



**DATE:** August 6, 2019

File: UP 19-16

**TO:** ZONING ADMINISTRATOR

**FROM:** Dexter O'Connell, Associate Planner. (530) 879-6810  
dexter.oconnell@chicoca.gov

**RE:** Use Permit 19-16 (Hope Academy)  
1888 Springfield Drive, APN 002-140-018, 002-140-019, and 002-140-004

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## RECOMMENDATION

Planning staff recommends that the Zoning Administrator find that this project is categorically exempt from further environmental review and approve Use Permit 19-16 (Hope Academy) based on the findings and subject to the recommended conditions of approval.

## BACKGROUND AND ANALYSIS

This is a request for a Use Permit to allow an existing Church in a former multiplex cinema building at 1888 Springfield Drive (see Attachment C, Location Map) to operate a private school in their existing building, primarily in three classrooms on the second floor.

The site consists of seven acres over three parcels and is designated Commercial Mixed Use (CMU) on the General Plan Land Use Diagram and zoned Community Commercial (CC). Pursuant to Chico Municipal Code (CMC) Section 19.44, Table 4-6, a use permit is needed to authorize a school in the CC zoning district.

The Church, Calvary Chapel, is undertaking a variety of building projects to render the multiplex building fit for this private school and other church-related uses. Generally, the projects involve the addition of a second floor in three of the theaters to total approximately 5400 square feet of educational space along with renovation or expansion of an additional 4400 square feet of additional space on the second floor and significant renovations (some related and some not) to the ground floor of the structure. This analysis relies on the plans submitted as Plan Check 17-03096, available for public view at the Second Floor Counter of the Chico Municipal Building at 411 Main Street.

Authorization of the Use Permit would allow the church to occupy the renovated space with a K-8 school of up to 150 students, offering both general and specialized programs as discussed below.

## DISCUSSION

A project description prepared by the applicant provides details regarding the Calvary Chapel School program model (see **Attachment B**, Description of Operation). Broadly similar to a regular school, the emphasis is on a small student-to-teacher ratio in order to serve students who find themselves unable to cope with a more traditional classroom setting. It is anticipated that enrollment will begin with between ten and twenty students, and will

gradually grow to between 100 and 150 as the church adds capacity for additional students over time. The Church, per Administrative Pastor Marskey, does not intend to pursue adding grades 9-12 at this time. The educational program also includes a homeschool support component, in which students who are generally homeschooled come together to participate in group activities and enrichment that would otherwise be unavailable to them.

Parking would be accommodated in the existing lot that provides over 500 parking stalls. Parking provided on site exceeds the number of parking spaces required by Chico Municipal Code (CMC) 19.70 (*Parking and Loading Standards*), which under a traditional high school model would require one space for every four students plus one space for each employee. A condition of approval (Condition #3) is recommended to limit enrollment and use of the site to the specific request by Hope Academy at this time. Any expansion of the school in terms of enrollment or grade levels beyond what is captured in Condition #3 would require further evaluation of potential impacts and modification to this use permit.

No significant exterior renovations are expected to the site at this time, so no development standards analysis is necessary for the proposal at this time. If the school is expanded through new construction, such construction would have to meet the development standards of the CC Zone District, and would also require modification of this use permit.

## **ENVIRONMENTAL REVIEW**

The project is categorically exempt from environmental review per Section 15301 of the California Environmental Quality Act as a minor alteration of an existing facility.

## **FINDINGS**

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all of the following findings can be made:

### Use Permit Findings

- A. *The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).*

Chico Municipal Code Section 19.44.020 allows public and private schools in the CC zoning district, subject to use permit approval. This use permit has been processed in accordance with the requirements of Chapter 19.24, and the project is categorically exempt from additional environmental review per Sec. 15301 of CEQA.

- B. *The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.*

No impacts to the health, safety, or welfare of the neighborhood have been identified. Sufficient on-site parking spaces are provided. The project has been conditioned to

receive additional review and approval if the size of the school is expanded or its nature is changed.

- C. *The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.*

The proposed school will not generate any significant new impacts to traffic, public improvements, or property area. The site will provide sufficient vehicle parking spaces. No aspects of the project have been deemed to be detrimental to the general welfare of the City.

- D. *The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.*

The proposed use is consistent with the site's General Plan land use designation and several actions, policies and goals found in the General Plan. The use is consistent with the City's desire to support infill rehabilitation projects (LU-4.2), and private educational institutions to improve facilities and services in the City (Goal PPFS-3).

- E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

The proposal is consistent with the most recent use of the site and with existing surrounding land uses that include a broad variety of commercial and residential uses. The proposed school's use pattern is different from that of the Church, minimizing its overall impact. The existing daycare and preschool uses that are accessory to the Church have minimal impact on the surrounding area. The site provides sufficient parking on-site, thereby minimizing impacts of street parking.

