

AUG 27 2009



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 09-081b

DATE: AUGUST 21, 2009

TO: MAYOR AND CITY COUNCIL

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

FROM: BILL DERMODY, SENIOR CITY PLANNER

SUBJECT: PDP09-0011 CULVER’S RESTAURANT

Request: Preliminary Development Plan (PDP) approval of conceptual site layout, architecture, landscaping, and signage for a new restaurant

Location: Approximately 450 feet west of the Loop 101 Price Freeway on the south side of Ray Road

Applicant: RCC Design Group, Stuart Rayburn

Owner: Park at San Tan LLC

Project Info: New 4,000 square foot restaurant on 1.3-acre vacant pad

The request was continued from the August 13, 2009 City Council hearing to allow the restaurant representative and staff to work toward a mutually agreeable resolution regarding signage. Such a resolution has been reached. Staff proposes an amended recommendation that allows the monument sign as presented, and allows the building sign to have a “dual halo-illuminated” script design with the blue background remaining unlit. The “dual halo-illumination” provides a conventional blue halo around the script that washes backward against the unlit blue background. It also produces a modified white halo/outline effect on the outside of the script, with the internal portion of the script being opaque and the LED lights lined up behind the opaque portion. The updated building signs conform to the concepts behind the development’s established sign package. Illustrations of the updated proposal are among the attachments.

RECOMMENDATIONS

Upon finding the request to be consistent with the General Plan and the approved Planned Area Development (PAD) zoning, Planning Commission and Staff recommend approval subject to conditions. The Planning Commission and Staff recommendations differ with regard to a condition addressing signage.

BACKGROUND

The request is for Preliminary Development Plan (PDP) approval for a new restaurant and associated site improvements on a vacant pad site located west of the southwest corner of Ray Road and the Loop 101 Price Freeway. The site is the westernmost of three vacant pad sites fronting Ray Road within the Park at San Tan mixed-use office and retail development that received its PAD zoning in 2004 and includes a 5-story office building along the Loop 101 Price Freeway. The pad site is surrounded to the west, south, and east by the rest of the Park at San Tan development. North across Ray Road is the San Tan Corporate Center office development. West of the Park at San Tan development is a single-family residential neighborhood.

The subject pad site is in the approximate middle of the Park at San Tan along Ray Road. Inline retail shops are located west of the site and wrapping southward along Federal Street. Inline office is located in the development's southwest portion, a 5-story office building is in the development's southeast portion, and a 4-level parking garage is located between the office structures south of the subject pad site.

The subject request is for an approximately 4,000 square foot restaurant with a drive-through that wraps around the building's east side. Parking is provided west and south of the building. There is an outdoor patio located northwest of the restaurant. Unique to this particular restaurant, there is also an "order waiting area" past the drive-through window for customers to wait in their vehicles for their food to be prepared and delivered. Sufficient parking is provided with 53 spaces compared to the code requirement of 27 spaces. The development's landscape pattern is continued on the site with Southern Live Oak and Evergreen Elm trees. Existing Swan Hill Olive and Live Oak trees along Ray Road will remain.

The building architecture is consistent with the adjacent inline retail and office portions of the project. The building features multi-toned stucco, smooth-faced cmu block, faux stacked stone, metal canopies, and standing seam metal roof elements. The roofline is broken up with a number of plane changes in a manner similar to the neighboring buildings. Columns, arches, windows, canopies, and materials and color changes serve to break up the façades to create visual interest. The corporate blue color is limited to the building signage and metal awnings, leaving most of the building with a variety of brown and red tints matching those found on the adjacent inline retail and office buildings.

A comprehensive sign package was approved in 2006 that included the sign criteria for all building-mounted signage as well as the freestanding monument signs and freestanding on-site directional signage. The building signage was initially limited to a uniform brushed aluminum finish and color with standardized fonts. A PDP amendment approved in 2007 allowed for

corporate colors, fonts, and logos to be used on building signage in order to improve the ability to attract tenants. Building signage was limited to 24" height.

The approved monument signage included two 12'-tall, 8-tenant panel signs along Ray Road and one 4'-tall, 4-tenant panel sign along the Price Frontage Road in the site's southeast corner. All three monument signs feature multiple tenants (up to eight) with uniform white letters on a black background. Logos on monument signs are in line with the tenant names and are also restricted to be white in color.

