

#39

AUG 18 2009



Chandler • Arizona
Where Values Make The Difference

MEMORANDUM

Planning and Development – CC Memo No. 09-085

DATE: JULY 17, 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: UP09-0033 AIM HIGH INSTITUTE

Request: Use Permit approval to operate a charter school for grades K-12 on a site zoned Agricultural District (AG-1)

Location: 1375 N. McClintock Drive, approximately ½ mile north of Ray Road

Applicant: Arizona Planning Solutions, Michelle Dahlke

Owner: Advanced Education Services

RECOMMENDATION

Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

BACKGROUND

The request is to allow a charter school to operate for grades K-12 on a site zoned Agricultural District (AG-1). The site is surrounded by single-family homes. In 2001, the site received Use Permit approval for a charter school limited to grades 4-12 without time limitation. The addition of grades K-3 requires new Use Permit approval.

In 1987, the site was annexed with AG-1 zoning and received Use Permit approval for the Chandler Chinese Christian Church with a phased development plan. Phase I included a two-

story building of 11,796 square feet in size. Phase II, built in 1997, included a 7,095 square foot, two-story classroom building addition. No further phases were approved or built.

In 2001, the Solon Senior Academy received Use Permit approval to change the use from a church to a full-time school. To allay neighborhood concerns, numerous conditions were made on the approval, including limitations on the number of students (400 maximum), the number of staff, outdoor activities, horns/whistles, drop-off/pick-up traffic, and grade levels. The applicant agrees to abide by all of the approved conditions with the single exception of the grade levels restriction.

The site has 107 parking spaces located on the west, north, and east sides of the building with a pick-up/drop-off area also provided on the building's west side. An additional 37 spaces, originally for church overflow parking, are striped over the paved basketball courts east of the building. A deceleration lane on McClintock Drive and perimeter buffer landscaping were installed in conjunction with the 2001 Use Permit. A sign was installed in 2001 that prohibits left turns exiting the site during peak traffic hours.

The Aim High Institute will initially have grades K-8 and will add a grade per year as the children get older until July 2013 when it becomes K-12. Class hours will be 8 a.m. to 3 p.m. Monday through Friday.

In the opinion of Planning Commission and Staff, the previous school proved that a school use can function in a harmonious manner at this location adjacent to neighborhoods. Significantly, the only vehicular access is via McClintock Drive and no nearby residences front on McClintock Drive. The addition of younger children should not appreciably change traffic or noise effects as long as the other conditions are abided by.

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on July 9, 2009 at the subject site. Five neighbors attended to receive an overview and ask questions about the nature of the school's operation. One neighbor requested that a particular light pole receive shielding, which the applicant agreed to do. Another neighbor noted that a security alarm had gone off in error recently—the applicant agreed to investigate. The neighbors expressed general support for the request.
- One neighbor contacted Staff with concerns about traffic flow. According to the neighbor, the Solon Senior Academy operated without problems except for early morning backups on McClintock Drive caused by traffic entering the site. The neighbor is concerned that the backups will continue with the new school.

PLANNING COMMISSION VOTE REPORT

Motion to approve.

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

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of UP09-0033 AIM HIGH INSTITUTE subject to the following conditions:

