

# Staff Summary Report



Hearing Officer Hearing Date: March 17, 2009

Agenda Item Number: 5

**SUBJECT:** This is a public hearing for a request by **ACCEL INC. (PL090071)** located at 1430 East Baseline Road for one (1) use permit.

**DOCUMENT NAME:** 20090317dsdp01

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by **ACCEL INC (PL090071)** (Gerald Cook/Cook Associates Architects Inc., applicant; ACCEL Inc., property owner) located at 1430 East Baseline Road in the R1-6, Single Family Residential District for:

**ZUP09037** Use permit to expand the existing charter school to allow enrollment up to the twelfth (12<sup>th</sup>) grade.

**PREPARED BY:** Derek Partridge, Planner I (480-350-8867)

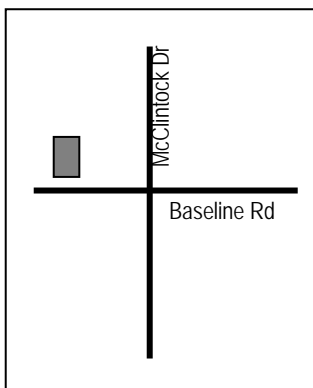
**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions

**ADDITIONAL INFO:** The applicant is requesting a use permit to allow an expansion of the existing private school for educable and/or multiple handicapped children. The site is located at 1430 E Baseline Road in the R1-6, Single Family Residence District. The school currently operates out of three (3) of the four (4) buildings located on site. The request for use permit is to expand the school's current use of teaching K-through-12 students to the fourth building located on the site. To date, no public input has been received.



**PAGES:**

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

**ATTACHMENTS:**

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

## COMMENTS:

The applicant, Accel (formerly Latch School), is requesting a use permit to expand its current use of a K-through-12 school for educable and/or multiply handicapped individuals. The school currently operates in buildings AB, C and D with a collective square footage of 13,120 s.f. The expansion into Building E, as indicated on the site plan, will provide an additional 4,320 s.f. of classroom space for the school. Building E was previously used as education for "above 12<sup>th</sup> grade" age clients. There is a projected student population capacity of 110 students and a staff of 60. The hours of operation are 7:30am to 4:00pm Monday through Friday. Any outdoor activities associated with the school, other than arrival/departure, will take place within gated/fenced in areas. The site has ample parking to accommodate the expansion.

## Use Permit

The Zoning and Development Code requires a use permit for private school in a 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 will be no 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;
  - This proposed use expansion will be consistent and managed in an appropriate manner; there should be no 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 proposal 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.
- d. Compatibility with existing surrounding structures and uses;
  - The proposed use appears to be compatible with surrounding uses.

## Conclusion

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

## REASON(S) FOR APPROVAL:

1. The use appears to be compatible with the building, site and adjacent property.
2. There appears to be a demonstrated need for this use at the proposed location.

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

**CONDITION(S)  
OF APPROVAL:**

1. All dead and/or missing landscaping on site shall be replaced within 30 days of this approval (4/17/2009). Landscaping shall be maintained free of weeds.
2. All required 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 on this use through Code Enforcement, Police, or Building Safety and these complaints are deemed valid by the City Attorney's Office, this use may be required to return to the Hearing Officer for a re-review of the use permit.

**HISTORY & FACTS:**

December 12, 2003      BA030296: Approval of a use permit to allow the expansion of an existing vocational school to include Grade 13 and over-age located at 1430 East Baseline Road in the R1-6, Single Family Residential District.

October 11, 2001      BA010275: Approval of use permit and variance  
                                    b. Use permit to allow for education and/or multiple handicapped, fully ambulatory children.  
                                    c. Variance to reduce the required off-street parking from 111 to 105 spaces.

July 26, 2001      BA010204: Approval of variance to reduce the required off-street parking from 120 to 111 spaces.