## **CONDITIONS OF PROJECT APPROVAL**

1. Use Permit 19-16 authorizes the expansion of an existing school site to allow grades K-8, including the renovation of portions of an existing Church complex structure totaling about 5400 square feet to allow for new classrooms, and modification of other portions of the structure to bring it into conformance with appropriate portions of the Building Code related to Educational-type uses on the existing Calvary Church campus, in substantial accord with the "Site Plan to Accompany Use Permit 19-16 (Hope Academy School)" and in compliance with all other conditions of approval.
2. The applicant shall provide a note on the front of all building plans that the project shall be constructed in compliance with UP 19-16.
3. Any expansion of the school use, in particular adding grades 9-12 or increasing enrollment beyond 150 students, shall be authorized by modification to UP 19-16 (Hope Academy).

4. Use Permit 19-16 (Hope Academy) supersedes all previous use permits for the site.
5. The applicant shall comply with all other State and Local Code provisions, including those of the Building Division, Public Works Department, Fire Department, and Butte County Environmental Health. The applicant is responsible for contacting these offices to verify the need for permits.
6. The applicant shall pay all development impact fees required by the Building Division, Public Works Department, Fire Department, Butte County Environmental Health, and any other entity requiring such fees related to this project prior to the issuance of a Certificate of Occupancy.
7. The applicant shall defend, indemnify, and hold harmless the City of Chico, its boards and commissions, officers and employees against and from any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorney's fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to or claim regarding the legality, validity, processing or adequacy associated with: (i) this requested entitlement; (ii) the proceedings undertaken in connection with the adoption or approval of this entitlement; (iii) any subsequent approvals or permits relating to this entitlement; (iv) the processing of occupancy permits and (v) any amendments to the approvals for this entitlement. The City of Chico shall promptly notify the applicant of any claim, action or proceeding which may be filed and shall cooperate fully in the defense, as provided for in Government code section 66474.9.

## **PUBLIC CONTACT**

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date and notices were mailed out to all property owners and tenants within 500 feet of the project site

### **DISTRIBUTION:**

Internal (2)

Mike Sawley, Zoning Administrator

Dexter N. O'Connell, Associate Planner

External (2)

Hope Academy at Calvary Chapel Chico; Attn Pastor Dick Marskey. 1888 Springfield Dr,  
Chico, CA 95928. dick@ccchico.com

