

# Staff Summary Report



Hearing Officer Hearing Date: March 18, 2008

Agenda Item Number: 5

**SUBJECT:** This is a public hearing for a request by the **BLUE RIDGE TEMPE COMMUNITY LEARNING CENTER (PL080058)** located at 3280 South Country Club Way, Suite No. 110 for one (1) use permit.

**DOCUMENT NAME:** 20080318dsac02

**PLANNED DEVELOPMENT (0406)**

**SUPPORTING DOCS:** Yes

**COMMENTS:** Hold a public hearing for a request by **SHALIMAR SQUARE – BLUE RIDGE TEMPE COMMUNITY LEARNING CENTER (PL080058)** (William Sawner/Educational Options Inc., applicant; Tierra Firme One LLC, property owner) located at 3280 South Country Club Way, Suite No. 110, in the CSS, Commercial Shopping and Services District for:

**ZUP08027** Use permit to allow a private school in the CSS, Commercial Shopping and Services District.

**PREPARED BY:** Alan Como, Planner II (480-350-8439)

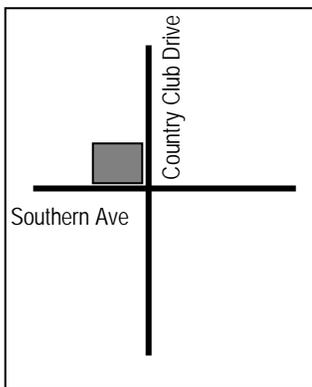
**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

**LEGAL REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval subject to Conditions 1-2

**ADDITIONAL INFO:** The applicant is requesting a use permit to allow a private school in the CSS, Commercial Shopping and Services District, located at 3280 South Country Club Way, Suite No. 110. The applicant, Educational Options Inc plans to use the school to provide tutoring opportunities and web-based classes for high school and adult students. Two phone calls of inquiry have been received, though neither expressed support or opposition to this request. Staff recommends approval of the use permit.



**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. Letter of Intent
4. Site plan
- 5-6. Staff Photograph(s)

## COMMENTS:

The applicant, Educational Options Inc is requesting a use permit to allow a private school in the CSS, Commercial Shopping and Services District, located at 3280 South Country Club Way, Suite No. 110. The applicant will offer tutoring service, web-based classes, and computer facilities to access the web-based class work. According to the applicant's letter of intent, the Learning Center will be used to support high school and adult students needing to make up credits to earn a GED or to graduate. They plan to occupy space in this facility for approximately 24 months, until a larger facility becomes available. The Learning Center will employ one full-time administrator and an administrative assistant, and will operate between the hours of 7:00am and 5:00pm. Two phone calls of inquiry have been received, though neither expressed support or opposition to this request. Staff recommends approval of this use permit.

## Use Permit

The Zoning and Development Code requires a use permit for a private school in the CSS, Commercial Shopping and Services District.

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 is a learning/tutoring center and should not have emission of odor, dust, gas, noise, vibration, smoke, heat or glare.
- 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 development 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 surrounding uses

## Conclusion

Staff recommends approval subject to conditions.

## REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

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

**CONDITION(S)  
OF APPROVAL:**

1. Obtain all necessary clearances from the Building Safety Division.
2. Any intensification or expansion of the use would require the use permit to be reheard by the Hearing Officer. If Blue Ridge Tempe Community Learning Center were to become a charter school, that would require a new use permit.

**HISTORY & FACTS:**

None related to this case.

