

Staff Summary Report



Hearing Officer Hearing Date: June 2, 2009

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by the **SAINT DOMINIC SAVIO ACADEMY LLC (PL090160)** located at 1230 East Guadalupe Road for one (1) use permit.

DOCUMENT NAME: 20090602dssd01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Hold a public hearing for the **SAINT DOMINIC SAVIO ACADEMY LLC (PL090160)** (Corinna Siegler/St. Dominic Savio Academy LLC, applicant; Desert Palm United Church of Christ, property owner) located at 1230 East Guadalupe Road in the R1-6, Single Family Residential District for:

ZUP09073 Use permit to allow a elementary school for Grades K-5 ancillary to a church.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

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

LEGAL REVIEW BY: N/A

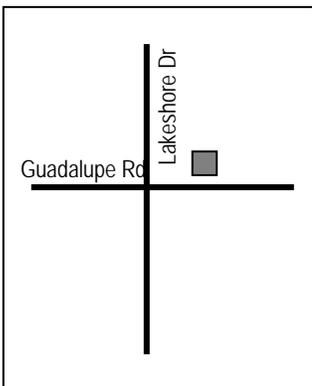
DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:

St. Dominic Savio Academy is requesting a use permit to allow a private school in the R1-6, Single Family Residential District located at 1230 East Guadalupe Road. The site is near the northeast corner of Guadalupe Road and Lakeshore Drive. Staff is recommending approval of the request with conditions. To date staff has received no public input.



PAGES:

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

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Floor Plan
6. Staff Photograph(s)

COMMENTS:

St. Dominic Savio Academy plans to occupy 1,560 s.f. at the western end of Desert Palm United Church of Christ. The school offers education for autistic children from kindergarten (K) to sixth (6th) grade. The school will have two (2) classrooms, with eight (8) children and (3) three staff members per classroom. The total number of students will be approximately sixteen (16) with six (6) staff members. Classes will be held Monday through Friday between 8:30am and 2:30 pm. The school is hoping to open by August 17th, 2009.

This church previously had a day care center operate from 1996 until 2006 without concerns or problems from the neighborhood.

To date, staff has not received any public input to this request.

Use Permit

The Zoning and Development Code requires a use permit for a private school 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 vocational school use proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There doesn't appear to be a significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - It appears that the proposed use will not create any nuisances on the surrounding area.
- 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 use would 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 existing surrounding uses. There will be no exterior changes made to the building.
- e. Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public;
 - The proposed use does not appear to be disruptive or a nuisance to the surrounding area or general public.

Conclusion

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

REASON(S) FOR APPROVAL:

1. There doesn't appear to be a significant increase in vehicular or pedestrian traffic in adjacent areas.
2. It appears that the proposed use will not create any nuisances on the surrounding area.
3. The proposed use appears to be compatible with existing surrounding uses. There will be no exterior changes made to the building.

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

CONDITION(S) OF APPROVAL:

1. The use permit is valid for the St. Dominic Savio Academy and may be transferable upon Development Services Staff review.
2. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
3. 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 set to re-evaluate the appropriateness of the use permit.
4. Any expansion or intensification of the use shall require a new use permit to be approved.
5. All business signs shall be approved through Development Review, and permits obtained.

HISTORY & FACTS:

- February 20, 1996 BA960039: Hearing Officer approved a use permit for DESERT PALM UNITED CHURCH OF CHRIST to allow a day care school.
- November 20, 1998 DRB98400: Development Services staff approved a landscape plan for the rear retention basin at DESERT PALM UNITED CHURCH OF CHRIST.

DESCRIPTION:

Owner – Desert Palm United Church of Christ
Applicant – Corinna Siegler/St. Dominic Savio Academy LLC
Existing Zoning – R1-6, Single Family Residential District
Lot Area– 3.76 acres
Total Building Area – 8,990 s.f.
Tenant Space– 1,560 s.f.
Parking Required for School – 5 spaces
Total Parking Required –76 spaces
Total Parking Provided – 76 spaces

