

Staff Summary Report



Hearing Officer Hearing Date: 3/15/11

Agenda Item Number: 8

SUBJECT: This is a public hearing for a request by **RADFORD CHILD CARE** located at 512 East Riviera Drive for one (1) use permit.

DOCUMENT NAME: 20110315cdng02 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **RADFORD CHILD CARE (PL110047)** (James Radford, applicant/property owner) located at 512 East Riviera Drive in the R1-6, Single Family Residential District for:

ZUP11015 Use permit to allow in home child care for up to ten (10) children.

PREPARED BY: Nick Graves, Planner (480-350-8690)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

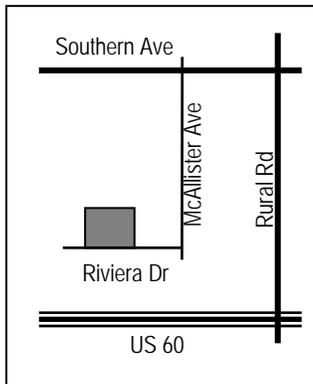
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

FISCAL NOTE: There is no fiscal impact to City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: This is a request to allow in home child care for up to ten (10) children located at 512 East Riviera Drive in the R1-6, Single Family Residential District. Along with this application submittal, staff received two (2) letters of support. To date, staff has received no additional public input regarding this request. Staff recommends approval of the proposal as submitted, with conditions.



PAGES:

1. List of Attachments
2. Comments;
3. Reasons for Approval; Conditions of Approval; History & Facts/Description
4. Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map
2. Aerial Photo
3. Letter of Intent
4. Site Plan / Floor Plan
5. Letter of Support
6. Letter of Support
7. Staff Photograph

COMMENTS:

This is a request to allow in home child care for up to ten (10) children located at 512 East Riviera Drive in the R1-6, Single Family Residential District. Along with this application submittal, staff received two (2) letters of support. The first letter describes the need for quality child care centers in the City of Tempe while the other letter describes a personal relationship with the applicant recognizing the quality care that has been provided in the past. According to the applicant the hours of operation are 6:00 am to 6:00 pm Monday through Friday. There will be one additional employee, who happens to also reside in the residence as well. There will be a maximum of ten (10) children being cared for at this location.

To date, staff has received no additional public input regarding this request. Staff recommends approval of the proposal as submitted, with conditions.

Use Permit

The Zoning and Development Code requires a use permit for in home child care for up to ten (10) children in the R1-6, Single Family Residential District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There should be no significant increase in vehicular or pedestrian traffic in adjacent areas. Drop off and pick up times are scheduled during times when there is little traffic in the neighborhood, according to the applicant.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This use, with conditions, should not create any nuisances.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed request should not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public;
 - Activities have been proposed for the caring of children in the home and allowing them to have play time in the back yard.

Conclusion

Staff recommends approval of the use permit subject to the conditions of approval.

REASONS FOR APPROVAL:

1. There should be no significant increase in vehicular or pedestrian traffic in adjacent areas.
2. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
3. This use should not contribute to the deterioration of the neighborhood or to the downgrading of property values.
4. The use appears to be compatible with the site and adjacent properties.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITIONS OF APPROVAL:

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. Obtain all necessary licenses, certifications and/or clearances from the State of Arizona.
3. No more than five (5) children under the age of 2 ½ years shall be permitted on the premises for the purpose of childcare according to building code.
4. No overnight childcare shall be allowed.
5. No more than ten (10) children maximum shall be allowed for the purpose of childcare.
6. If there are any complaints arising from the use permit that are verified by a consensus of the complaining party and the City Attorney's office, the use permit will be reviewed by city staff to determine the need for a public hearing to re-evaluate the appropriateness of the use permit.

HISTORY & FACTS:

- | | |
|-------------------|--|
| May 17, 1963 | Final inspection on a single family residence. |
| July 15, 1971 | Bldg Pmt # 28675 – Building permit issued for masonry addition to be used as bedrooms, family room, bathroom and garage. |
| February 18, 1984 | Final received on a swimming pool. |

DESCRIPTION:

Owner – James Radford
Applicant – James Radford
Existing Zoning – R1-6, Single Family Residential District
Lot Area – 7,292 s.f. / .167 acres
Square Feet of Living Space – 2,270 s.f.