The application requests permission for a third monument sign to be located along the Ray Road frontage (fourth monument sign overall). The sign is single-tenant with the anticipation that the other two vacant pads will utilize panels on existing monument signs. The sign is 7'-3" tall compared to the 12' height of the other two signs along Ray Road. It is located approximately 275' east of one sign and approximately 385' west of the other sign. The sign's lower panel will be changed daily to display featured frozen custard flavors. The sign uses the same stone veneer base, stucco column, routed-style lettering, and black background as the other monument signs. Unlike the other signs, the application requests permission to use a corporate color (blue) for the lettering and logo background, and lettering over 4" high.

The originally proposed building signage consists of one 36"-high sign on each façade. The word "Culver's" is 5"-deep white pan-channel lettering and the phrase "ButterBurgers & Frozen Custard" is 1"-deep white pan-channel lettering upon a raised blue oval background. The original application proposes that both the lettering and the background be conventionally lit from behind. A recommended condition would limit the building signs to using only a "dual-halo illumination" rather than conventional cabinet-style or pan-channel lighting. The applicant is in agreement with this condition.

DISCUSSION

Staff supports the request as modified to include the "dual-halo" style of building sign illumination. The site layout, landscaping, and architecture are attractive and consistent with the rest of the development. The 275' separation between monument signs (less than the required 300' separation) is justified by the need to avoid the existing project identification signs farther east of the requested sign. The changeable "flavor of the day" sign panel is an attractive alternative to the tenant's preferred electronic display sign in use at other locations throughout the country. The increase in letter size above 4" height is attractive in this situation where it is a single-tenant monument sign. Allowing the building signs to have only dual-halo illumination is conceptually similar to the reverse pan-channel, halo-illuminated signage already allowed for the inline retail shops.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on June 10, 2009 in a conference room within the adjacent 5-story office building. Five residential neighbors attended to ask general questions about the project and express support for a full-access movement on Ray Road in the center of the

site that would relieve traffic from Federal Street, including traffic generated by this restaurant. The neighbors are aware that the question of a full-access median break is not part of the scope of this application.

- At the time of this writing, Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

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

Planning Commission approved the request after deleting conditions recommended by Staff that addressed monument and building sign conformity with the rest of the development. Commission's reasoning included that the blue color is an essential part of the restaurant's logo identity and that the signs are attractive in their presented forms. Commission also added Condition No. 9 to address pedestrian connections to the inline retail located west of the pad site.

PLANNING COMMISSION RECOMMENDED ACTION

Planning Commission, upon finding consistency with the General Plan and PAD zoning, recommends approval of PDP09-0011 CULVER'S RESTAURANT subject to the following conditions:

1. Compliance with the original stipulations adopted by the City Council as Ordinance No. 3622, case DVR04-0048 SANTAN MIXED USE AMENDED, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "Culver's Restaurant" kept on file in the City of Chandler Planning Services Division in File No. PDP09-0011, except as modified by condition herein.
3. 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 equipment, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
4. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
5. Raceway signage is prohibited.
6. 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.
7. The building and site lighting shall reflect the wall-pack and light pole designs already established in the Park at San Tan development. The Development Booklet's representation of a curved wall light design shall not be used.

8. A signed and notarized Consent to Conditions waiver shall be provided to Planning staff within three weeks of City Council approval of the PDP in order for the approval to be valid.
9. The applicant shall work with staff to create a pedestrian connection to the retail to the west.

