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32 **STIPULATIONS** (existing stipulations modified by this amendment are amended with
33 deletions shown as ~~strike throughs~~ and/or updated language shown in **bold**) In the case of
34 discrepancies between approved plans, those with a later date shall take precedence.
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36 Jun 20, 2017 Minor SUP Amendment
37

38 *To replace the Tesseract school with another private school, The Jones-Gordon*
39 *School, modify the stipulation that the curriculum taught at the school be changed*
40 *from pre-school through 8th grade to 1st grade through 12th grade, and to modify the*
41 *two wall signs along Tatum Boulevard to identify the new school.*
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- 43 **1. The Property shall be in substantial compliance with the following:**
 - 44 **a. Project Narrative, dated June 9, 2017;**
 - 45 **b. Site Plan, prepared by On Demand Plans;**
 - 46 **c. ALTA survey, prepared by Alliance Land Surveying LLC, dated May**
47 **5, 2017;**
 - 48 **d. Parking – Traffic Statement, prepared by CivTech Inc., dated May 9,**
49 **2017, with the queuing and parking exhibit; and**
 - 50 **e. Existing Outdoor Lighting Evaluation, prepared by D.H. Lighting**
51 **Solutions, dated May 10, 2017.**
- 52
- 53 **2. The property owner and Town shall sign and record a Waiver of Rights and**
54 **Remedies agreement under A.R.S. § 12-1134 (Proposition 207 Waiver) in the**
55 **form provided by the Town Attorney within 10 calendar days of the**
56 **approval of this amendment to the Special Use Permit.**
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- 58 **3. The Property shall be used for a private school and related facilities only as set**
59 **forth in the stipulations of this Special Use Permit paragraphs 1 and 6, and no**
60 **changes, expansions, additions or alterations to the Property or improvements**
61 **shall be allowed without an express written amendment to this Special Use**
62 **Permit. (Moved and revised from Stipulation 2, SUP 95-18)**
 - 63 **a. The allowable curriculum taught at the school shall be for**
64 **preschool 1st grade through eighth 12th grade. There shall be no**
65 **grade levels above grade 8. (Moved and revised from Stipulation 6.h,**
66 **SUP-95-18)**
 - 67 **b. Lower grades are defined as 1st grade through 4th grade. Middle**
68 **grades are defined as 5th grade through 8th grade. Upper grades are**
69 **defined as 9th grade through 12th grade.**
 - 70 **c. The maximum enrollment shall not exceed 340 students. (Moved from**
71 **Stipulation 6.d of SUP 95-18)**
 - 72 **d. The maximum upper school enrollment shall not exceed 60 students.**
 - 73 **e. The normal hours of operation shall be between the hours of 6:00**
74 **o'clock 7:00 a.m. and 7:00 o'clock 6:00 p.m. Monday through Friday.**
75 **(Moved and revised from Stipulation 6.g, SUP 95-18)**
 - 76 **f. The Property will be a closed campus, restricting the ability of**
77 **students to leave for lunch off the school grounds.**

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g. The outdoor areas of the Property shall not be used for extra-curricular athletic activities that occur outside the regular school day.

4. Special events shall be permissible on the Property, with or without temporary tents or pavilions, provided these events are in accordance with the Article 8-8, Special Events on Private Property and Public Rights-of-Way, of the Town Code, as may be amended, with the following conditions:

- a. Special Events shall include, and are not limited to, the Fall Festival, Field Day, Student Talent Showcase, Middle School Promotion, and High School Graduation as outlined in the narrative with SUP-17-03;**
- b. Special Events, including setup and tear down, are allowable between the hours of 6:00 a.m. until 9:00 p.m., Monday through Friday, 7:00 a.m. until 9:00 p.m. on Saturday, and no events on Sunday.**
- c. As allowable in said Article 8-8, Special Use Permit properties are exempt from the Special Event permit review process provided that such exempted events are limited to the type of activities that are customary and incidental to the primary uses of the Property and any temporary tents or pavilions used are as approved at the locations and tent sizes shown on any approved plan(s);**
- d. Exemption from the Special Event permit review process does not exempt the owner of the Property from any applicable required permit inspections related to public health, safety and welfare by the Town, State of Arizona, or other such jurisdiction. Such permit inspections may include, but are not limited to the following:**
 - i. A permit from the Town Fire Marshal, or designee, for any structure or tent having an area in excess of 200 square feet, or a canopy in excess of 400 square feet, and**
 - ii. Review by the Town Community Development Department the provision for and location of any portable restroom facilities;**
- e. Any temporary tents or pavilions not shown on said plans may be approved in accordance to Article 8-8-10, Procedure for Review of Application and Appeal of Decision, of the Town Code;**

