

## **PLANNING AND ZONING COMMISSION DRAFT MINUTES NOVEMBER 2, 2015**

PUBLIC HEARING AGENDA Item #16 – CP151102 - Concept Plan - International Leadership of Texas (City Council District 4). Chief City Planner Jim Hinderaker presented the case report and gave a Power Point presentation for a Concept Plan increasing the size of the International Leadership of Texas charter school to approximately 120,000 sq. ft. The applicant obtained Site Plan approval from City Council in 2014 to construct and operate a 75,705 sq. ft. school facility on 23.797 acres that has yet to be constructed. The 28.51 acre property split zoned Agriculture (A) District and Planned Development (PD-319) District and located within the S.H 360 Corridor Overlay District, is generally located north of Ragland Road and east of S.H. 360. The agent is Brian Huffaker, The Charter School Fund III and the owner is Robert and Lola Elrich.

Mr. Hinderaker stated according to the applicant, the proposed expansion is necessary to accommodate the school's administrative plans to increase the student enrollment of the school from 800 students to approximately 1600 students (high school students only). The proposal increases the size of the school building from the approved 89,183 sq. ft. to 120,180 sq. ft., necessary to increase in the number of classrooms within the school from 34 to 63. As noted in the Operational Plan, the design and materials of the expanded area will be consistent with the original design of the building. The conceptual plan proposes expansion of the 23.797 acre campus by adding a 4.7 acre tract of land located to the west of the existing approval school site. The purpose of the additional land is to accommodate the additional parking space that the expansion of the school will necessitate. As detailed within the Operational Plan, the proposed expansion increases the size of the student body from 800 students to approximately 1600 students and classroom space from 34 rooms to 63 rooms, but all other aspects of the school's day to day function will remain unchanged from the previous Site Plan approvals.

Mr. Hinderaker stated the applicant proposes, with the addition of the 4.7 acre tract that directly abuts S.H. 360, to modify the Phase I vehicle circulation plan. Based on a traffic study generated by Lee and Associates, the applicant proposes to have parents (student drop-off & pick-up) enter the campus from Ragland Road and exit the property via S.H. 360. The proposal includes two separate queuing lines that parents could immediately access upon entering the property. These queuing lines would then proceed to the school building where children load and unload from the vehicles and then the vehicles would proceed to an existing access on S.H. 360 that is the current access drive to the neighboring Chesapeake gas well site. The other line of vehicles would proceed to a newly proposed access drive to be located at the northwest corner of the property. Staff is not supportive of the school sharing an access drive with an operating gas well pad site. Also, staff was informed by the applicant that TxDOT has not formally taken any action to grant or deny the Charter School the two proposed access points onto S.H. 360

Mr. Hinderaker stated as part of this Concept Plan request, the applicant seeks approval of a request to modify their previously approved Site Plan(s) to allow the school building to be constructed with temporary façade elements on the portions of the building that are proposed to be added too, as shown on the Site Plan. The applicant has indicated to staff that Phase II will likely be needed after the first two or three years of operation of the school, which the applicant hopes will begin this coming school year starting the fall of 2016. The applicant states that the school will commit to construct these architectural elements if Phase II is not completed by the beginning of the school year 2019. While staff understands the reason for the request, due to the increased cost to the school to redo these elements at the time of expansion, staff is not supportive of this appeal as the school building will be missing these elements for at least two or three years. Also, there is no guarantee that Phase II will be built within the timeframe proposed. And finally, while the school states they will add these elements if Phase II is not constructed for the beginning of the school year in 2019, staff suspects that the school would likely seek an extension or full relief from the requirement to add the elements until Phase II is completed.

Mr. Hinderaker stated while staff does not oppose the proposed expansion at this conceptual stage, staff is opposed to the school sharing an access drive with an operating gas well site. To that end, staff recommends approval of the Concept Plan with the following conditions:

1. A formal Site Plan application, with the accompanying and necessary transportation/engineering plans, shall be submitted for review, with the applicant obtaining all appropriate approvals, prior to any construction of Phase II.
2. The International Leadership of Texas charter school shall not be permitted to share the existing S.H. 360 access drive with the gas well pad site the operator and as such will need to work with TxDOT to secure a separate access to S.H.360.
3. The International Leadership of Texas charter school shall secure all proposed access drives permits to/from S.H. 360 from TxDOT prior to the submittal of their formal Site Plan application.
4. Phase I of the International Leadership of Texas charter school shall be built as approved with all exterior façade elements included.

