



SANDY CITY COMMUNITY DEVELOPMENT

JAMES SORENSEN
COMMUNITY DEVELOPMENT
DIRECTOR

KURT BRADBURN
MAYOR

MATTHEW HUISH
CHIEF ADMINISTRATIVE OFFICER

MEMORANDUM

January 17, 2018

To: Planning Commission
From: Community Development Department
Subject: Happy Place Preschool, LLC
10074 S. Roseboro Rd
[Community #17 – Willow Canyon]

CUP-12-18-5579
Zoned R-1-8

HEARING NOTICE: *This item has been noticed to property owners within 500 feet of the subject property.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
	None

DESCRIPTION OF REQUEST

The applicant, KC Stewart, is requesting a Conditional Use Permit to operate a preschool with a maximum of 12 children on the property located at 10074 S. Roseboro Rd. (*See Exhibit #1 – Application Materials*). The property is zoned R-1-8, and contains a 3,186 square foot 2-story single-family home with a basement. Surrounding properties are single-family homes zoned R-1-8.

The applicant is proposing to operate a preschool with up to 12 children aged 3-5 in a class. The applicant is further proposing two classes on Monday, Wednesday, and Friday and one class on Tuesday and Thursday. The applicant currently operates this preschool with 8 or less children in each class as a Category I Home Occupation. The preschool will have no employees other than the applicant. The preschool will operate in the 1,000 square foot finished basement, as well as fenced back yard for short periods (*See Exhibit #2 – Site Detail Map*). The hours of operation will be Monday, Wednesday, and Friday from 8:30AM – 11:30AM and 12:15PM-3:15PM. There will be an additional class on Tuesdays and Thursdays from 9:00AM-12:00PM. Should

there be demand, an additional class will be added on Tuesdays and Thursday, and the times for classes would be 8:30AM-11:00AM and 12:00PM-2:30PM.

The applicant is proposing for pick-up and drop-off on the west side of Roseboro Rd. along the curb. (See Exhibit #3 –Parking Plan).

NOTICE

A neighborhood meeting was held on January 8, 2019 at 7:00 PM. No neighbors attended the meeting. Property owners were noticed within a 500-foot radius for the Planning Commission hearing. Staff received two emails from area residents who could not attend the community meeting. One resident was in support of the permit. The other resident was concerned about the increase in traffic that the preschool would bring about.

ANALYSIS

Section 15A-11-05(F)(4) of the Sandy City Development Code indicates the maximum limit granted by the Planning Commission when a preschool is expected to exceed eight children at one time.

- a. The following guidelines shall be used to determine the maximum number of students/children permitted:
 - a. Traffic plan that has been reviewed and approved by the City Transportation Engineer which includes acceptable traffic flow, drop-off, and turn-around areas.
 - b. The existing residential street is of sufficient width to accommodate additional vehicular traffic.
- b. A maximum of 12 students/children per session and a maximum of 24 students/children per day shall be permitted.
- c. A maximum number of four sessions per day may be permitted.
- d. All sessions combined shall not generate more than 24 vehicular stops per day.
- e. The total number of students/children shall include the licensee's and any employees' children if they are under six years of age and are under the care of the licensee at the time the home occupation is conducted.
- f. No group child activities falling under a Category II home occupation may be established within 300 feet as measured from property line to property line of another group child activity, Category II home occupation use.

Section 15A-24-04 of the Sandy City Development Code requires that all areas utilized for parking of vehicles shall be paved with a hard surface e.g., concrete, asphalt, brick, or other water impenetrable surface.

Staff Concerns

Staff is concerned with pick-up and drop-off along the west side of Roseboro Rd. While the right-of-way is 40 feet wide, there is concern about traffic flow, especially during the drop-off and pick-up times. Additionally, the applicant states pickup and drop-off times are strictly enforced. The concern for staff is the potential for up to 12 cars at a time may create traffic flow issues. The traffic plan provided by the applicant shows space for 6 vehicles, but only 4 of those spaces would be parked both legally and in front of the applicant's residence.

Staff is also concerned with the number of vehicular stops in a day. The Sandy City Land Development Code caps the number of vehicular stops at 24 per day. There is a potential for up to 48 vehicular stops in a day. The applicant has stated this will be mitigated in a couple ways. First, she has stated some students use alternative methods of transit (walk, bike, etc). The applicant has also stated a number of the students carpool due to being related to one another or by virtue of combined trips for neighbors, etc. The Sandy City Traffic Engineer has reviewed this application and has granted approval for the proposed traffic plan on the conditions that participants obey all traffic laws and traffic flow is not impeded or blocked.

It should be noted there have been no complaints to code enforcement for this address.

COMPLIANCE WITH SECTION 15A-33-04

Staff response in *italics*.