1. Substantial expansion or modification beyond the approved exhibits shall void the Use Permit and require a new Use Permit application and approval.
2. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.
3. The Use Permit shall be for a charter school grades Kindergarten through 12th. The maximum number of allowed students is 400 and maximum number of employees is 30.
4. The applicant shall preserve and maintain the fence and gate located north of the northeast corner of the building that closes off the north drive aisle to prohibit access to the east parking area. The gate is intended to control and limit traffic access to the east side of the property during the school's off hours. The gate is subject to Fire Marshall approval.
5. During the school year, the applicant shall have no more than 20 outside student activities after 6 p.m. Monday through Friday and on Saturday or Sunday.
6. No outdoor speakers, buzzers, or whistles shall be permitted except for mandatory fire and security alarms.
7. Existing area along the south side of the building shall not be used as a playground.
8. Outside student activities on the east side of the property line shall be limited to areas of 30 feet from the east property line, 20 feet from the north property line, and 20 feet from the south property line.
9. Outside physical education classes and wellness/fitness programs on the east side of the property are not to exceed 60 children at any set time.
10. Stairs on the west side of the south wing of the building shall be designated as Emergency and Fire Exit, subject to Fire Marshall approval, with all principal ingress and egress to the school to be focused on the center of the building.
11. Vehicles dropping off and picking up children shall be limited to only the west side of the main building.
12. The site shall be maintained in a clean and orderly manner. Any dead or missing landscaping shall be replaced by similar landscaping.

PROPOSED MOTION

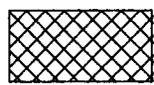
Move to approve UP09-0033 AIM HIGH INSTITUTE Use Permit to operate a charter school for grades K-12 on a site zoned Agricultural District (AG-1) subject to the conditions recommended by Planning Commission and Staff.

Attachments

1. Vicinity Map
2. Applicant Narrative
3. Site Plan
4. Landscape Plan
5. Elevations
6. Existing Conditions of Approval (UP01-0026)



Vicinity Map



UP09-0033

Aim High Institute

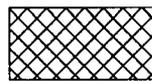
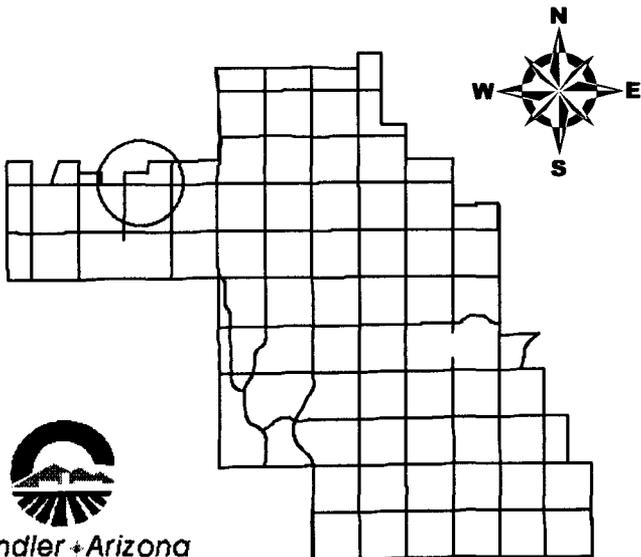


Project Site

McClintock Dr.

Ray Rd.

Vicinity Map



UP09-0033

Aim High Institute



Chandler + Arizona
Where Values Make The Difference

CITY OF CHANDLER 6/24/2009

**Project Narrative
for the
Aim High Institute**

Request for a Use Permit for a Proposed Charter School



**1375 N. McClintock Drive
Chandler, Arizona**

**Prepared by:
Arizona Planning Solutions
Contact: Michelle Dahlke
940 W. Fairway Drive
Mesa, AZ 85201
(480) 228-2150
azplanningsolutions@gmail.com
www.azplanningsolution.com**

Introduction

This is a request for a Use Permit to operate the Aim High Institute, a college preparatory charter school, on the subject property. The Solon Senior Academy operated a charter school at this same location from 2001 until the summer of 2008 (City of Chandler Case UP01-0026). Due to the fact that there is one change being proposed with the subject charter school, with regard to the addition of grades K-3, a new use permit is being requested.

The property measures 3.37 acres in size and contains an existing 19,114 square foot structure (9,996 square feet on the 1st floor and 9,148 square feet on the 2nd floor) which was originally designed as an educational facility. The building has since been occupied by the Tempe Chinese Christian Church and the Solon Senior Academy.