**DESCRIPTION:**

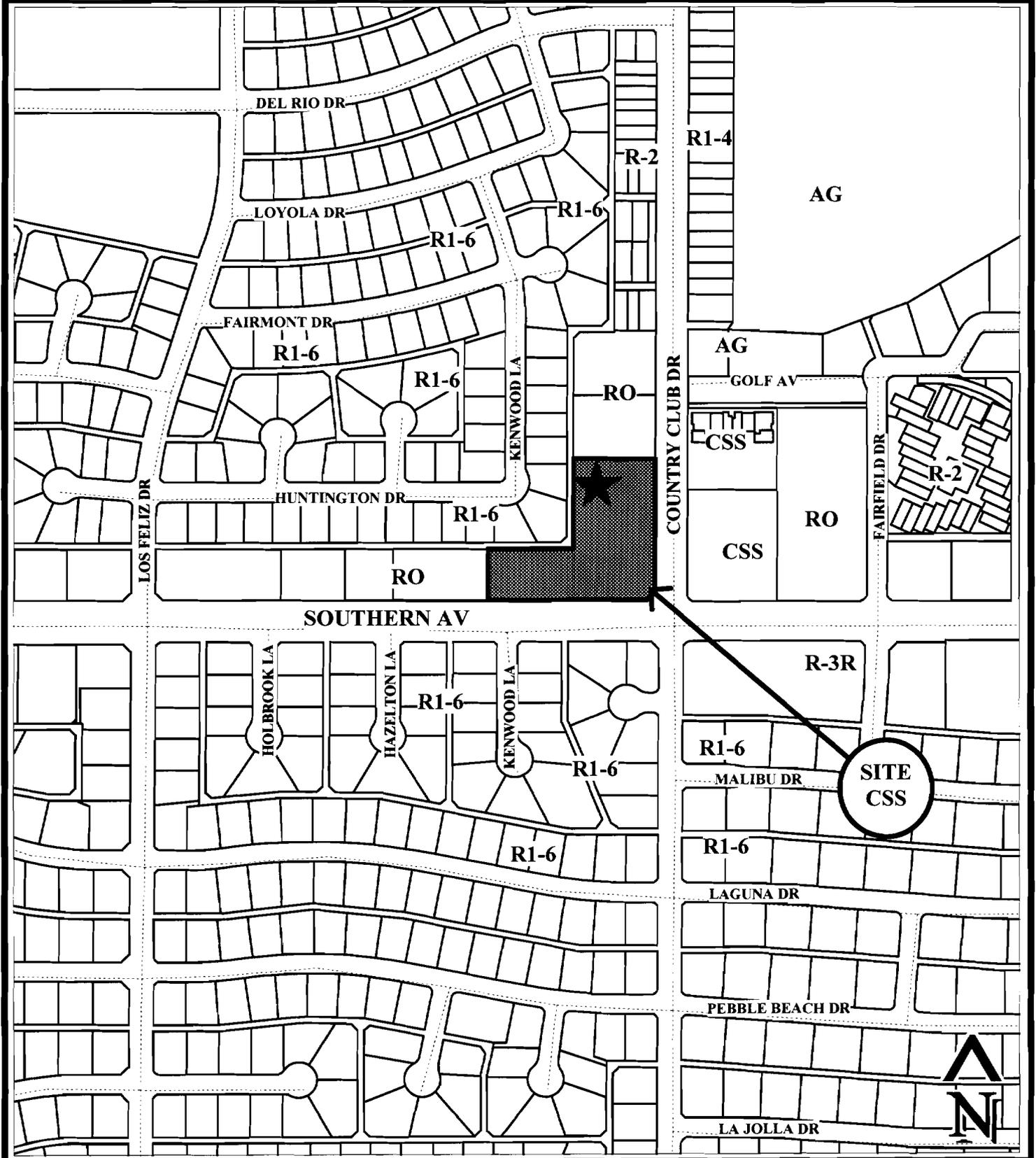
Owner – Tierra Firme One LLC  
Applicant – William Sawner/Educational Options Inc.  
Existing Zoning – CSS, Commercial Shopping and Services District.  
Parcel Area – 2.29 acres  
Suite size – 6500 s.f.  
Parking required by tenant – 33 spaces  
Parking provided – approximately 90 spaces (for the center)