Conditions. In order to achieve compliance with the standards set forth herein, the City may impose conditions which address standards 15A-33-03 “A” to “O”, as contained in the Sandy City Development Code. This proposed conditional use meets or satisfies all of Conditions “A” through “O”, except the following conditions which merit discussion or additional consideration by the Planning Commission:

D. Design, location and amount of off-street parking, loading areas and solid waste disposal and collection areas;

All pick-up and drop-off will take place on the west side of Roseboro Rd.

E. Site circulation patterns for vehicular, pedestrian and other traffic;

Pick-up/drop-off will not block street access for private driveways. Pick-up/drop-off will not block sidewalks or sidewalk access.

N. Measures to ensure compliance with all conditions and requirements of approval including but not limited to bonds, letters of credit, improvement agreements, agreements to conditions, road maintenance funds, restrictive covenants;

To be reviewed upon legitimate complaint.

O. Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.

That the applicant complies with all Building & Safety, and Fire & Life Codes applicable to a preschool.

STAFF RECOMMENDATION



Staff recommends that the Planning Commission approve a Conditional Use Permit for KC Stewart for property located at 10074 S. Roseboro Rd. to operate a Category II Home Occupation as described in the application materials based on the following findings and subject to the following conditions:

Findings

1. The proposed Home Occupation business meets the requirements set forth in the Land Development Code and the applicant has agreed to abide by the rules set forth therein.

Conditions

1. That the applicant complies with all Building & Safety, and Fire & Life Codes applicable to a preschool.
2. That the applicant be responsible for meeting all provisions of the Sandy City Development Code, and all conditions of approval imposed by the Planning Commission.
3. Pick-up and drop-off activities must not block or impede the natural flow of traffic.
4. All traffic laws must be obeyed by those individuals picking up and dropping off.
5. All pick-up and drop-off must take place on the west side of Roseboro Rd.
6. That this Conditional Use Permit be reviewed upon legitimate complaint.

Planner:  _____ Reviewed by:  _____

Darryll Wolnik, *Planner*
File Name: S:\USERS\PLN\STAFFRPT\2018\CUP-12-18-5579 Happy Place Preschool

Exhibit #1 – Application Materials

December 11, 2018

To Whom It May Concern:

In the fall of 2018 I began operating Happy Place Preschool, LLC (License # 151650) from my home. It has been a rapid success and I am currently seeking a Conditional Use Permit in order to expand student openings and classes to a maximum of 2 classes daily with 12 students in each class. While I don't anticipate having such large classes (I prefer working with 8 in a class), it is important to have the option to grow in the future if circumstances allow/require. I am aware that the Conditional Use Permit allows for a maximum of 24 stops daily. Every year begins with a parent orientation, at which time I clearly explain drop off and pickup procedures. I am confident my families and I will be able to work together to honor this regulation, especially when I always have brother/sister/cousin enrollees and neighbors that carpool or walk.

At Happy Place Preschool, potty-trained children ages 3-5 years old learn pre-writing, pre-reading, and pre-mathematical skills using thematic units in order to nurture joy in learning and to prepare for Kindergarten. We have art, music, free choice, and story time. When weather permits, students have 8-15 minutes of outside playtime in my backyard. We also work on developing social skills such as communication, problem solving, emotional 'intelligence', and transitions in a structured classroom setting. The school year begins after Labor Day in September and ends the last week in May. Additionally, we follow the Canyons School District calendar for days off and holidays. I currently have one MWF class and one T/Th class. Both are scheduled 9:00 am to noon. We have dedicated the basement in our home to this business. I have six years of teaching experience, and my families range from established professionals with many children to young parents. Since preschool attendance is not mandatory, these people are, without exception, families that care about their children and value education. They work hard to ensure their little ones have access to this intellectually, emotionally, and socially enriching experience.

In order to honor parent requests that their child attend class three days a week next year, I have decided to apply for the Conditional Use Permit. Times for the MWF classes would be 8:30-11:30 and 12:15-3:15. If there is a demand for two Tuesday/Thursday classes, those times would be 8:30-11:00 and 12-2:30. Parents may drop students off 5 minutes before class starts and pick them up promptly at the ending times noted. I believe that the Conditional Use Permit will not be in contrast to the public interest and will be keeping with the character of the existing zoning of the area as I will only be adding one more drop off and pickup time to the day—an extension of what has already been happening.

