

# 6

MAY 28 2009



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

**MEMORANDUM**

**Planning and Development – CC Memo No. 09-052**

**DATE:** MAY 13, 2009

**TO:** MAYOR AND CITY COUNCIL

**THRU:** W. MARK PENTZ, CITY MANAGER   
JEFF KURTZ, ACTING PLANNING & DEVELOPMENT DIRECTOR   
KEVIN MAYO, ACTING PLANNING MANAGER 

**FROM:** BILL DERMODY, SENIOR CITY PLANNER 

**SUBJECT:** DVR09-0004 POLLACK BUSINESS PARK NORTH PHASE TWO

**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 Planned Industrial (I-1)/PAD zoning

**Location:** Northeast corner of Elliot Road and Arizona Avenue

**Applicant:** Robert Kubicek Architects and Associates

**Project Info:** Retail, light industrial, and showroom uses on approximately 10 acres

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan, Planning Commission and Staff recommend approval.

**EXTENSION OF THE TIMING CONDITION**

The application requests a time extension for an approximately 10-acre parcel located at the northeast corner of Elliot Road and Arizona Avenue. The Planned Area Development (PAD) zoning approval was granted for a period of three (3) years, which expired on March 23, 2009. The three-year extension would be calculated to begin from the previous approval's expiration date, resulting in an extension to March 2012.

The City has the following options when a zoning district's timing condition expires. The City could, by administrative action, extend the timing condition for another period of time, eliminate the timing condition, or by legislative action revert the zoning to its former zoning classification. If the requested timing extension is approved, 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.
- In lieu of a neighborhood meeting, a letter describing the request and a site plan were sent to all property owners within 600' of the subject site and Registered Neighborhood Organizations within ¼ mile.
- At the time of this writing, Staff is not aware of any opposition to this request.

### **PLANNING COMMISSION VOTE REPORT**

Motion to approve.

