

CONDITIONAL USE APPLICATION - FINDINGS OF FACT

Chesterton Academy of the Rogue Valley

Owners/Members: Jon Bates

Address of property: 600 Beebe Rd., Central Point, Jackson County, Oregon

Business owner contact phone: (541) 541-2979

17.76.010 Purpose.

In certain districts, conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics or the special attributes of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of the zoning title and their effect on surrounding properties.

- A. We are requesting a conditional use permit to operate a high school out of two existing classroom structures at the property located at 600 Beebe Rd., Central Point, Jackson County, Oregon.
- B. Our high school will be named: Chesterton Academy of the Rogue Valley. Its purpose is to provide a classical education in the Catholic tradition for grades 9-12. Inspired by the beauty and richness of the Catholic faith, Chesterton Academy seeks to form young men and women to be joyful saints. By introducing them to great thinkers such as Socrates, Thomas Aquinas and Dante, and by forming them in a distinctly Catholic culture, we lead students to choose for themselves the adventure of being a disciple of Christ.
- C. Central Point Municipal Code: 17.29.040, Civic use types, Para E. defines, "Schools. Public and private kindergarten, primary, elementary, middle, junior high, or high schools that provide state mandated basic education and colleges and trade schools."
- D. Central Point Municipal Code: 17.29.050, Table of Use categories and zone districts, denotes "High schools and colleges" as code "C", requiring a Conditional Use Permit.

17.76.011. Application.

An application and review thereof shall conform to the provisions of Chapter 17.05 and all applicable laws of the state. The application shall be accompanied by a fee defined in the city's adopted planning application fee schedule.

- A. We have attached a Conditional Use Permit Application and all associated

fees and required documents.

17.76.020 Information required. An application for a conditional use permit shall include the following information:

- A. Name and address of the applicant;
 - a. Applicant's name: Jon Bates
 - b. The name of the high school shall be: Chesterton Academy of the Rogue Valley.
 - c. Physical location: 600 Beebe Road, Central Point, Oregon, 97502.
 - d. Mailing address: P.O. Box 1328, Medford, Oregon, 97501
- B. Statement that the applicant is the owner of the property or is the authorized agent of the owner;
 - a. Owner is Shepherd of the Valley Catholic Church, under administrative care of Fr. Silverino Kwebuza
 - b. Applicant has a lease agreement with the property owner.

Conclusion: Applicant is an authorized agent of the owner.

- C. Address and legal description or the assessor's parcel number of the property;
 - a. Address: 600 Beebe Road, Central Point, Oregon 97502
 - b. Parcel number: 372w02
 - c. Lot: 3100
 - d. Legal Description: Commencing at a point which is 18.50 chains South and 20.25 chains West of the Northeast corner of Donation Land Claim No. 55, Township 37 South, Range 2 West, Willamette Meridian, Jackson County, Oregon (said point being the Southwest corner of tract described in Volume 248, Page 401, Jackson County, Oregon, Deed Records); thence East, 66.7 feet, to the true point of beginning; thence North 309.7 feet; thence East, 316.1 feet, the East line of tract described in Volume 269, Page 566, said Deed records; thence South 1 °0' West, 310.0 feet, to the Southeast corner of said tract; thence West 311.5 feet, to the point of beginning.

Conclusion: Required information has been provided.

- D. An accurate scale drawing of the site and improvements proposed. The drawing must be adequate to enable the planning commission to determine the compliance of the proposal with the requirements of this title;
- a. Scale drawing of the site is included as Exhibit A
 - b. The two existing classroom structures on the property are presently being used for religious education.
 - c. Site will require no modifications or improvements to existing structures to operate a high school.

Conclusion: Required information has been provided.

- E. A statement indicating the precise manner of compliance with each of the applicable provisions of this title together with any other data pertinent to the findings prerequisite to the granting of a use permit.

Conclusion: We have provided statements of our findings proving compliance with each of the applicable provisions required to grant the conditional use permit (below).

17.76.040 Findings and conditions. The planning commission in granting a conditional use permit shall find as follows:

- A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code.

Finding: The property where the high school will be located was built with a permit. It is 5.49 acres in total with four structures on premises and supported by 1.79-acre parking lot. The high school will occupy two modular buildings: Structures A and B. Structures A and B are a combined 3,716 square feet, and each are divided into two classrooms (four in total). The 2019 Oregon Structural Specialty Code requires 20 square feet per student in classroom areas. The four classrooms are 902 square feet of usable space each that will accommodate approximately 25 students per classroom. The students will have an adequate amount of outdoor play area adjacent to the school buildings. Bathroom, water, and break areas are accessible in the adjacent facilities during school hours. See Exhibit B: Classroom drawings.

Conclusion: No structural modifications to the building are necessary.

- B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively

accommodate the traffic that is expected to be generated by the proposed use.

