



County of San Mateo

Planning & Building Department

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February 19, 2014

Toddle LLC
Attn: Heather Hopkins
361 Camino Al Lago
Menlo Park, CA 94027

Dear Ms. Hopkins:

Subject: **LETTER OF DECISION**
File Number: PLN2013-00191
Location: 3131 Alameda in unincorporated West Menlo Park
APN: 074-025-270

On February 12, 2014, the San Mateo County Planning Commission considered your application for a Use Permit to allow operation of a 24-child day care center in an existing single-family residence in the unincorporated West Menlo Park area of San Mateo County.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the project by adopting the required findings and conditions of approval as identified in Attachment A.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m.** on February 27, 2014.

Please direct any questions regarding this matter to Dennis Aguirre, Project Planner, at (650)363-1867 or Email: daguirre@smcgov.org.

Sincerely,

Heather Hardy
Planning Commission Secretary

cc: Department of Public Works
Building Inspection Section
Environmental Health Division
CALFIRE
County Assessor
Suzanne Bailey
Hans Johnsens
Alice Brock
Robert Most
S. Roxanne El-Hage
Mary Jo McCarthy
Joann Jester
Eric Jester
Danielle Chritchley
Kathy Schoendorf
Barbara Hefferon
Janet Davis
Julia Rumann
Kathleen McCleary
Elaine MacDonald
Howard Mackey
Micah Saste
Jeffrey Patmon
Cuiyan Dai
Kelly Morehead
Jillian K. Shenk
Andrzej Skoskiewicz
Kristine Tveten
Emily Walling
Kristen Anderson
Catherine Boley

Laurence Akin
Ashley Riley
Sara Maas
Jason Maas
Melissa Baumwald
Allyson Penner
Genni Lawrence
Laura Krane
Courtney Charney
Jocelynn Staley
Blythe Nilsson
Krista Merlino
Krista Potvin
Heather Pietsch
Julia Anderson
Malvika Behl
Laura Hale
Michele Kavanaugh
Lisa Reid
Tori Pickett
Tamara Russel
Michael Kubiak
Lennie Roberts
Michael Mojica
Beth Bishop
Sylvia Westenbroek
Carol Roland
Jenny Brokaw
Peter MacDonald
Priti Morey
Rebecca Garcia

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2013-00191

Hearing Date: February 12, 2014

Prepared By: Dennis P. Aguirre
Project Planner

Adopted By: Planning Commission

FINDINGS

Regarding the Environmental Review, Found:

1. That the Mitigated Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
2. That, on the basis of the Initial Study and comments hereto, there is no evidence that the project, subject to the mitigation measures contained in the Mitigated Negative Declaration, will have a significant effect on the environment.
3. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures identified in the Mitigated Negative Declaration, agreed to by the applicant, placed as conditions on the project, and identified as part of this public hearing, have been incorporated into the Mitigation and Reporting Plan in conformance with California Public Resources Code Section 21081.6.

Regarding the Use Permit, Found:

5. That the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood based on the following:
 - a. The potential impacts to traffic and parking have been determined to be less than significant subject the implementation of the following mitigation measures:
 - 1) The two parking spaces required for the two classrooms associated with the operation of the Center complies with the parking requirements pursuant to Section 6119 of the San Mateo County Zoning Regulations (Parking Spaces

Required: Schools). In addition, the driveway will be widened to accommodate a third designated parking space for drop-offs and pick-ups. In all, the three designated on-site parking spaces and the three non-designated parking areas along Alameda de las Pulgas, plus the ADA space, provide the parking spaces required for drop-offs/pick-ups, during the course of the Center's daily operation to maintain a less than significant parking impact in the neighborhood.

