



## Legislation Text

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**File #:** 17-246, **Version:** 1

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**TO:** Chair and Planning Commission

**FROM:** Eva Cutro, Community Development Director  
Paul Michaud, Senior Planner

**DATE:** July 11, 2017

**CONTACT:**

Paul Michaud, 480-348-3574

**AGENDA TITLE:**

[Continued from June 20, 2017] Consideration of a Minor Amendment Request  
Tesseract Special Use Permit - Change school to The Jones-Gordon School for up to 12<sup>th</sup> Grade  
4800 E Doubletree Ranch Road

**REQUEST**

Doubletree School L.L.C. is requesting a Minor Special Use Permit amendment for the Tesseract School located at 4800 E Doubletree Ranch Road (Assessor Parcels 168-32-002C & 168-32-002E). This amendment is to amend the Special Use Permit for the Tesseract school with another private school, The Jones-Gordon School. The proposed amendment seeks to modify the stipulation that limits the curriculum taught from pre-school through 8<sup>th</sup> grade to 1<sup>st</sup> grade through 12<sup>th</sup> grade. No exterior modifications to the building or site are proposed, except for modification of exterior signage to identify the new school.

**RECOMMENDATION A**

Deem or not deem the requested amendment for the Jones-Gordon School as a minor amendment to the Special Use Permit zoning per the criteria listed in Section 1102.7.B of the Zoning Ordinance.

**RECOMMENDATION B**

Approve the Minor Special Use Permit Amendment for the Jones-Gordon School to modify the curriculum taught to 1<sup>st</sup> grade through 12<sup>th</sup> grade and replace two wall signs along Tatum Boulevard, subject to the stipulations in the attached stipulations document.

**PRIOR DISCUSSION**

The Planning Commission continued the application request for the applicant to do further outreach to the neighbors. There were several comments from residents and others in attendance at the meeting. Of those neighbors concerned, this related to a fear that high school students will create some type of nuisance/disturbance in the neighborhood. Attached is a revised set of stipulations. Also, the applicant stated at the last Planning Commission meeting that Doubletree School L.L.C. is now the owner of the property and no longer Sion Holdings Doubletree L.L.C. This is still waiting to be confirmed.

Several of the prior draft stipulations were modified based on this additional resident input. This includes the following:

- A revised exterior lighting plan that proposes conversion of some of the existing exterior light fixtures to reduce illumination
- Submittal of an operational plan
- Allowance of pre-school through 8<sup>th</sup> grade if the school does not teach 9<sup>th</sup> through 12<sup>th</sup> grade
- A student cap of 160 students if high school curriculum is taught and a cap of 340 students if no high school curriculum is taught
- Addition of a noticing provision for Special Events per the submitted operational plan
- A notification provision and restriction of any future turn lane to only the school frontage
- Clarification that all parents and students of driving age sign the parking contract
- Revision of the existing outdoor lighting stipulation to restrict parking lot lots to 48-inch'49" high bollard, use a warmer light source, utilize a better shielding/cap technique to minimize light trespass, and change the shut-off time from 10:00 p.m. to 8:00 p.m.
- It was noted that the required no-parking signs from the 1995 approval are not in place. The existing stipulation has been revised to state these signs will be installed or an alternative no-parking solution done.

The Planning Commission discussed the application request at the work session of June 6, 2017. Several additional stipulations were discussed. This included reference to the student parking agreement, limiting the allowable on-site parking for students, limiting the upper class total to 60 students, providing annual reports on student count and student parking permits, requiring a closed campus related to lunch, requiring that outdoor high school curricular activities to be off site, and changing the normal hours of operation to 7:00 a.m. to 6:00 p.m. The draft stipulations include these noted provisions.

## **BACKGROUND**

### The Jones-Gordon School

This private school currently operates in Scottsdale at 16641 N 91st Street, Suite 101. The school focuses on high-potential students with learning differences and those who are considered twice-exceptional. The relocation to the Paradise Valley site would afford the school more space and a central location in the valley.