Bob Summerville. bob.summerville9@gmail.com

### **ATTACHMENTS:**

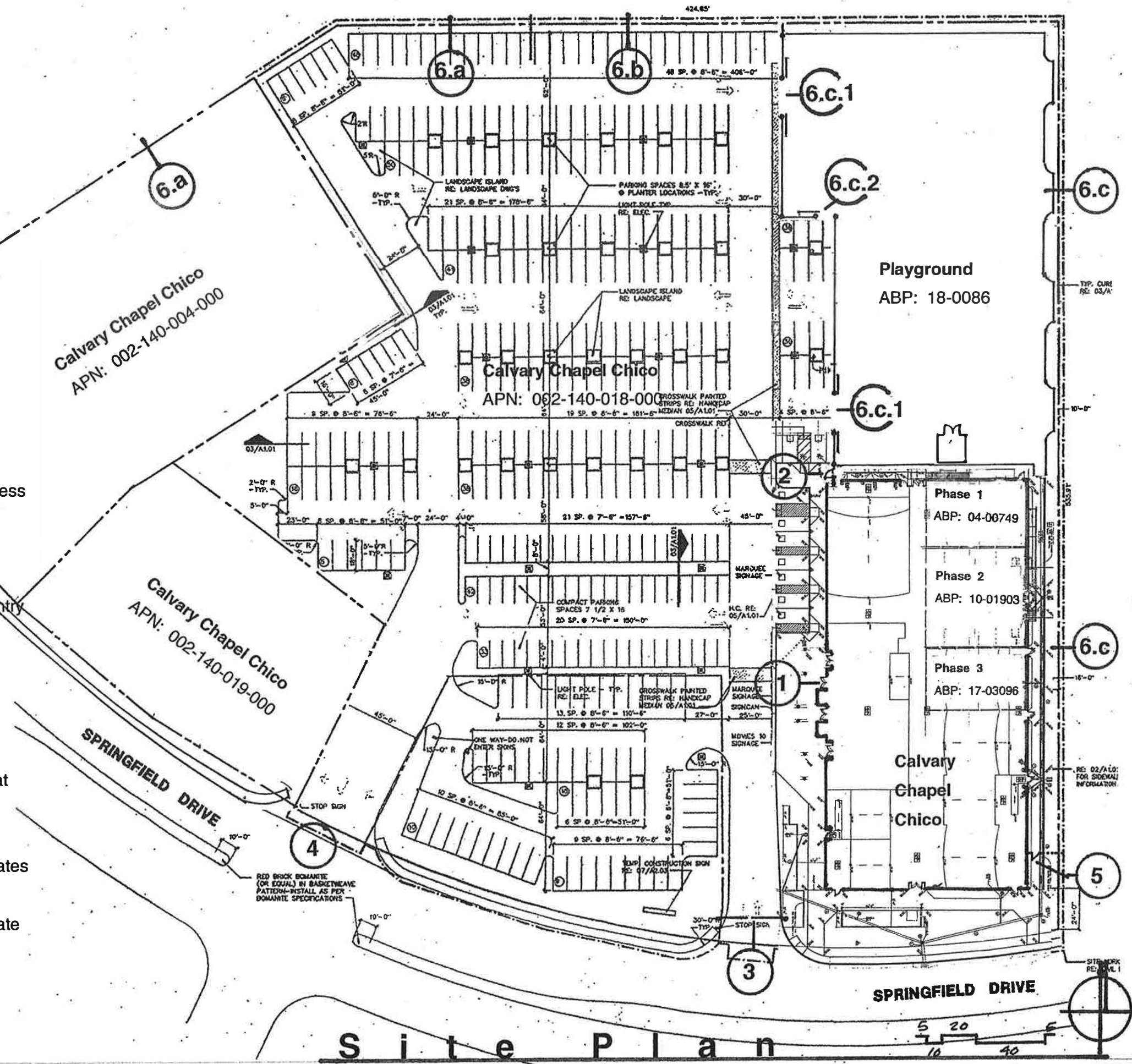
A. Site Plan

B. Description of Operation

C. Location Map

# Site Plan Legend

1. **Pre School Entry / Exit**
  - a. Office Controlled Entry
  - b. Office Controlled Exit
2. **Hope Academy: Drop Off / Entry**  
(Student K-8)
  - a. Key Code Security Entry
  - b. Panic Bar Exit
  - c. Gate: 4' x 8' (Steel)
3. **Locked Vehicle Gate**
  - a. Emergency Only
    - (1) Fire Department Access
    - (2) Building Safety
4. **Main Vehicle Entry / Exit**
5. **Emergency Pedestrian Exit Gate**
  - a. Key-Punch Code Security Entry
  - b. Panic Bar Exit
  - c. Gate: 5' x 7'-6" (Steel)
6. **Fencing:**
  - a. Existing 6' High Wood
  - b. Existing 7' High Wood
  - c. Existing 8' High Concrete Slat
  - c. New 6' High Chain Link:
    - (1) 24' Gate Opening  
Two 12' Rolling Gates
    - (2) 10' Gate Opening  
One 10' Rolling Gate



architect

**John C. Anderson**  
2395 Albia Ave.  
Chico, Ca. 95928  
530.891.4243



Sheet Title

Job No.  
Drawn  
Checked  
Revised

Date  
sheet no.  
**UP1**

## Dexter O'Connell

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**From:** Hope Academy <[chicohopeacademy@gmail.com](mailto:chicohopeacademy@gmail.com)>  
**Sent:** Monday, July 22, 2019 5:12 PM  
**To:** Dexter O'Connell  
**Cc:** Pastor Sam Allen; [dick@ccchico.com](mailto:dick@ccchico.com)  
**Subject:** Hope Academy/ Calvary Chapel permit

Dear Mr. O'Connell,

I recently returned from vacation and received an email from Dick Marskey regarding Calvary Chapel's use permit. He forwarded your email and request for information. I am sorry for the delay, but happy to provide the information.

Hope Academy for Personalized Learning is a non-profit K-8 Christian school that currently has 24 students, 2 teachers, and one full time aide. We individualize learning programs in language arts and math, and then provide integrated class instruction for all other subjects. Because of our 12:1 student to teacher ratio and our desire to create a sense of community, we do not foresee growth to the same degree as a public school. If we develop the rooms upstairs at Calvary that they have offered, the building itself would limit us to under 100 students. We start our school year right after Labor Day and run through the first week of June. We have school holidays in line with Chico Unified School District. Parents can drop off students no earlier than 8:45 am, and must pick up by 3:15 pm (our school day runs from 9 am - 3 pm). Our playground area is currently at the far end of the parking lot; a new, fenced in area is being developed and should be ready for this September. We use the playground in the morning (8:45 am - 9:20 am), recess (11 am-11:20 am) and lunch (12:30 pm - 1:20 pm).