There are no site plan, parking, circulation, architectural or landscaping changes being proposed with this Use Permit request. As such, the applicant has submitted copies of the previously approved site plan, building elevations and landscape plan. The only change to the originally approved landscape plan prepared for the Tempe Chinese Christian Church was those changes that were required as a condition of approval for UP01-0026 in 2001.

Aim High Institute Background

The Aim High Institute is a charter school founded by Dr. Fawzia Mai Tung, a medical doctor turned educator with many years experience as a school principal and Ms. Rueyin Chiou, the founder of IQ Abacus Math and Language School, an after-school tutoring center specializing in mental abacus, along with a founding committee consisting of an internationally recognized group of educators and administrators.

The idea behind the Aim High Institute was based on the success of the IQ Abacus Math and Language School in which students reached higher levels of learning advancement at a faster pace with the right global learning approach. By bringing some of the world's best academic practices to the classroom, the founders of the Aim High Institute strive to develop students who can complete internationally and communicate effectively in today's global society.

The concept of the Aim High Institute is based upon four main cornerstones: STEMG (science, technology, engineering math and globalism), bilingualism, character education, and a commitment to evolving quality education including both curricula and methodologies with the main educational goal of preparing children to flourish and succeed in the 21st century. Specifically, the institute will offer Chinese/Mandarin or Arabic as a foreign language as well as provide the most up-to-date teaching and research methods in brain physiology in the form of more efficient learning strategies and

techniques. The character education component will be taught through PAYD (Pro-Active Youth Development classes) as well as thought practical implementation throughout the school year.

The philosophy of the Aim High Institute is to provide a well-rounded education to its students including a strong art and music program, a Fitness for Life physical education program, C.A.S. (creativity, action and service), social and leadership skills and a solid foundation in English language arts and literature.

Enrollment and Employees

The Aim High Institute is requesting to open the proposed charter school in August 2009 with grades K-8, adding Grade 9 in 2010 and an additional grade each year until the school becomes a complete K-12 college preparatory school by the 2013-2014 school year. The school believes it can meet the previously approved stipulation of a maximum of 400 students and 30 employees for the Solon Senior Academy.

Hours of Operation

The proposed hours of operation are from 7:00 a.m. to 6:00 p.m. Monday through Friday. Class sessions will be held from 8:00 a.m. to 3:00 p.m. with other hours remaining open for administrative functions. There will be no difference in the hours of instruction between the younger grades and the older grades.

Outside Student Activities

The school would like the ability to have no more than 20 outside student activities after 6:00 p.m., Monday through Friday, as well as on Saturday and Sunday, as was approved with the previous Use Permit for the Solon Senior Academy. The school anticipates that the younger children will most likely have recess and physical instruction activities within the building with the older children most likely outdoors in the areas previously used by students of the Solon Senior Academy.

Parking and Circulation

Access to the school remains isolated to the single point of ingress and egress from McClintock Drive on the western boundary of the site. Student drop off and pick up is still intended for the western side of the building only, as was done with the previous charter school. At this time, there is no differentiation between the drop off and pick up areas of the younger versus older children. If the City desires a separate area for the different age groups, the school will make every effort to comply.

A north-bound, right-turn deceleration lane was constructed on McClintock with the previous charter school which aids in keeping school traffic off of the arterial during peak hours. It is anticipated that the peak drop off time will be at 8:00 a.m. with the peak pick up time of 3:00 p.m. The school intends to utilize the same parking areas as were used with the previous charter school as well. There will be no busses of students to and from the school.