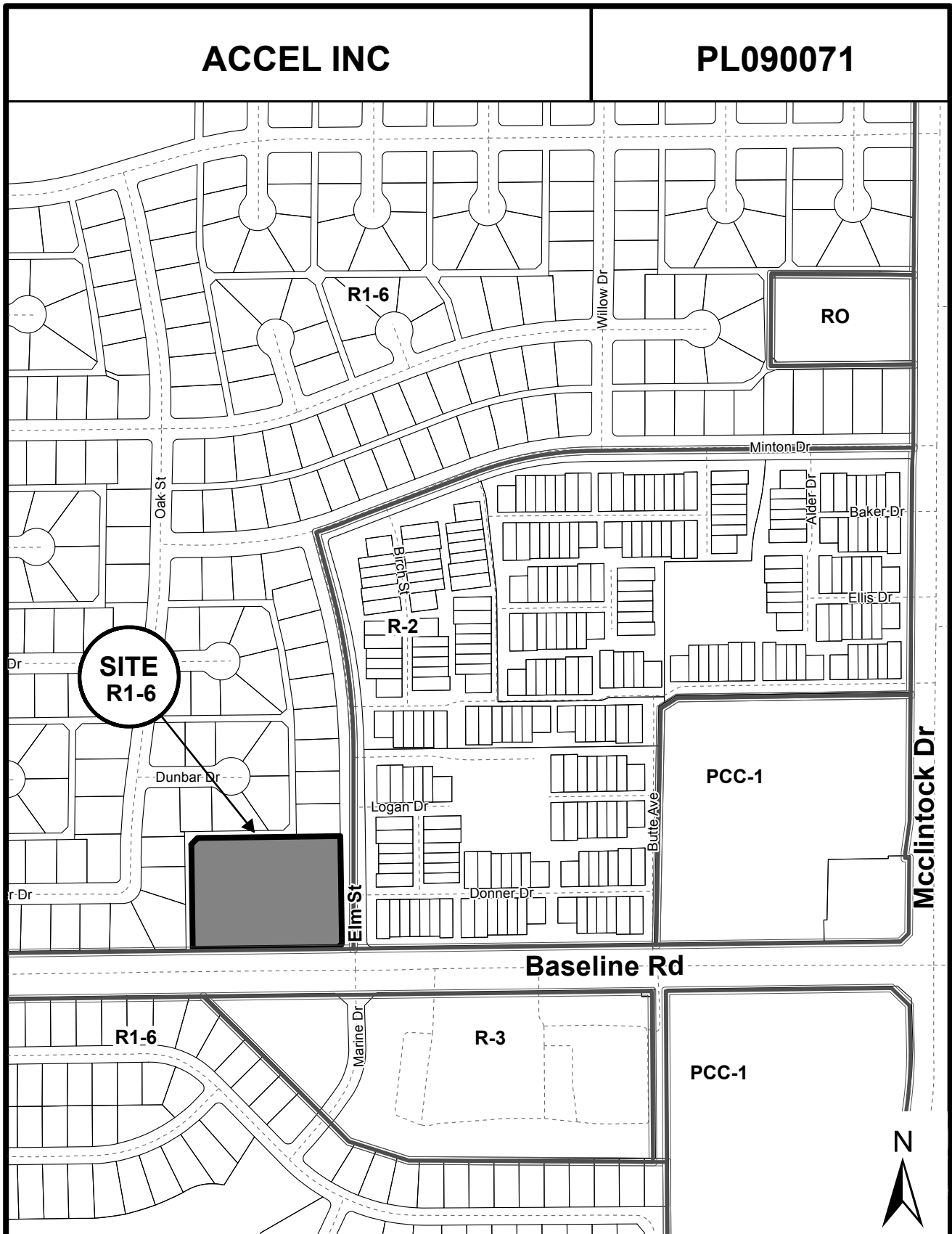
**DESCRIPTION:**

Owner – Accel Inc.  
Applicant – Gerald Cook/Cook Associates Architects Inc.  
Existing Zoning – R1-6, Single Family Residential District  
Site Area – 98,445 s.f./2.25 acres  
Building Area – 19,211 s.f.  
Parking Provided – 104 spaces  
Parking Required – 94 spaces  
Lot Coverage – 19.5%  
Building Height – 28 feet

