



Chandler - Arizona
Where Values Make The Difference

#39
OCT 27 2011



MEMORANDUM **Transportation & Development – CC Memo No. 11-097a**

DATE: SEPTEMBER 23, 2011

TO: MAYOR AND CITY COUNCIL

THRU: RICH DLUGAS, CITY MANAGER *RD*
 PATRICK MCDERMOTT, ASSISTANT CITY MANAGER *PM*
 R.J. ZEDER, TRANSPORTATION & DEVELOPMENT DIRECTOR *RJZ*
 JEFF KURTZ, PLANNING ADMINISTRATOR *JK*
 KEVIN MAYO, PLANNING MANAGER *KM*

FROM: BILL DERMODY, SENIOR CITY PLANNER *BD*

SUBJECT: ZUP11-0015 GENERATIONS LINKED

Request: Extension of existing Use Permit approval for the operation of residential childcare within a single family residence

Location: 1192 N. Hudson Place, north and east of Ray and McQueen Roads

Applicant: Lauri Tupper

This item was continued from the September 22 City Council meeting to allow the applicant to be in attendance.

RECOMMENDATION

Planning Commission and Staff, finding consistency with the General Plan, recommend approval for five (5) years subject to conditions.

BACKGROUND

The application requests extension of Use Permit approval for the operation of residential childcare within a single family residence located within The Provinces subdivision zoned Planned Area Development (PAD). The childcare business will continue to accommodate up to a maximum of ten (10) children for compensation. The business operates Monday through Friday from approximately 6 a.m. to 6 p.m. The business' two employees both live at this address. The applicant oversees the business from her home in Queen Creek, where she moved in 2007. The subject day care was formerly known as Small Wonders Childcare.

The 2,379 square foot home is located near the end of a cul-de-sac and has a larger back yard than most lots on the block. The property is surrounded by single-family homes, though the

homes to the west are separated by Concord Avenue. The first floor of the house is used for childcare, and the back yard is used as an outdoor play area and is enclosed by a 6-foot masonry wall. Customer parking for drop-off and pick-up occurs within the cul-de-sac or the driveway. The business employs a staggered pick-up/drop-off plan that restricts customer traffic to predetermined times spaced by 15 minute intervals in order to prevent a large simultaneous influx of vehicles.

The applicant has been operating at the subject location since 1999. The subject property received a 1-year Use Permit for childcare in 1999, a 5-year extension in 2001, and another 5-year extension in 2006. The site is licensed by the State of Arizona Department of Health Services (ADHS).

PUBLIC/NEIGHBORHOOD NOTIFICATION

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held August 30, 2011 at the subject site. No citizens attended.
- As of this writing, Staff is not aware of any opposition.

PLANNING COMMISSION VOTE REPORT

Motion to approve:

In Favor: 7 Opposed: 0

RECOMMENDED ACTION

Planning Commission and Staff, upon finding consistency with the General Plan, recommend approval of ZUP11-0015 GENERATIONS LINKED subject to the following conditions:

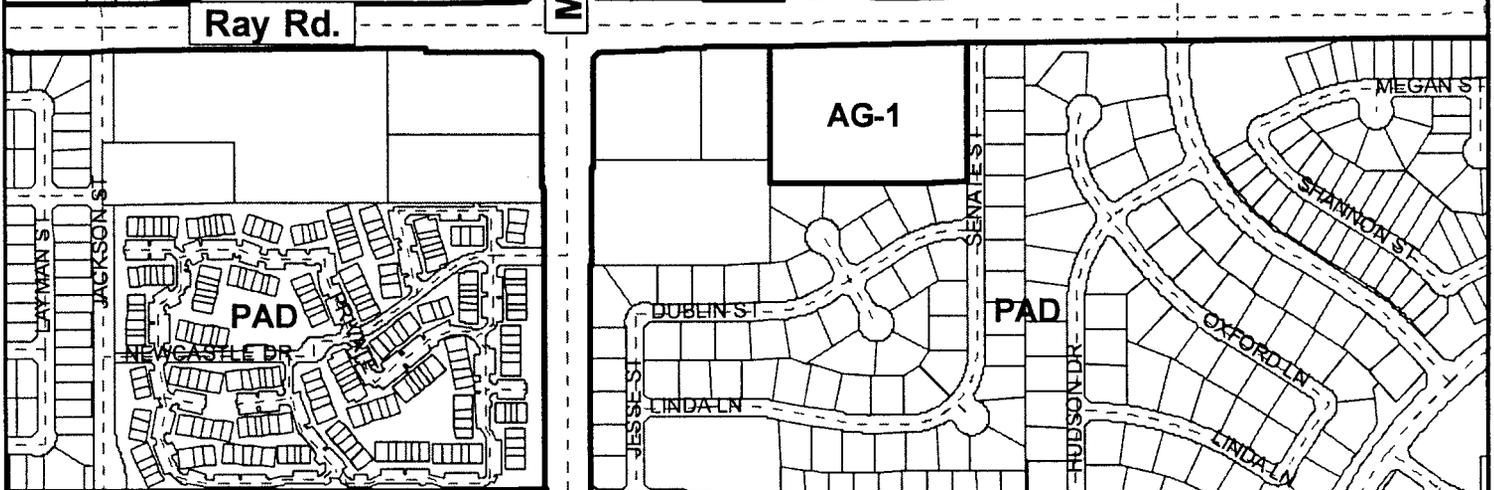
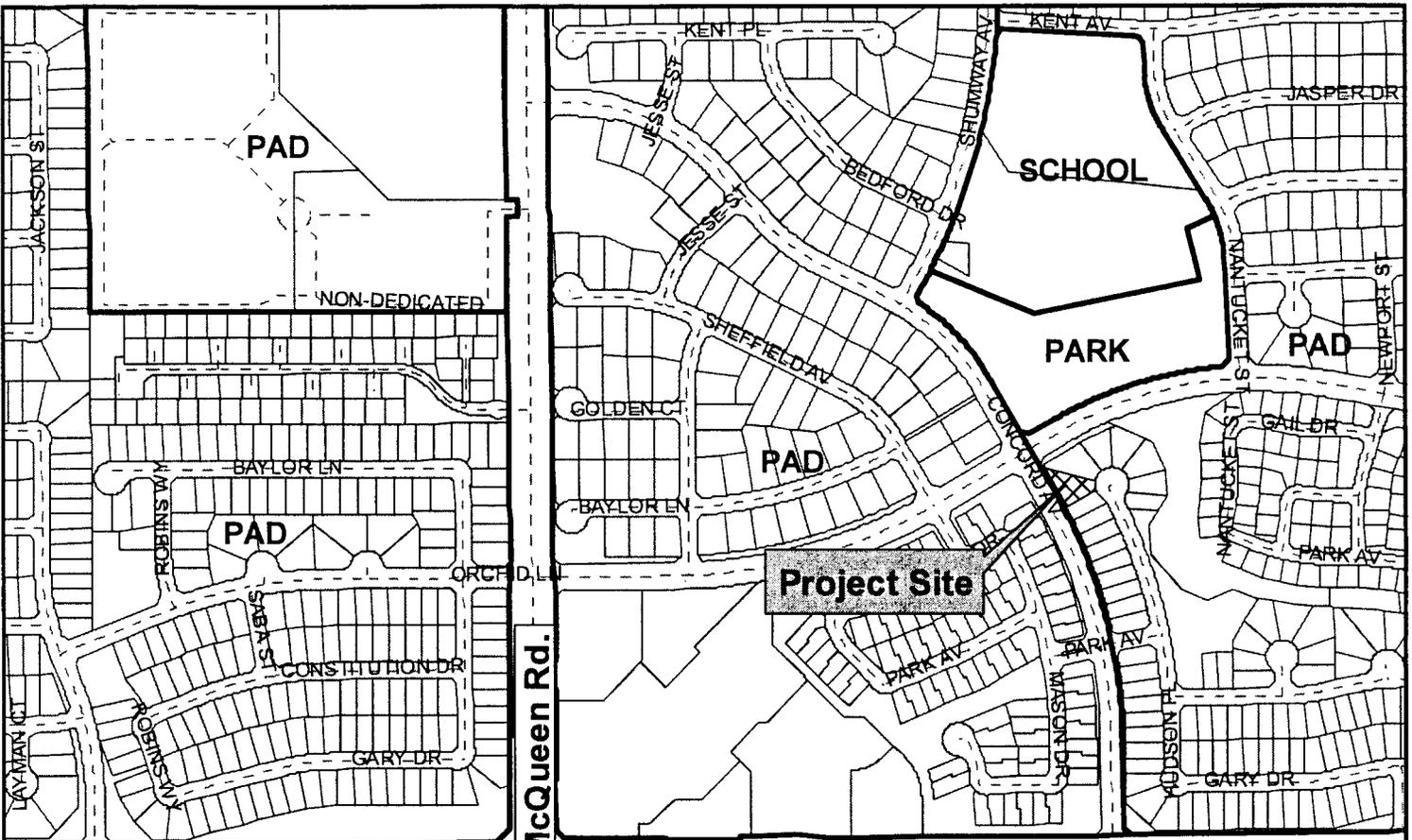
1. Use Permit approval for operating Residential Childcare shall be applicable only to the applicant and location identified with this application, and shall not be transferable to any other person or location.
2. The Use Permit shall remain in effect for five (5) years from the effective date of City Council approval. Continuation of the Use Permit beyond the expiration date shall require re-application to and approval by the City of Chandler.
3. Expansion or modification beyond the approved exhibits (Site Plan, Floor Plan, and Narrative) shall void the Use Permit and require new Use Permit application and approval.