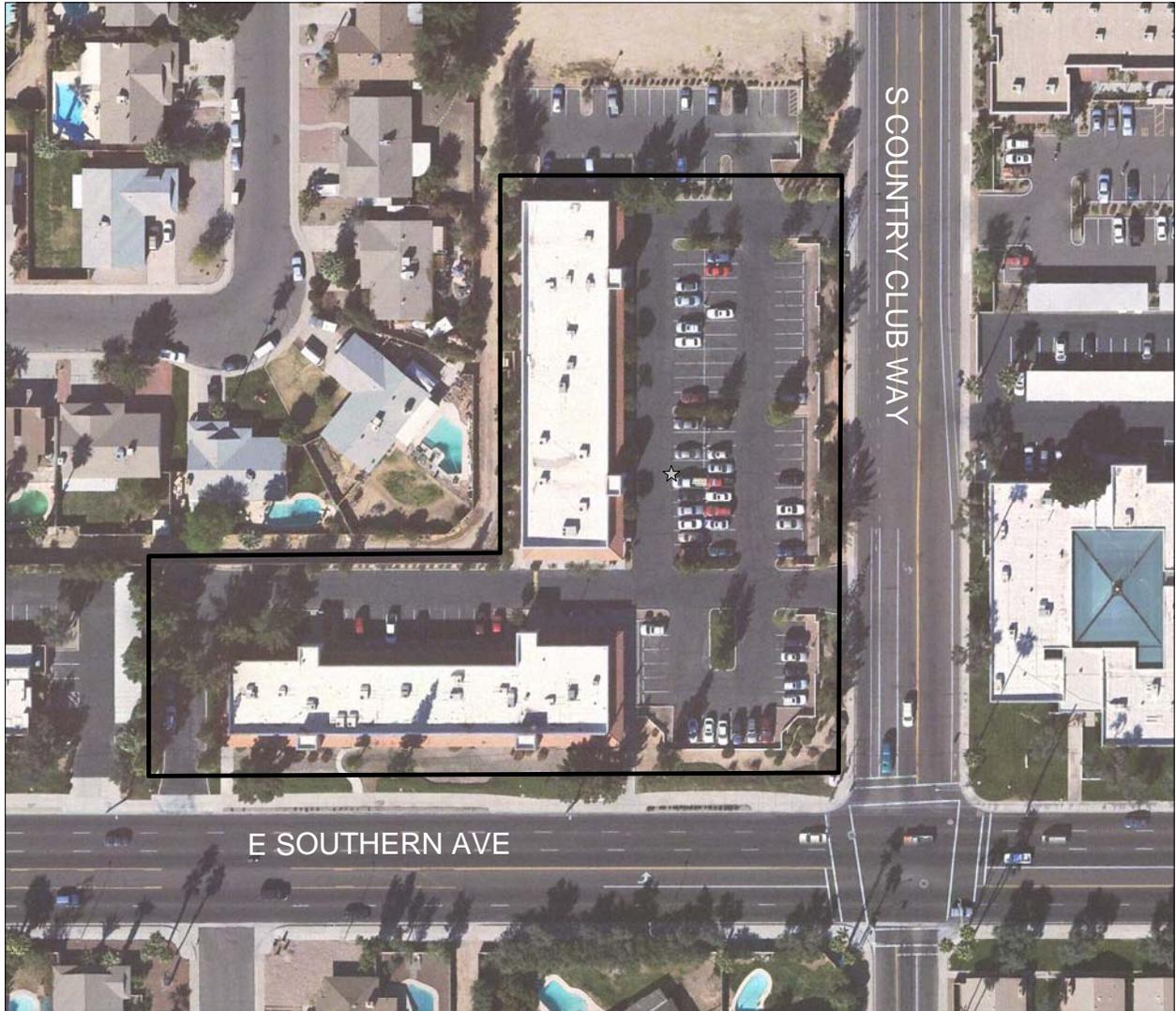
**ZONING AND  
DEVELOPMENT  
CODE REFERENCE:**

Part 6, Chapter 3, Section 6-308 - Use permits  
Part 3, Chapter 2, Section 3-202 - Permitted Uses in Commercial District

**SHALIMAR SQ - BLUE RIDGE  
TEMPE COMMUNITY LEARNING CTR**

**PL080058**





SHALIMAR SQUARE - BLUE RIDGE TEMPE COMMUNITY  
LEARNING CENTER (PL080058)

February 19, 2008

To whom it may concern:

Educational Options, Inc. has entered into a lease for Suite 110 at 3280 S. Country Club Way. The property is managed by Arcadia Management Group Inc. The owner approved the lease for the intended use of the Educational Options, Inc. western office and a community learning center.

The site known as Shalimar Square is designed for this use and has adequate parking for the intended use. We do not see any negative impact to the property or surrounding area, and authorize Mr. Sawner to apply for a Use Permit for the Blue Ridge Tempe Community Learning Center.

The Educational Options, Inc. net lease is 6500 sq/ft with the Community Learning center using approximately 25% of the space. The parking ratio for the center is 5.41:1000.

We look forward to the success of Educational Options and the Community Learning Center.

