



**MEMORANDUM**                      **Transportation & Development – CC Memo No. 11-064**

**DATE:**            JUNE 15, 2011

**TO:**                MAYOR AND CITY COUNCIL

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

**FROM:**            JODIE M. NOVAK, MEP, SENIOR CITY PLANNER

**SUBJECT:**        DVR11-0018 ARIZONA BLUE STAKE, INC.  
                  Introduction and Tentative Adoption of Ordinance No. 4315

**Request:**            Rezoning from Planned Area Development (PAD) for light industrial to PAD for light industrial and general office to allow a general office use on the property

**Location:**            2200 South Stearman Drive, which is north of Ryan Road and west of Gilbert Road within Chandler Airport Business Park

**Applicant:**            Sandra Holmes - Arizona Blue Stake, Inc.

**Project Info:**        Approximately a 2-acre parcel, existing building is 30,385 square feet for light industrial use; proposal to allow general office use, Blue Stake to occupy approximately half of the building

**RECOMMENDATION**

Upon finding the request to be consistent with the General Plan and Chandler Airpark Area Plan, Planning Commission and Planning Staff recommend approval subject to conditions.

**BACKGROUND**

The request is for rezoning from Planned Area Development (PAD) allowing light industrial as permitted in the I-1 zoning district to PAD for light industrial and general office uses. The request adds general office use in addition to the already permitted light industrial use. General

office use is proposed in conjunction with a user for the property. Arizona Blue Stake, Inc. will open a communication call center.

The property is a part of the larger Chandler Airport Business Park (CABP) master planned PAD zoning. The CABP was zoned in 2000 with a specific plan designating parcels for light industrial, airport related, business park, and neighborhood commercial uses. The land uses established for each parcel are in conformance with the Chandler Airpark Area Plan, which designates this area of the airport for commercial/office/business park land use. One other parcel within CABP has been rezoned for a general office use in addition to light industrial but has yet to develop. The property is south of the southwest corner of Germann Road and Stearman Drive. The subject site is surrounded by vacant, undeveloped parcels to the north, west, and northwest. South of the site is Cardinal Health's distribution center. East across Stearman Drive is the Versante at Chandler Airpark (a.k.a. Watermark).

The existing building was built in 2007 but was never occupied. The building is approximately 30,385 square feet. Arizona Blue Stake intends to occupy half of the building, 15,192 square feet which is enough space to accommodate future staff expansion. The other half of the building will be leased to a light industrial tenant. Another office tenant could not occupy the remainder of the building as the site would not provide enough parking spaces.

The proposed general office use in will have approximately 31 employees. The call center's hours of operation are Monday through Friday 6 a.m. to 5 p.m. There will be no utility location/marketing services or field employees located at this site. Employees work staggered full-time hours. Existing parking and any added parking will be in conformance with Zoning Code.

#### **AIRPORT COMMISSION RECOMMENDATION**

The Airport Commission reviewed the zoning request in accordance with the Airport Conflicts Evaluation Process. The Airport Manager has issued a conflicts evaluation report indicating that the Airport Commission found the proposed land use change does not constitute a conflict with existing or planned airport uses. See attached.

#### **DISCUSSION**

Planning Commission and Planning Staff recommend the addition of general office use to occupy approximately half of this existing light industrial building. The site is parked appropriately to accommodate both a general office and light industrial use. The office use is in conformance with the Chandler Airpark Area Plan and would be compatible with existing office and light industrial businesses in the airpark area.

#### **PUBLIC / NEIGHBORHOOD NOTIFICATION**

- The request was noticed in accordance with the requirements of the Chandler Zoning Code.
- The applicant's neighborhood meeting was held on June 2, 2011 at the Chandler Municipal Airport conference room. No area property owners attended. The City's airport manager and an Economic Development staff member attended.
- At the time of this memo, Planning Staff is not aware of any opposition or concerns to this request. Staff received a phone call from an adjacent property owner wanting additional

information on the proposal. This property owner wanted to ensure the site can meet parking requirements for an office use and that employees would not be parking along the streets in CABP affecting other properties.

**PLANNING COMMISSION VOTE REPORT**

Motion to Approve.

