

REPORT TO CITY COUNCIL

DATE: JULY 9, 2014

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER *gr*

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT *mk*

SUBJECT: PRE-SCREEN REVIEW OF A PROPOSED ZONING ORDINANCE AMENDMENT TO ALLOW PUBLIC CHARTER SCHOOLS (GRADES 7-12) AS A CONDITIONALLY PERMITTED USE IN THE COMMERCIAL SHOPPING CENTER (CS) ZONING DISTRICT (OPTIONS FOR YOUTH, APPLICANT) (CASE NO. 14-PSR-001)

Lauren Luna, on behalf of Options for Youth, is requesting direction from the City Council on whether to proceed in filing an application for a proposed zoning ordinance amendment to allow public charter schools as a conditionally permitted use in the Commercial Shopping Center (CS) zoning district. The purpose of the pre-screen review is for the applicant to receive non-binding comments and direction from the City Council. This is consistent with the City's policy of conducting pre-screen reviews of requests that may require legislative changes.

As noted in the applicant's attached project description, Options for Youth is a public, State-funded charter school program desiring to lease approximately 5,000 square feet of commercial tenant space in the Agoura Hills Town Center. The Agoura Hills Town Center is located at 30135 Agoura Road, on the north side of Agoura Road, east of Reyes Adobe Road and west of Agoura Court. The available tenant space was formerly occupied by Graphaids, which relocated to 28710 Canwood Street.

Options for Youth serves students in grades 7-12 and currently operates 35 learning centers in the Counties of Los Angeles, San Bernadino and Sacramento. The applicant notes the school is a registered charter school with the California Department of Education and is accredited by the Western Association of Schools and Colleges, and functions as an independent study learning center. If located in Agoura Hills, the charter school would be open to students in and outside of the Las Virgenes Unified School District. Students who attend the school earn course credits and are enrolled at the school until they either transfer back to a traditional school or graduate from Options for Youth with a high school diploma.

Students of the charter school attend the location for two separate, one-hour appointments per week. During these appointments, they will take tests, receive their curriculum packets or, if needed, one-on-one instruction with a teacher. Students are required to study at home 4-6 hours each day and prepare for their next test. The

applicant is proposing a staff of 6 teachers and 2 support staff at this location. Each teacher at the school has a maximum of 5 students at any one appointment and a maximum of 25 students per day. No more than 30 students would be at the school at any given time.

Public schools are currently not listed in the zoning ordinance as an allowed use in the commercial or business park zoning districts in the City. Private schools, however, are allowed with a conditional use permit in the Business Park-Office Retail (BP-OR) zoning district for grades kindergarten through six, and in the Business Park-Manufacturing zoning district for high school students. The applicant's desire to locate a public charter school in the CS zoning district will require amending the zoning ordinance to allow the use in the zoning district. Staff would note that the Agoura Hills Town Center and the two adjacent parcels to the west (Amcal Business Center and Mobil gasoline station) are the only properties in the City within the CS zoning district. Thus, an amendment to allow a charter school in the CS zoning district would geographically limit such use to this area only. In addition to the westerly parcels noted above, other surrounding land uses include office uses to the east, the Sheraton Hotel to the south, and Sleep Shoppe mattress store to the north.

The applicant informed staff that retail centers are their preferred locations for their charter schools, as opposed to locating in a business park setting. The school's focus is on independent study, with emphasis on individual or small group instruction. Unlike a traditional school, Options for Youth has no extended school hours. Rather, the school is open from 8:00 a.m. to 5:00 p.m. on weekdays and is closed on weekends. Also, the school is unique in that it does not offer large classroom space, gymnasiums, cafeterias or playgrounds that may be typically be offered in traditional schools. Thus, staff finds the use to function similarly to an office use in terms of hours of operation, appointment schedules, one-on-one or small group meetings and absence of outdoor activity.

The Agoura Hills Town Center is predominately a destination center with such uses as offices, salon and day spa, sit-down restaurant, music school, etc., that can cater to another destination-type use such as a charter school. As such, staff recommends allowing the applicant to proceed in applying for a zoning ordinance amendment to allow the use within this very limited zoning district of the City, provided that the use is subject to a conditional use permit. The conditional use permit will allow the Planning Commission to consider any potential impacts associated with the use, including parking, hours of operation and the number of students, and the discretion to place appropriate conditions of approval. Staff would also note that tenants within the center and adjacent property owners would have opportunities to comment on the charter school request during any public hearing held for a zoning ordinance amendment or conditional use permit.

RECOMMENDATION

Staff respectfully requests the City Council provide non-binding comments and direction to the applicant on whether to proceed in filing a Zoning Ordinance Amendment to allow public charter schools as a conditionally permitted use in the Commercial Shopping Center (CS) zoning district.

Attachments: Exhibit A: Applicant's Project Description
Exhibit B: Vicinity Map / Zoning Map

EXHIBIT A

Options For Youth
Public Charter Schools
Empowering Minds by Inspiring Hearts



**“Options for Youth”
Project Description
30105 Agoura Road, Agoura Hills CA**

To Whom It May Concern,

Options for Youth (OFY), a public charter school program, is hoping to lease a 5000 square foot existing commercial space (30105 Agoura Road) in Agoura Hills in a multi-tenant shopping center to be used as an independent study learning center. The proposed project would include a minimal tenant improvement build out.

To let you know a little more about the OFY program, we are a publically (State) funded charter school operating in partnership with Burbank School District. We serve students in grades 7-12.

Students that attend our program use Options for Youth as their sole source of course credits and are enrolled until they either transfer back to a traditional school or graduate from our program with a high school diploma.