In Favor: 7    Opposed: 0

### **RECOMMENDED ACTION**

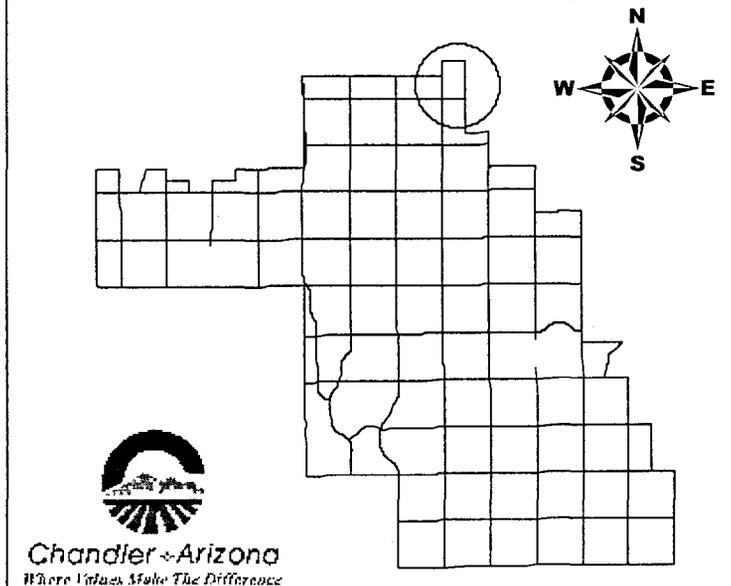
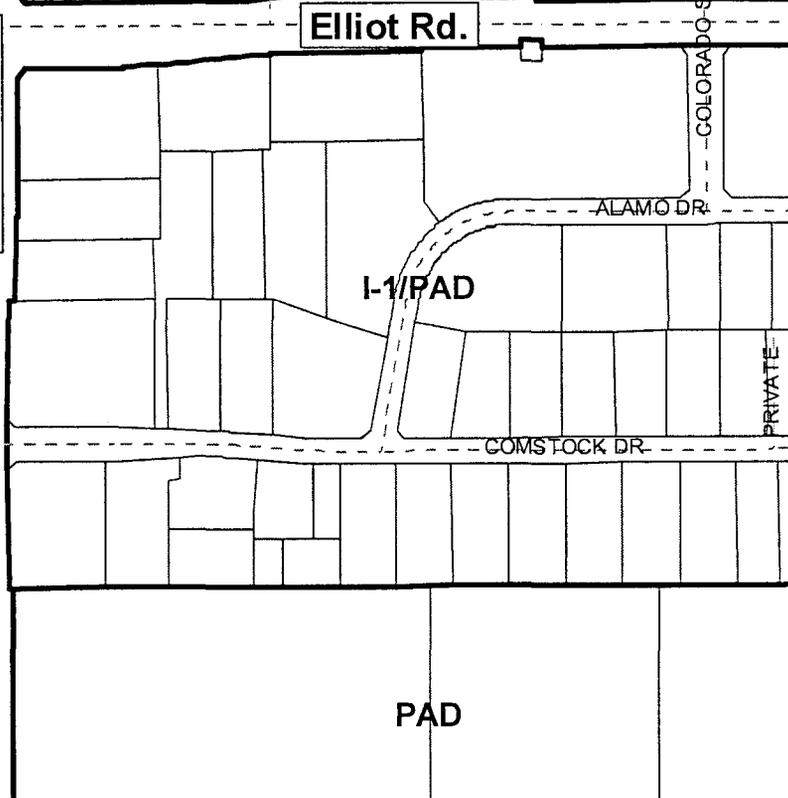
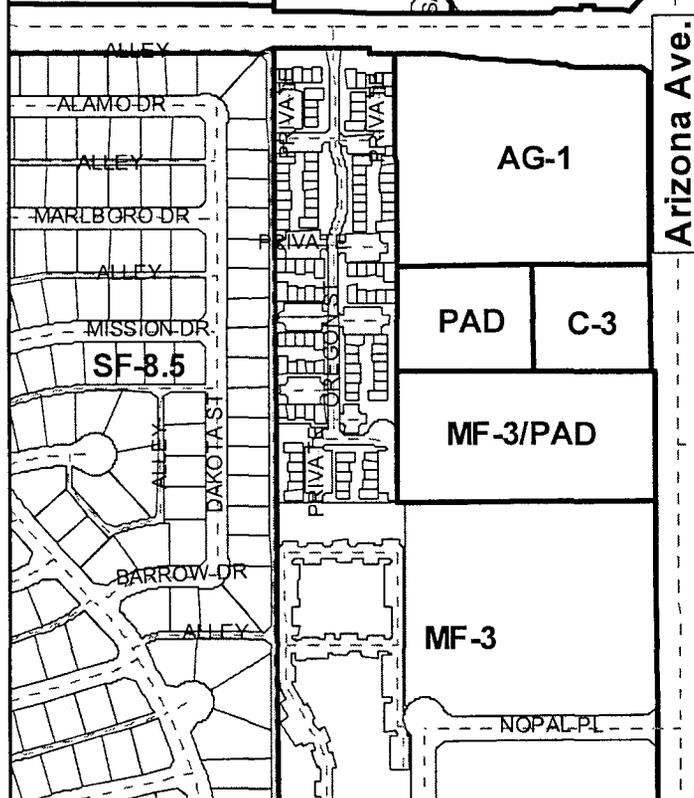
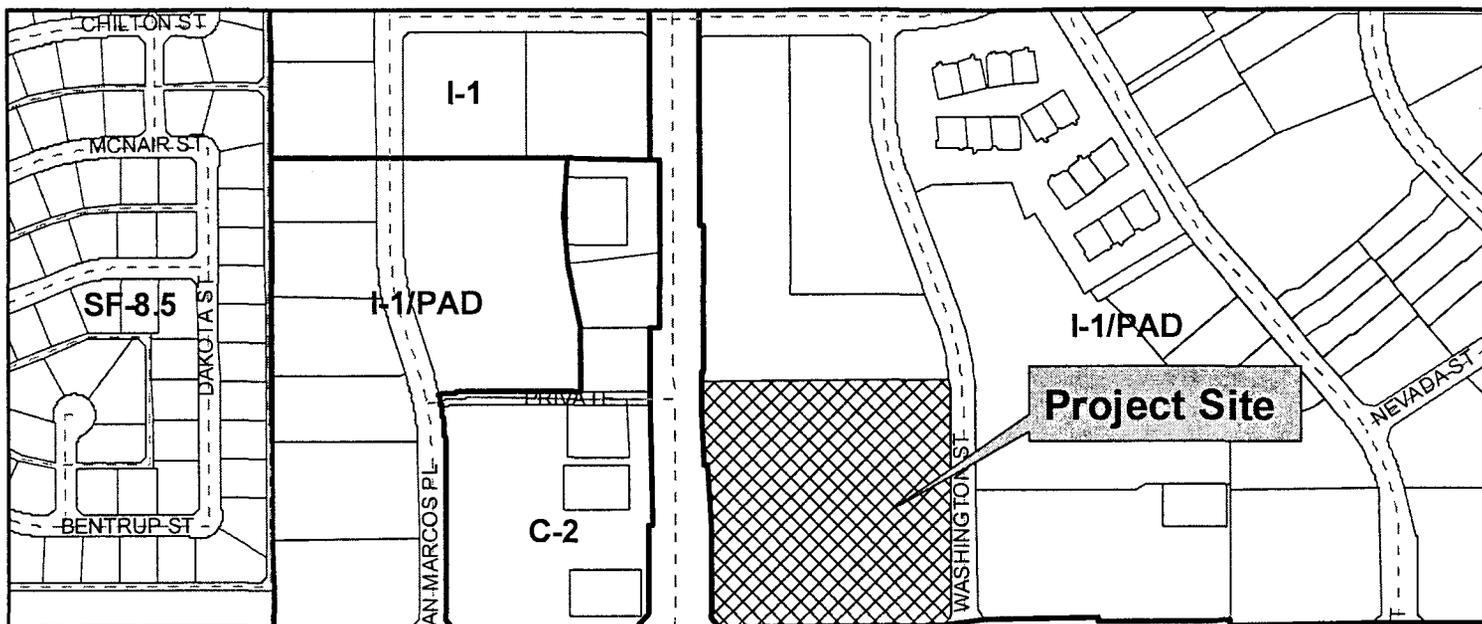
Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval to extend the timing condition for three (3) years with all of the conditions in the original approval remaining in effect.