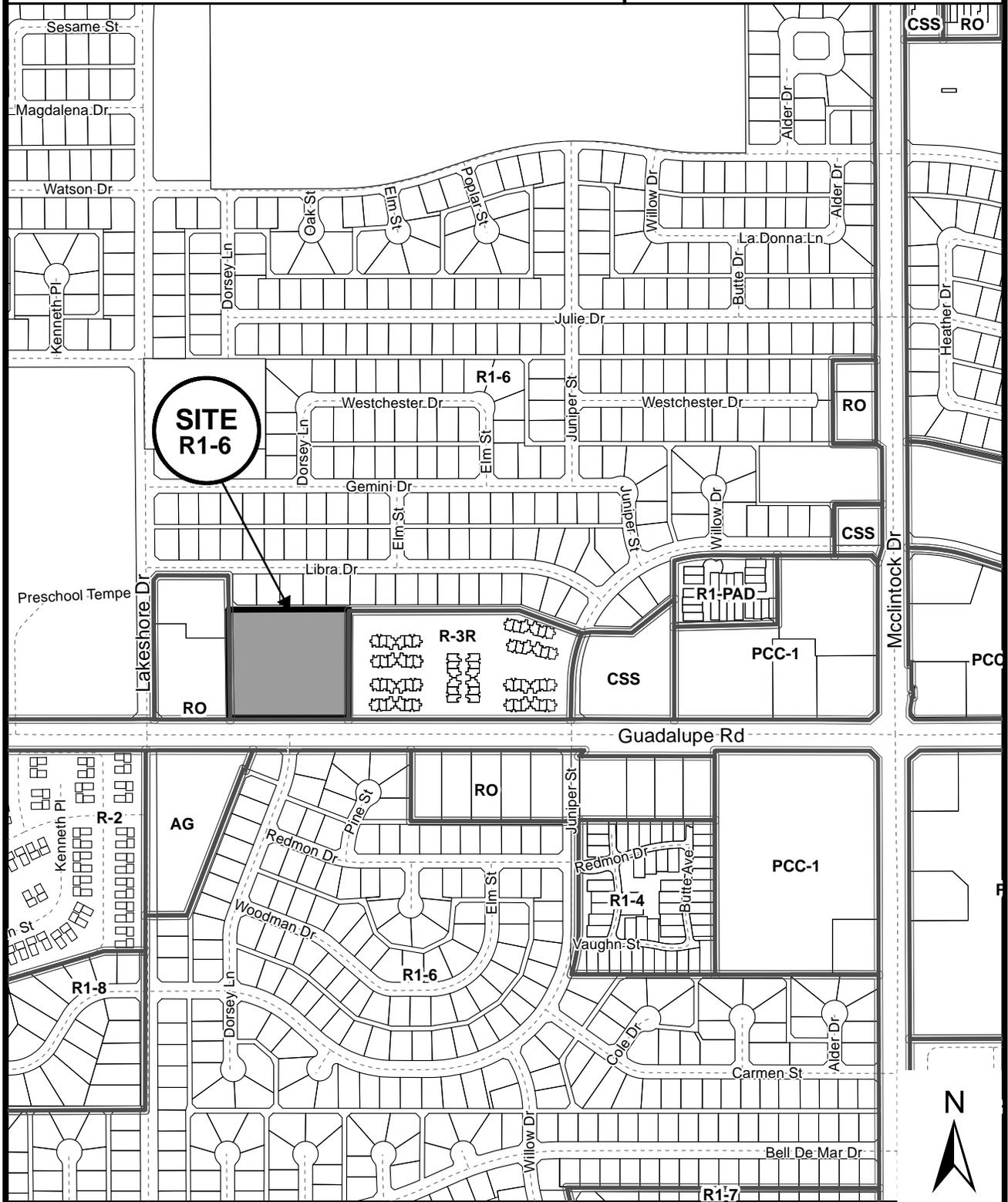
ZONING AND
DEVELOPMENT
CODE REFERENCE:

Part 3, Chapter 3, Section 3-102
Permitted Uses in Residential District

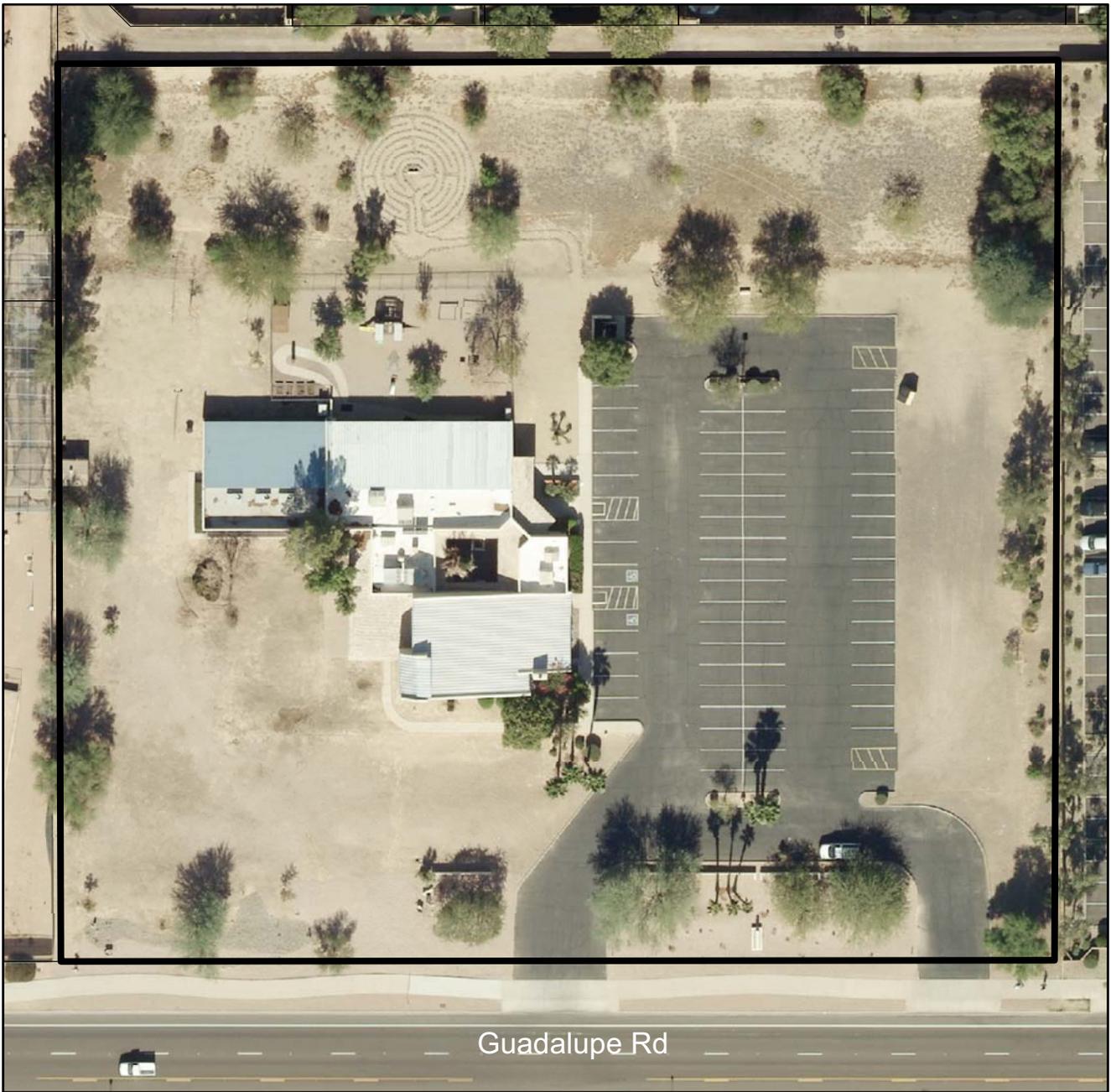
Part 6, Chapter 3, Section 6-308
Use Permit

**SAINT DOMINIC
SAVIO ACADEMY LLC**

PL090160



Location Map



SAINT DOMINIC SAVIO ACADEMY LLC (PL090160)

Daffara, Shawn

From: Corinna Siegler [corinna.siegler@gmail.com]
Sent: Tuesday, May 26, 2009 2:16 PM
To: Daffara, Shawn
Subject: St. Dominic Savio Academy

Hello,

St. Dominic Savio Academy is proposing to lease 3 classrooms from Desert Palm United Church of Christ. totalling 1560 square feet, including the playground. There will be two main classrooms of 8 students each. Each main classroom will be staffed by one special education teacher and two instructional assistants. The third classroom will be used as a room for one on one speech therapy and occupational therapy.