118 f. Temporary tents or pavilions shall remain erected for not
119 more than one day before and after the Special Event or up to
120 five consecutive days, whichever is less. Such tents or pavilions
121 may exceed five days provided the owner of the Property
122 applies for a Special Event Permit in accordance with said
123 Article 8-8 and such permit is approved by the Town;

124 i. Maximum temporary tent or pavilion height shall
125 not exceed 24 feet above finished grade;

126 ii. Temporary tents or pavilions must meet a minimum
127 setback of 40 feet to the exterior property line of the
128 Property; and

129 iii. Placement of any temporary tent or pavilion shall
130 have no adverse impact on parking or circulation;

131 f. Lighting underneath temporary tents and pavilions, and
132 safety-security lighting within the area of the Special Event,
133 are permissible with the provisions that these lights are not
134 visible to the adjoining residential properties, are mounted
135 above the lower limit of the tent or pavilion top or are
136 otherwise shielded by the tent or pavilion side walls or are
137 otherwise in compliance with the outdoor lighting
138 requirements of Section 1023, Outdoor Lighting and
139 Illumination, of the Town Code as may be amended.

140 g. Special event(s) that exceed the capacity of the 84 on-site
141 parking spaces shall be prohibited, unless mitigation measures
142 can be demonstrated to the Town's Community Development
143 Director, or designee. Such mitigation measures might include
144 temporary overflow parking measures, hiring off-duty officers
145 to control traffic, shuttling attendees, or other similar
146 measures.
147

148 **5. Parking and circulation on the site shall remain as depicted on the approved**
149 **plans and related documents.**

150 a. If queuing or spill back of vehicles onto Doubletree Ranch Road is
151 observed to be an issue by the Town in the future the applicant shall
152 conduct a traffic analysis and pay for a right-turn lane and/or a left-
153 turn lane into the school if it is deemed necessary.

154 b. No school-related parking shall be permitted along Doubletree Ranch
155 Road, Tatum Boulevard, or adjacent local streets.

156 c. No more than 20 on-site parking spaces shall be used for student
157 parking.

158 d. The school agrees to abide by the terms as generally described in the
159 student vehicle-parking contract submitted with SUP-17-03. Within 30
160 calendar days of final approval of this Special Use Permit amendment,

161 the representative for the school shall provide to the Town Attorney the
162 final copy of the vehicle- parking contract to ensure that all terms
163 required under the Special Use Permit are covered. Any future updates
164 to this parking contract shall be given to the Town to ensure its
165 substantial compliance to the Special Use Permit for the school.

- 166 e. The representative for the school shall furnish the Town with a report
167 providing information on the students enrolled at the school twice a
168 year as follows:
- 169 i. A student enrollment total for the lower, middle, and upper
170 grades.
 - 171 ii. The number of student parking permits granted not to exceed
172 20.
 - 173 iii. Total student enrollment count at the beginning of the school
174 year.
 - 175 iv. Total student enrollment count at the end of the school year.
 - 176 v. Each report shall indicate the date such enrollment count was
177 taken.
 - 178 vi. The school superintendent shall sign each report.
- 179 f. The seven parking spaces along the eastern parking lot drive aisle
180 shall be re-striped such that the Property maintains a total of 91 total
181 parking spaces, including five accessible parking spaces.