**ZONING AND
DEVELOPMENT**

CODE REFERENCE:

Part 3, Chapter 3, Section 3-102 – Permitted Uses in Residential Districts

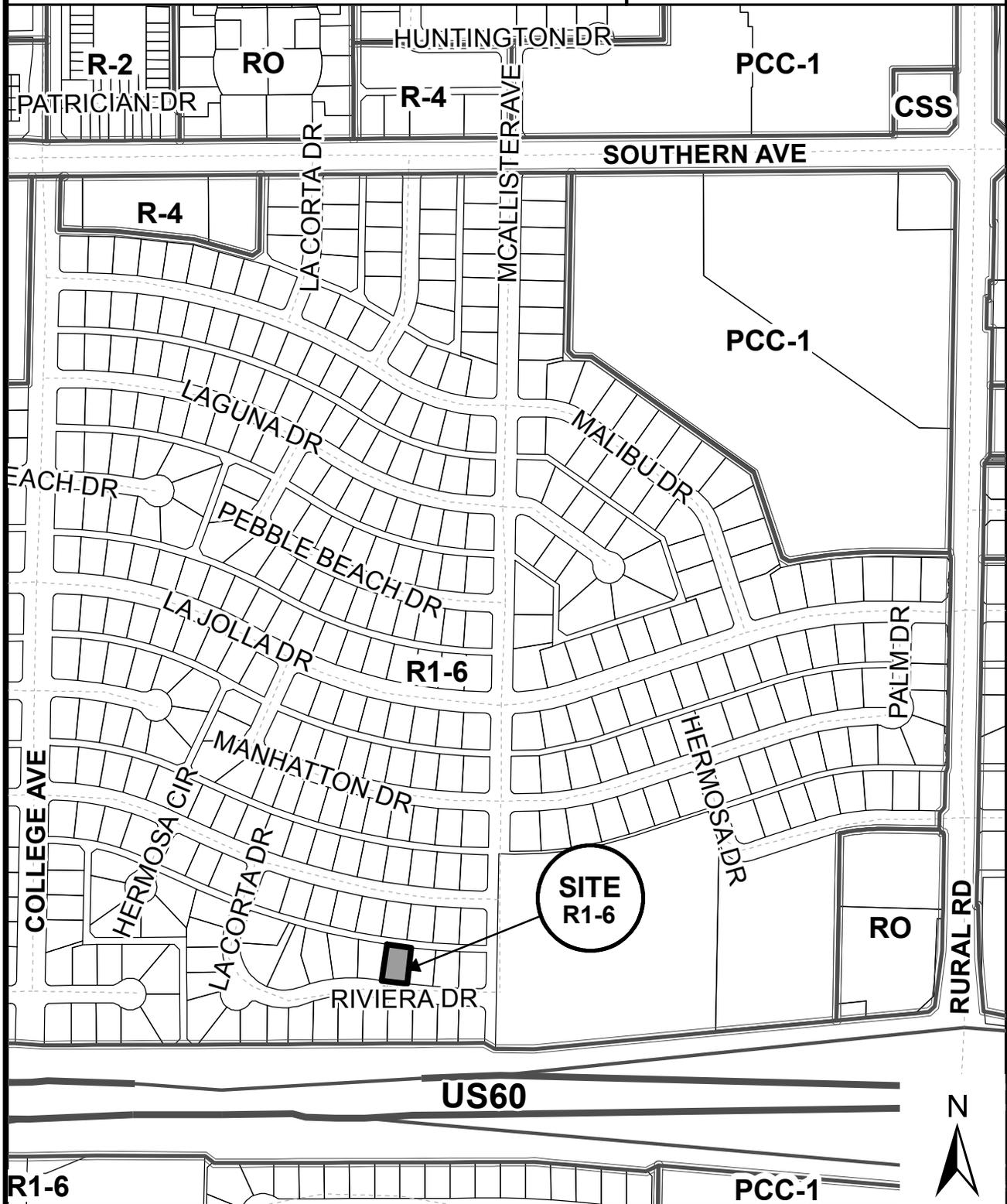
Part 3, Chapter 4, Section 3-407 – Child Care, In Home