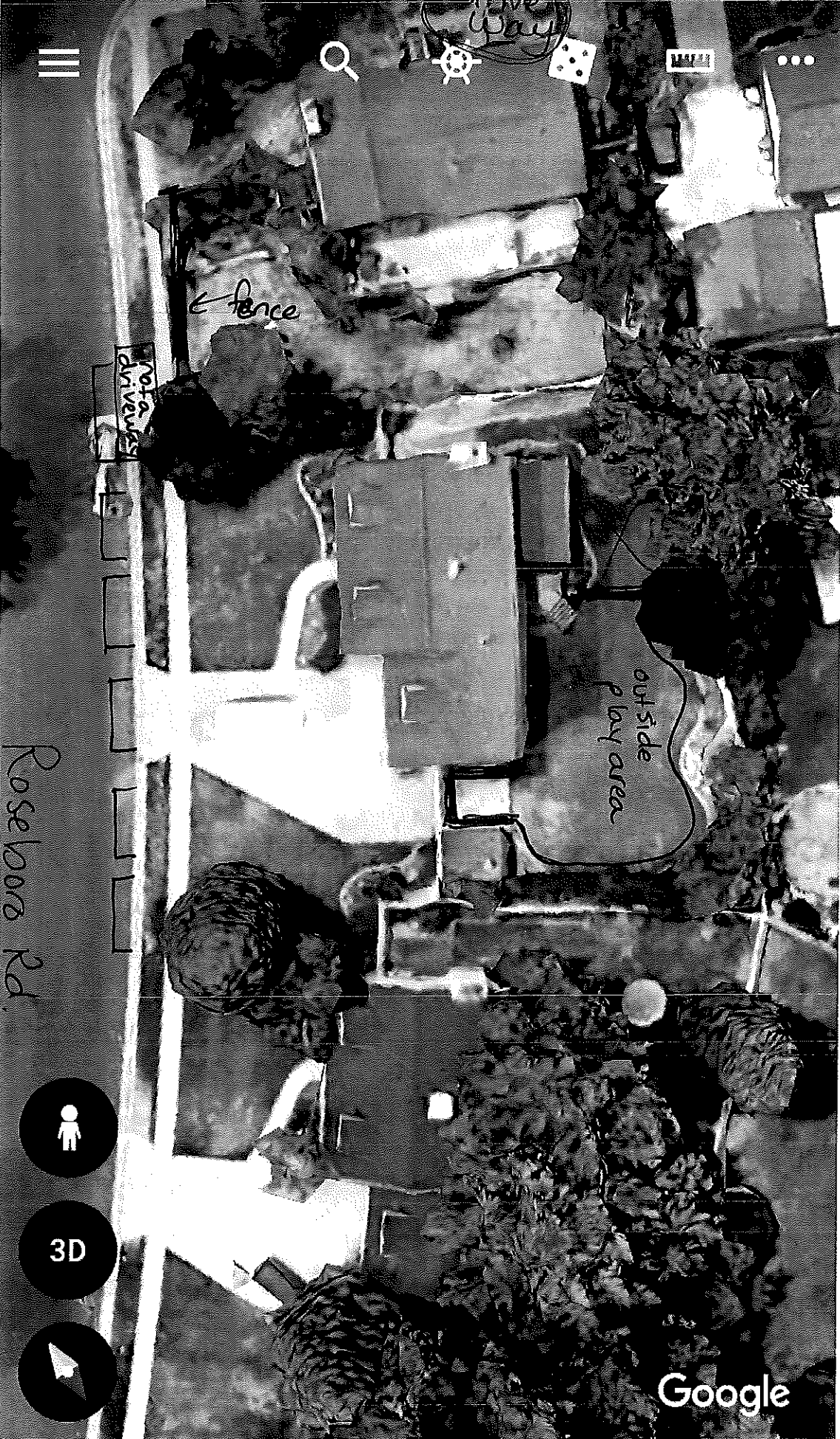
We have a very long curb in front of our home where parents can pull over for brief drop offs and pickups without blocking neighbor's driveways or traffic. This section of Roseboro Road is south of Gyrfalcon, and wider than the north section of Roseboro Road. The majority of my current students live no further than 3-4 miles away, and therefore, I don't anticipate the traffic would be noticeably or negatively impacted.

I appreciate your consideration of this request and look forward to assisting you with any further information that is necessary in order for the process to move forward.