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183 **6. All existing Special Use Permit stipulations shall remain in full force and**
184 **effect, unless changed or modified by this Minor Amendment SUP-17-03.**
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186
187 Feb 22, 2013 Managerial SUP Amendment

188
189 *Addition of an umbrella style shade canopy at the northeast playground*

- 190
191 1. All improvements to the property shall be in substantial compliance with the
192 following:
- 193 a. Site Plan,
 - 194 b. Elevation Plan/Detail, and the
 - 195 c. Beige colored material sample.
- 196
197 2. All necessary building permits shall be obtained.
198

199 May 5, 2009 Managerial SUP Amendment

200
201 *Addition of a staircase and rock wall for the south play structure at a setback of 22'*
202 *and 25', respectively*

- 203
204 1. All necessary building permits shall be obtained.
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206 Dec 3, 2008 Minor SUP Amendment (SUP-08-03)

208 *Replace an existing sign, add a new sign, replace two play structures and add three*
209 *canopies*

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211 1. The improvements to replace an existing sign, add a new sign, replace two play
212 structures and add three canopies at the Tesseract School Campus shall be in
213 substantial compliance with Attachments A thru F provided by the applicant.
214 *(The two signs approved in SUP-08-03 are no longer valid, as these are replaced*
215 *with the two wall signs along Tatum Boulevard of SUP-17-03)*

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217 2. All existing Special Use Permit stipulations shall remain in full force and effect.

218

219 May 5, 2009 Managerial SUP Amendment

220

221 *Addition of two security signs, one located at northwest corner of the perimeter*
222 *wall and the other located on southeast corner of the perimeter wall. Signs shall not*
223 *exceed a maximum height of three feet, measured from grade.*

224

225 Jan 27, 2000 SUP Amendment (SUP-99-13)

226

227 *Addition of a shade structure and a security gate. The shade structure would be 15*
228 *feet high and 84 feet long. The fabric on the structure would be a tan to blend in with*
229 *the building. The structure would be more than 100 feet from the north and west*
230 *boundaries of the property and there is landscaping to provide further screening. The*
231 *security gate would be a 4 feet wide, 7 feet 4 inches high wrought iron fence to*
232 *provide security to the pre-school areas.*

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234 1. Prior to the issuance of a building permit for the shade structure and a security
235 gate approved by Chief of Police and the appropriate fire authorities, the applicant
236 shall provide additional landscaping along the northern property line to
237 supplement the 1994 landscape plan.

238

239 2. Development shall be in conformance with the submitted site plan.

240

241 3. The material of the shade structure shall be compatible to the color of the existing
242 school buildings.

243

244 May 12, 1994 SUP Amendment (SUP-95-18)

245

246 *Addition of a new classroom building and to modify the curriculum to add 7th and 8th*
247 *grade. This Special Use Permit amendment was recorded with the Maricopa County*
248 *Recorder, document 95-0300330. Document 95-0300330 replaced all the prior*
249 *stipulations into one document. These prior recorded documents included the*
250 *amended Special Use Permit document 94-0597112 and 89-313533 .*

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252 1. The development, construction and usage of the Property shall be in
253 strict compliance with that *those* certain documents marked and certified by the
254 Paradise Valley Town Clerk as:

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Exhibit D - Classroom Addition, Proposed Site Plan, prepared by The Orcutt/Winslow Partnership, Sheets A, B, D, and E, dated February 7, 1995, and sheet L-1, dated March 31, 1995, Project No. 94155.

This exhibit is incorporated into this Special Use Permit. All earlier Exhibits (A, B, and C) are revoked

- ~~2. Property shall be used for a private school and related facilities only as set forth in paragraphs 1 and 6, and no changes, expansions, additions or alterations to the Property or improvements shall be allowed without an express written amendment to this Special Use Permit. (Moved and revised to Stipulation 3, SUP-17-03)~~
3. The use of the Property shall at all times conform to all applicable state laws and Town ordinances.
4. If the Property is used or developed in a manner inconsistent with the terms of this Special Use Permit, the Council may, upon determination after notice and hearing that a violation has taken place, assess a sanction against the Grantee in an amount not to exceed one thousand dollars (\$1,000.00) for each violation, **or as amended by Town Code**. Any day or portion thereof that a violation continues is deemed a separate violation.
5. This Special Use Permit shall be binding on the Grantees, their heirs, assigns, personal representatives or successors in interest.
6. The property shall be utilized as a private school upon the following terms, stipulations and conditions:
 - a. All building heights, densities, setbacks, and uses shall be as depicted and approved on Exhibit D.
 - b. All utilities shall be underground.
 - c. All sewage shall be connected to a public sanitary sewer.
 - d. ~~The maximum enrollment shall not exceed 340 students (Moved to Stipulation 3.b, SUP-17-03)~~
 - e. Outdoor lighting shall not exceed eight feet in height at any location and shall meet the Town Light Ordinance and must be as depicted on the site plan.
 - f. The recreational path along Doubletree Ranch Road abutting the property shall be 6 feet wide and in concrete.
 - g. ~~The normal hours of operation shall be between the hours of 6:00 o'clock a.m. and 7:00 o'clock p.m. Monday through Friday. (Moved and revised to Stipulation 3.d, SUP-17-03)~~
 - h. ~~The school shall be for preschool through eighth grade. There shall be no grade levels above grade 8 (Moved and revised to Stipulation 3.a, SUP-17-03)~~