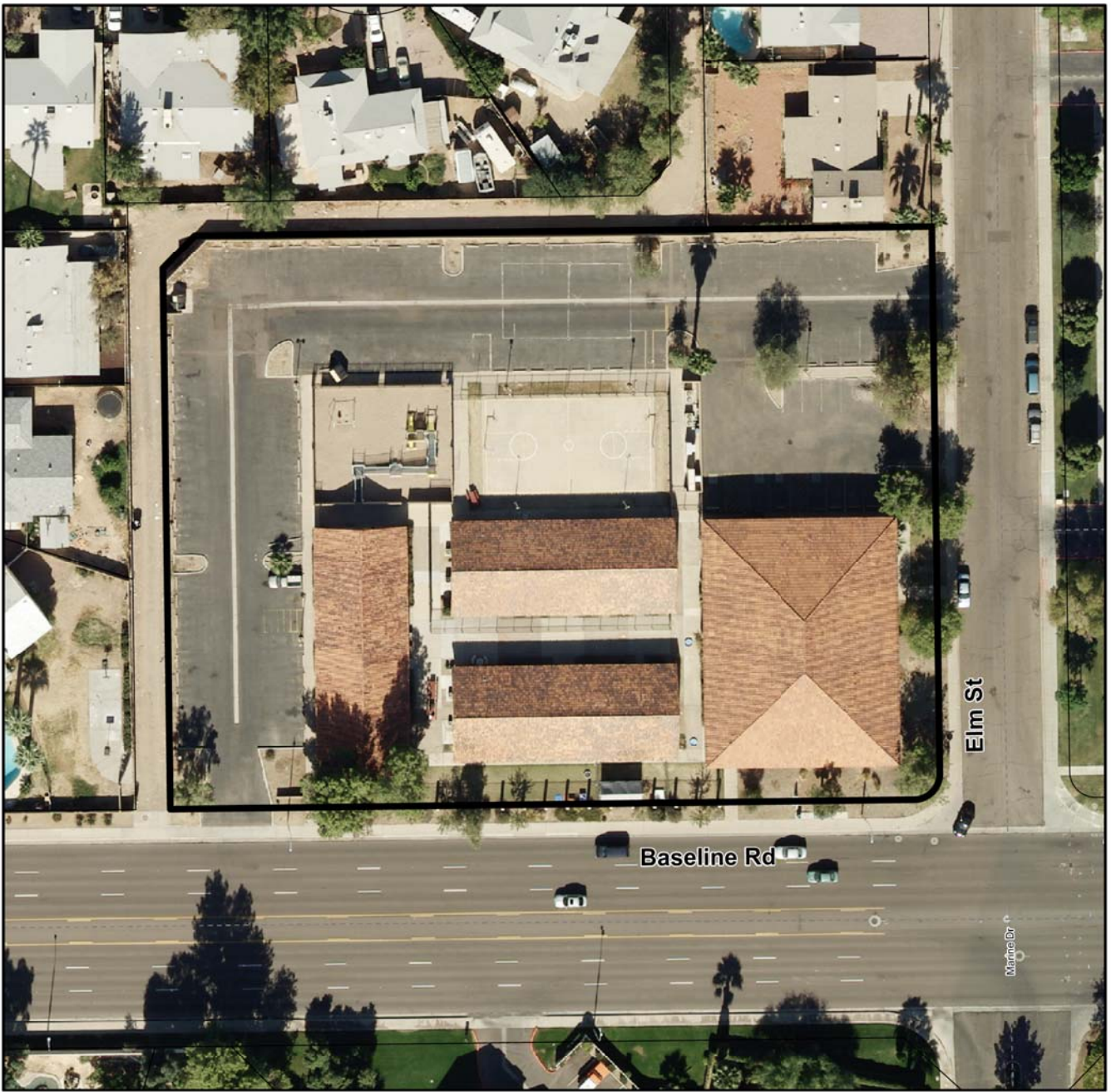
**ZONING AND  
DEVELOPMENT**

**CODE REFERENCE:**

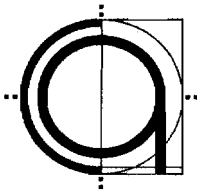
Part 3, Chapter 1, Section 3-102 – Permitted Uses in Residential Districts  
Part 6, Chapter 3, Section 6-308 – Use Permit