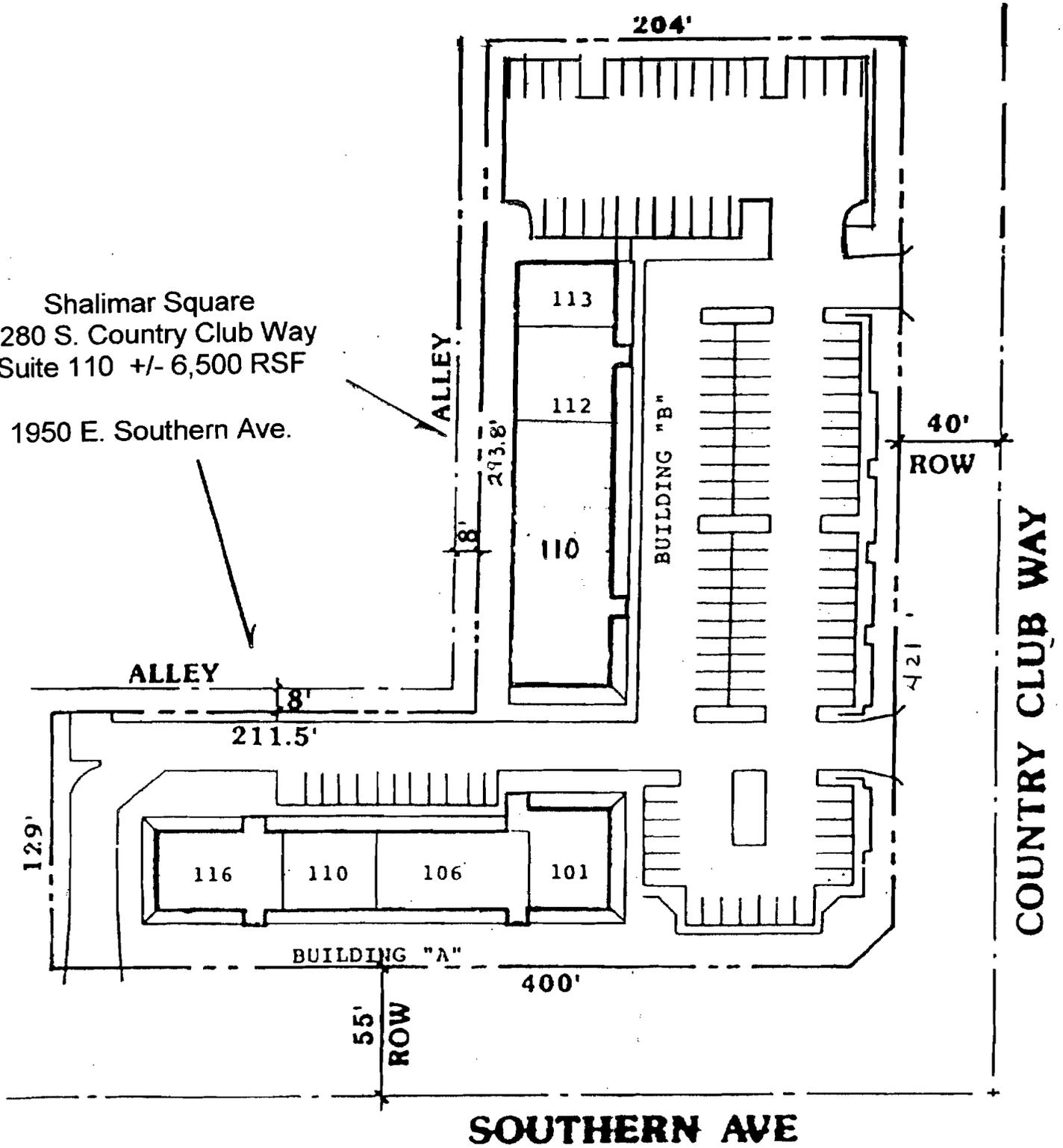
Sincerely,



Peggy C. Burgess  
President

Shalimar Square  
3280 S. Country Club Way  
Suite 110 +/- 6,500 RSF

1950 E. Southern Ave.





**BLUE RIDGE TEMPE COMMUNITY LEARNING CENTER**

**3280 S COUNTRY CLUB WAY**

**PL080058**

**FRONT OF BUILDING: PROPOSED TENANT SPACE**



**BLUE RIDGE TEMPE COMMUNITY LEARNING CENTER**

**3280 S COUNTRY CLUB WAY**

**PL080058**

**FRONT OF BUILDING:**