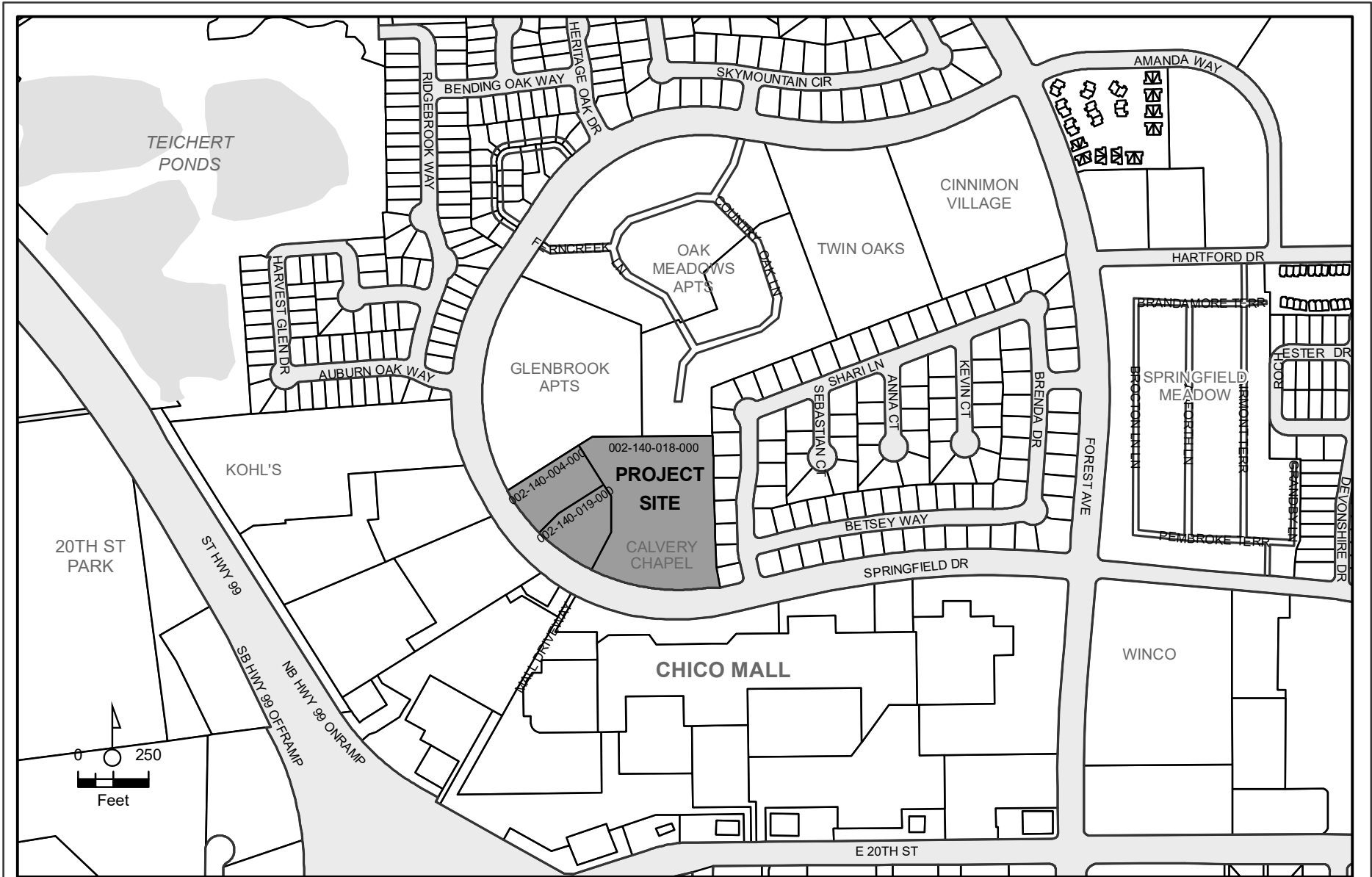
Our homeschool program simply allows families who want to homeschool the opportunity to register under our affidavit. Most do not come on campus unless they need my help with curriculum or other learning issues. Occasionally we will have a few families join our enrichment classes held from 2:00-3:00 pm, but that is just once or twice per week. Otherwise, I offer consultation, testing, and support in keeping official documentation for school records.

Our connection to the preschool is just as a natural place for parents to transition their 4 year olds into a smaller school program for kindergarten. We advertise our kindergarten program in the spring so as they are making decisions for school it is one option for them.

If you have any further questions please let me know ([chicohopeacademy@gmail.com](mailto:chicohopeacademy@gmail.com) or 530-518-4092).

Sincerely,

Mrs. Jodi George  
Director



UP 19-16 (Hope Academy)  
 1888 Springfield Drive  
 APN 002-140-(018, 019, 004)-000