Part 3, Chapter 4, Section 3-412 – Home Occupation

Part 6, Chapter 3, Section 6-308 – Use Permit

RADFORD CHILD CARE

PL110047



Location Map



RADFORD CHILD CARE (PL110047)

RADFORD CHILD CARE

**512 E. Riviera Drive
Tempe, AZ 85282
480-449-9986**

February 6, 2011

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85281

To Whom It May Concern:

This letter of explanation is for a use permit for an in home child care at 512 E. Riviera Drive, Tempe AZ 85282. Upon receiving approval from the City of Tempe, we will secure licensing through the Arizona Department of Health Services as a Child Care ~~provider~~ *provider.*

The hours of operation are to be from 6:00 am to 6:00 pm, Monday through Friday. We will have two employees, Deborah Radford M.E., and James Radford M.E., who also reside at said residence. We will have a maximum of ten children under our care and supervision. We foresee working with five to ten families depending on the number of children from each family who will be receiving our services.

There will be no significant vehicular or pedestrian traffic as a result of this action. Parents will drop off and pick up their children during times when there is very little traffic in our neighborhood. Drop off and pick up is estimated to be approximately five minutes.

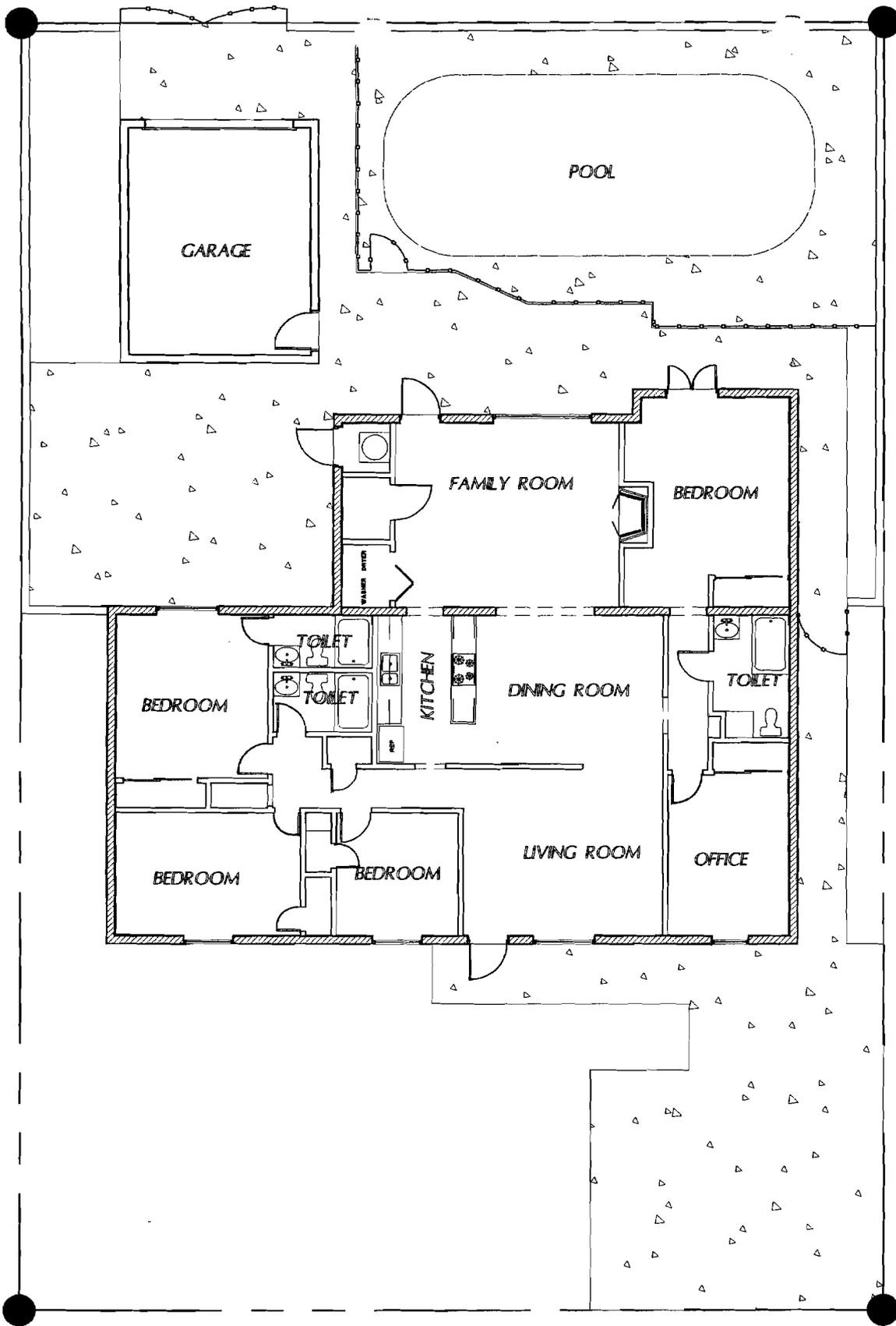
Our activities will be that of caring for children in our home and allowing for them to have play time in our back yard. There will be no nuisances, of any kind created from the care of children in our home. There will be no deterioration of the neighborhood, or conflict with the goals, objectives and policies of the City of Tempe. We will establish a home-like environment for the children in our care while providing them with a loving, learning and nurturing setting.

