



REPORT: August 19, 2019

TO: Zoning Administrator

FROM: Dexter O'Connell, Associate Planner. (530) 879-6810
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RE: UP 19-17 (Wildflower Open Classroom Charter School) 2414 Cohasset Rd. #3
and 971 East Ave. Portions of APN 015-320-088 and 015-310-084

Recommendation:

Staff recommends that the Zoning Administrator find that this project is categorically exempt from further environmental review and approve Use Permit 19-17 (Wildflower Open Classroom) based on the findings below and subject to the recommended conditions of approval.

Background and Analysis

This is a request for a Use Permit to allow an existing K-8 School whose campus is located in a large strip mall at 2414 Cohasset Road #3 (see Attachment A, Location Map) to expand their operation to a new building on a different parcel in the same strip mall, to adjust their current traffic circulation pattern to reflect that new reality, and to expand their enrollment to a maximum of 260 students.

Designated Regional Commercial (RC) on the General Plan Land Use Diagram and located within the Regional Commercial-Airport Overflight D (CR-AOD) zoning district, the site consists of two parcels of over six acres (of which the school uses a total of about one acre) and several related access easements associated with the operation of the strip mall. The mall is in a predominantly commercial area with commercial uses adjacent to the north and west and single-family residential uses adjacent to the east and south (see Attachment A, Location Map, and Attachment B, Site Plan and Traffic Circulation Plan).

The School, Wildflower Open Classroom, is prepared to undertake or is now undertaking a variety of building projects to render the newly-leased building fit for educational occupation, and to adjust fence and gate structures to accommodate the new proposal. Generally, the projects involve the renovation of a showroom for fiberglass above-ground swimming pools into classroom and educational-support room sections; the renovation of a swimming pool and installation equipment storage yard into an educational recreation area; and the renovation and improvement of an upgraded gate. Plans have not yet been submitted for all of these improvements, but clear descriptions of most of them are included in the application for this Use Permit.

Authorization of the Use Permit would allow Wildflower Open Classroom school to occupy the existing and renovated space with a K-8 school of up to 260 students, offering both general and specialized programs as discussed below.

Discussion

There is extensive permitting history related to educational uses on this site. Based on that extensive operating history of schools at this site, lessons related to traffic and crowding have been learned and implemented in this proposal. While an expansion of Wildflower Open Classroom's enrollment is proposed, thoughtful adjustments to the pattern of traffic will significantly alleviate congestion despite an increased enrollment.

Parking would be accommodated in both the existing location and in a newly-accessible lot tied to the lease of the proposed Middle School building. 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 school model would require one space for every four students plus one space for each employee. A condition of approval (Condition #1) is recommended to limit enrollment and use of the site to the specific request by Wildflower Open Classroom at this time. Any expansion of the school in terms of enrollment, physical plant, or grade levels beyond what is captured in Condition #1 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. Minor cosmetic exterior renovations and substantial interior renovations are proposed at the new Middle School Building. If the school is expanded through new construction, such construction would have to meet the development standards of the CR Zone District, and would also require modification of this use permit.

It is recommended that Use Permit 19-17 supersede all previous Use Permits on this site, including any modifications. To reduce morning and afternoon peak hour traffic congestion, the Applicant has agreed to Condition #4 to stagger drop-off times and pick-up times. The applicant states that such staggering has been their practice over the past several years, and it has been successful. Because the new traffic pattern will relieve both entrance and exit pressure, it is likely to improve conditions.

In order to ensure emergency vehicle access, Condition #5 requires a Knox Box to be available to first responders during periods when the proposed renovated gate is closed. In order to ensure regular access to the traffic pattern, the applicant has agreed to record an easement allowing right-to-pass from their existing property to the parcel on which the proposed New Middle School building is located. Condition #6 confirms this.

Environmental Review

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) as an adaptive reuse of existing commercial buildings in a commercial zoning district.

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).*

CMC Section 19.44.020 allows public and private schools in the CR (Regional Commercial) zoning district, subject to use permit approval. This use permit has been processed in accordance with the requirements of Chapter 19.24.

- 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.*

If the project is implemented with the proposed Conditions of Approval related to traffic pattern, parking, and facility use, the proposed expanded educational use is anticipated to operate compatibly with persons residing or working in the neighborhood.

- C. *The proposed use would 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 use involves the improvement (through renovation) and use of existing structures and school facilities without new construction. Improvements to traffic circulation associated with this proposal will relieve existing traffic pressures and contribute directly to the general welfare of the City.

- D. *The proposed entitlement is consistent with the General Plan, any applicable specific plan, and any applicable neighborhood or area plan.*

The proposal is consistent with General Plan Goal CD-5 that supports infill and redevelopment of existing properties compatible with the existing neighborhood and Goal PPF3-3, supporting efforts to maintain and improve educational facilities and services in the City.