Finding: The high school is located off Beebe Road, a public street that is well maintained by the city. The proposed school will not generate a significant amount of traffic that street improvements would be required. The largest number of cars at pickup and drop-off would be 25, and we have enough spaces and turn around room to accommodate that. We do not anticipate all 25 parents dropping off and picking up their child at the same time with a large window of pickup and drop-off time. Parents can drop-off their child from 8:00 am-8:30am, and pickup from 3:30 until 4:00pm.

The Central Point Municipal Code states that one space per employee plus one space per five children the facility is designed or intended to accommodate. According to the Municipal Code, for the high school being located at 600 Beebe Rd, Central Point, Jackson County, Oregon it has enough parking for well over 200 families.

Conclusion: The site has adequate access to Beebe Road, a public street, and the street is in adequate condition to accommodate traffic to the site.

- C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location and improvements on the site; vehicular ingress, egress, and internal circulation; setback; height of the building and structures; walls and fences; landscaping; outdoor lighting; and signs.

Finding: The normal hours of operation for the high school will be Monday through Friday 8:30 a.m. to 4:00 p.m. The activities will be primarily inside so noise will be held to a minimum. Any outdoor activities would take place between 9:00 a.m. to 3:30 p.m. There is a walkway directly to the building entrance. Outdoor activities such as sports or P.E. will be conducted in the adjacent 1.9 acre space between the building and adjoining properties.

Conclusion: The building is built to code so there should be no effect on abutting properties. The area of the outdoor space will reduce any noise from the high school.

- D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the

review of those factors listed in subsection C of this section.

Finding: A fire extinguisher, smoke detector, and carbon monoxide alarm are present. We will have evacuation drills once a month to ensure the safety of the children. An inspection on the fire extinguisher will be completed annually. The State of Oregon says that each child needs 20 square feet. Since the property is 3,716 square feet, it supports approximately 106 students at one time. We plan to start with about 16 children with five teachers, so our ratio would comply. Our policy is that two adults are present at all times. Background checks are required for any adult that is interacting or on the facility where children are present. All necessary background checks are completed. We meet the State of Oregon high school staff to student ratio.

Conclusion: All applicable local, state, and federal health and safety regulations are satisfied, and the proposed use will not be detrimental or injurious to the property or the surrounding neighborhood.

E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:

1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13.

Finding: The overall lot is 5.49 acres. The site is 3,716 square feet.

Conclusion: There is sufficient indoor and outdoor space to meet the requirements of a high school.

2. Increasing Street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use.

Finding: The street width is wide enough to accommodate the high school daily use.

Conclusion: No modifications to streets, traffic signals, or signs would be needed.

3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use.

Finding: The requirement for parking is one spot per employee and one spot per five children. There are over 140 usable parking spots which more than meet the requirements of five teachers and 16 children and allows for the opportunity to grow.

Conclusion: Off-street parking would not be needed due to available parking spots.

4. Regulation of points of vehicular ingress and egress.

Finding: The cars can enter and exit from Beebe Road through any of the three entryways.

Conclusion: No changes to accommodate vehicle ingress and egress are needed.

5. Requiring landscaping, irrigation systems, lighting, and a property maintenance program.

Finding: The landscaping, irrigation system, lighting and property maintenance are done by the property owners and will continue to be done by the property owners.

Conclusion: Landscaping, irrigation systems, lighting and property maintenance will not require any changes.

6. Regulation of signs and their locations.

Finding: A sign displaying the name of the high school will be at the entry of building and a small sign will be erected at the main entrance to the parking lot.

Conclusion: The sign will not disturb surrounding neighbors.

7. Requiring fences, berms, walls, landscaping, or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility, or other undesirable effects on surrounding properties.

Finding: The high school is surrounded by large empty fields and outdoor space.

Conclusion: The property requires no changes to reduce undesirable effects.

8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions.

Finding: We plan to operate the high school Monday through Friday 8:30 a.m. to 3:30 p.m. so most neighbors are awake during these hours. Outside activities will be limited but only occur during the hours of 9:00

a.m. to 3:00 p.m.

Conclusion: Time of operation will not affect the community or surrounding neighbors.

9. Establish a time period within which the subject land use must be developed.

Finding: The buildings are already built and not in need of any structural modifications.

Conclusion: Not applicable since no development is needed.

10. Requirement of a bond or other adequate assurance within a specified period of time.

Finding: The structure of the proposed high school already exists and therefore does not require a bond.

Conclusion: Not applicable since no development is needed.

11. Such other conditions that are found to be necessary to protect the public health, safety, and general welfare.

Finding: The high school will not affect the public health, safety, and general welfare.

Conclusion: The high school complies with all requirements to protect public health, safety, and general welfare.

12. In considering an appeal of an application for a conditional use permit for a home occupation; the planning commission shall review the criteria listed in Section 17.60.190.

Finding: The proposed high school is not in a home and a business license will be obtained prior to operation.

Conclusion: All criteria will be satisfied.