PROPOSED MOTION

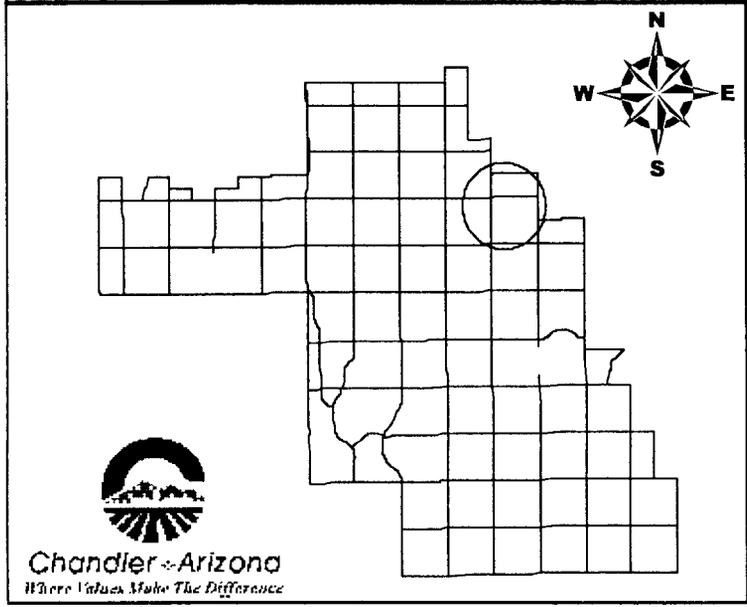
Move to approve ZUP11-0015 GENERATIONS LINKED Use Permit for residential child care subject to the conditions recommended by Planning Commission and Staff.

Attachments

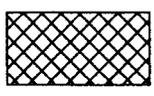
1. Vicinity Maps
2. Site Plan
3. Floor Plan
4. Narrative



SF-8.5 PAD AG-1



Vicinity Map



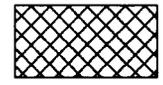
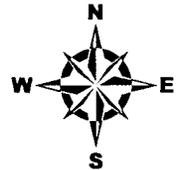
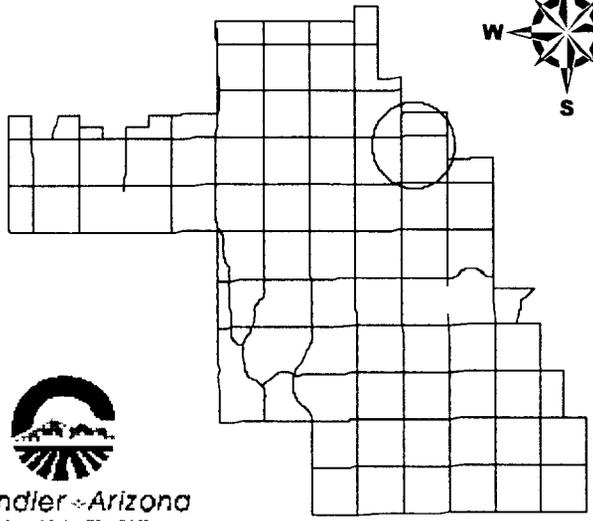
ZUP11-0015