In Favor: 7      Opposed: 0

**RECOMMENDED ACTION**

Upon finding consistency with the General Plan and Chandler Airpark Area Plan, Planning Commission and Planning Staff recommend approval of the rezoning from Planned Area Development (PAD) for light industrial to PAD for light industrial and general office, subject to the following conditions:

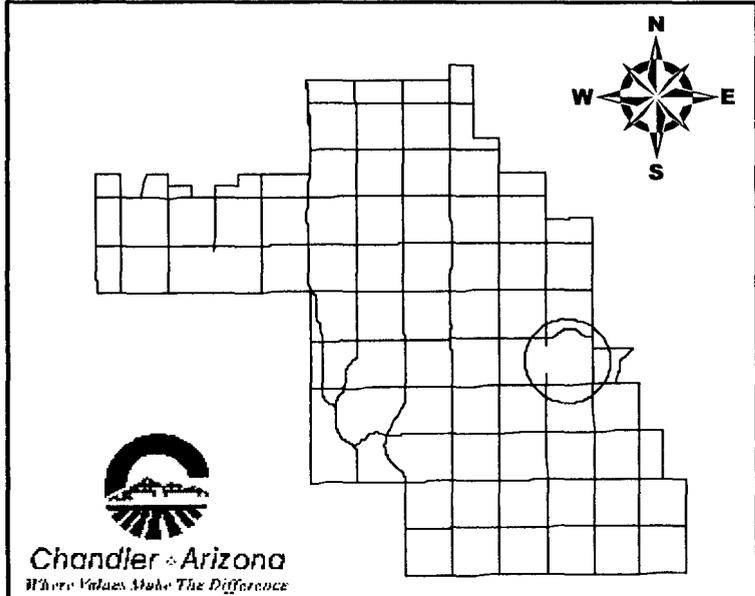
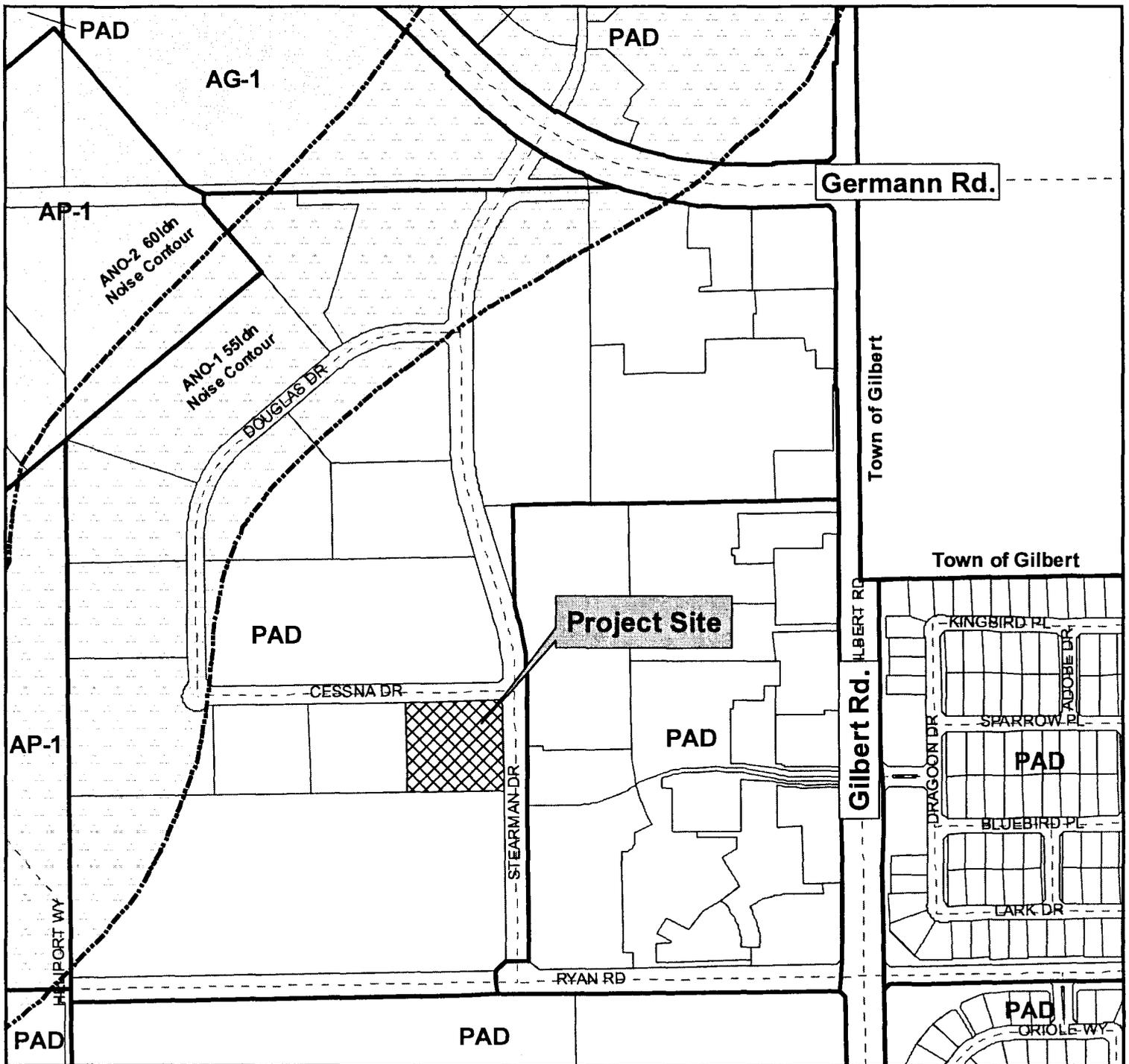
1. Development shall be in substantial conformance with approved exhibits (Site Plan, Floor Plan, and Narrative) as represented in zoning case DVR11-0018 Arizona Blue Stake, Inc. kept on file in the City of Chandler Planning Division, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 2996 in case PL99-019, except as modified by condition herein.