**Location Map**



**ACCEL INC (PL090071)**



associates  
architects, inc

ARCHITECTURE PLANNING

February 16, 2009

Tempe Board of Adjustment  
City of Tempe  
115 East 5<sup>th</sup> Street, Suite #1  
Tempe, AZ 85281

Tel: 480.350.8487  
Fax: 480.350.8872

#### LETTER OF EXPLANATION

Request for Modification of Existing Use Permit BA030296

Project: ACCEL (formerly known as Latch School, Inc.) property  
1430 East Baseline Road, Tempe,

We are requesting a **Modification** of our Use Permit at the above location. Use Permit BA030296, approved in Feb 2003, allowed for the use of the existing Sanctuary building on this site for education of "above 12<sup>th</sup> grade" age clients. This request is to alter the existing Use Permit to **reduce** the age to include all school age children and includes the alteration of the building into classrooms and other accessory uses to support the facility. Adult programs will be moved to the main campus in Phoenix. We hope the following, together with the enclosed drawings, will explain our request.

1. **Identity & accreditation:** ACCEL (formerly known as Latch School) is a private school for educable and/or multiply handicapped individuals placed by and under contract to the local school districts. ACCEL is accredited by both the Arizona Department of Education and the Arizona Department of Health Services and has been teaching K-through-12-age clients in 3 of 4 buildings (A/B, C and D) on this property since 2001 per Use Permit at that time. An additional Use Permit was approved in 2003 to include the "Sanctuary" building for clients above the age of 22 and 12<sup>th</sup> grade.
2. **Request for Use Permit:**
  - a. The reason for this request is only to reduce the age criteria to allow only school-age children with disabilities in this part of the campus.
3. **New curriculum:** The total projected student population capacity will be 110 students with an anticipated staff of 60. This provides a Staff-to-Student ratio of approximately **1:2**.
4. **Hours of operation:** five days per week
  - a. Students: 8:30 am to 3:00 pm
  - b. Staff: 7:30 am to 4:00 pm

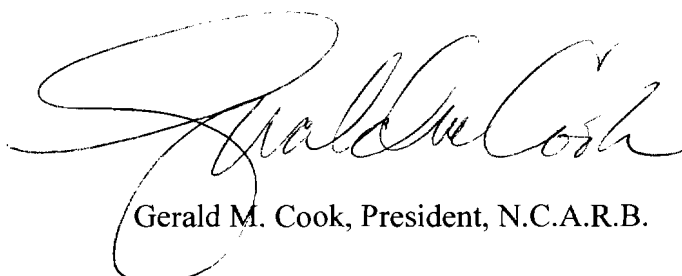
Suite 150  
777 E Thomas Rd  
Phoenix, AZ 85014

phone  
602.252.9407  
fax  
602.443.7808

5. **Outdoor Client Activity:** On site is all staff-supervised:
  - a. Recreation is *within* gates/fences/courtyards.
  - b. Arrival/departure and field trips to nearby services are the only activities that occur *beyond* gates/fences/courtyards.
6. **Transit and parking:** Existing site has 104 parking spaces (includes 3 bike, 100 regular, and 4 accessible spaces). Current Ordinance requires parking for High School uses (classroom and offices, net) of 1 space per 200 sf. Our current demand is therefore 88 spaces and does not exceed the site capacity (see calculations on Site Plan). Please also consider:
  - a. The student population/clients, projected maximum of 110 and a mix of high school and elementary age, *do not / cannot* drive, but are delivered and collected entirely by contracted transportation under Staff supervision.
  - b. The projected Staff of 60 does not exceed the number of available spaces.
  - c. Thus, practically speaking, the present number of spaces (104) is more than adequate for ACCEL's purposes.
7. **Interior Facilities:**
  - a. Immediate plans include the complete interior remodel of the "Sanctuary" building to create four classrooms, Library/computer room, Game Room, Sensory Therapy, and accessory offices, restrooms, and storage. Minor changes to the exterior are anticipated, see Floor Plan.
  - b. Additional building modifications include minor interior changes to Building C - Classrooms.
8. **Affect on surrounding area:** The use will not cause any significant vehicular or pedestrian traffic in adjacent areas, will not cause any nuisance exceeding that of the ambient conditions, will not contribute to the deterioration of the neighborhood or be in conflict with the goals, objectives and policies of the City, will be compatible with existing surrounding structures and will not result in any disruptive behavior which may create a nuisance to the surrounding area or general public.

