



STAFF REPORT

TO: Mayor Bien-Willner and Town Council Members

FROM: Andrew Ching, Town Manager
Chad Weaver, Community Development Director
Paul Michaud, Planning Manager
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DATE: April 11, 2024

DEPARTMENT: Community Development – Planning Division
George Burton, 480-348-3525

AGENDA TITLE: Discussion and Possible Action on Phoenix Country Day School Intermediate Special Use Permit Amendment SUP-23-05. 3901 E Stanford Drive

RECOMMENDATION:

It is recommended that the Town Council approve Ordinance 2024-01.

SUMMARY STATEMENT:

Request

The applicant, Rose Law Group P.C. on behalf of Phoenix Country Day School, requests an Intermediate Special Use Permit amendment (SUP-23-05) for Phoenix Country Day School (PCDS) located at 3901 E Stanford Drive regarding the construction of a Performance Arts Center for school use. Construction of the building is along the Stanford Drive frontage and will result in the relocation of the easternmost parking spaces to an area north of the existing maintenance building within the same parking lot including associated landscaping enhancements at both areas of improvement.

Town Council Discussion

The Town Council reviewed and issued a Statement of Direction (SOD) on November 9, 2023. The Town Council discussed the proposed improvements at the March 14th and March 28th study sessions. This included an overview of the Planning Commission recommendation for approval and Council direction to incorporate the parking analysis recommendations into Ordinance 2024-01 as a stipulation.

Stipulation 1 of Ordinance 2024-01 (see Attachment F) already requires compliance with all plans and documents that include the parking analysis. Stipulation 16 was added to include the conclusions that affect the parking demand listed on pages 14 and 15 of the Parking Analysis (see Attachment G). These are noted below:

- a. The new Performing Arts Center will not be rented out or available for use by other private organizations or public agencies. The facility will only be used by

the Phoenix Country Day School. The Performing Arts Center will not be open for use by the general public.

- b. Only two different types of events will occur at the new 600-seat Performing Arts Center. The first event type is only students, faculty, and administrative employees that occur during the school day. The second event type are “family-and-friends” events.
- c. The Director of Operations and Campus Safety will ensure that Performing Arts Center parking demand will not exceed parking supply.

There were no recommended edits to this stipulation at the March 28th study session. Also, since the March 28th study session, the applicant provided updated site plans showing the relocation of the existing SRP transformer (near the Gavin Early Learning Center building) and the location of the PAC building transformer and bollards (at the southern end of the PAC building).

Planning Commission Discussion

The Planning Commission discussed the proposed improvements and the Statement of Direction (SOD) at the December 5th and January 16th work sessions. The Commission asked clarifying questions regarding the scope of work and the SOD. The Commission requested the following:

- Add a stipulation identifying that the Performance Art Center building can only be used by PCDS and that the building shall not be rented out.
- Identify how long the shared parking agreement with Camelback Bible Church is in effect.

A stipulation regarding the use and prohibition on renting the building was added to the ordinance. The applicant also provided a letter signed by the church and school that summarizes the scope of the shared parking agreement (please reference Attachment R). This letter is confirmation of the ongoing shared parking agreement between the church and school, is based upon the neighboring properties’ willingness to help each other and does not have an expiration date.

The Planning Commission also reviewed and forwarded this application with a recommendation of approval, by a vote of 6 to 0, on February 20, 2024. There were no edits made to the draft ordinance and the Commission also recommended that staff verify that the existing campus landscaping is compliant with the school’s Special Use Permit. It was found deficient on some trees along 40th Street that the school is in the process of replanting.

Location

The site is approximately 38.8 acres. It adjoins the City of Phoenix to the east (along 40th Street with single-family residential on 24,000 minimum square foot lots) and commercial uses to the south. Within the Town limits, the site adjoins Stanford Drive to the north (with the Camelback Bible Church located across the street) and R-43 single-family residential zoned properties to the west (which were annexed into the Town at nonconforming sizes that range from one quarter of an acre to one third of an acre). The Cudia City Wash (also referred to as the Echo Canyon Wash) bisects

the property/campus with the lower and middle school grade activities generally north of the wash and the upper grade school activities south of the wash.

History/Background

This premier private school opened in 1961, with the Town issuing the Special Use Permit (SUP) in 1972. The school provides college preparatory instruction up to Grade 12 focusing on humanities, sciences, the arts, and a comprehensive range of skills in athletics. The Town approved numerous SUP amendments since 1972. The latest approvals included a Managerial SUP amendment in 2022 to remodel Burch Hall and an Intermediate SUP amendment in 2017 for the replacement of the existing administration building, new fencing, and updated signage. These recent improvements are located north of the wash along Stanford Drive.