STAFF RECOMMENDED ACTION

Staff, upon finding consistency with the General Plan and PAD zoning, recommends approval of PDP09-0011 CULVER'S RESTAURANT subject to the following conditions:

1. Compliance with the original stipulations adopted by the City Council as Ordinance No. 3622, case DVR04-0048 SANTAN MIXED USE AMENDED, except as modified by condition herein.
2. Development shall be in substantial conformance with Exhibit A, Development Booklet entitled "Culver's Restaurant" kept on file in the City of Chandler Planning Services Division in File No. PDP09-0011, except as modified by condition herein.
3. 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 equipment, so as not to create problems with sign visibility or prompt the removal of required landscape materials.
4. The monument sign's sign panels shall have an integrated or decorative cover panel until a tenant name is added to the sign.
5. Raceway signage is prohibited.
6. 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.
7. The building and site lighting shall reflect the wall-pack and light pole designs already established in the Park at San Tan development. The Development Booklet's representation of a curved wall light design shall not be used.
8. A signed and notarized Consent to Conditions waiver shall be provided to Planning staff within three weeks of City Council approval of the PDP in order for the approval to be valid.
9. The applicant shall work with staff to create a pedestrian connection to the retail to the west.
10. The Culver's script on the building signs shall be dual halo lit. The back halo lighting shall produce a blue glow around the word Culver's that shall reflect off of the blue "unlit" oval backboard. The front halo lighting on the word "Culver's" shall be achieved by having the outer 1" perimeter of the letters be a translucent white while the remaining center portion of each letter shall be an opaque white to create the shadow or halo effect.

PLANNING COMMISSION PROPOSED MOTION

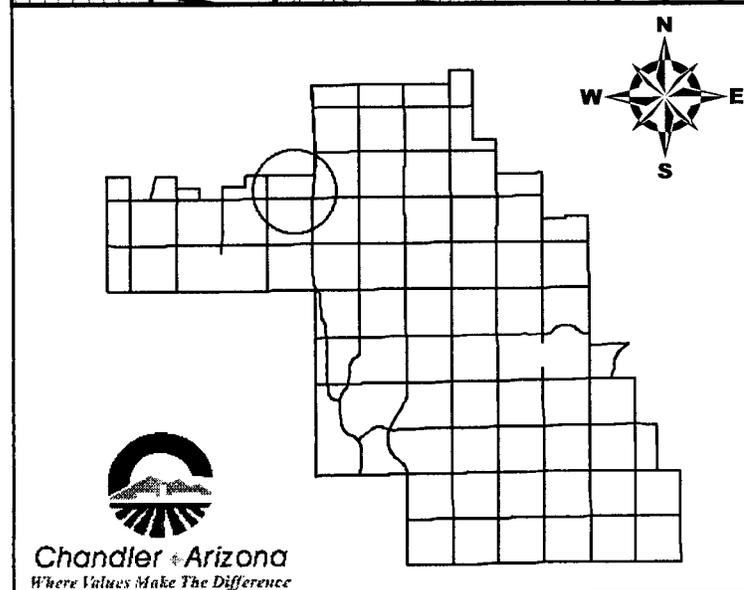
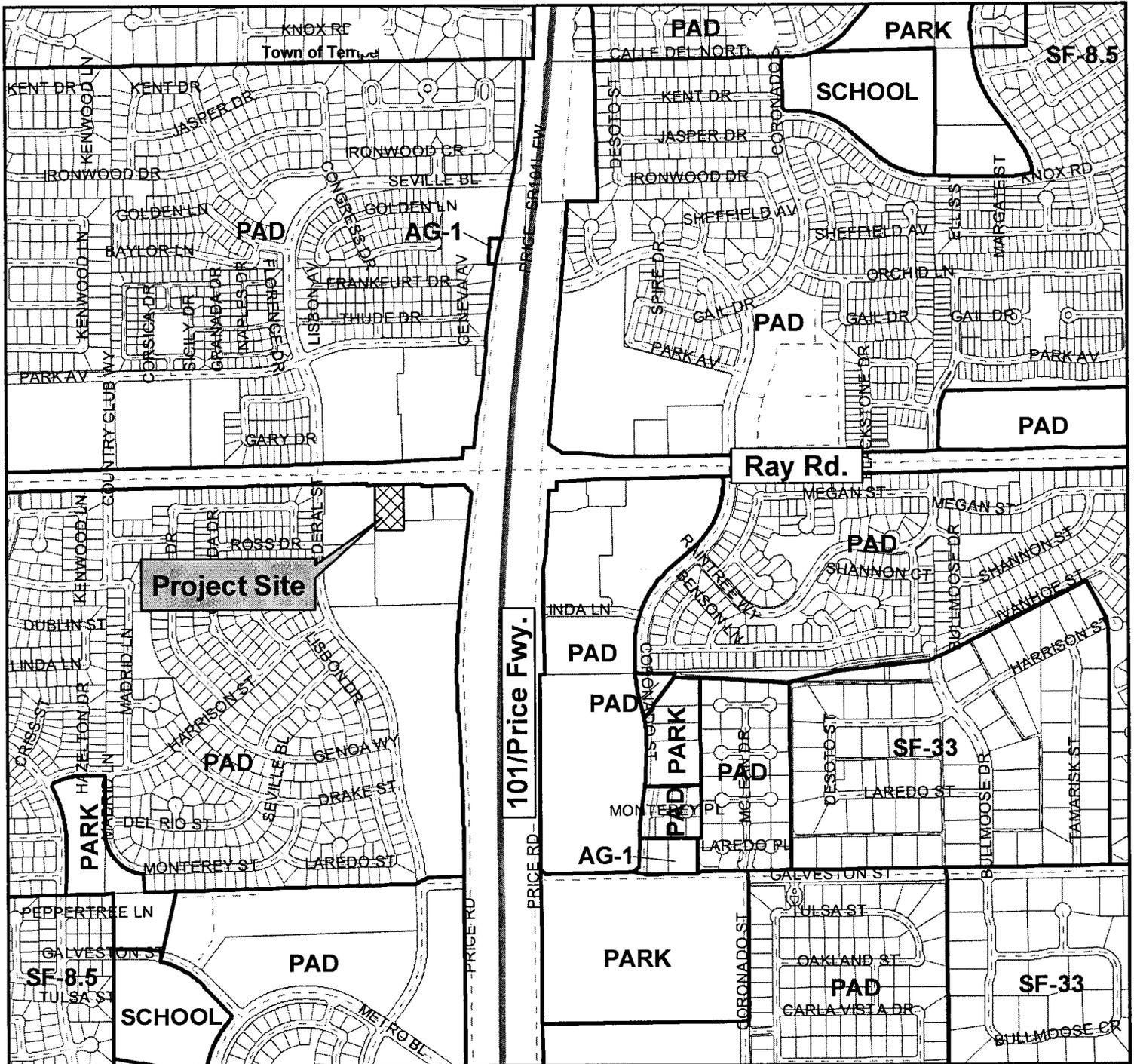
Move to approve Preliminary Development Plan case PDP09-0011 CULVER'S RESTAURANT subject to the conditions recommended by Planning Commission.

