



Planning & Building Department Planning Commission

Laurie Simonson, 1st District
Frederick Hansson, 2nd District
Chris Ranken, 3rd District
Manuel Ramirez, Jr., 4th District
Steve Dworetzky, 5th District

County Office Building
455 County Center
Redwood City, California 94063
(650) 363-1859

Action Minutes

MEETING NO. 1573

Wednesday, February 12, 2014

In the Board of Supervisors Chambers, Hall of Justice and Records, located at 400 County Center, Redwood City.

Chair Ranken called the meeting to order at 9:11 a.m.

Pledge of Allegiance: The Pledge of Allegiance was led by Chair Ranken.

Roll Call:

Commissioners Present:	Dworetzky, Hansson, Ramirez, Ranken, Simonson
Commissioners Absent:	None
Staff Present:	Eggemeyer, Fox, Shu

Legal notice published in the San Mateo County Times on February 1, 2014.

Oral Communications to allow the public to address the Commission on any matter not on the agenda.

Chair Ranken announced his resignation from the Planning Commission, effective at the conclusion of the meeting.

Consideration of the Minutes of the Planning Commission meeting of January 22, 2014.

Commissioner Simonson moved, and Commissioner Dworetzky seconded, that the minutes be approved as submitted. Motion carried 4-0-0-1.

Ayes: Commissioners Dworetzky, Ramirez, Ranken, Simonson

Noes: None

Absent: None

Abstained: Commissioner Hansson

**REGULAR AGENDA
9:00 a.m.**

- 1. **Owner: 3131 Alameda LLC**
Applicant: Toddle LLC
 File No.: PLN2013-00191
 Location: 3131 Alameda in unincorporated West Menlo Park
 APN: 074-025-270

Consideration of 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. Application filed October 9, 2013. PROJECT PLANNER: Dennis Aguirre. Telephone: 650/363-1867 or Email: daguirre@smcgov.org.

SPEAKERS:

- | | |
|-------------------------|------------------------|
| 1. Suzanne Bailey | 29. Jason Maas |
| 2. Hans Johsens | 30. Melissa Baumwald |
| 3. Alice Brock | 31. Allyson Penner |
| 4. Robert Most | 32. Genni Lawrence |
| 5. S. Roxanne El-Hage | 33. Laura Krane |
| 6. Mary Jo McCarthy | 34. Courtney Charney |
| 7. Joann Jester | 35. Jocelynn Staley |
| 8. Eric Jester | 36. Blythe Nilsson |
| 9. Danielle Chritchley | 37. Krista Merlino |
| 10. Kathy Schoendorf | 38. Krista Potvin |
| 11. Barbara Hefferon | 39. Heather Pietsch |
| 12. Janet Davis | 40. Julia Anderson |
| 13. Julia Rumann | 41. Malvika Behl |
| 14. Kathleen McCleary | 42. Laura Hale |
| 15. Elaine MacDonald | 43. Michele Kavanaugh |
| 16. Howard Mackey | 44. Lisa Reid |
| 17. Micah Saste | 45. Tori Pickett |
| 18. Jeffrey Patmon | 46. Tamara Russel |
| 19. Cuiyan Dai | 47. Ashley Riley |
| 20. Kelly Morehead | 48. Michael Mojica |
| 21. Jillian Shenk | 49. Beth Bishop |
| 22. Andrzej Skoskiewicz | 50. Sylvia Westenbroek |
| 23. Kristine Tveten | 51. Carol Roland |
| 24. Emily Walling | 52. Jenny Brokaw |
| 25. Kristen Anderson | 53. Peter MacDonald |
| 26. Catherine Boley | 54. Priti Morey |
| 27. Laurence Akin | 55. Rebecca Garcia |
| 28. Sara Maas | 56. Luke Schwartz |

Due to the large number of speakers, some speakers needed to leave before their turn was called. Several of those speakers opted to write their speeches on paper. The speeches were then read by Chair Ranken.

COMMISSION ACTION:

Commissioner Hansson moved and Commissioner Simonson seconded to close the public hearing.
Motion carried 5-0-0-0.

Commissioner Simonson moved approval of the project and Commissioner Hansson seconded the motion. **Motion carried 5-0-0-0.**

Ayes: Commissioners Dworetzky, Hansson, Ramirez, Ranken, Simonson

Noes: None

Absent: None

Abstained: None

Based on information provided by staff and evidence presented at the hearing, the Planning Commission approved the request, making the findings and adopt conditions of approval as follows:

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.

- 2. **Applicant: Shahram Zomorodi**
 File No.: PLN2013-00221
 Location: Various, throughout the Bayside
 APN: Various, throughout the Bayside

Consideration of an amendment to the Subdivision Ordinance, Section 7020.2.c, and certification of a Negative Declaration, to modify the lot dimension requirements by eliminating the minimum and maximum lot depth standards in areas outside the Coastal Zone. This item is continued from the December 11, 2013 meeting. Application filed June 4, 2013. PROJECT PLANNER: Steven Rosen. Telephone: 650/363-1814 or Email: srosen@smcgov.org.

SPEAKERS:

- 1. Janet Davis
- 2. Lennie Roberts
- 3. Michael Kubiak (written remarks presented to Chair Ranken)

COMMISSION ACTION:

Commissioner Simonson moved and Commissioner Ramirez seconded to close the public hearing. **Motion carried 5-0-0-0.**

Commissioner Dworetzky moved to recommend to the Board of Supervisors to strike the minimum and not the maximum lot depth requirement for areas outside of the Coastal Zone. Commissioner Ramirez seconded the motion. **Motion carried 5-0-0-0.**

Ayes: Commissioners Dworetzky, Hansson, Ramirez, Ranken, Simonson
 Noes: None
 Absent: None
 Abstained: None

Based on information provided by staff and evidence presented at the hearing, the Planning Commission recommended that the Board of Supervisors approve the proposed Subdivision Ordinance amendment and certified the Negative Declaration, adopting the required findings as follows:

FINDINGS TO THE BOARD OF SUPERVISORS:

Regarding the Negative Declaration, Found:

1. That the Board of Supervisors does hereby find that this Negative Declaration reflects the independent judgment of San Mateo County.
2. That the Negative Declaration is complete, correct, and adequate and prepared in accordance with the California Environmental Quality Act (CEQA) and applicable State and County Guidelines.
3. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.

Regarding the Subdivision Ordinance Amendment, Found:

4. That the proposed Subdivision Ordinance amendment will conform to the General Plan Land Use designations in that the proposal will not create the potential for any unincorporated community or neighborhood to exceed the maximum density for its designation.
5. That the proposed Subdivision Ordinance amendment will enact policies of the Visual Quality, Urban Land Use, and Housing Elements of the County Master Plan (i.e., 1986 General Plan) in that: (1) It will allow more flexibility in the division of lots to create attractive building sites that are harmonious with existing development; (2) It will eliminate a requirement that hinders the development of the unincorporated areas of the County to the density envisioned in the Land Use Element; and (3) It will increase the supply of housing in the unincorporated areas of the County.

3. **2014 Planning Commission Election for Chair and Vice Chair**

Commissioner Hansson was elected as the Planning Commission's Chair.
Commissioner Dworetzky was elected as the Planning Commission's Vice Chair.

4. **Correspondence and Other Matters**

Director Eggemeyer proposed that a luncheon be scheduled to honor former Commissioners Gail Slocum and Chris Ranken.

5. **Consideration of Study Session for Next Meeting**

Five items are tentatively scheduled for the February 26, 2014 meeting.

6. **Director's Report**

None

7. **Adjournment**

The meeting adjourned at 2:37 p.m.