Thank you for your kindest consideration in this matter.

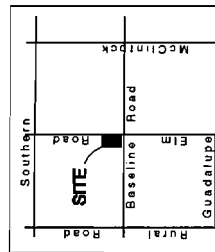
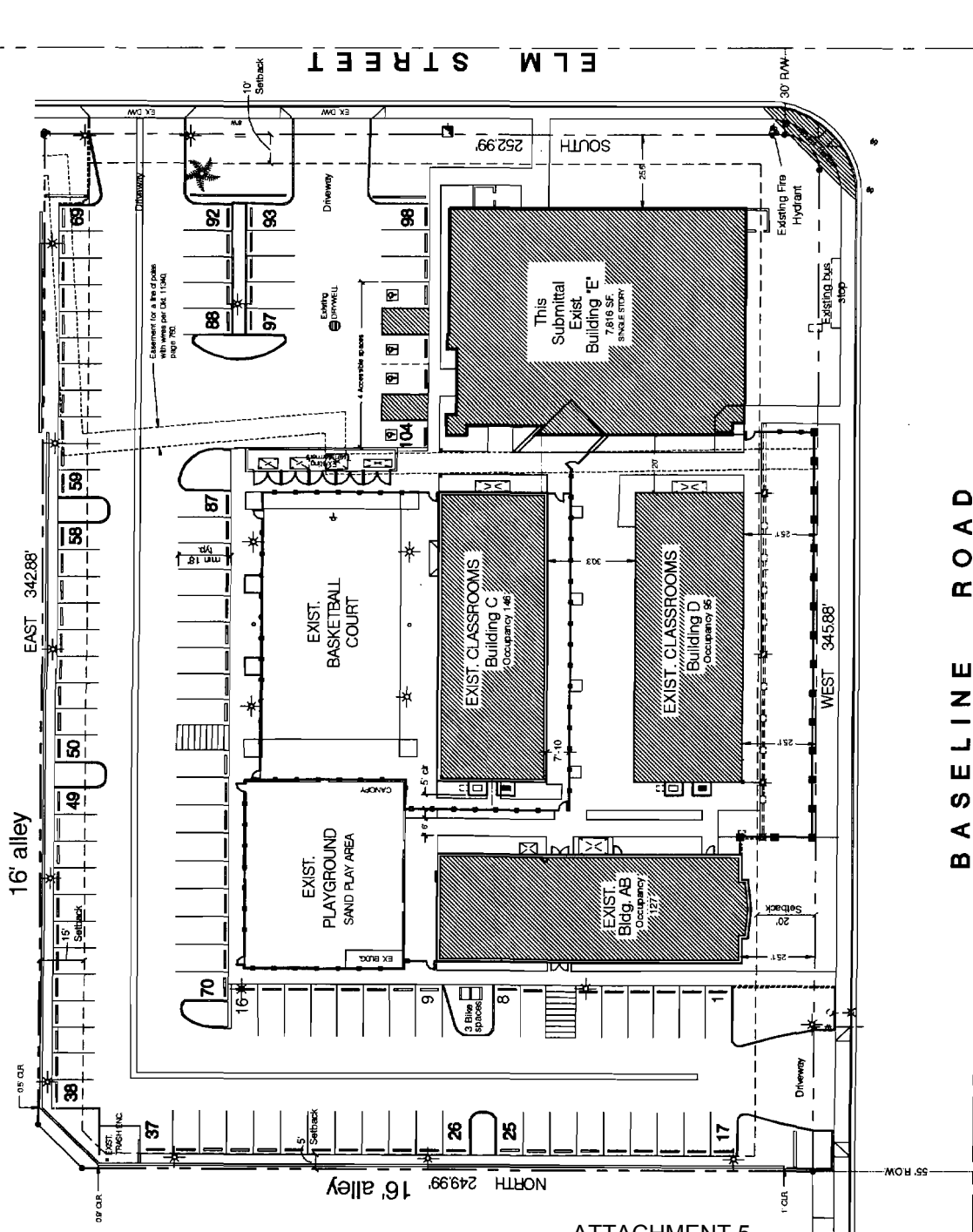
Sincerely,