- 296 i. No outside bells or sound amplification systems shall be used
297 except for an emergency alarm system.
- 298 j. At such time as a recreational path is built along the east side of Tatum
299 Boulevard from the south to Doubletree Ranch Road or from the north
300 to the north edge of the Grantees' property, then the Grantees shall build
301 a recreational path along the west edge of the property consistent with
302 the new path as to size, style and materials.
- 303 ~~k. Construction of the entire project must be completed no later than~~
304 ~~[January 15, 1995]. January 15, 1996. (completed)~~
- 305 l. The driveway entry shall be modified [per the attached Detail Plan #1.] as
306 shown in Exhibit D, Sheet B.
- 307 m. Existing native plants necessarily disturbed by construction shall be
308 relocated on site.
- 309 n. There shall be a landscaping screen along the north property line west of
310 the new building; or, the playground equipment shall be relocated away
311 from the homes to the north; [one] Two evergreen elms added.
- 312 o. No new lighting, other than parking lot lighting, shall be permitted. Any
313 new parking lot lighting shall conform to the submitted and approved as
314 shown on the plan site lighting plan.
- 315 p. The fence on the northern boundary shall have only one course added.
- 316 q. No parking signs shall be placed in front of the school along Doubletree.
- 317 r. The developer shall provide trees north of parking and south of retention
318 basin.
- 319 s. The Golle letter shall be part of the Special Use Permit.
- 320 t. The paved play area on the west may be used for overflow parking
321 approximately five times a year.
- 322 u. The parking lot lights shall be turned off by 10:00 p.m. except for security
323 lighting.
- 324

EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1: (Tax Parcel No. 168-32-002E)

The East 310.00 feet of the South 660.00 feet of the West half of the Southwest quarter of the Southwest quarter of Section 29, Township 3 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT that portion thereof which lies within FOOTHILLS MANOR, a subdivision recorded in Book 323 of Maps, page 19, records of Maricopa County, Arizona.

PARCEL NO. 2: (Tax Parcel No. 168-32-002C)

That portion of the West half of the Southwest quarter of the Southwest quarter of Section 29, Township 3 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Southwest corner of said Section 29;

thence North along the West line of said Section 29, 328.30 feet;

thence South 88 degrees 48 minutes 40 seconds East, 344.13 feet to a point on the West line of the East 310.00 feet of the South 660.00 feet of said West half;

thence along said West line South 00 degrees 04 minutes 30 seconds West, 328.51 feet to a point on the South line of said Section 29;

thence along said South line North 88 degrees 46 minutes 30 seconds West, 343.71 feet to the POINT OF BEGINNING.

Student: _____ Grade: _____

Year/Make/Model/Color of Vehicle: _____

License Plate #: _____ Driver's License #: _____

Owner of vehicle: _____ Owner phone #: _____

Address of owner: _____

DRIVING/PARKING

The following are guidelines that all student drivers are required to follow. All student drivers and their parents are required to sign a Vehicle Parking Contract. **Parking on campus is a privilege.** Parking registration is limited to juniors and seniors ONLY, with a GPA greater than or equal to 3.0, based on space availability.