Scope of the Request

The scope of improvements consists of a new Performance Art Center (PAC) building in the north central part of the campus and a new parking area on the west side of the campus. The PAC consists of a lobby, 600 seats, a stage, restrooms, and back of house areas such as dressing rooms, mechanical rooms, and audio video rooms. Below is a summary of the proposed improvements.

Performance Art Center (PAC)

- *Use.* The existing 290 seat Dorrance Auditorium is not large enough to accommodate the school's needs and the new 600-seat PAC will be used for student performances and campus assemblies. The new PAC building will not host performances outside of the school programs and the applicant identified that the school will not schedule concurring events involving athletics, pool, and the existing Dorrance Auditorium. Family and friend events at the new PAC building will occur when classes are not in session. The new PAC building will not increase enrollment, classroom numbers, nor classroom area. Most after school events in the PAC building will typically end around 9:00 p.m.
- *Setbacks and Square Footage.* The new building will be placed over existing parking spaces, will be setback 40 feet from the north property line (adjoining Stanford Drive), and is generally located halfway between the west property line (37th Place) and the east property line (40th Street). The new building has a total footprint of 20,921 square feet and a total floor area of 26,604 square feet. The new building meets the recommended minimum setback of 40 feet in accordance with the SUP Guidelines.

The site area and lot coverage are compliant with the recommended limit outlined in the SUP Guidelines. The lot coverage will increase from 16.0 percent to 17.4 percent. The large site acreage, Echo Canyon Wash that crosses the site, and outdoor fields allow this site to fall well within the 25 percent limit recommended by the SUP Guidelines. Below is a comparison of the existing and proposed lot coverages.

	SUP Guidelines	Existing	Proposed
Lot Size	Minimum 5 acres	1,700,420 net square feet (39.0 net acres)	No change
Lot Coverage	25% 425,105 square feet	16.0% 236,375 square feet (estimate)	17.4% 257,296 square feet (estimate)

Height and Exterior Building Elevations. The new building is 35 feet tall measured from lowest natural grade under the building (which meets the recommended height of 35 feet tall per the SUP Guidelines). The exterior elevations illustrate the building architecture and the limited off-site visual impact. The proposed design, building materials, earth tone colors, and textures will match and complement the existing improvements on campus and complement the overlooking Camelback Mountain views (e.g. with the use of tan, red, brown, gold, and other earthtone colors). The loading dock faces Stanford Drive (on the north side of the building), and the lobby is accessible from the east and south sides of the building.

The new building will also encroach into the open space criteria. The open space criteria is an imaginary plane that is placed over the property. It starts at a 16-foot height at the 20-foot setback. The height of the plane increases further away from the property line via a 20 percent slope (which typically equates to a 16-foot height at a 20-foot setback, a 20-foot height at a 40-foot setback, a 24-foot height at a 60-foot setback, etc.) The front/north portion of the building encroaches into the open space criteria. Approximately 12 feet (or 9.7 percent) of the building encroaches into the open space criteria. In accordance with SOD Item No. 3, the Planning Commission shall evaluate height and viewsheds of the building from off site. The applicant provided photo simulations (see Sheets A6.4 and A6.5) to illustrate that the new building will have limited to no impact on the viewsheds of the neighboring properties.

- *Lighting.* The new building will have 15 wall sconces and 5 million light bars/strips. These fixtures are approximately 9 feet tall and have a color temperature of 2700 Kelvins. The light sources are recessed in the fixtures and have an output of 0-foot candles measured at the north property line (adjoining Stanford Drive). The lighting is compliant with the SUP Guidelines which recommends that the light bulbs are shielded so they are not visible from off the property, have a maximum output of 0.5-foot candles measured at the property line, and a maximum color temperature of 3000 Kelvins.
- *Signage.* One sign will be placed on the southern elevation of the new PAC building. The building sign consists of 8-inch aluminum finished letters on a weathered copper back plate with halo/back lit letters (in which the light source will be shielded by the letters). The sign area is approximately 14 feet long, 2 feet wide, and 7 feet tall (measured from finished grade to the top of the sign). The sign will be limited with a maximum color temperature of 3000 Kelvins and a maximum output of 0.75-foot candles (measured at the property line). The sign will have no visibility to limited visibility from off-site since the sign is placed on the southern part of the building. A stipulation has been added identifying that the sign illumination must meet all lighting requirements.