STAFF PROPOSED MOTION

Move to approve Preliminary Development Plan case PDP09-0011 CULVER'S RESTAURANT subject to the conditions recommended by Staff.

Attachments

1. Vicinity Map
2. Ordinance No. 3622
3. Updated Building Sign Illustrations
4. Exhibit A, Development Booklet

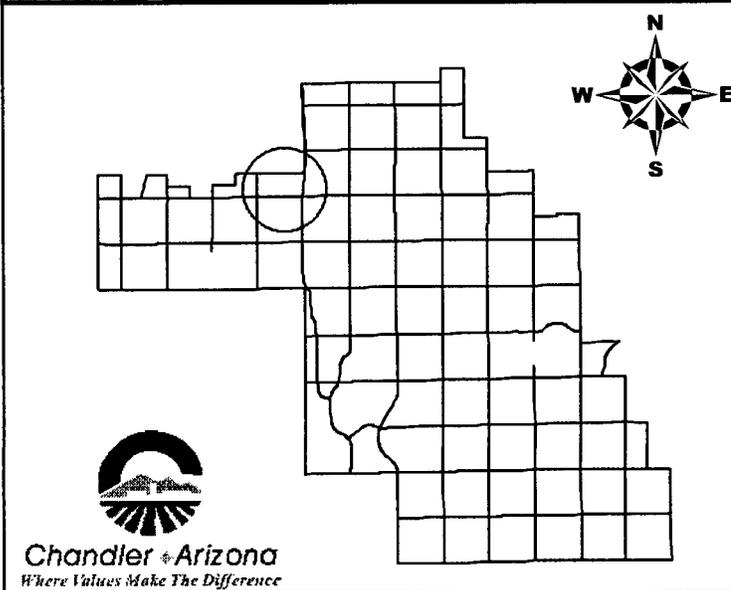


Vicinity Map

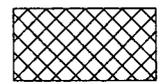


PDP09-0011

Culver's Restaurant



Vicinity Map



PDP09-0011

Culver's Restaurant



Chandler • Arizona
Where Values Make The Difference

CITY OF CHANDLER 4/13/2009

ORDINANCE NO. 3622

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) MIXED USE TO PLANNED AREA DEVELOPMENT (PAD) MIXED USE AMENDED (DVR04-0048 SANTAN MIXED USE AMENDED) 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 PAD Mixed Use to PAD Mixed Use Amended, subject to the following conditions:

- 1. Development shall be in substantial conformance with Exhibit A, Development Booklet, entitled "San Tan Mixed Use Amended" kept on file in the City of Chandler Planning Services Division, in File No. DVR04-0048, except as modified by condition herein.**
- 2. Right-of-way dedications to achieve full half width for Ray Road and Federal Street, 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. The developer shall be required to install landscaping in the arterial street median 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.**

5. 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.
6. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
7. 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.
8. All perimeter landscaping along Federal Street and Ray Road shall be installed as a part of Phase I.
9. Retail A1, Retail A2 and Retail E are shown at a conceptual level only. Future PDP approval for building architecture is required.
10. The proposed median break on Ray Road shall be deleted or as otherwise approved by the Director of Public Works and ADOT.
11. The office building will be limited to five (5) stories in height. The building will be approximately 75-feet in height, with no more than a 10% variance allowed. This height is measured from the finished grade to the top of the roof deck. The building will have approximately the same square-footage as was originally approved in the PAD application of November 2003.
12. The parking structure will be no more than four (4) levels, and no higher than 37.5-feet, measured from the finished grade to the top of the spandrel panel. The stair elements are excluded from this limitation.
13. The parking structure will have no car shade canopies on the fourth (4th) level. This restriction does not apply to the canopies over the stairwells.
14. The parking garage will follow the same architectural theme as was outlined in the PAD document, dated November 2003.
15. A northbound right-turn lane will be installed on Federal Street at Ray Road by the project developer as part of the first phase of the project. The design of this turn lane will be approved by the City.
16. The parking garage will have the same landscape buffer as was contained in the zoning approval of May 13, 2004; case number DVR03-0036.

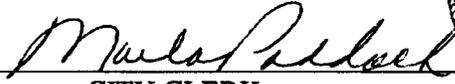
17. The developer shall post the westbound exit onto Federal Street at Ross Drive as Left-Turn and Right-Turn only.

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

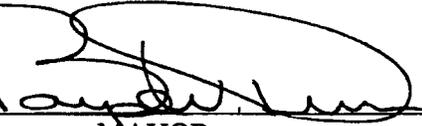
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 25th day of October 2004.

ATTEST:


CITY CLERK

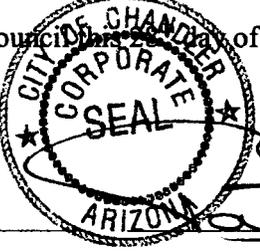

ARIZONA

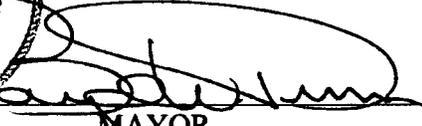

MAYOR

PASSED AND ADOPTED by the City Council this 28th day of October 2004.

ATTEST:

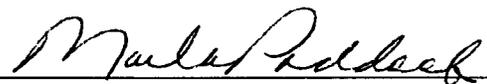

CITY CLERK


ARIZONA

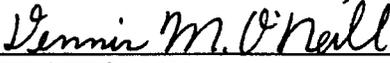

MAYOR

CERTIFICATION

I, HEREBY CERTIFY, that the above and foregoing Ordinance No. 3622 was duly passed and adopted by the City Council of the City of Chandler, Arizona, at a regular meeting held on the 28th day of October 2004, and that a quorum was present thereat.