PARKING REGULATIONS

- All vehicles parked on school grounds must be registered with the school.**
 - Students may only park in designated student spaces.
 - Students found to be parking off campus will lose all parking privileges. Second offenses will result in disciplinary action.
- A student may register multiple vehicles under their permit.** Please submit registration and proof of insurance for each vehicle. If a student needs to drive an alternate vehicle, bring both documents to the main office first thing in the morning.
 - Under no circumstances should a car be parked without proper registration.**
 - If a student changes vehicles at any point during the school year,** temporarily or otherwise, the registration and proof of insurance of the replacement vehicle must be brought in to document the change of vehicles and updated so that no registration fines are assessed. There is no additional charge in such a case.
- The registration fee of \$75 must be paid with cash or check in the exact dollar amount.**
- Parking regulations are enforced.** It is considered a privilege to park on school grounds. Suspension of parking privileges, towing of vehicles, use of a restraining boot, and/or other disciplinary action, up to and including expulsion, may occur.
- All student drivers must be licensed and covered by insurance.** The school is **NOT** responsible for the vehicle and/or its contents.
- Vehicles will be appropriately parked on arrival,** one vehicle per space. Pull-in parking only will be permitted. Back-in parking and pull-through parking constitutes a violation for improper parking.
- Parking lot speed shall not exceed 10 miles per hour.** Reckless and/or irresponsible operation is cause for revocation of parking privileges (Irresponsible operation includes, but is not limited to: stop sign violation, screeching of tires, failure to yield in crosswalks, and speeding). A student shall not intentionally, nor recklessly, operate a motor vehicle so as to endanger the safety,

health and/or welfare of others on school property. Immediate disciplinary action will be taken for any such violations.

8. **Students who park on campus after privileges have been revoked** may receive additional disciplinary consequences, up to and including expulsion.
 - a. Parking off-site (in surrounding neighborhoods) is strictly prohibited and will automatically result in disciplinary action.
9. **All regulations of the student handbook apply to the parking lot.** Students are not to loiter in the parking area nor are they to sit in their vehicles while parked on school grounds or in local neighborhoods.
10. **Student vehicles are subject to search.** Any student who exercises the privilege of parking an automobile on school grounds shall be considered to have given implied consent to a search of such automobile at any time a search is requested by the school administration.
11. In accordance with local ordinances, **noise levels emanating from the vehicle** (mechanically, musically, or otherwise) **must be kept at a minimum.** Excessive noise, as determined by JGS employees, will result in disciplinary action.
12. **The administration reserves the right to revoke parking privileges.**

Parking registration will be considered complete upon receipt of all of the following:

- Parking contract for each student/vehicle
- Copy of current student driver's license
- Copy of current proof of insurance for each vehicle
- Copy of current vehicle registration

I have read and understand the above regulations. By signing below, I agree to abide by them. In the event that I should disobey any of these regulations, I understand that I am subject to disciplinary action, up to and including expulsion from the Jones-Gordon School.

Student Signature _____ Name (printed) _____ Date _____

I have read and understand the above regulations. By signing below, I hereby give my son/daughter permission to park on campus and understand that failure to abide by all regulations will result in disciplinary action, up to and including expulsion from the Jones-Gordon School.

Parent Signature _____ Name (printed) _____ Date _____



The Clubhouse
innovative therapy centers

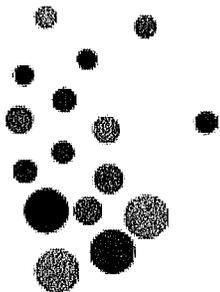
To Whom it May Concern:

We have known Dana Herzberg and her school, The Jones-Gordon School, for many years. We are happy to provide overflow parking for the few events they host during the year. We are located at 4600 E. Shea Blvd and have plenty of parking to accommodate their small events. Please feel free to contact me with any questions: 602-368-8601.

Most Sincerely,

Crystal Brooks

The Clubhouse Centers



4600 East Shea Boulevard, Suite 101 • Phoenix, Arizona 85028
Phone: 602-368-8601 • www.theclubhousecenters.com



The Conventual Church of
OUR LADY of the ANGELS
at the Franciscan Renewal Center

Dana Herzberg, M.Ed.

The Jones-Gordon School

Dear Dana,

The Franciscan Renewal Center is happy to provide The Jones-Gordon School with overflow parking based on availability.

Please contact me directly when you have a need for additional parking.

Sincerely,



Indra Tilgass-Rodney
Director of Meetings & Conferences
The Franciscan Renewal Center
(480) 355-5632



Franciscan Renewal Center
Peace. Renewal. Good.

5802 East Lincoln Drive
Scottsdale, Arizona 85253

480.948.7360 phone
800.356.3247 toll free

thecasa.org
all are welcome