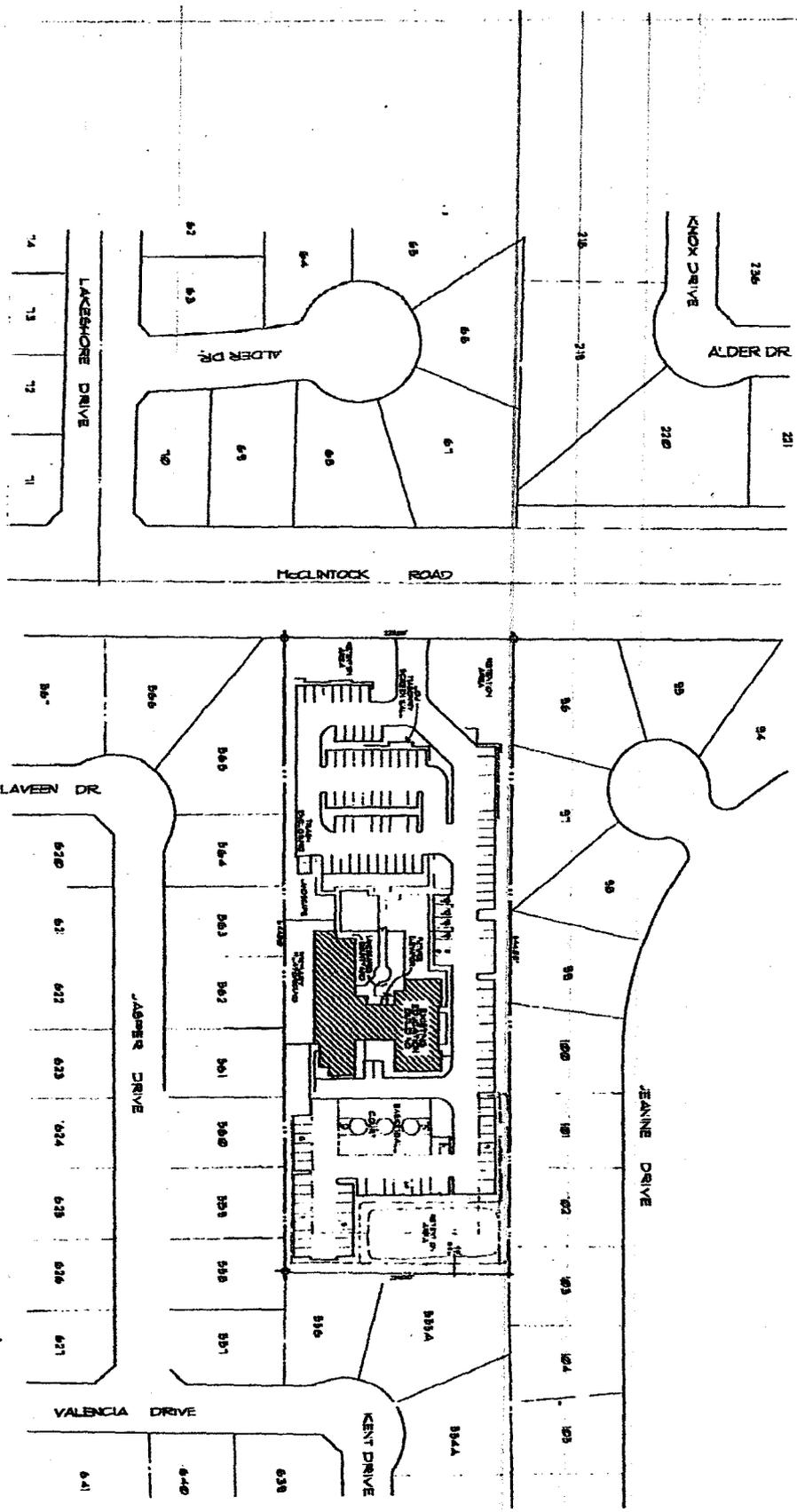
Land Use Compatibility

The Aim High Institute believes that the proposed charter school is a good continued use for the property and will not negatively impact adjacent properties and the surrounding neighborhood for several reasons.