In terms of the day-to-day function of our schools sites, students attend the location for two (2) one hour appointments per week. Our students are at our centers for one hour at a time. During these appointments they will take tests, receive their curriculum packets, or if needed receive one-on-one instruction with a teacher. They are required to study at home 4-6 hours each day and prepare for their next test. Unlike a traditional school, OFY has no extended schools hours or large classroom spaces. There are no gymnasiums, cafeterias or playgrounds.

Each teacher has a maximum of 5 students at any one appointment and a maximum of 25 students per day. This center is proposing to have 6 teachers and 2 support staff, for a total of 8 staff members and 30 students at any one time. Our centers are open Monday – Friday from 8am – 5pm, closed for lunch from 12pm-1pm and closed on Saturdays and Sundays. We have student appointments from 9am – 12pm and 1pm – 4pm.

About 5 percent of our students drive themselves to our school. The majority of our students use public transportation, walk, ride a bicycle or get dropped off by a parent/guardian. The reasoning is the majority of the students are not of driving age or do not have the economic means to drive.

We currently operate 40 learning centers in San Bernardino, Los Angeles and Sacramento counties. The vast majority are in Los Angeles County. Graduating students will receive a diploma and can attend 4 year universities. We are WASC accredited (Western Association of Schools and Colleges) and registered with the California Department of Education (CDE) as an active public charter school. Thank you for your consideration of our program.

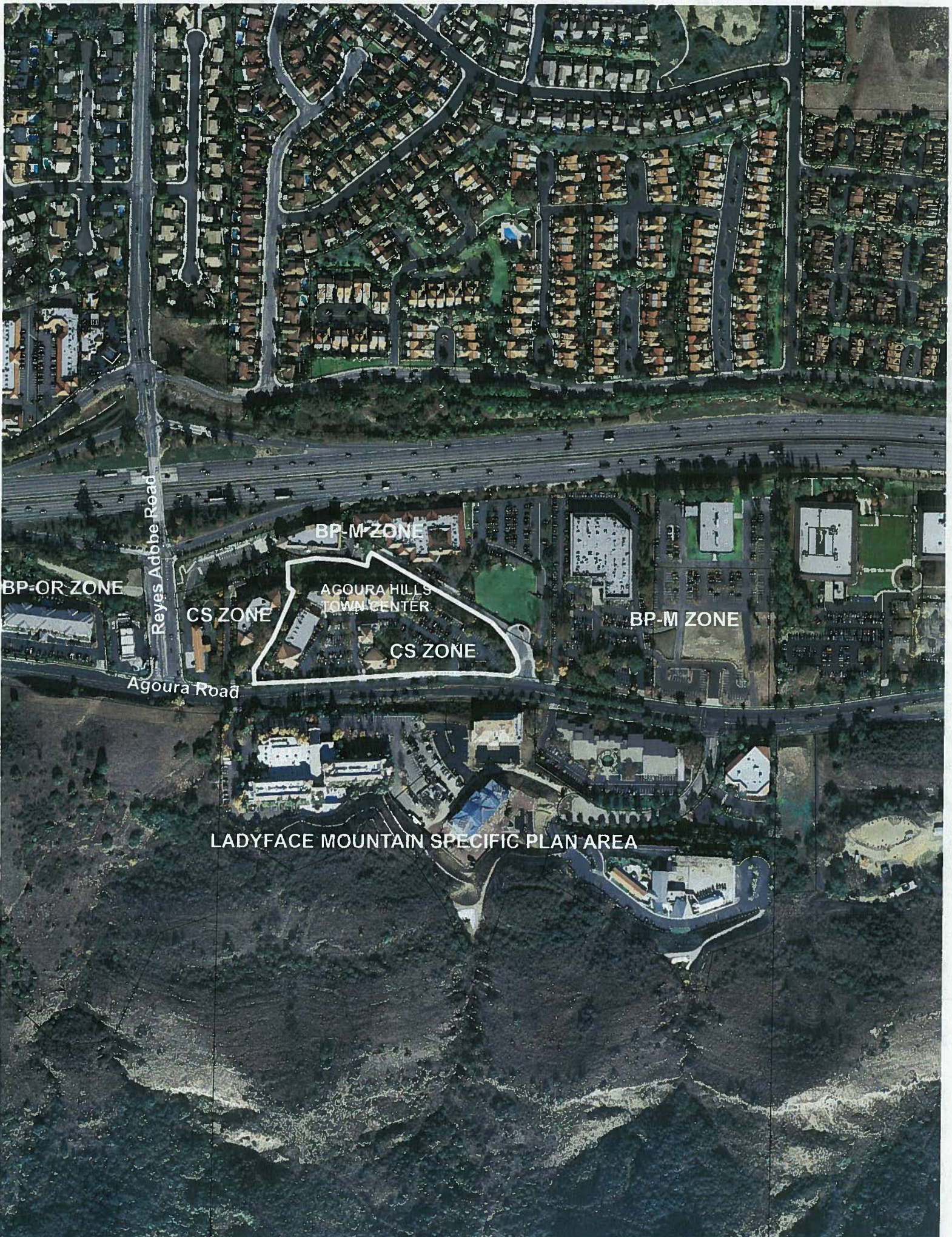
Sincerely,

Lauren Luna
Asst Property Manager

Options for Youth
Public Charter Schools

320 N. Halstead., Suite 280. Pasadena, CA 91107 www.ofy.org

EXHIBIT B



Reyes Abbe Road

BP-OR ZONE

CS ZONE

BP-M ZONE

AGOURA HILLS
TOWN CENTER

CS ZONE

BP-M ZONE

Agoura Road

LADYFACE MOUNTAIN SPECIFIC PLAN AREA