



## Legislation Text

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**File #:** 17-437, **Version:** 1

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**TO:** Chair and Planning Commission

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

**DATE:** December 19, 2017

**CONTACT:**

Paul Michaud, 480-348-3574

**AGENDA TITLE:**

Consideration of a Minor Amendment Request to the Christ Church of the Ascension Special Use Permit to allow 5<sup>th</sup> Grade located at 4015 E Lincoln Drive

**REQUEST**

Christ Church of the Ascension is requesting a Minor Special Use Permit amendment for the Christ Church School located at 4015 E Lincoln Drive (Assessor Parcel 169-22-076B). Presently the school can have pre-school up to 4<sup>th</sup> grade, not to exceed a total of 168 students and not to exceed more than 14 students per 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> grades. The proposed amendment seeks to modify the existing stipulation related to the allowable curriculum on the property to add 5<sup>th</sup> grade; with not more than 14 students in 5<sup>th</sup> grade, no change to the maximum 168 student enrollment, and no physical changes to any structures.

**RECOMMENDATION A**

Deem or not deem the requested amendment 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 Christ Church of the Ascension to modify the curriculum taught from preschool to 4<sup>th</sup> grade to preschool to 5<sup>th</sup> grade, subject to the stipulations in the attached stipulations document.

**PRIOR DISCUSSION**

The Planning Commission discussed the request at the study session of December 5, 2017. There were no specific concerns noted, except for waiving any traffic statement requirement. However, the applicant provided a traffic statement at the meeting.

## BACKGROUND

### History:

The original Special Use Permit was issued in 1973. The Special Use Permit has been amended several times. The last amendment was a Managerial Amendment for a new fence around an existing sport court and enlargement of the sport court from 44 feet x 60 feet to 46 feet x 66 feet. In 2009, two Major Special Use Permit amendments were granted. The Town granted approval for a new monument sign on July, 9, 2009. All prior Special Use Permit amendments on the Property were superseded and replaced by the Major Special Use Permit amendment granted on March 26, 2009 by Ordinance #610. This amendment allowed for the addition of 1<sup>st</sup> through 4<sup>th</sup> grades, an increase in enrollment to 168 students, and the construction of a sport court. The 2009 amendments were both Major Special Use Permit amendments since at that time the Zoning Code did not have the Managerial, Minor, Intermediate, and Major Special Use Permit provision.

### Enforcement:

As of the date of this report, there are no outstanding code violations on this SUP property.

### 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 - Religious Facility, Private School, Non-Profit Organization, Public/Quasi Public." The proposed request for adding 5<sup>th</sup> grade curriculum is in conformance with this designation and zoning.

## DISCUSSION/FACTS

### Compliance with SUP Guidelines and Other Standards

#### School Curriculum

There are no specific Special Use Permit guidelines or standards directly addressing school curriculum. Based on the request that the 168-student cap remain in place and not more than 14 students be allowed in 5<sup>th</sup> grade, the impact on circulation and parking appears negligible. The applicant is expected to provide an updated parking statement at the study session on December 5, 2017.

#### Structures

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.

#### Lot Coverage

The SUP guidelines suggest maximum lot coverages of 25-percent. The existing lot coverage is approximately 9.5-percent.

#### Lighting

There is no new proposed lighting.

#### Parking and Circulation

The proposed amendment will not alter the number of classrooms or school office space. No alterations are proposed to the existing circulation. There are 202 existing parking spaces per the approved Special Use Permit plans. No additional parking is proposed.

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

The subject site adjoins Lincoln Drive. Lincoln Drive is classified as a Major Arterial at a typical right-of-way width of 130 feet (half-width of 65 feet). The site has its typical half width of right-of-way dedication at 65 feet, 40 feet in fee title and 25 feet by an easement.

#### Signage

No new signage will be added.

#### 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 already includes elementary school curriculum.

##### **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 affect the student maximum of 168 total students and 14 students per grade. The addition of 5<sup>th</sup> grade will allow the school to be consistent with the grade level pattern of many public and private schools which follow a K-5, 6-8, and 9-12 grade level pattern. There will be no change to circulation, parking, or the staggered start and dismissal times already in place. Based on the application material provided, any nuisances should be sufficiently mitigated.

##### **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. As of the date of this report, there have been no comments in response to this noticing.

## **ATTACHMENTS**

1. Vicinity Map
2. Application/Narrative
3. Prior SUP Approval Excerpts
4. Noticing
5. Draft 207 Waiver
6. CivTech School Expansion Statement
7. Proposed Stipulations

C:     - Applicant  
       - Case File