Gerald M. Cook, President, N.C.A.R.B.

cc: file, Haley, Laird





Site Plan



**USE PERMIT REQUEST(S):**

12 Feb. 2009

**Overall Site Plan**

**ACCEL**

1430 East Baseline Road, Tempe, Arizona 85282

**cook associates, inc**

PHOENIX, ARIZONA 85014-5447

**Use Permit Approved: BA030296**

Use Permit granted:

Use Permit to allow the expansion of existing vocational school to include Grade 13 and overage located at 1430 East Baseline Road in the R1-S Single Family Residential District.

**Use Permit / Variance Approved: BA010275**

Use Permit granted:

Use Permit request to allow a Latch School for education and/or multiple handicap, fully ambulatory children.

2. Variance granted:

Variance to reduce the required from 111 to 106 spaces

**Owner**

Accel Inc. (Formerly Latch School, Inc.)

10251 N. 35th Avenue

Phoenix, Arizona 85021

Tel: (602) 965-7366

Fax: (602) 965-0987

Contact: Connie Laird

**Architect / Applicant**

Cook Associates Architects, Inc.

505 West McDowell Road

Phoenix, Arizona 85003

Tel: (602) 252-9407

Fax: (602) 252-5022

Gerald M. Cook

**Legal Description**

Tract 'A' TEMPE GARDENS Unit Nine according to the plat of records in the office of the County Recorder of Maricopa County, Arizona in Book 127 of Maps page 30.

**Zoning** R1-S (existing to Remain)

**Lot Coverage: no change**

Lot Size Gross approx. 124,006 sf

Lot Size Net approx. 96,445 sf

Total Building Area 19,211 sf

Lot Coverage 19.5 %

Total Landscape Area 44,132 sf

Landscape Coverage 44.8 %

No. of Stories 1

Building Height 28 +/-

**Construction Type**

Buildings A, B, C & D: V-N Fire Alarm (existing)

Building E: Type III-1 hr. - Proposed AFES.