There will be no change in any structures in or around our home. There will also be no disruptive behavior that would cause any kind of nuisance to the surrounding area, or the general public, as we will be providing most activities inside the home, with outside recreation time, as weather permits, in our back yard.

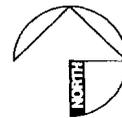
Respectfully submitted,



James E. Radford M.E.



RADFORD CHILD CARE
512 E. RIVIERA DRIVE



SCALE: 1/8" = 1'-0"

Brooke C. Castaneda
1364 W Musket Way
Chandler, AZ 85286
480-621-7501

February 6, 2011

City of Tempe
Development Services
31 East Fifth Street
Tempe, AZ 85281

To Whom It May Concern:

This letter serves as a reference for James and Deborah Radford, as they are applying for child care in their Tempe home. James and Deborah have provided care for my son / their grandson, Braden (now 19 months) old since birth.

James and Deborah are truly exceptional child care providers for my son. They combine a well balanced mix of discipline and structure, with love and attention. All of Braden's essential needs are cared for: he is clean, well fed, napped, and his diapers are changed as needed. But more than the basics, they teach Braden vital character development lessons (e.g., playing with others, sharing, picking up) in a clean, safe, disciplined, and loving environment. Additionally, James and Deborah expose Braden to a wide array of age appropriate educational activities to develop and stimulate his growing mind (e.g., reading, playing the piano/guitar, coloring). Even better, Braden is extremely happy with James and Deborah. His face lights up and he smiles every time he meets them. He easily passes off to James and Deborah, oftentimes greeting them with a hug and kiss.

My husband and I juggle many obligations as working parents. We do our best to provide our son all the love, education, and care that we can -- he is the most important thing to us. And when Braden is with James and Deborah, we do not worry about him. We trust and know that he is happy and well cared for.

For the last 30+ years James and Deborah have also provided excellent care for other children as well. This includes educational, home, church, and traditional day care environments. They have a true passion for children and have diligently supported the physical, educational, spiritual, and emotional growth of the children they have cared for. I am confident they will continue to provide superior care and service for children and their families in the future.

Please feel free to contact me for any additional information at the phone number above.

Sincerely,



Brooke C. Castaneda

February 14, 2011

To Whom it May Concern,

I am a busy 2nd grade teacher and mother of two little girls. One just turned 5 and attends preschool on the border of Mesa and Tempe. The other one just turned 1, and she goes to a babysitter in Tempe. When my oldest daughter turned 3, I searched for a preschool that would be able to care for my child while I was at work as well as provide a quality education. I finally was able to find one, but I have to travel to Mesa to take her there. When my younger daughter was born, I started taking her to a babysitter, since my oldest daughter's preschool only takes children over 3. This can be quite a hassle for a mother who works full time. I have found that there is a lack of quality facilities that offer both childcare and preschool in Tempe. If this were provided, it would be very beneficial to me and many other families who live in the area. It is my hope that this will be provided in the near future. Thank you for your time.

Sincerely,

Trisha Murrell

Trisha Murrell
(480) 246-7668



RADFORD CHILD CARE

512 EAST RIVIERA DRIVE

PL110047

FRONT OF RESIDENCE