**PROPOSED MOTION**

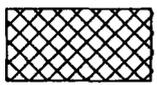
Move to introduce and tentatively adopt Ordinance No. 4315 approving DVR11-0018 ARIZONA BLUE STAKE, INC., from PAD (light industrial) to PAD (light industrial and general office) subject to the conditions recommended by Planning Commission and Planning Staff.

**Attachments**

1. Vicinity Maps
2. Narrative
3. Site Plan
4. Floor Plan
5. Ordinance No. 2996, PL99-019
6. Airport Conflicts Evaluation Report
7. Ordinance No. 4315

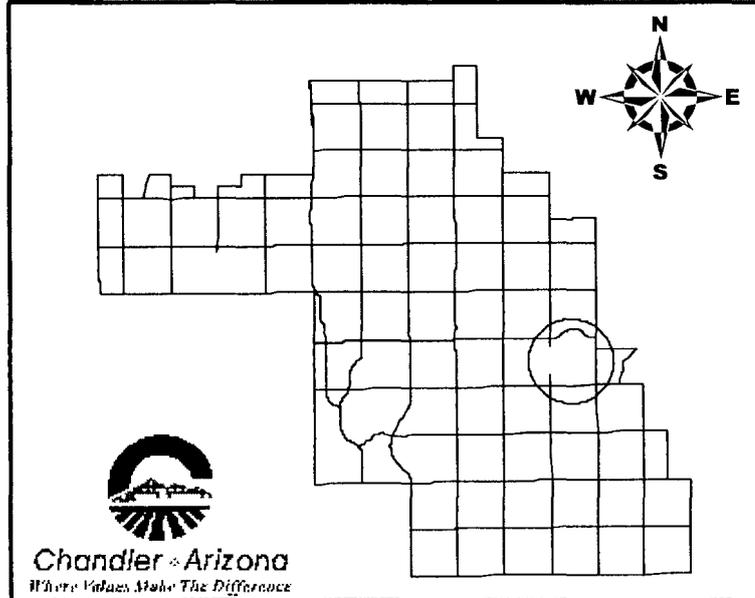
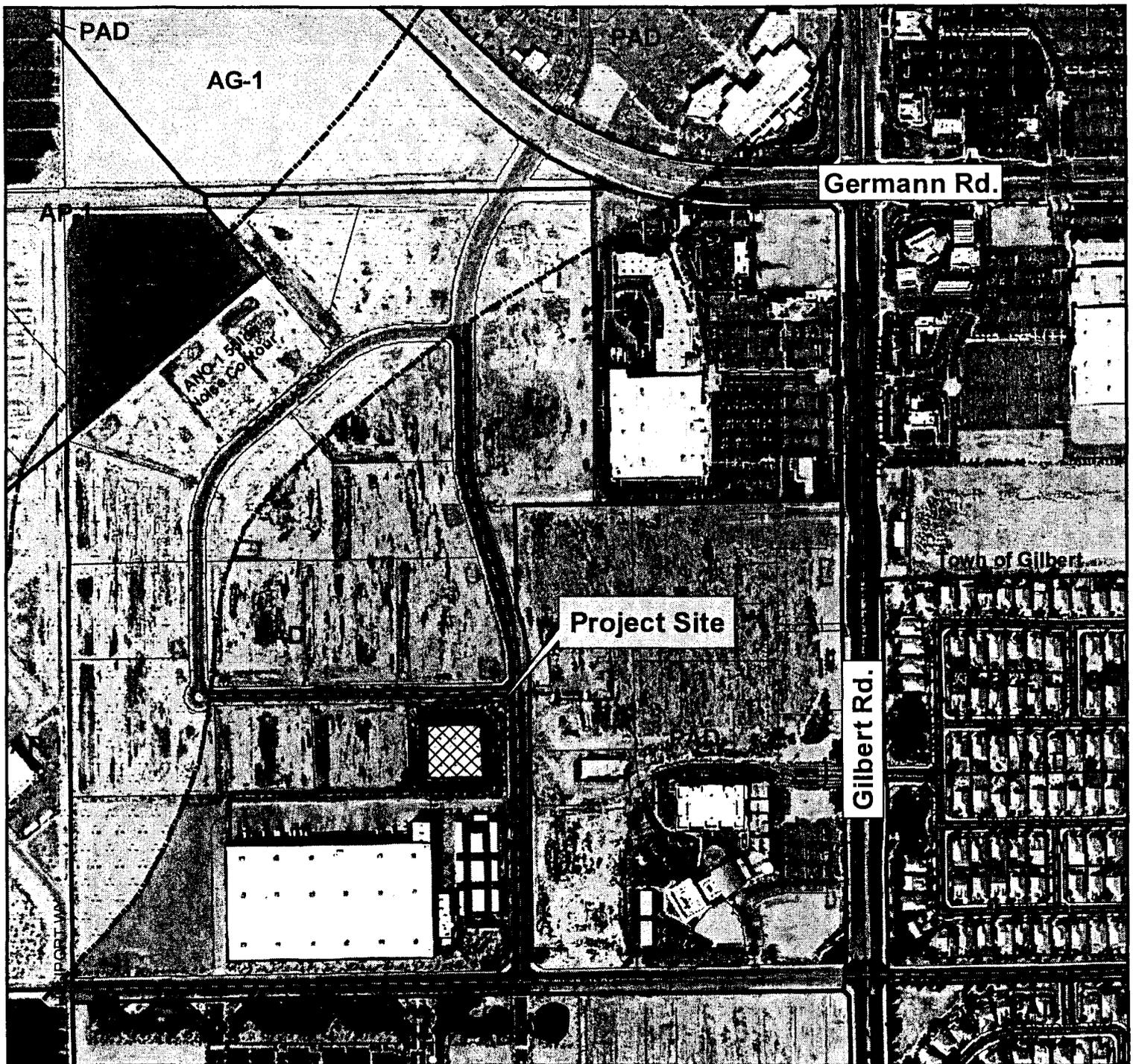