New Parking Area

- *Setbacks and Improvements.* The new parking area is located on the west side of the campus and is setback approximately 40 feet from the west property line and approximately 160 feet from the north property line. This parking area consists of 56 parking spaces to compensate for the loss of parking since the Performance Art Center will be placed over 53 existing spaces. Although the Zoning Ordinance recommends 180 square foot (typically 9 feet wide by 20 feet deep) parking spaces, the applicant is proposing 162 square foot (9 feet wide by 18 feet deep) parking spaces to match the existing spaces on campus. The new parking area will also have 4 parking islands, which will be landscaped with desert trees.

The SOD identifies that the Planning Commission shall also explore the use of screen walls, additional landscaping, etc. to mitigate any adverse impacts (such as noise and/or lighting) from the new/relocated parking area. However, due to the setback and existing oleander hedge along the west side of the new parking area, staff does not recommend any additional/mitigating improvements.

- *Lighting.* 6 new parking lot light poles will be placed in the new parking area (at the west side of the campus). These light poles are 8.5 feet tall (measured from the parking lot surface to the top of the fixture), setback approximately 60 feet from the nearest/east property line, have the lights recessed in the hood of the fixture, have a color temperature of 2700 Kelvins, are similar in style to match the existing parking lot lights, and have an output of 0 foot candles at the west and north property lines. The new parking lot light poles are compliant with the SUP Guidelines which recommend that the light bulbs are shielded so they are not visible from off the property, have a maximum output of 0.5-foot candles measured at the property line, have a maximum color temperature of 3000 Kelvins, limit parking lot light poles to a maximum height of 16 feet tall, and have a minimum setback that matches the height of the light pole.

Landscape Improvements

- *Landscaping.* New landscaping will be placed around the PAC building and new parking area. The primary landscape palette consists of Mesquite trees, Acacia trees, Agave, Nandina domestica, and Myoporum parviflorum. No new landscaping lighting is associated with these improvements. Also, the applicant will relocate the existing transformer in front of existing Building H (which adjoins Stanford Drive). An additional transformer landscape plan has been included in the packet identifying the plants that will be located around the transformer. Staff evaluated the existing landscape and identified some deficiencies along 40th Street that the applicant is addressing.
 - *Site and Hardscape Improvements.* 6 accent walls will be placed in front of the PAC building (between Stanford Drive and the new building). The walls vary in height from 16 inches tall to 36 inches tall. They will have a gold/tan exposed aggregate finish to match the new PAC building. New concrete paving will also be placed next to the east and southern parts of the building to provide access to the lobby and the “back of house” portion of the building.
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Grading & Drainage

A retention basin will be placed in front of the new PAC building and an underground retention tank will be placed under the new parking area. The preliminary drainage report identifies that these improvements meet the Town's on-site retention standards.

Fire Protection

The proposed improvements were reviewed by the Town Fire Marshal and will meet all standards related to fire protection requirements. Also, the preliminary water report identifies a compliant fire flow rate of 2,125 gallons per minute (gpm). The Town Code identifies a minimum flow rate of 1,500 gpm.

Parking & Traffic

Parking. The proposed improvements will add three more parking spaces to the site (from 453 existing parking spaces to 456 total parking spaces). The parking analysis identifies that this is sufficient to accommodate the new PAC building since it only requires 200 parking spaces when used for after-class events or weekend events.

- *Traffic.* The traffic analysis identifies that: "the proposed Performing Arts Center will not have events during the school arrival and dismissal times, and therefore will not generate traffic at the 40th / Stanford intersection during the school arrival and dismissal times. The 40th / Stanford roundabout has low traffic volumes and corresponding low delays during all other hours of the day. Events with friends- and family-audiences will only occur on weekday late afternoons and evenings, and on weekends. During these times periods the levels-of-service for all 40th / Stanford movements will be "A." Due to the low impact of the new PAC building, the traffic analysis does not recommend any street system improvements.

General Plan

The General Plan encourages the renovation of SUP sites while protecting the Town's low-density residential character and quality of life. The Town shall require development or redevelopment within Special Use Permit properties to provide any necessary mitigation achieved through context and scale, and architectural design, setbacks, sound moderation, resort property programming, and landscape buffering (General Plan Land Use Policy LU.3.2). Other General Plan policies related to SUP properties encourage the use of enhanced aesthetics, buffers between uses of significantly differing function and intensity, the integration of pedestrian amenities, attractive streetscapes, use of shade trees, and the integration of art.