### History:

The original Special Use Permit was issued in 1988. The Special Use Permit has been amended several times. Between 2008 and 2013, the school was granted approval for several shade canopies and signage. The last major amendment on this site was in 1994 with approval of adding new classroom buildings and 7<sup>th</sup> and 8<sup>th</sup> grade curriculum. Attached are excerpts from the prior approvals.

### Enforcement:

As of the date of this report, there are no outstanding code violations on this SUP property. Prior violations with Tesseract related to banner signs without permits and lights being left on all night.

### General Plan/Zoning:

The subject property has a General Plan designation of "Public/Quasi Public" according to the Town's General Plan Land Use Map. The zoning on the subject property is "Special Use Permit - Private

School.” The proposed request for adding high school curriculum and signage is in conformance with this designation and zoning.

## **DISCUSSION/FACTS**

### Compliance with SUP Guidelines and Other Standards

#### High School Curriculum

There are no specific Special Use Permit guidelines or standards directly addressing the removal of the pre-school use and the addition of 9<sup>th</sup> through 12<sup>th</sup> grade. This amendment could affect circulation, parking, and the use of the site based on the different curriculum. As such, the applicant has provided a statement prepared by CivTech. CivTech states The Jones -Gordon School will not negatively impact parking or traffic. It does mention possible reevaluation of turn lanes as enrollment increases. The new school is expected to have between 120 to 160 students up to 2021, below the allowable 340 student cap in the SUP.

#### Structures

Except for replacement of signage to identify the new school owner, there are no changes proposed with this application for any of the existing structures.

#### Height and Setback

As previously noted, the physical structures will remain unchanged. These existing structures vary between 12-foot tall to 20-foot tall. Setbacks are currently at 51.68 feet from the north, 155 feet from Tatum Boulevard (115 feet to the canopies), 50 feet from Doubletree Ranch Road (16' to the nearest canopy), and 255 feet from the east property line. The attached ALTA survey identifies the existing structures.

#### Lot Coverage

The SUP guidelines suggest maximum lot coverages of 25-percent. The existing lot coverage is approximately 16.6-percent.

#### Lighting

The applicant has proposed to make retrofits/conversions on many of its exterior light fixtures to further improve illumination trespass. The submitted material did not include a set date for such retrofits/conversions. A stipulation has been drafted to suggest these improvements be completed within six months of final approval of this application approval. It should be noted that the existing lighting does fully comply with the Town's lighting guidelines as shown by the submitted photometric plans. The applicant has also agreed to modify and expand the existing stipulation that exterior lights be turned off by 8:00 p.m. instead of 10:00 p.m.

#### Parking and Circulation

The proposed amendment will not alter the number of classrooms or office space. No alterations are proposed to the existing circulation. There are 91 parking spaces per the approved 1995 Special Use Permit plans, including 5 accessible parking spaces. The 7 parking spaces along the eastern side of the parking lot will need to be re-striped. The current SUP Guidelines suggest one parking space per classroom and one parking space per 300 square feet of office space for schools. Based on the subject site the typical required spaces would fall between 25 parking spaces and 36 parking spaces. No additional parking is

proposed.

#### Right-of-Way and Related Improvements

The subject site adjoins both Tatum Boulevard and Doubletree Ranch Road. Tatum Boulevard is classified as a Major Arterial at a typical right-of-way width of 130 feet (half-width of 65 feet). Doubletree Ranch Road is classified as a Minor Arterial with medians at a typical right-of-way width of 80 feet (half-width of 40 feet). The site adjoining Tatum Boulevard has an existing half-width of right-of-way at 40 feet. An additional 25 feet of right-of-way along Tatum Boulevard may be warranted at a future date. The school has an existing stipulation the "At such time as a recreational path is built along the east side of Tatum Boulevard from the south to Doubletree Ranch Road or from the north to the north edge of the Grantees' property, then the Grantees shall build a recreational path along the west edge of the property consistent with the new path as to size, style and materials." The recreational path adjoining the site along Doubletree Ranch Road exists.