### **PROPOSED MOTION**

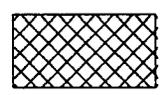
Move to approve the timing condition for case DVR09-0004 POLLACK BUSINESS PARK NORTH PHASE TWO for an additional three (3) years, in which the zoning would be in effect until March 2012, with all of the conditions in the original approval remaining in effect as recommended by Planning Commission and Staff.

### **Attachments**

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



**Vicinity Map**



DVR09-0004

**Pollack Business Park North  
Phase 2**

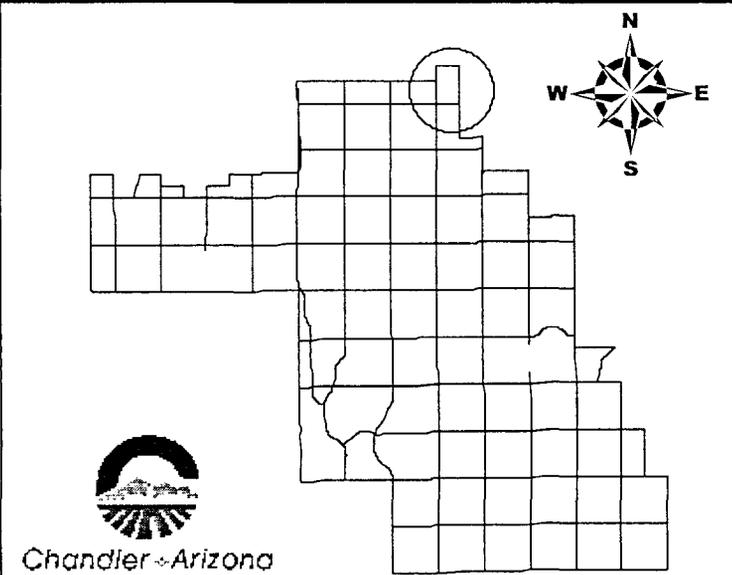




Project Site

Elliot Rd.

Arizona Ave.