**Vicinity Map**

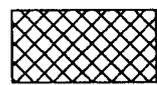


**DVR11-0018**

**Arizona Blue Stake Inc.**



## Vicinity Map



DVR11-0018

Arizona Blue Stake Inc.



4415 S. Wendler Dr., Suite 105  
Tempe, AZ 85282  
602-659-7503

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May 13, 2011

**SUBJ:** RE-ZONING CHANGE APPLICATION – PAD (I-1 Light Industrial) to PAD (General Office)

TO WHOM IT MAY CONCERN:

The purpose of this re -zoning application is to modify the current building/property zoning from PAD (I-1 Light Industrial) to PAD (General Office) use.

This is an existing building with no anticipated changes to the exterior architecture, site design or landscaping with the exception of minor parking modifications (see attached proposed parking plan).

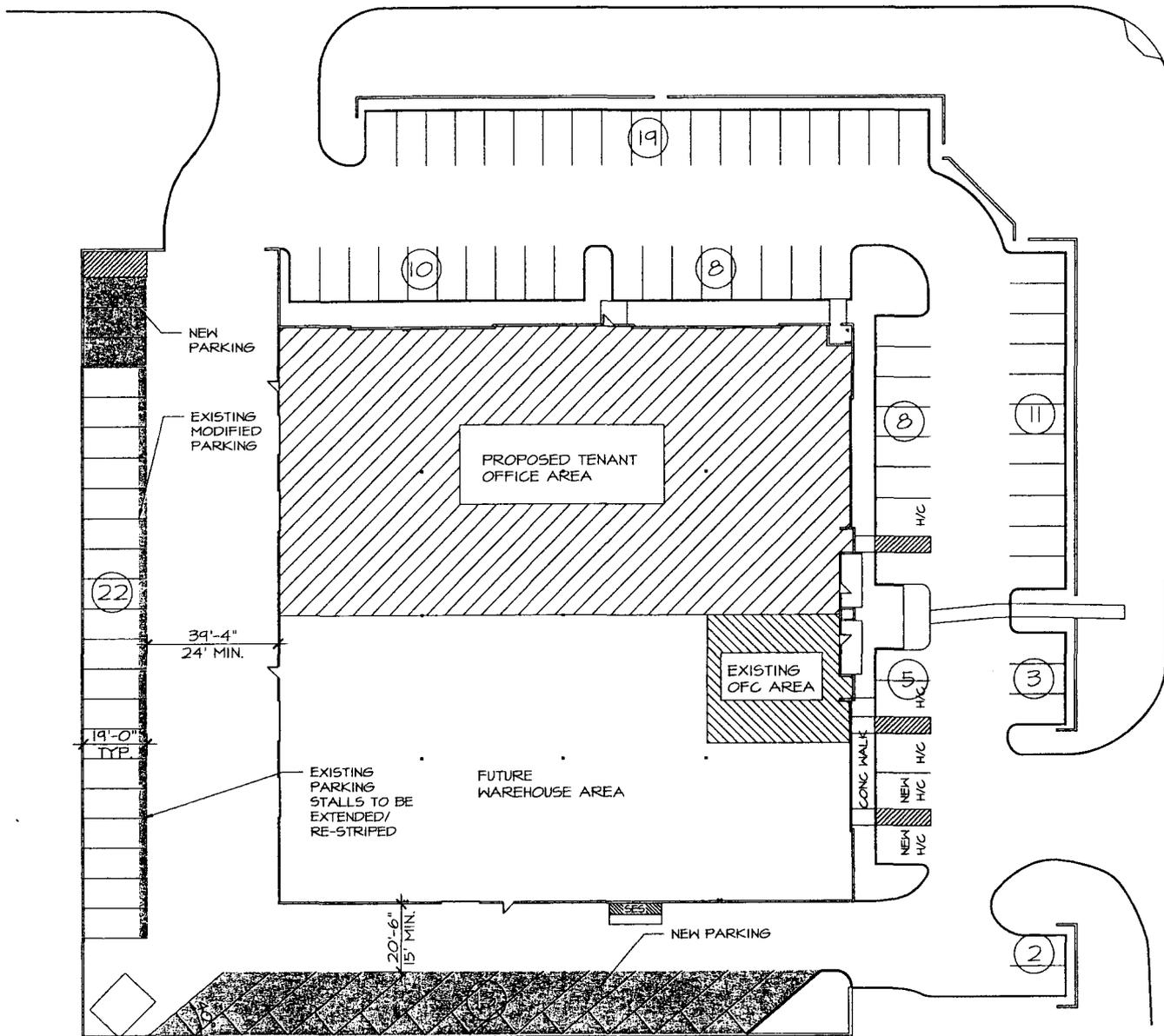
Arizona Blue Stake, Inc. (ABS) is a non-profit/tax-exempt communication center, which includes a small call center performing excavation notification services (20 people) and an administrative staff (11 people) which conducts stakeholder education designed to provide for public safety and underground facility damage prevention in accordance with statutory requirements. ABS does not perform any utility locating/marketing services and has no field employees.