Generations Linked





Vicinity Map



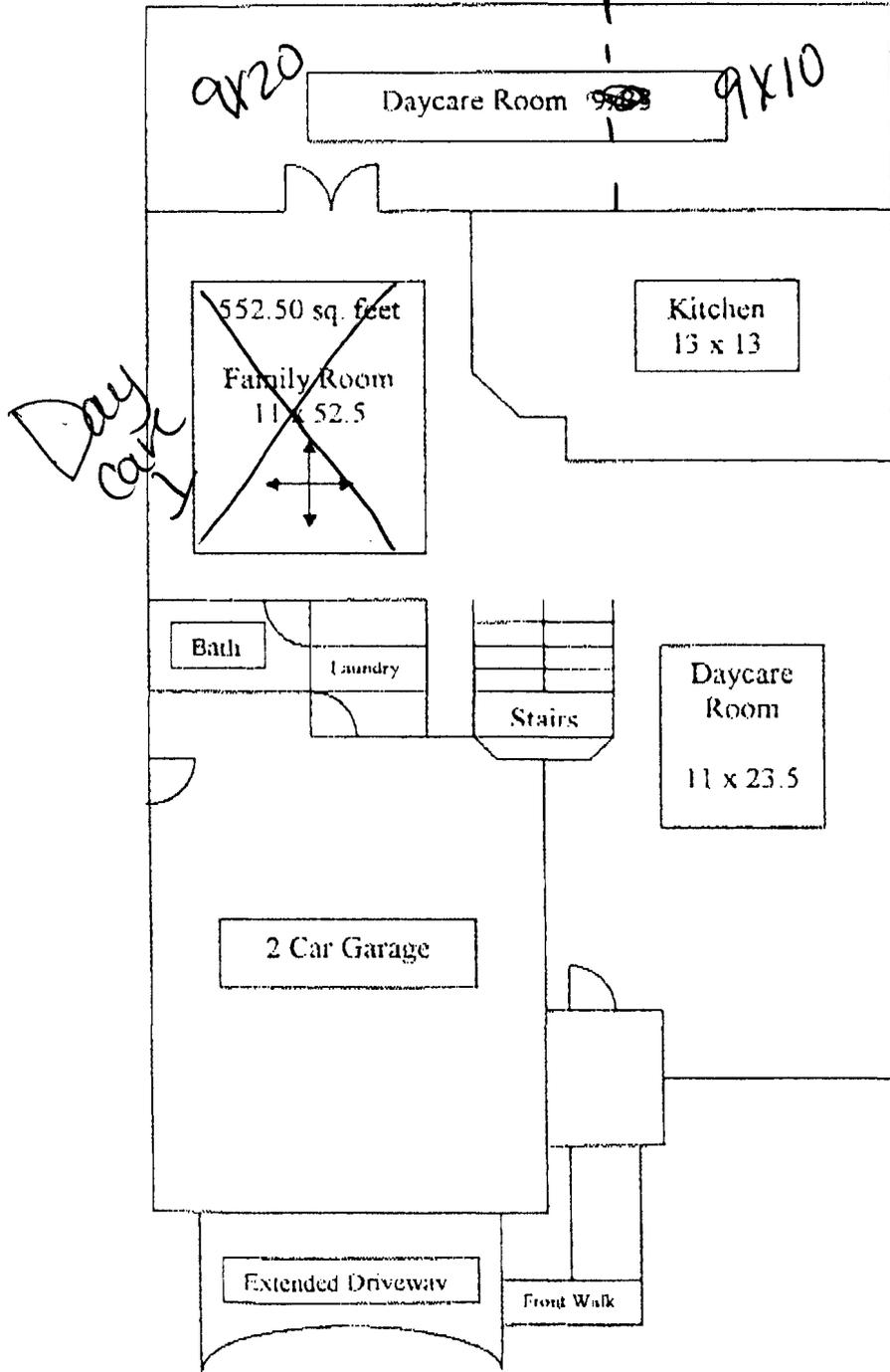
ZUP11-0015

Generations Linked

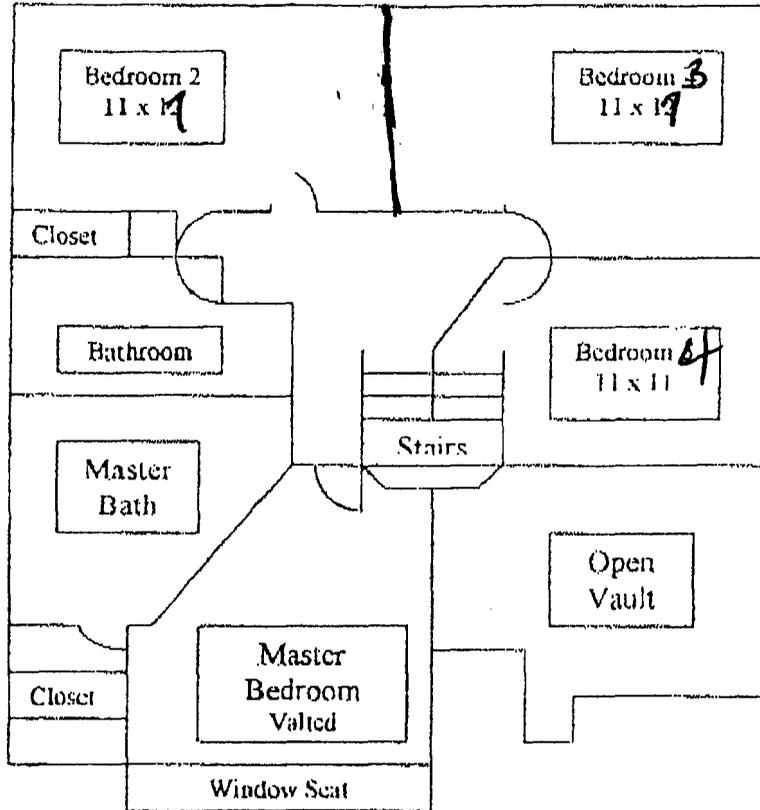


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Downstairs Floor Plan



Upstairs Floor Plan



Narrative

Small Wonders LLC has been in operation for 12.5 years at 1192 N. Hudson. I have operated under three prior City of Chandler Use Permits and am now making our request for an extension on our current permit. I plan on running the business just as I have in the past, with a few changes since my last approval. These changes have been in place for three years with no complaints from my neighbors. I run a very organized business with respect and courtesy in regards to my neighbors.

I apologize in advance for making the changes without contacting the City prior, as I did not realize I needed to. I thought since I still owned the home and the business was run in the same way without any neighborhood complaints, it would not matter. This application will document the changes that I have made.

I moved out of the home in 2007, trying to sell it. After a year of maintaining the house and unsuccessfully looking for a buyer, I ran out of savings making the mortgage payments. Instead of letting the house sit vacant, I moved to plan B and reopened the daycare, with my sister Jacqueline and another staff member living in the house and taking care of the children and the house. I felt this was better for the neighborhood than an empty house, and I saw an opportunity to continue serving families in Chandler with quality day care. The State of Arizona's licensing office requires that the daycare "Provider" lives in the home, Jacqueline is the daycare's main "Provider" in accordance with the State's requirements. Jacqueline has worked for me for 6 years and knows exactly how I expect things to be run in accordance to the rules and regulations of the City and State. I have included the most recent State and Federal inspection reports so you may see firsthand how well they are doing.