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

Published in the Tribune on November 3 & 10, 2004

ORD. NO. 3622

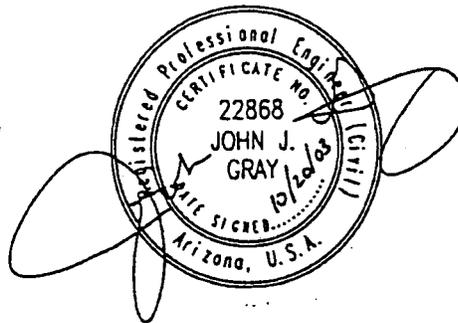
ATTACHMENT 'A'



Evans, Kuhn &
Associates, Inc.

727 E. Bethany Home Road
Suite D225
Phoenix, AZ 85014
602.241.0782 phone
602.248.9158 fax

October 20, 2003
Mid-Rise Legal Description
EKA# 5146
Page 1 of 1



LEGAL DESCRIPTION
OF A
PARCEL OF LAND

That portion of the Northeast Quarter of Section 25, Township 1 South, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

Commencing at the North Quarter corner of said Section 25;

Thence North 88°59'01" East along the north line of the said Northeast Quarter of Section 25, a distance of 1883.80 feet to the POINT OF BEGINNING;

Thence continuing along said north line of the Northeast Quarter, North 88°59'01" East, a distance of 412.59 feet;

Thence South 01°00'59" East, a distance of 138.66 feet to the westerly ADOT right of way line described in Document No. 98-0651113, Maricopa County, Arizona;

Thence South 05°57'09" West along said westerly right of way line, a distance of 561.40 feet;

Thence South 05°56'47" West along said westerly right of way line a distance of 132.22 feet to the beginning of a tangent curve concave to the east having a radius of 4,623.66 feet;

Thence Southerly along said curve and said westerly right of way line through a central angle of 00°16'22" an arc length of 22.02 feet to the north line of Pinnacle Terrance Apartments, Map of Dedication, as recorded in Book 456 of Maps, Page 29, Records of Maricopa County; Arizona;

Thence South 88°59'01" West along said north line of Pinnacle Terrance Apartments, a distance of 529.01 feet;

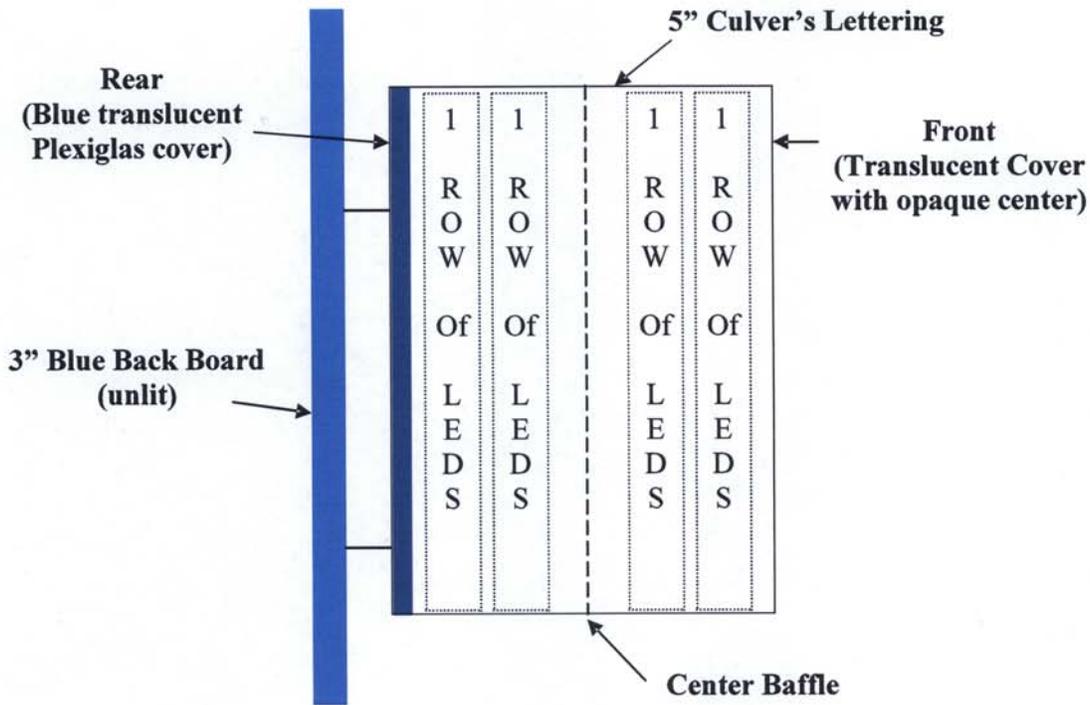
Thence North, a distance of 392.31 feet;