- The property was previously used as a charter school and served the neighborhood and surrounding area for many years with no known issues.
- The Aim High Institute is not proposing any building expansion with the subject use permit and will not exceed the maximum 400 students and 30 teachers approved with the previous charter school.
- The Aim High Institute will agree to comply with the stipulations approved for the Solon Senior Academy, the purpose of which was to satisfy concerns raised by neighbors at the time of the previous Use Permit approval, with respect to the following:
 - No more than 20 outside student activities per school year after the hours of 6:00 p.m., Monday through Friday, and on Saturday and Sunday.
 - No outdoor speakers, buzzers, or whistles permitted except for mandatory fire and security alarms.
 - A maximum of 60 children at a set time for outdoor P.E. and wellness/fitness programs.
 - Limitations on the locations where outdoor student activities will occur per Stipulation #s 10 and 11 of the previously approved Use Permit (UP01-0026).
 - The location of student drop off and pick up.
- The main point of ingress and egress remains on McClintock Drive to avoid any cut-through traffic through surrounding neighborhoods and the right-turn deceleration lane was constructed as per UP01-0026 to remove school traffic from McClintock Drive in peak hours.
- It is estimated that because the student enrollment does not exceed the 400 previously approved, the traffic study conclusions conducted for the previously approved Use Permit remain consistent and that the proposed charter school traffic will not negatively impact the intersections of McClintock Drive and Warner Road and McClintock Drive and Ray Road.

Conclusion

The Aim High Institute respectfully requests approval by the City of Chandler for a Use Permit for a charter school at this location based on the facts and reasoning expressed in this narrative report. The school anticipates that it will be a valuable member of the educational community, pledges to be a good neighbor and will strive to adhere to its main goal of providing an exceptional education to all children that attend the school. As such, the Aim High Institute looks forward to working with the City in obtaining the subject Use Permit and open its doors in August of this year.



CONTEXT SITE PLAN
 SCALE: 1" = 50'-0"

SHEET NO. A-3
 DATE: 11/27/81
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]