ABS has leased office space in six different locations throughout its 37 year history and its Board of Directors, which consists of nine (9) utility company members, has decided to purchase a building to house the business in a more permanent location.

ABS current has 31 employees.

ABS' current hours of operation are Monday through Friday, 6 a.m. – 5 p.m., excluding several state recognized holidays.

The existing building is 30,385 square feet and ABS will be utilizing approximately ½ of it (15,192 square feet) for its operation, which includes enough space for some future staff expansion (see attached preliminary space plan). The other half is expected to be leased to an appropriate tenant.



BUILDING AREA = 30,385 SF  
 CONSTRUCTION TYPE V-B  
 OFFICE AREA = 16,692 SF  
 WAREHOUSE AREA = 13,693 SF

Drawing name: M:\Full Service\1100.00 AZ Blue Stake\1100.01 Due Diligence\SKA\1100.01 SK-3 Site.dwg

AD	DRAWN
EK	CHECKED
6.8.11	DATE
1/32" = 1'-0"	SCALE
1100.01	JOB NO
PARKING PLAN	

SITE-03

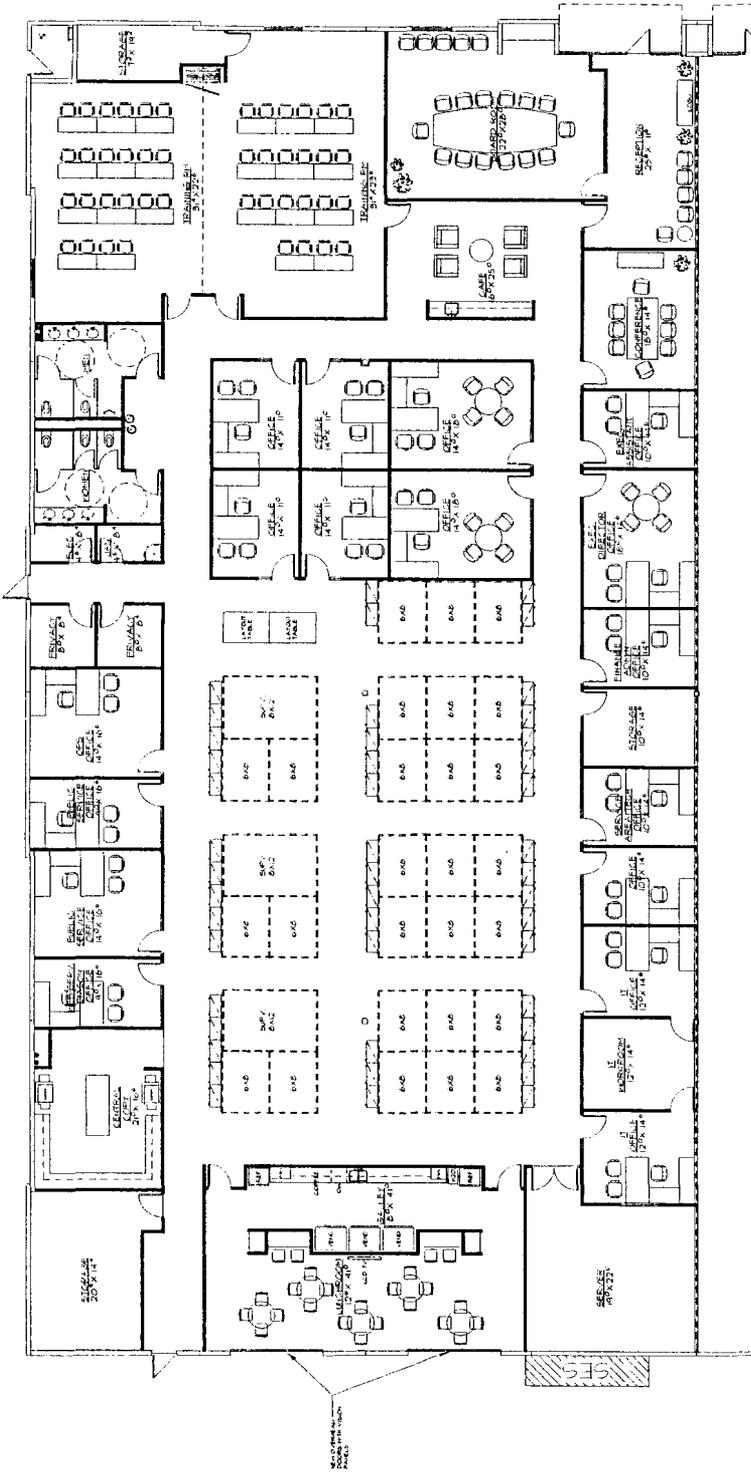
M.C. KERN, INC.  
 Architectural/Interior  
 2025 East Main Street  
 Phoenix, Arizona 85004-1223  
 Telephone: 602.944.1000  
 Fax: 602.944.1000