- 2) By allowing only a maximum of ten (10) drop-offs/pick-ups per hour, up to a maximum of forty (40) drop-offs daily, parking will be available at most times, even if all scheduled drop-offs within a scheduled 30-minute time period arrived at the same time (5 drop-offs), 7 parking spaces would be available to accommodate these activities.
 - 3) The staggered system of drop-offs/pick-ups will also maintain a minimal level of potential cut-through traffic scenarios, since parking will be available most of the time to clients, thereby removing the need to circle around the neighborhood streets for a secondary attempt at drop-offs or pick-ups.
 - 4) The corner location of the Center provides for three off-site (non-designated) drop-off/pick-up areas directly in front of the facility, along Alameda de las Pulgas, such that street crossings to reach the Center do not occur.
- b. With regard to noise, the outdoor play activities have been scheduled to coincide when most residents are at work. No noise from outdoor activities will occur during the weekends, since the Center will only offer weekday child care services. Also, temporary noise from construction would also occur only during work on the minor upgrades to the residence. Condition No. 20 has been added to address the issue of construction noise.
 - c. With regard to visual impacts, only minor exterior modifications are proposed for the facility such that the residential appearance of the structure is not compromised and will not deviate from the residential character of the neighborhood.
 - d. With regard to essential neighborhood services, the availability of a day care center that offers a flexible program addresses the needs of families that only require short-term child care services without the mandatory long-term enrollment commitment.

CONDITIONS OF APPROVAL

Current Planning Section

1. The project shall be constructed in compliance with the plans approved by the Planning Commission on February 12, 2014. Minor adjustments to the project may be approved by the Community Development Director if they are consistent with the intent of and are in substantial conformance with this approval.

2. The use permit shall be valid for five (5) years from the date of final approval.
3. The applicant shall apply for a use permit renewal with the applicable fees six (6) months prior to the expiration of the use permit. On each anniversary date of the approval, an administrative review shall be conducted to evaluate traffic and other conditions associated with the operation of the Center.
4. The applicant shall obtain and submit proof of a license from the State of California for the operation of the Center.
5. The hours of operation of the Center shall be from 8:30 a.m. to 6:00 p.m., Monday through Friday.
6. The outdoor daily play times shall be scheduled at the discretion of the operator, to allow two optional and one regular, thirty (30) minute morning sessions, and one regular, forty-five (45) minute afternoon session.
7. No more than forty (40) drop-offs shall be allowed daily.
8. No more than twenty-four (24) children shall be in the Center at any one time.
9. Drop-off and pick-up activities shall occur only in the four designated on-site parking spaces, and three non-designated parking spaces along Alameda de las Pulgas.
10. The operator of the Center shall closely monitor all drop-offs and pick-ups to ensure that vehicles do not block neighbors' driveways or double park during these activities.
11. The operator of the Center shall submit for review to the Planning and Building Department, a client contract agreement to include language requiring that the child care center parents/guardians/caregivers park for less than 10 minutes when signing in or out of the Center; that users park in the designated areas, or on-street parking spaces, to avoid blocking or turning around in neighbor driveways; and that access to the Center shall be via Alameda de las Pulgas and Manzanita Avenue. (See also Condition No. 18 – Mitigation Measure 2).
12. During project construction, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
 - a. Using filtration materials on storm drain covers to remove sediment from dewatering effluent.
 - b. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.

- c. Removing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or other waterproof material.
 - d. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
 - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - f. Limiting and timing applications of pesticides and fertilizers to avoid polluting runoff.
13. The applicant shall include an erosion and sediment control plan on the plans submitted for the building permit. This plan shall identify the type and location of erosion control devices to be installed upon the commencement of construction in order to maintain the stability of the site and prevent erosion and sedimentation off-site.
14. The applicant shall apply for a building permit and shall adhere to all requirements from the Building Inspection Section, the Department of Public Works and the respective Fire Authority.
15. No site disturbance shall occur, including any grading or tree removal, until a building permit has been issued, and then only those trees approved for removal shall be removed.
16. To reduce the impact of construction activities on neighboring properties, comply with the following:
 - a. All debris shall be contained on-site; a dumpster or trash bin shall be provided on-site during construction to prevent debris from blowing onto adjacent properties. The applicant shall monitor the site to ensure that trash is picked up and appropriately disposed of daily.
 - b. The applicant shall remove all construction equipment from the site upon completion of the use and/or need of each piece of equipment which shall include but not be limited to tractors, back hoes, cement mixers, etc.
 - c. The applicant shall ensure that no construction-related vehicles shall impede through traffic along the rights-of-way on Alameda de las Pulgas and Manzanita Avenue. All construction vehicles shall be parked on-site outside the public rights-of-way or in locations which do not impede safe access on Alameda de las Pulgas and Manzanita Avenue. There shall be no storage of construction vehicles in the public rights-of-way.
17. **Mitigation Measure 1:** Ensure that the third on-site parking space is provided by implementing the planned driveway improvements to widen the existing pad from 26.5 feet