Chairperson Garrett asked why they want to postpone some of the façade elements to be included in Phase II of this development.

Mr. Hinderaker stated the applicant states that the school will commit to construct these architectural elements in Phase II, by the beginning of the school year 2019, the reason for the request, due to the increased cost to the school to redo these elements at the time of expansion.

Commissioner Perez asked how many parking spaces would be available for the students.

Mr. Hinderaker stated the parking has already been approved with the original site plan based on the size of the building, plus 15% less.

Chairperson Garrett noted there were no questions for staff, opened the public hearing, and asked for speakers.

Brian Huffaker with The Charter School Fund III, 855 W. Broad Street, Ste 300, Boise, ID was present representing the case and to respond to questions from the Commission. Mr. Huffaker presented the Commission with a concept plan explaining the different phases of construction and the reason for the request to be able to construct the architectural elements in Phase II of the construction. He noted the parking would remain the same as approved in the original site plan by the City Council. Phase II would consist of class rooms and a tornado shelter. He noted the architectural features would be located at the rear of the property, therefore they would ask that these elements be allowed to be constructed within Phase II of the development. Mr. Huffaker stated they have been working with Chesapeake Energy on the shared easement, they are willing to work with staff on the recommendations; 2) The International Leadership of Texas charter school shall not be permitted to share the existing S.H. 360 access drive with the gas well pad site the operator and as such will need to work with TxDOT to secure a separate access to S.H.360, but would asked that staff work with them on recommendation 4) Phase I of the International Leadership of Texas charter school shall be built as approved with all exterior façade elements included.

Commissioner Spare stated he is concern with the look of the building, and would like to see the architectural elements put in place at the time of construction on the west side of the building.

Commissioner Moser asked when this case was first presented how many students would they have.

Mr. Huffaker replied originally they were proposed to have 800 students, but with Phase II of this development they are proposing to have 1600 students, 192 foreign students.

Commissioner Johnson stated the number of students have increase to 1600, have the international students number change, or are all the students going to be local

Mr. Huffaker stated their business model is to have international students.

Commissioner Lopez asked what all is included to be constructed in Phase I and Phase II of this development, and how many of their other campuses similar in size.

Commissioner Perez asked if all of the students would be fluent in three different languages at time of graduation.

Commissioner Moser asked at the school located in Garland where do the Chinese students live.

Mr. Huffaker stated if their students attend their schools from the beginning then yes they would be fluent in three languages at time of graduation. Mr. Huffaker noted most of the Chinese students live on campus, only a few live with different families.

Chairperson Garrett noted several speaker cards submitted in support of this request, but did not wish to speak. Douglas Cooper, 200 E. Abrams Street, Arlington, TX, Keith Bucher, 855 W. Broad Street, Boise Id, and Mark Mitchell, 855 Board Street, Boise, ID.

Commissioner Spare stated he is concern with the addition to the school which would be taking up good retail acreage for this area he would rather see a retail development at this location than a big parking lot. Mr. Spare said in his opinion this is a bad land use for this site.

Commissioner Johnson stated he finds it hard to believe that Phase II or III to be constructed in the future.

There being no further discussion on the case, Commissioner Spare moved to close the public hearing and deny case CP151102 based on the land use concerns. The action and vote being recorded as follows:

Motion: Spare

Second: Johnson

Ayes: Johnson, Lopez, Spare, Womack

Nays: Garrett, Moser, Philipp, Dr. Perez

Approved: **4-4**

Motion: **Failed.**

Chairperson Garrett made a motion to approve case CP151102 per staff's recommendations and an amendment to the façade elements, that the architectural elements on the east and south side of the building be constructed in Phase II or by the beginning of the school year 2019. The action and vote being recorded as follows:

Motion: Garrett

Second: Moser

Ayes: Garrett, Lopez, Dr. Perez, Philipp, Moser, and Womack

Nays: Johnson, Spare

Approved: **6-2**

Motion: **carried.**