AZ BLUE STAKE  
 2200 S Stearman Road  
 Chandler, Arizona  
 PROPOSED PARKING PLAN

AD	08/08/08
BK	08/08/08
DATE	3-2-11
SCALE	1/16"=1'-0"
NO.	1100.01
DATE	10/12/08
NO.	15,912 R5F

SK-2

Drawing name: M:\Full Service\1100.01 AZ Blue Stake\1100.01 Due Diligence\SK11100.01SK-2.dwg



PRELIMINARY DRAWING - NOT FOR CONSTRUCTION  
 THIS PLAN OR PRELIMINARY DRAWINGS CAN NOT BE USED  
 FOR CONSTRUCTION OR FOR ANY OTHER PURPOSES  
 WITHOUT THE SIGNATURE OF THE ARCHITECT.  
 THE ARCHITECT IS NOT RESPONSIBLE FOR ANY OTHER  
 DAMAGE OR LOSS OF ANY KIND ARISING FROM THE  
 USE OF THESE DRAWINGS FOR ANY OTHER  
 PURPOSES. THE ARCHITECT ACCEPTS NO LIABILITY FOR ANY  
 INDETERMINATE OR UNAUTHORIZED USE OF THEIR DRAWINGS OR  
 REVISIONS THEREON.

**FLOOR PLAN**  
 SCALE: 1/16"=1'-0"  
  
 NORTH

ORDINANCE NO. 2996

Official File Copy

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY AMENDING ZONING FROM AG-1 TO PAD (PL99-019 CHANDLER AIRPORT BUSINESS PARK) 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:

As per Attachment "A", attached hereto and by reference made a part hereof.

Said parcel is hereby amended zoning from AG-1 to PAD subject to the following conditions:

1. Right-of-way dedications to achieve full half widths for Gilbert and Germann Road, including turn lanes and deceleration lanes, per the standards of the Chandler Transportation Plan. An additional 4-6 feet of right-of-way on each side of the arterial, collector and local streets shall be dedicated to accommodate for the detached sidewalk. Germann Road is to be constructed in accordance with the approved Roadway Plan. The developer shall enter into a Development Agreement with the City Engineer which shall establish the construction timing of the roadway. The developer shall be responsible for the costs of any plan revisions to the Germann Roadway Plan caused by the development to include such items as additional engineering, right-of-way or other incidental costs as necessary to construct the roadway. The Developer shall be given a cost estimate and notification prior to the City expenditure.
2. 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.