to 27 feet in width. This would provide sufficient width to accommodate three (3) standard 9-foot by 20-foot parking stalls. The driveway modifications could be implemented through minor improvements, including removal of the existing temporary fenced trash receptacle enclosure, and widening of the existing driveway pad by 0.5 feet with additional concrete paving, or installation of grasscrete (or other permeable pavers).

18. **Mitigation Measure 2 (as modified from the Negative Declaration):** The owners/managers of the child care facility shall follow the County's request to allow no more than two drop-offs/pick-ups per 12 minutes, not to exceed ten (10) drop-offs/pick-ups per hour. In addition, client contracts will include language requiring that the child care center parents/guardians/caregivers park for less than 10 minutes when signing in or out of the Center; that users park in the designated areas, or on-street parking spaces, to avoid blocking or turning around in neighbor driveways; and that access to the Center shall be via Alameda de las Pulgas and Manzanita Avenue. (See also Condition No. 11)
19. **Mitigation Measure 3:** The owners/managers of the child care facility shall ensure that sight lines are maintained at the northeast corner of the Alameda de las Pulgas/Manzanita Avenue intersection by keeping tree branches trimmed and shrubs/foilage trimmed to a maximum height of 30 inches (2.5 feet).
20. Noise levels produced by the proposed construction activity shall not exceed the 80-dBA level at any one moment. Construction activities shall be limited to the hours from 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturday. Construction operations shall be prohibited on Sunday and any national holiday.
21. The applicant shall submit a landscape plan, subject to prior consultation with the adjacent neighbors, in order to address potential noise impacts from the operation of the Center, prior to issuance of a building permit. The landscaping shall be installed prior to the Final Inspection for the building permit.

Building Inspection Section

22. Prior to pouring any concrete for foundations, written verification from a licensed surveyor will be required confirming that the setbacks, as shown on the approved plans, have been maintained.
23. An automatic fire sprinkler system will be required. This permit must be issued prior to or in conjunction with the building permit.
24. If a water main extension, upgrade or hydrant is required, this work must be completed prior to the issuance of the building permit or the applicant must submit a copy of an agreement and contract with the water purveyor that will ensure the work will be completed prior to finalizing the permit.
25. A site drainage plan will be required that will demonstrate how roof drainage and site runoff will be directed to an approved disposal area.

26. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. Failure to install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.
27. All drawings must be drawn to scale and clearly define the whole project and its scope.
28. Please call out the right codes on the code summary: The design and/or drawings shall be done according to the 2013 Edition of the California Building Standards Code, Title 24; the 2013 California Plumbing Code (Part 5); the 2013 California Mechanical Code (Part 4); and the 2013 California Electrical Code (Part 3).
29. Provide cross-sections of an accessible restroom. If you have playground equipment, please provide drawings showing this equipment is accessible (ADA compliant) as well.
30. This is an I-4 Use Day Care Center.

Menlo Park Fire Protection District

31. The new facility will require automatic fire sprinkler protection and an automatic fire alarm system, including manual fire alarm system.
32. After Planning approval, building plans shall be submitted to the Menlo Park Fire Protection District for California Fire Code review.