Thence East, a distance of 187.05 feet;

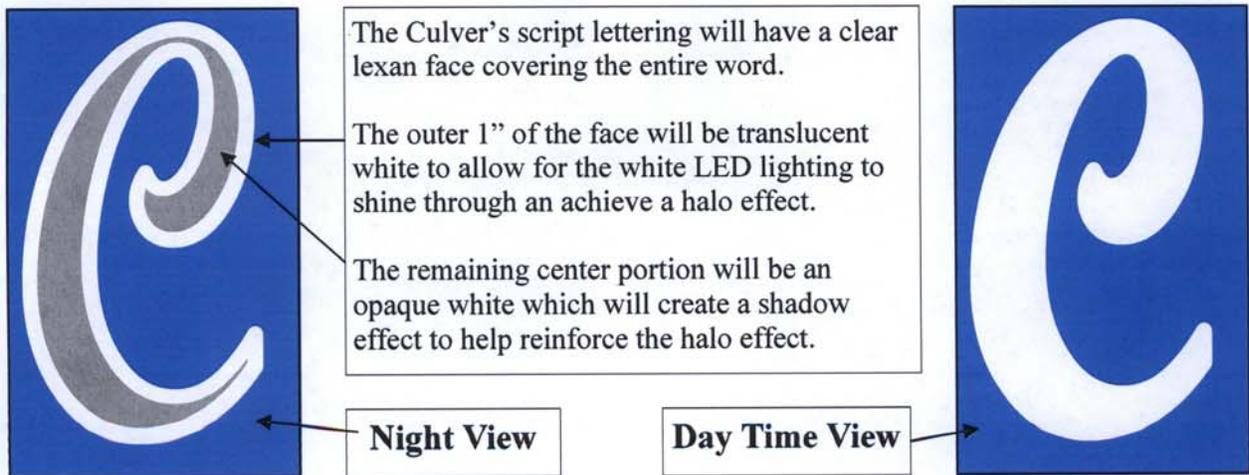
Thence North, a distance of 460.37 feet, to the POINT OF BEGINNING.

Containing 399,133 square feet or 9.1628 acres, more or less.

Culver's Building Sign Detail For The Park At San Tan (SWC Ray and 101)



The lights we be like strings of Christmas tree lights that will wrap the inside of the lettering. All 4 sets will be strung together and fed through a little hole in the center baffle. The baffle helps push the front light out the front and the rear light out the back.



Night View



The Culver's script lettering will have a clear lexan face covering the entire word.

The outer 1" of the face will be translucent white to allow for the white LED lighting to shine through and achieve a halo effect.

The remaining center portion will be an opaque white which will create a shadow effect to help reinforce the halo effect.

Simulation of dual halo lit Culver's Logo Sign at night on building elevation

#45

AUG 27 2009



Chandler · Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 09-081a

DATE: AUGUST 20, 2009

TO: MAYOR AND CITY COUNCIL

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

FROM: BILL DERMODY, SENIOR CITY PLANNER

SUBJECT: PDP09-0011 CULVER'S RESTAURANT

Request: Preliminary Development Plan (PDP) approval of conceptual site layout, architecture, landscaping, and signage for a new restaurant

Location: Approximately 450 feet west of the Loop 101 Price Freeway on the south side of Ray Road

Applicant: RCC Design Group, Stuart Rayburn

Owner: Park at San Tan LLC

Project Info: New 4,000 square foot restaurant on 1.3-acre vacant pad

The request was continued from the August 13, 2009 City Council hearing to allow the applicant and staff to work toward a mutually agreeable resolution regarding signage. At the time of this writing, work is ongoing in pursuit of such a resolution. An update will be provided to Council prior to the August 27 hearing.