The request is compliant with the General Plan since the proposed improvements will have limited impact. The renderings illustrate that the new PAC building will not obstruct neighboring viewsheds, the traffic analysis identifies that the new PAC building will not adversely affect the traffic/street system, the new lighting is compliant with the Town's lighting standards, and the design, landscape, and hardscape improvements are designed to match and/or complement the existing improvements on campus.

Intermediate SUP Amendment

The request is an Intermediate SUP amendment of the private school's zoning requiring a Statement of Direction (Section 1102.8.C of the Zoning Ordinance). There are three criteria for an Intermediate SUP amendment. The first is that the request does not change or add any uses (a performance arts building is a compliant school use). The second limits the amount of floor area that can be added over the last 60-month period. This amount is more than 5,000 square feet of new floor area (the limit for a Minor SUP amendment) but less than 40 percent of the existing or approved total floor area. This improvement, including improvements over the past 60 months, results in an increase of 26,604 square feet or a 10.12 percent increase in floor area. The third is that the PAC does not have any significant material effect on the adjoining property owners that is visible, audible, or otherwise perceptible from adjacent properties that cannot be sufficiently mitigated (which is vetted and mitigated through the Planning Commission/Town Council review process). The improvements should have little to no impact due to the location of the new PAC building, family and friend events held after classes and/or on weekends, and the limited amount of lighting associated with the improvements.

Statement of Direction (SOD)

The SOD identifies that the Town Council is generally supportive of this request (subject to public input) and that the Planning Commission must complete their review by March 5, 2024. The Planning Commission reviewed the improvements, and the applicant updated the application in accordance with the SOD and Commission direction. Please reference Attachment D for the SOD, Attachment P for a comparison on how the request meets and does not meet the recommended standards outlined in the SUP Guidelines, and Attachment S for a comparison on how the request meets the SOD. The location of the new PAC building will not obstruct neighbors view and will have limited impact on neighbors since it will not host performances outside of the school programs and the applicant identified that the school will not schedule concurring events involving athletics, pool, and the existing Dorrance Auditorium.

Ordinance 2024-01

The proposed improvements are compliant with the SOD and draft Ordinance 2024-01 outlines the draft stipulations associated with the proposed improvements (see Attachment F). In summary, the stipulations identify that the improvements must be in substantial compliance with the plans and documents, mechanical equipment must be screened, the light source of any new fixture that is visible from off property must be adjusted for code compliance, fencing is required around areas of improvement during construction, the PAC building may only be used by the school and cannot be rented out, the parking analysis recommendation are included in Stipulation 16, and all existing stipulations shall remain in effect unless otherwise modified by this SUP amendment.

Public Comment

Public notification is not required for work sessions. In accordance with the Town Code, the applicant held a citizen review meeting and notified all property owners with a 1,500-foot radius for the February 20th Planning Commission public hearing and the upcoming April 11th Town Council public hearing. The citizen review meeting was held on

February 8th and a copy of those summary meeting minutes is enclosed (see Attachment T).

There were a few neighborhood comments provided to staff during the application process that the applicant reached out to discuss with these nearby residents. This included concern regarding an overflow parking problem on N. 40th Street and E. Colter Street, traffic congestion in the area and parking on 40th Street, and questions on the scope of the request and parking on the street (see Attachments U and V).

Next Steps

The purpose of this meeting is to act on Ordinance 2024-01. The Town Council may approve or deny the ordinance or continue the hearing for further review and consideration.

ATTACHMENT(S):

- A. Staff Report
 - B. Vicinity & Related Maps
 - C. Application
 - D. Statement of Direction
 - E. Narrative & Plans
 - F. Draft Ordinance 2024-01
 - G. Parking Analysis
 - H. Traffic Impact Analysis
 - I. Preliminary Drainage Report
 - J. Preliminary Water Report
 - K. City of Phoenix Will Serve Letter
 - L. Preliminary Wastewater Report
 - M. Newton Environmental Consulting Noise Statement
 - N. General Plan Policies
 - O. SUP Guidelines
 - P. SUP Comparison & Consideration Points
 - Q. Noticing Materials
 - R. Shared Parking Agreement Letter
 - S. SOD Comparison Chart
 - T. Notification Materials
 - U. Neighbor 1 Comment
 - V. Neighbor 2 Comment
 - W. Neighbor 3 Comment
 - X. PV Police Department Review of Proposed Improvements
 - Y. Staff Presentation
 - Z. Applicant Presentation
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