3. Future median openings shall be located and designed in compliance with City adopted design standards (Technical Design Manual #4).
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. Construction shall commence above foundation walls 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.
6. Development shall be in substantial conformance with Exhibit A, Development Booklet, except as modified by condition herein.
7. The adjacent property owner shall maintain the landscaping in all open-spaces and rights-of-way.
8. Approval by the Director of Planning and Development of plans for landscaping (open spaces and rights-of-way) and perimeter walls.
9. 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.
10. The source of water that shall be used on the open space, common areas, and landscape tracts shall be reclaimed water (effluent). If reclaimed water is not available at the time of construction, these areas will be irrigated and supplied with water, other than surface water from any irrigation district, by the owner of the development through sources consistent with the laws of the State of Arizona and the rules and regulations of the Arizona Department of Water Resources. The open space, common areas, and landscape tracts may be irrigated and supplied with water by or through the use of potable water provided by the City of Chandler or any other source that will not otherwise interfere with, impede, diminish, reduce, limit or otherwise adversely affect the City of Chandler's municipal water service area nor shall such provision of water cause a credit or charge to be made against the City of Chandler's gallons per capita per day (GPCD) allotment or allocation. However, once effluent is of the quantity and quality needed to support the open space, common areas, and landscape tracts available to the property, effluent shall be used to irrigate.

In the event the owner sells or otherwise transfers the development to another person or entity, the owner will also sell or transfer to the buyer of the development, at the buyer's option, the water rights and permits then applicable to the development. The limitation that the water for the development is to be owner-provided and the restriction provided for in the preceding sentence shall be stated on the final plat governing the development, so as to provide notice to any future owners.

11. The Purchase Contracts and Final Plats shall include a disclosure statement outlining that the development shall use treated effluent to maintain open space, common areas, and landscape tracts.
12. Any prospective buyer of any lot within this subdivision shall be given a disclosure statement for their signature, prior to lot sale, fully acknowledging that this subdivision lies within the Chandler Municipal Airport Impact Overlay District, as specified in the Chandler Zoning Code. This condition is an obligation of the subdivider/developer and shall not be construed as a guarantee of disclosure by the City of Chandler.
13. The developer shall make available a 1-acre parcel for a water storage tank and production facility if in the opinion of the City Engineer such a facility is deemed necessary.
14. Due to the impact of the development, a development agreement in the form approved by the City as required to provide necessary public infrastructure.
15. The uses within the Airport Related land use area shall be allowed under the following criteria. For the purposes of the stipulation, the following definitions are used:

*Airpark* – Those areas outside of the airport property being adjacent to and/or having direct access to paved taxilanes and appropriate taxilane safety areas which allow aircraft access to the airport runway/taxiway system through the crossing of the airport property line.

*Airport* – Those areas that are bordered by and are interior to the airport property line. Said property contains the runway/taxiway system.

*Runway/Taxiway system* – The areas within the airport property consisting of paved areas designated for the take-off, landing, parking, taxiing or other movement of fixed wing and rotary wing aircraft.

#### PROHIBITED USES

The uses prohibited within the airpark area include any activity that provides aeronautical services to the public in direct support of aircraft operations, maintenance, and service/repair.

PERMITTED USES

The uses permitted within the airpark area are those uses allowed under the I-1 zoning district, excepting those more airport intensive prohibited uses identified above. Permitted uses are generally described as transitional uses that are less airport intensive uses such as offices or businesses that use aircraft as part of the office or business. These businesses may self-fuel, maintain, or repair their own aircraft in accordance with the Airpark Rules and Regulations. Uses which require access between the Airport and Airpark require an Airport access permit.

16. No television, communication towers or stand-alone antennas shall be constructed on the property. All structures and appurtenances on buildings shall be limited to 35' above the surrounding grade or less. All structures on the property shall remain below the protective surfaces as defined in Federal Aviation Regulation Part 77 and detailed in the Airport Layout Plans.
17. Developer acknowledges that City does not guarantee the actual physical connection of the property to the on-airport taxiway. The Developer has the option to construct the on-airport taxiway connection subject to a Development Agreement if FAA/ADOT funding is not available.
18. Since zoning cannot guarantee or provide access to the airport, said access needs to be addressed through a development agreement. Developer understands and agrees that no right of access to any part of the Chandler Municipal Airport, including any of its taxiways or runways, accrues to or runs with any of the land that is subject to this zoning, including the airpark, as a consequence of this zoning. An owner or occupier of any portion of the airpark may apply to the City for permission to access and use the on-airport taxiways or runway. However, the decision to grant such permission shall be in the sole discretion of the City, and in no event, shall the granting of such permission constitute a right of access running with the permittee's property at the airpark.
19. The developer acknowledges that the hangar portion of the buildings in the Airpark area will under all circumstances not be for aeronautical services to the public, and that a certificate of occupancy needs to be obtained before the hangar can be utilized. The only exception would be an aircraft museum. In addition, each development with intended aircraft hangar construction must provide a paved aircraft-parking apron adjacent to the hangar and the taxiway safety area. Said area must be of sufficient size to be equal to or less than the square footage of the aircraft hangar.
20. The exhibits and representations submitted herein are found to be in compliance with the requirements for Conceptual Development Plan approval. The first Preliminary Development Plan for any portion of the property shall include a Development Design Booklet that establishes specific urban design elements that will be incorporated into the entire project. The elements shall include but not be limited to building design and materials, landscape palette and streetscape items. Subsequent development requests within the master plan will

approved by the Director of Planning and Development if it is found that the development request complies with the Development Design Booklet.