SOLON SENIOR ACADEMY
CHANDLER AZ



MARCELLUS & ASSOCIATES, LTD.
 6245 NORTH 24TH PARKWAY
 SUITE 211
 PHOENIX, ARIZONA 85016-2030
 602 957 7212

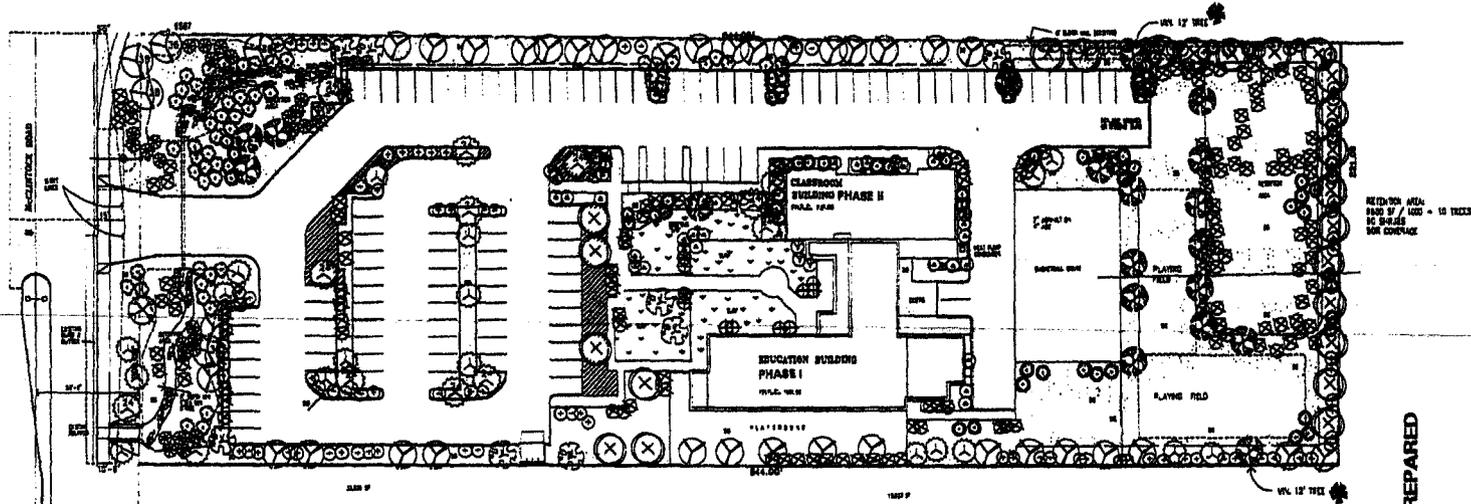


I hereby certify that I am a
 Registered Professional Engineer
 in the State of Arizona
 License No. [illegible]



david
potter
associates
architects

4415 NORTH BUCKHOORN TRAIL
SUITE 3
SCOTTSDALE, ARIZONA
85251
(402) 941-4542



LANDSCAPE PLAN

PROPOSED	CHANGED LANDSCAPE REQUIREMENTS (11/7/92)
FRONTAGE: 15 TREES 10 SHUBS 500 CUBIC YARD	FRONTAGE: 22.88 / 20 = 0 TREES, 24 SHUBS PROVIDED: 10 TREES, 28 SHUBS
SITE LANDSCAPING: TOTAL SITE: 14,848 SF PAVING: 12,188 SF DRIVE: 18,724 SF LANDSCAPING: 7,936 SF	SITE LANDSCAPING: 48,848 SF X 10% = 4,885 SF PROVIDED: 44,717 SF
SHOWING AREAS: REPLACEMENT OF EXISTING TREES AND TREES AND SOIL COVERAGE TO REPLACE 'X' AREAS	TREES: PROVIDED: 44,717 / 500 = 89 104 28 24" = 8 236 24" = 23 MINIMUM SIZE = 8 GALLON

- NOTES**
1. ALL TREES TO BE PLANTED BY THE CONTRACTOR AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 2. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 3. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 4. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 5. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 6. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 7. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 8. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 9. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.
 10. ALL TREES TO BE PLANTED IN THE AREAS SHOWN ON THIS PLAN.

PLANT LIST

EXISTING	NEW	SYMBOL	SIZE	NEW QUANTITY	COMMON NAME	BOTANICAL NAME	REMARKS
					T R E E S		
			18 GAL	0	AFRICAN BUIVAC	RHUS LANCEA	EXISTING TREE
			18 GAL	0	EUCALYPTUS MICROTHECA	EUCALYPTUS MICROTHECA	EXISTING TREE
			24" BOX	0	EUCALYPTUS MICROTHECA	EUCALYPTUS MICROTHECA	EXISTING TREE
			18 GAL	0	BOTTLE TREE	BRADYCHTON POPULNEUS	EXISTING TREE
			18 GAL	1	SWEET ACACIA	ACACIA PARVIBAHIA	EXISTING TREE
			24" BOX	2	SWEET ACACIA	ACACIA PARVIBAHIA	EXISTING TREE
			18 GAL	0	JACARANDA	JACARANDA	EXISTING TREE
			18 GAL	1	VEEDER-GILLER	NEISSERA GILBESII	NEW TREE
					S H R U B S		
			1 GAL	0	RED BIRD OF PARADISE	CAESALPINA PULCHERRIMA	
			1 GAL	0	HIBISCUS BIRLOTTI RED	HIBISCUS ROSA-SINENSIS	
			8 GAL	15	SEA-GREEN JUMPER	IMPATIENS CHENSIS	
			1 GAL	0	PETITE PINK CLEANGER	IMPATIENS CHENSIS	
			1 GAL	0	CAPE HONEY, CHILE		
			1 GAL	0	HYDRANGEA		
			1 GAL	0	BURNING BUSH		
			1 GAL	0	STYRACHTIS	STYRACHTIS	
			8 GAL	27	FEATHER ORCHID	CAESALPINA PROSTRATA	
			1 GAL	24	LANTANA	LANTANA CAMARA	
					G R O U N D C O V E R		
					BERBERIS CRASSA		
			3/4"		DECOMPOSED GRANITE		
			4" POT		MEXICAN PLUMBAGO	DIODORA BERNARDINI	
			1 GAL	0	LYOPHILA	LYOPHILA PARVIFLORA	