When I moved in 2007, I continued to run a daycare in my current home, which is still known as Small Wonders. The daycare on Hudson Street is now referred to as Generations Linked. I take care of all administrative paperwork for both homes, and Jacqueline runs the daycare operations as they always have been in this house. As the homeowner, I ensure that the home's exterior is maintained by a professional landscaping company and other maintenance issues are tended to. The number of children cared for in this home has not changed, it is still up to 10 for compensation. The hours of operation have not changed; normal daycare hours are from 6 am to 6 pm. The pick-up times are still staggered to help with traffic and parking as was worked out in one of my previous Use Permits. I still limit the pick-ups to two at a time and this has run smoothly for all 12.5 years. Since both employees live in the home, their cars are in the garage thus helping further with parking.

As I have mentioned, this is Jacqueline and my other staff member's home, it is not just a daycare. It runs no differently than when I lived here and ran it. Jacqueline and I work together to make sure that all regulations continue to be met and that there are no effects on the neighborhood or it's residents. I respectfully ask for a 10 year permit or an indefinite permit as the business has successfully ran in that home now for a total of 17 years. The changes that I made have been in place for three years with no complaints. I continue to be very involved with the daycare and it's operations and intend to work hard with Jacqueline to maintain the quality daycare that I have established. Thank you for your time.

Respectfully,

Lauri Tupper