**Occupancy Type: No change**

E-1 / B

**Building Areas:**

BUILDING A: No Change (Admin. Offices / Cafeteria) 1,394 sf

BUILDING B: No Change (Classrooms) 2,190 sf

BUILDING C: No Change (Classrooms) 3,733 sf

BUILDING D: No Change (Classrooms) 3,733 sf

BUILDING E: This Submittal (New Classroom) 8,161 sf

**TOTAL AREA** 19,211 sf

**Parking Spaces:** Provided 104 spaces + 3 bike spaces

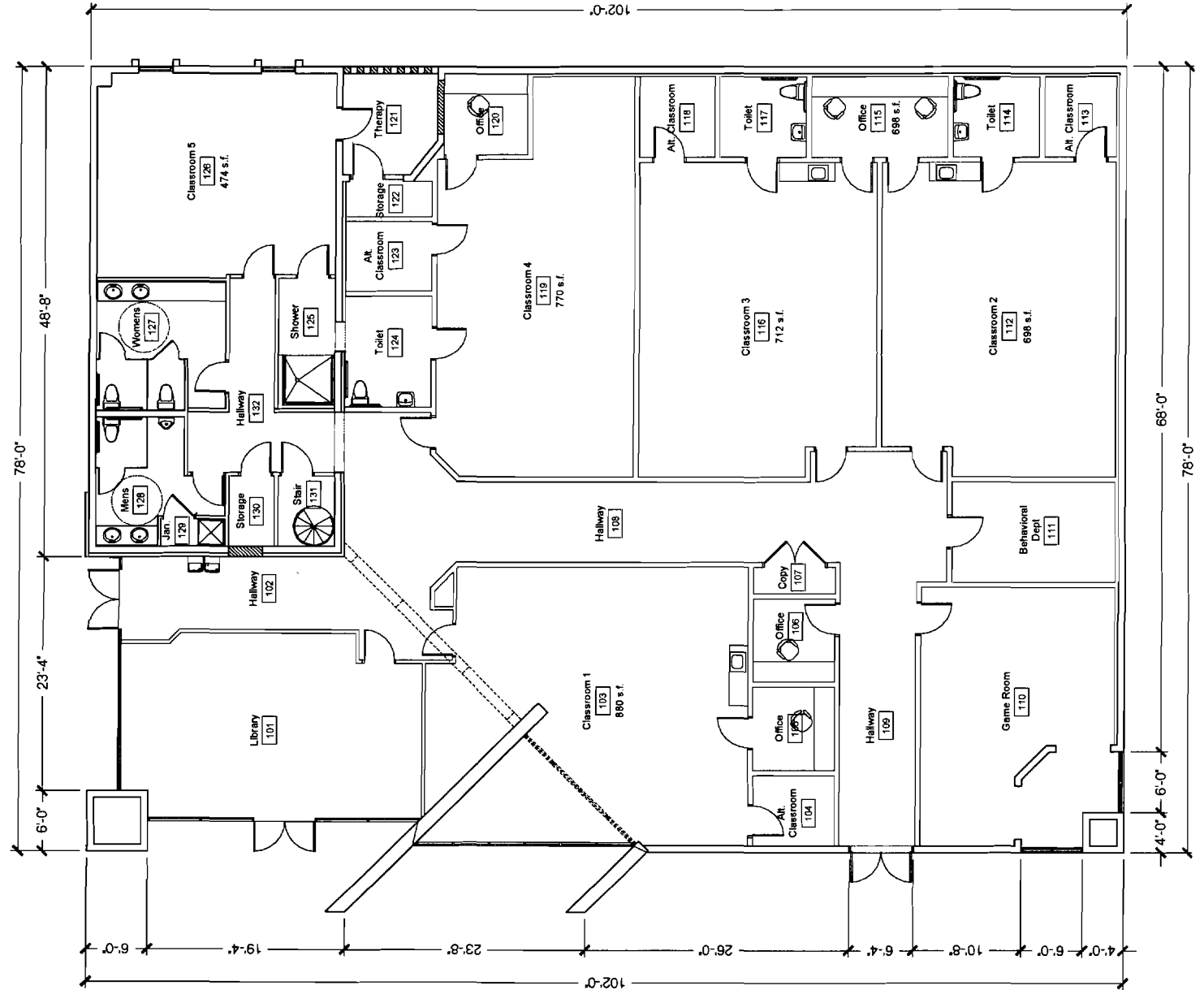
Classrooms / Offices: 13,120 sf / 200 = 66

Building 'E' (old Sanctuary) This application

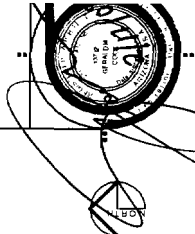
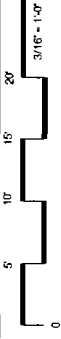
Classrooms/Office added: 4,230 sf / 200 = 22