SDSA is a school serving students with autism kindergarten through 6th grade. The school is private, and tuition is paid privately by families.

The school operates from 8:30-2:30 each day, with after school care from 2:30-5:30 daily. The school will be a year-round program, starting August 17th, 2009.

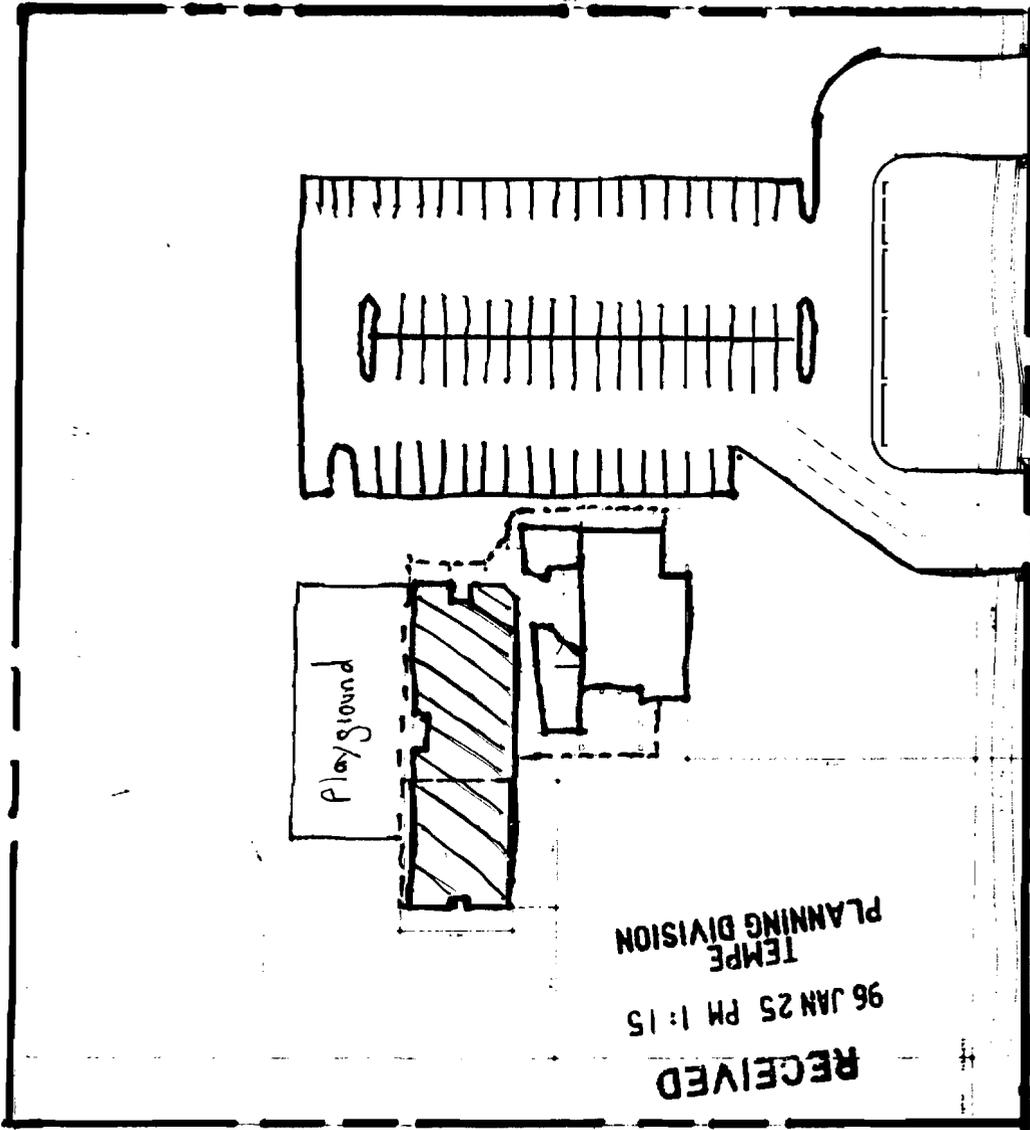
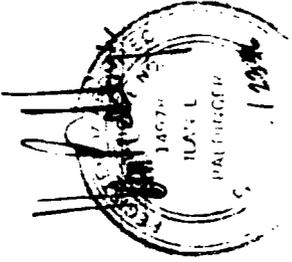
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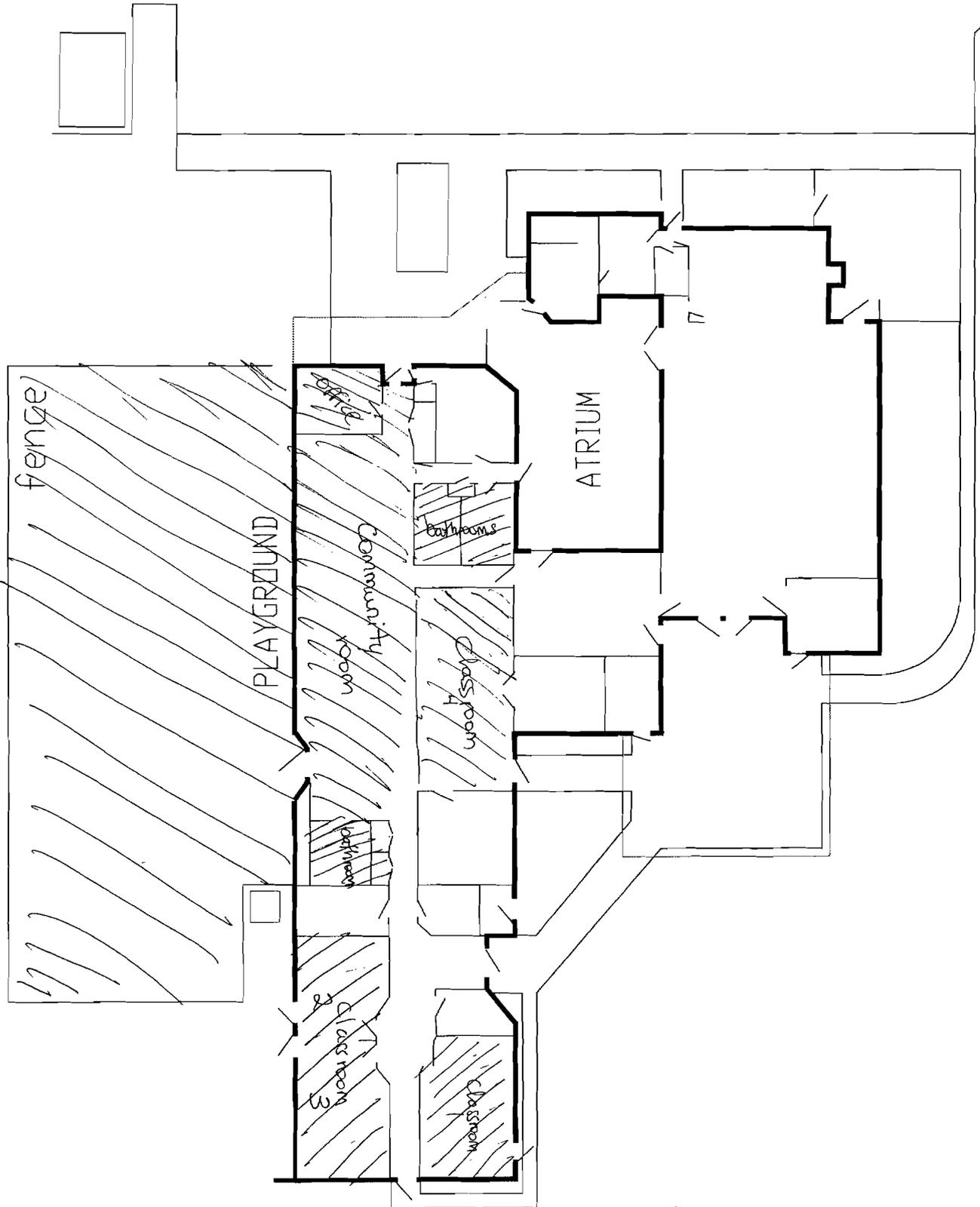
Corinna Siegler

Director, St. Dominic Savio Academy
(c) 602-821-9345
(w) 480-659-5456
www.stdomsavio.com