- 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 site and buildings have been utilized as a K-8 school since 1996 and operated compatibly with adjacent single-family residential uses. (Commercial uses have been operated compatibly with the neighborhood prior to the school uses.) With implementation of a traffic monitoring program and site improvements recommended by a Traffic Impact Assessment, vehicle traffic and circulation associated with the school have improved operations compatibly with adjacent commercial uses. Further improvement is expected from the new pattern of traffic flow and the traffic mitigation measures agreed to in Condition #7.

Conditions of Project Approval

1. Use Permit 19-17 (Wildflower Open Classroom) authorizes a K-8 public charter school with a maximum of 260 students, in substantial accordance with the "Plat to

Accompany Use Permit 19-17 (Wildflower Open Classroom)" (date stamped 8/19/2019), except as modified by any other condition of approval.

2. Use Permit 19-17 (Wildflower Open Classroom) supersedes all previous Use Permits for school uses on this site, including UP 15-21, UP 96-14, and all subsequent modifications of both of those permits.
3. The permittee shall comply with all other State and local Code provisions, including those of the City of Chico Community Development Department, Department of Public Works, Fire Department, and the Butte County Environmental Health Division. The applicant is responsible for contacting these offices to verify the need for permits.
4. School drop-off and pick-up hours shall be staggered to reduce morning and afternoon peak hour traffic congestion in a manner that is appropriate and reasonable.
5. Prior to commencement of use of the new middle school building on parcel APN 015-310-084 (North Building) for educational purposes, the permittee shall submit to the City Fire Marshall for review and approval a written agreement to maintain Emergency Vehicle Access (EVA) through the gate to the Fairview Shopping Center. The agreement shall stipulate how the lock may be accessed, including as an option a "Knox Box."
6. Because the gate is to be maintained in an open position for portions of the school day, an unrestricted easement granting through-access for at least the duration of the lease of the North Building must be recorded prior to issuance of a Certificate of Occupancy for the new Middle School Building.
7. Prior to commencement of use of the North Building for educational purposes, the permittee shall submit a traffic monitoring program for approval by the Community Development Director. Implementation of the traffic monitoring program and the recommendations of the traffic consultant, including all site improvements, shall begin at the commencement of use of the North Building for educational purposes. The traffic monitoring program shall include, but not be limited to the following:
 - Vehicles entering the drop-off or pick-up pattern at the existing school building shall be directed to the traffic circle and out the gate to exit at one of the two exits past the North Building. No vehicles shall be allowed to enter the traffic pattern and exit at the existing exit point at the current Cohasset Road entrance.
 - A traffic officer stationed in the parking arrival and dismissal areas to direct and ensure school community members park only in designated Wildflower Open Classroom (WOC) parking areas. The traffic monitor shall be on duty for morning student arrival from 8:00 a.m. to 9:00 a.m., and for afternoon student departure from 2:15 p.m. to 3:15 p.m.
 - Flyers, bi-weekly newsletters, emails, and the WOC Community Handbook shall be regularly provided to WOC community members (including parents and students) which communicate proper parking and vehicle circulation

procedures, particularly related to arrival and dismissal of students.

- All flyers, bi-weekly newsletters, emails, and the WOC Community Handbook shall remind parents that after entering the drop-off traffic pattern, they must continue through the gate towards the new North Building and use one of the two exits north of the gate.
- All flyers, bi-weekly newsletters, emails, and the WOC Community Handbook shall remind parents that if their children attend only the Middle School, they should not enter the main traffic pattern, but should instead enter directly to the Middle School.
- Appropriate “No Parking” signs shall be placed in areas designated as “No WOC Parking” on the traffic monitoring site plan by a WOC employee each morning and removed each evening.

PUBLIC CONTACT

A 10-day public hearing notice was mailed to all landowners and residents within 500 feet of the site, and a legal notice was published in the *Chico Enterprise Record*.

Distribution:

PC Distribution
PP Bruce Ambo
ZA Mike Sawley
AP Dexter O’Connell
File: Use Permit 19-17

External

Tom Hicks, Director-WOC School. thicks@wildflowerschool.com
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Frank and Terri Spiteri, 2908 Hegan Lane, Chico, CA 95928
Doherty Enterprises, LLC, 33628 Mazour Drive, Warren, OR 97053

Attachments:

- A. Location Map
- B. Site Plan and Traffic Circulation Plan



UP 19-17 (Wildflower)
APN 015-310-084-000, 015-320-088-000

• Notified Addresses
■ Notified Parcels