Required 88 spaces

Variance BA010275 To reduce required parking from 111 spaces to 106 spaces



Proposed Remodel  
Building "E" Floor Plan



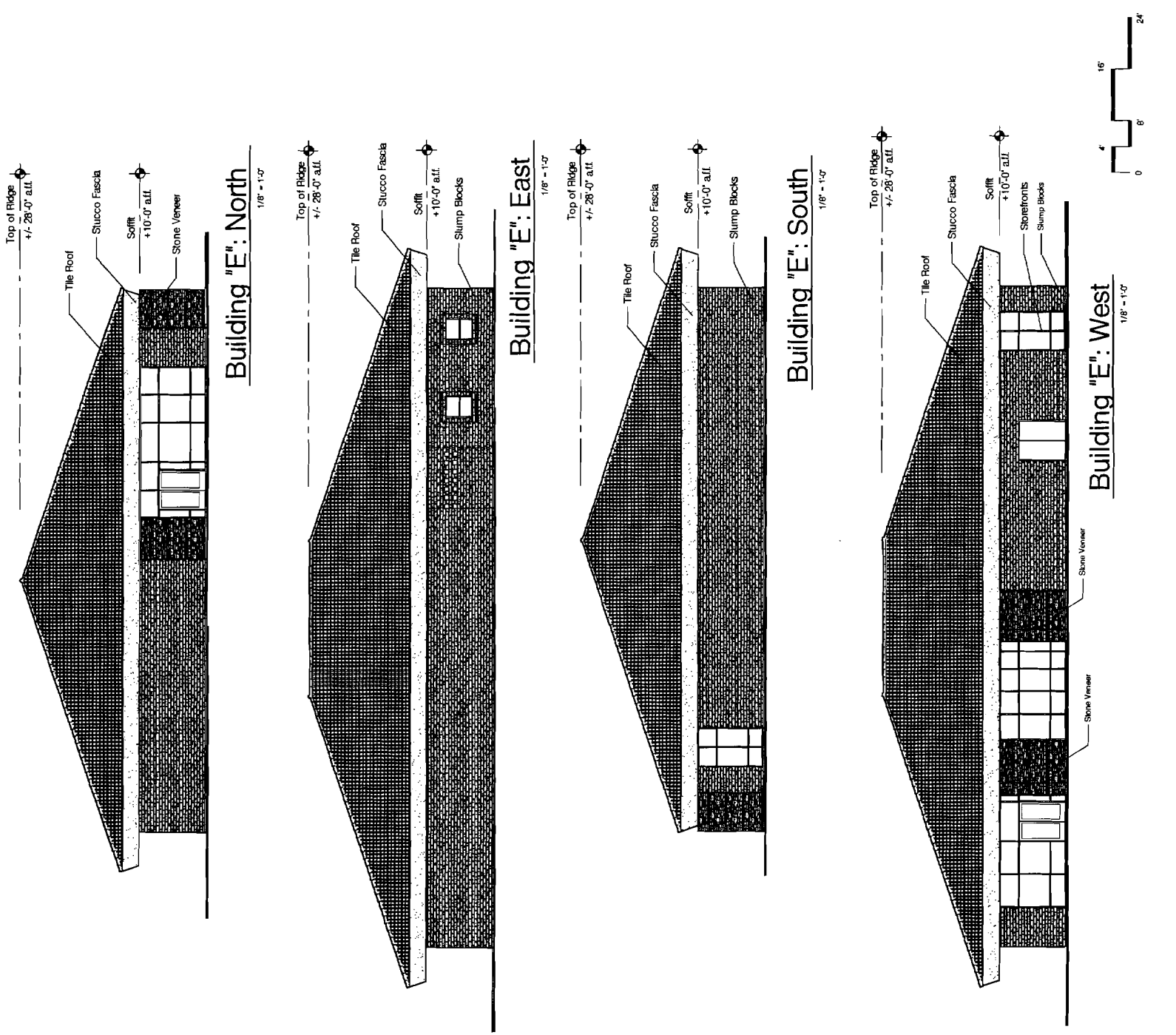
A1.0  
Project No. 270000001

cook associates  
architects, inc.  
14701 N. 19th Ave., Suite 100, Phoenix, AZ 85022  
Phone: 602.252.9407 Fax: 602.252.9408

ACCCEL  
Tenant Improvements to Building "E" (Showroom)  
14701 N. 19th Ave., Suite 100, Phoenix, AZ 85022

Proposed Remodel:  
Building "E" Floor Plan

12 Feb. 2009





**ACCEL INC**

**1430 EAST BASELINE ROAD**

**PL090071**

**FRONT OF SCHOOL**