THIS LANDSCAPE PLAN WAS PREPARED BY OTHERS AND IS FOR REFERENCE ONLY

TEMPE CHINESE CHRISTIAN CHURCH
1485 NORTH MCCULLOCK DRIVE, CHANDLER, ARIZONA



Chandler + Arizona
Where Values Make The Difference

NOTICE OF COUNCIL ACTION CITY OF CHANDLER, ARIZONA

APPLICANT:

LEONIDAS G. CONDOS, ATTORNEY
ADVANCED EDUCATION SERVICES
100 W. HOOVER, #12
MESA, AZ 85210

CASE: UP01-0026 SOLON SENIOR ACADEMY

MEETING DATE: MONDAY, AUGUST 6, 2001

APPROVAL:

REZONING:

DENIAL:

VARIANCE:

WITHDRAWAL:

USE PERMIT:

CONTINUED:

SUBDIVISION:

PRELIMINARY DEVELOPMENT PLAN **PRELIMINARY PLAT**

SUBJECT TO THE FOLLOWING CONDITIONS:

1. This Use Permit shall be in substantial conformance with Exhibit A, Development Booklet, entitled "Use Permit Application Solon Senior Academy-Chandler", kept on file in the City of Chandler Planning Services Division, in File No. UP01-0026, except as modified by condition herein.
2. Expansion or modification beyond the approved exhibits in the Development Booklet (Site Plan, Floor Plan, Building Elevations, and Narrative) shall void the Use Permit and require new Use Permit application and approval.
3. Use Permit approval does not constitute Final Development Plan approval; compliance with the details required by all applicable codes and conditions of the City of Chandler and this Use Permit shall apply.

4. A northbound, right-turn deceleration lane on McClintock Drive shall be constructed in accordance with City standard details for the subject site.
5. The Use Permit shall be for a charter school grades 4th through 12th. The maximum number of allowed students is 400 and maximum number of employees is 30.
6. The applicant shall install a fence and a gate to be located north of the northeast corner of the building that will close off the north drive aisle to prohibit access to the east parking area. The gate is intended to control and limit traffic access to the east side of the property during the school's off hours. The gate shall be subject to Fire Marshall approval.
7. The applicant shall prepare a landscape plan that will provide for removal of the Eucalyptus trees along the north property line and replace these trees with Mondel Pine trees or other acceptable species. The landscape plan will provide for the allowance or replacement of oleanders to grow as additional landscaping and/or screening on the north property line. Replacement of dead plants and trees on the south property line and planting of 36-inch box Mondel pine trees or other acceptable species at approximately 20 feet on center depending on aesthetic look. The applicant shall meet with the neighbors prior to submission of landscape plans for comments.
8. During the school year, the applicant shall have no more than twenty (20) outside student activities after 6:00 p.m., Monday through Friday and on Saturday or Sunday.
9. No outdoor speakers, buzzers, or whistles shall be permitted except for mandatory fire and security alarms.
10. Existing area along the south side of the building shall not be used as a playground.
11. Outside student activities on the east side of the property shall be limited to areas of 30 feet from the east property line, 20 feet from the north property line, and 20 feet from the south property line.
12. Outside physical education classes and wellness/fitness programs on the east side of the property not to exceed sixty (60) children at any set time.
13. Stairs on the west side of the south wing of the building shall be designated as Emergency and Fire Exit, subject to Fire Marshall approval, with all principle ingress and egress to the school to be focused on the center of the building.
14. Vehicles dropping off and picking up children will be limited to only the west side of the main building.