84-378448 of Official Records of Maricopa County;

thence North 89 degrees 15 minutes 21 seconds East along said South line a distance of 12.00 feet to the East line of said parcel;

thence South 00 degrees 27 minutes 55 seconds East along said East line a distance of 94.99 feet to the POINT OF BEGINNING;

Said exceptions being conveyed to the City of Chandler by Order of Immediate Possession recorded May 28, 2002 as 2002-542676 of Official Records.

PARCEL NO. 3:

A non-exclusive easement for ingress, egress and parking and rights incident thereto, as created in instrument recorded as 84-204173, of Official Records of Maricopa County, Arizona.