21. Approval of a Traffic Study by the City Engineer and implementation of the recommendations in that study.
22. Construction phasing of the Germann Road improvements will be determined on the Preliminary Plat in consideration of the planned Germann Road realignment plans and the development's phasing, subject to approval of the Public Works Director.
23. All development shall comply with the approved FAR Part 150 Noise Compatibility Study and specifically sound-proofing the buildings to achieve a 25 to 30 db reduction within the applicable noise contours.

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

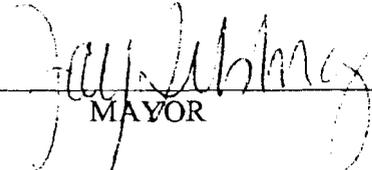
SECTION III. The Planning & Development Department of the City of Chandler is hereby directed to enter such changes and amendments as may be necessary upon the Zoning Map of said Zoning Code in compliance with this ordinance.

INTRODUCED AND TENTATIVELY APPROVED by the City Council this 16<sup>th</sup> day of December 1999.

ATTEST:

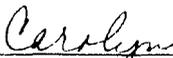
  
CITY CLERK



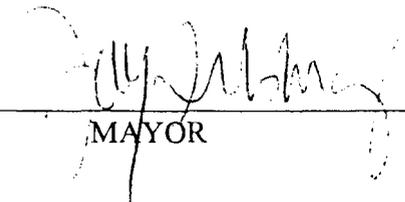
  
MAYOR

PASSED AND ADOPTED by the City Council this 13<sup>th</sup> day of January 2000.

ATTEST:

  
CITY CLERK



  
MAYOR



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*Where Values Make The Difference*

**MEMORANDUM Transportation & Development Dept. – Airport Memo No. AP11-34**

**DATE:** JUNE 8, 2011

**TO:** JEFF KURTZ, PLANNING ADMINISTRATOR

**FROM:** GREG CHENOWETH, AIRPORT MANAGER *gc*

**SUBJECT:** AIRPORT CONFLICTS EVALUATION – AIRPORT COMMISSION FINDINGS FOR PROPOSED USE CHANGE AT 2200 S. STEARMAN DR. ALLOWING OFFICE USES

The Airport Commission discussed the proposed use change for 2200 S. Stearman Dr. at their regular meeting of June 8, 2011.

Finding: The Commission determined the proposed use changes for 2200 S. Stearman Dr. does not constitute a conflict with the existing or planned airport uses.

Conflict(s) Cited: None.

Conflict Resolution(s): None.

Commission Members in Attendance: Chelle Daly, Gary DeHoff, Schulyer McCorkle, Kelly McMullen, Frank Nechvatal and David Hurst. This attendance represented a quorum.

In compliance with the Airport Conflicts Evaluation Process, the Commission voted 6-0 to forward a report to the Planning Administrator and City Council indicating the findings noted above.

cc: Jodie Novak, Senior City Planner

**ORDINANCE NO. 4315**

AN ORDINANCE OF THE CITY OF CHANDLER, ARIZONA, AMENDING THE ZONING CODE AND MAP ATTACHED THERETO, BY REZONING A PARCEL FROM PAD TO PAD (DVR11-0018 ARIZONA BLUE STAKE, INC.) 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 to PAD, subject to the following conditions:

1. Development shall be in substantial conformance with approved exhibits (Site Plan, Floor Plan, and Narrative) as represented in zoning case DVR11-0018 Arizona Blue Stake, Inc. kept on file in the City of Chandler Planning Division, except as modified by condition herein.
2. Compliance with original conditions adopted by the City Council as Ordinance No. 2996 in case PL99-019, except as modified by condition herein.



# Attachment 'A'

## 2200 S Stearman Dr Legal Description

### Legal Description

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 5 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF CHANDLER BRASS CAP AT THE INTERSECTION OF THE CENTERLINES OF STEARMAN DRIVE AND RYAN ROAD;

THENCE NORTH 00° 04' 44" WEST 639.48 FEET, ALONG SAID CENTERLINE OF STEARMAN DRIVE;

THENCE SOUTH 89° 20' 46" WEST 40.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID STEARMAN DRIVE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE CONTINUE SOUTH 89° 20' 46" WEST 320.00 FEET;

THENCE NORTH 00° 29' 14" WEST 299.78 FEET;

THENCE NORTH 89° 20' 46" EAST 307.96 FEET;

THENCE SOUTH 45° 21' 37" EAST 21.19 FEET;

THENCE SOUTH 00° 04' 44" EAST 284.74 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

LOT 1, CHANDLER AIRPORT BUSINESS PARK, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 952 OF MAPS, PAGE 50.