## Vicinity Map

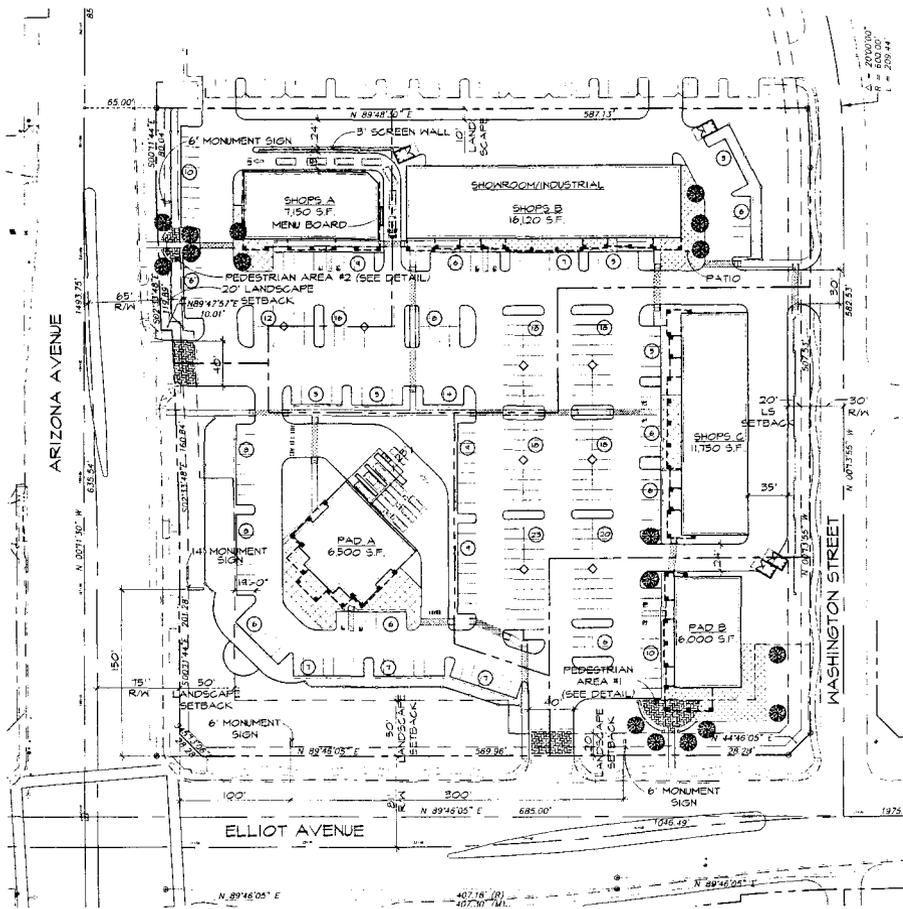


DVR09-0004

Pollack Business Park North  
Phase 2



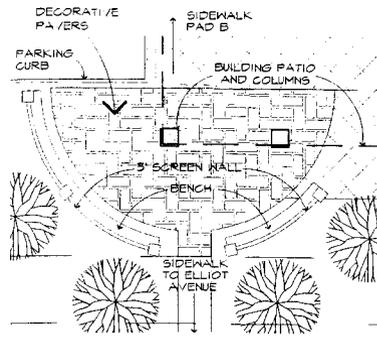
Chandler, Arizona  
Where Values Make The Difference



**preliminary site plan**

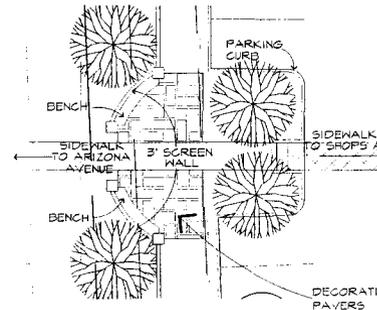
scale: 1" = 50'-0"

0 50 100 150



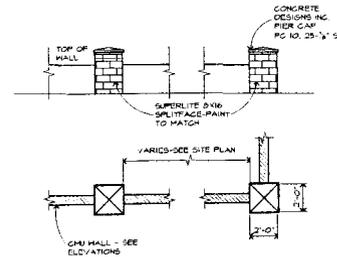
**pedestrian area #1**

scale: 1" = 10'-0"