Sincerely,

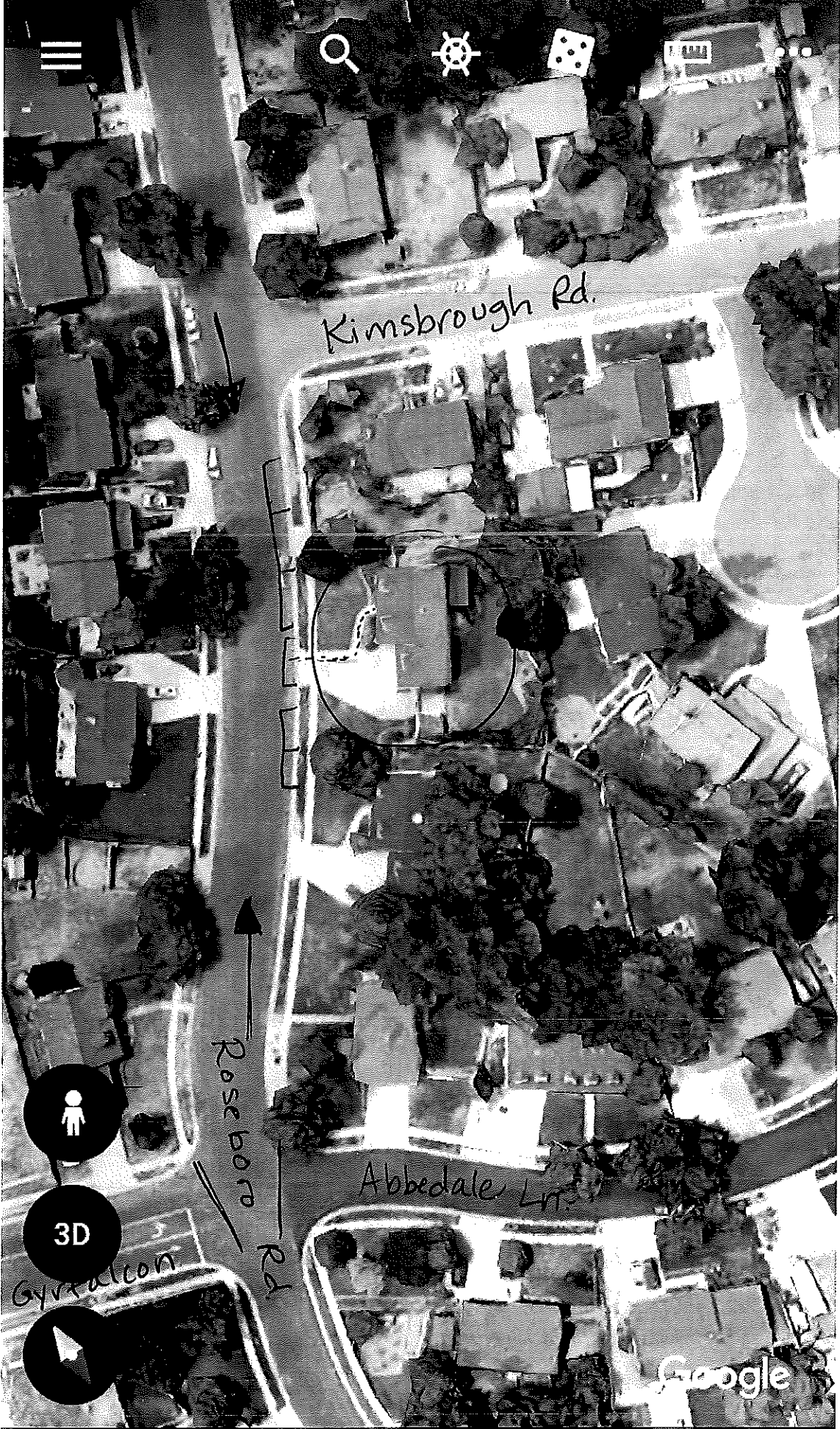
KC Stewart
Owner/Teacher Happy Place Preschool, LLC

Exhibit #2 – Site Detail Map



cars can easily line up along the curb in front of the house without blocking or using neighbor's space. Roseboro Rd also widens significantly south of the intersection of

Exhibit #3 – Site Parking Plan



[parking

route to & from main entrance

Roseboro Rd widens significantly after the 4-way stop at Abbedale, Roseboro, and Gyr-falcon

A maximum of 6 stops for each pick up / drop off (2 classes, 2 stops each)

6 cars can easily park along the curb in front of my home.



Darryll Wolnik

From: Britney Ward
Sent: Wednesday, December 26, 2018 8:34 AM
To: Darryll Wolnik
Subject: RE: Conditional Use Permit

Participants must be advised to obey all traffic laws. Traffic flow must be allowed (Participants are not to block traffic).



sandy.utah.gov

Britney Ward
Transportation Engineer

8775 South 700 West | Sandy, UT 84070
o: 801.568.2991 | c: 801.376.3401
bward@sandy.utah.gov



From: Darryll Wolnik
Sent: Wednesday, December 26, 2018 7:57 AM
To: Britney Ward <BWard@sandy.utah.gov>
Subject: RE: Conditional Use Permit

Sorry. Friday before Christmas and such...

Thanks!

From: Britney Ward <BWard@sandy.utah.gov>
Sent: Friday, December 21, 2018 11:38 AM
To: Darryll Wolnik <dwolnik@sandy.utah.gov>
Subject: RE: Conditional Use Permit

There is not an attachment.



sandy.utah.gov

Britney Ward
Transportation Engineer

8775 South 700 West | Sandy, UT 84070
o: 801.568.2991 | c: 801.376.3401
bward@sandy.utah.gov



From: Darryll Wolnik
Sent: Friday, December 21, 2018 11:06 AM