#### Special Events

The narrative indicates at least five separate special events will be held at the school. Special events are common at a school and generally occur on an annual basis. Article 8-8, Special Events on Private Property and Public Rights-of-Way, of the Town Code exempts Special Use Permit properties from the Special Event process that are customary and incidental to the primary use and do not require the use of temporary structures. A stipulation has been added to many recent Special Use Permit properties to provide more specificity on process for special events when using temporary structures and to mitigate possible nuisances with limiting height or another similar standard. The attached draft stipulations include a new stipulation related to special events.

#### Signage

The new owner seeks to replace the two existing illuminated wall signs along Tatum Boulevard with two new non-illuminated wall signs to identify the school.

CRITERIA	EXISTING WALL SIGNS Tatum Boulevard	PROPOSED WALL SIGNS Tatum Boulevard
Quantity: one sign at each entrance	Two signs along Tatum Blvd	Same
Sign Area: 32 sf	18.75 sf and 15.6 sf	13.9 sf and 12.2 sf
Height: 8 feet	Approximately 5 feet 6 inches to top of the letters	Approximately 5 feet 6 inches to top of the letters
Setback: none provided	10 feet and 20 feet	Same
No audible signs permitted	Sign do not have any components that flash, move, or are otherwise animated/audible	Sign will not have any components that flash, move, or are otherwise animated/audible
Indirect lighting of sign limited to two 75-watt incandescent bulbs (750 lumens) per sign side; bulb completely shielded from view at nearest property line, limited to 0.75 foot-candles at property line	White LED Halo illumination	Signs will not be illuminated

### Minor Amendment Criteria Conformance

The Planning Commission will need to take two actions related to this application request. First, the application request must be deemed a minor amendment pursuant to the four criteria in Section 1102.7.B of the Town Zoning Ordinance. Second, the Planning Commission must take action on the application with any relevant stipulations. This request meets the four minor amendment criteria as follows:

#### **1. Change or add any uses.**

There is no change in allowable use or addition of a new use. The use on the property will remain as a private school.

#### **2. Increase the floor area of the project by more than 5000 square feet or constitute an increase of more than 15% upon the existing or, if still under construction, approved floor area square footage of the affected SUP property, whichever is less, with any such increase to be measured cumulatively over a sixty month period.**

The application request does not alter the existing structures or add any new square footage.

#### **3. Have any material effect on the adjoining property owners that is visible, audible, or otherwise perceptible from adjacent properties that cannot be sufficiently mitigated.**

The approval of the new school will not change the 340 enrollment cap if the school curriculum remains preschool through 8<sup>th</sup> grade. However, the enrollment cap is reduced to 160 students if the school curriculum at this site includes 9<sup>th</sup> through 12<sup>th</sup> grade. The mix of grades will result in different curriculum. This is not expected to impact how the school is presently used since the indoor classroom space and outdoor area will remain the same. Driving-age students will result in the possibility that some of these students will drive to school. The 91 parking spaces exceed the allowable number of parking spaces and the school has the authority to restrict driving privilege based on the included parking contract with this Special Use Permit amendment. Based on the application material provided, the applicant states any nuisances should be sufficiently mitigated.

The two replacement wall signs are at similar location, height, size, and setback. Visibility will be reduced as the new signs will not be illuminated.

#### **4. Change the architectural style.**

The architectural style will not change, as there is no change to the existing structures.

### Public Comment & Noticing

Mailing notification to all property owners within a radius of 1,500 feet, newspaper advertisement, and property posting was completed for the June 20, 2017 meeting. No additional noticing was required for the July 11, 2017 meeting date since the meeting was continued to a specific date.

There have been many comments both in favor and against this application request. Only comments received since the June 20, 2017 meeting are attached to this report. The prior comments and photos of the site are available with the June 20, 2017 agenda item at

<https://paradisevalleyaz.legistar.com/Calendar.aspx>.

## **ATTACHMENTS**

1. Vicinity Map
2. Application/Narrative
3. Parking-Traffic Statement
4. Prior SUP Approval Excerpts
5. Noticing
6. Draft 207 Waiver
7. Plans & Related Material
8. Minutes - Comments
9. Draft Stipulations

C:     - Applicant  
       - Case File