**pedestrian area #2**

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



**screen wall detail**

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

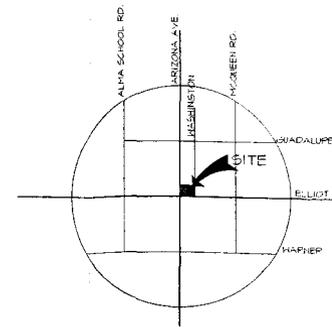
**project directory**

DEVELOPER:  
MICHAEL A. POLLACK REAL ESTATE INVESTMENTS  
1156 W. BASELINE ROAD  
MESA, ARIZONA 85206  
CONTACT: MICHAEL A. POLLACK  
PHONE: (480) 888-0288

ARCHITECT:  
ROBERT KUBICEK ARCHITECTS & ASSOCIATES  
2233 EAST THOMAS ROAD  
PHOENIX, ARIZONA 85016  
CONTACT: DAVE GIBSON  
PHONE: (602) 495-3400  
FAX: (602) 495-0496  
E-MAIL: dgibson@rkao.com

**site data**

SITE LOCATION	NEC ELLIOT AND ARIZONA AVE CHANDLER, ARIZONA
EXISTING ZONING:	I-1 / PAD
REZONE	PAD (RETAIL) WC-2 TYPE COMMERCIAL USES ALLOWED.
ASSESSOR'S PARCEL NUMBER:	302-24-251
GROSS SQUARE FOOTAGE:	(441,421 S.F.) 10.13 AC
NET SQUARE FOOTAGE:	(321,254 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	11,150 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.t.s.

2203 East Thomas Road  
Phoenix, AZ 85016-3474  
(602) 495-3400 Phone  
(602) 495-0496 Fax  
www.rkao.com

**ROBERT KUBICEK**  
Architects and Associates, Inc.

REGISTERED ARCHITECT  
NO. 1000  
ROBERT W. KUBICEK  
LICENSE NO. 10000  
EXPIRES 06/30/2009  
DATE: 01-27-06

**POLLACK BUSINESS PARK NORTH  
NEC ELLIOT AND ARIZONA AVE  
RETAIL CENTER**  
CHANDLER, ARIZONA

sheet  
of  
**SP-1**  
job 04221.5

design: RNM  
drawn: MRR  
check: RNM



MAR 23 2006

APPROVED BY  
CHANDLER CITY COUNCIL

MAR 23 2006

**ORDINANCE NO. 3775**

CITY CLERK'S OFFICE  
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 \_\_\_\_ day of \_\_\_\_\_, 2006.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

PASSED AND ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2006.

ATTEST:

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

**CERTIFICATION**

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 \_\_\_\_ day of \_\_\_\_\_, 2006, and that a quorum was present thereat.

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

GAB  
CITY ATTORNEY

PUBLISHED:

**Superior Surveying Services, Inc.**

Professional Land Surveying □ Arizona □ California □ Nevada

21415 North 23<sup>rd</sup> Avenue □ Phoenix, Arizona 85027

Phone: (623)869-0223 □ Fax: (623)869-0726

info@ssincsz.com

Randy S. Delbridge, President

A. J. Wadsworth, Project Manager

David S. Klein, Project Manager

Job Number: 250649

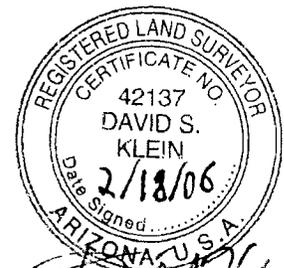
February 18, 2006

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;



*David S. Klein*

# Superior Surveying Services, Inc.

Professional Land Surveying ♦ Arizona ♦ California ♦ Nevada

21415 North 23<sup>rd</sup> Avenue ♦ Phoenix, Arizona 85027  
Phone: (623)869-0223 ♦ Fax: (623)869-0726  
info@ssincaz.com

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David S. Klein, Project Manager

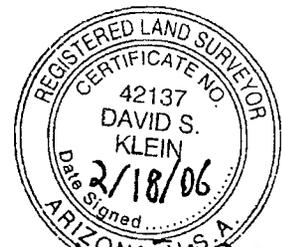
Job Number: 250649

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.



*David S. Klein*