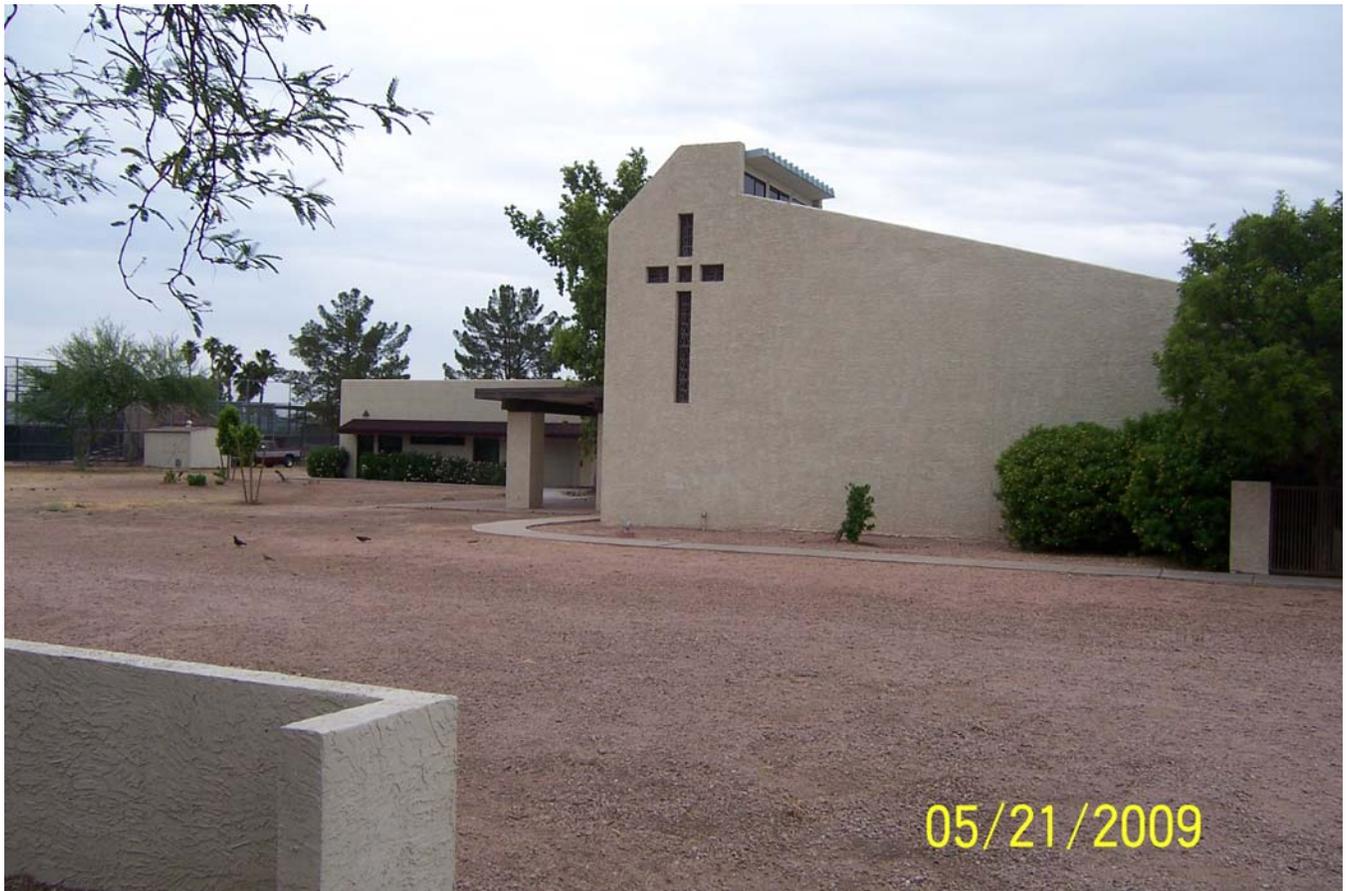
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FAX: 011 26 11 11 11
WWW.STUDIO.BG





ATTACHMENT 5



SAINT DOMINIC SAVIO ACADEMY LLC

1230 EAST GUADALUPE ROAD

PL090160

FRONT OF CHURCH

