



STAFF REPORT PLANNING COMMISSION

DATE: February 13, 2018

TO: Planning Commission

SUBJECT: PUBLIC HEARING: Safari Kid Daycare Center—Site Development Review, Conditional Use Permit and Minor Use Permit (PLPA-2017-00050)
Prepared by: Mandy Kang, Senior Planner

EXECUTIVE SUMMARY:

The Planning Commission will consider a request by the applicant, Meridian, for approval of a Site Development Review Permit, Conditional Use Permit and Minor Use Permit to build a new daycare facility and community room on the vacant 2.1-acre Semi-Public parcel in Positano. The proposed project includes construction of a 14,936 square foot building comprised of a 10,667 square foot childcare center to be operated by Safari Kid and a 4,269 square foot multipurpose room that will be open for rent to the community, and related site improvements including an outdoor play area for the childcare center, shared parking for both uses, and a minor amendment to the Planned Development Zoning to establish development standards.

RECOMMENDATION:

Disclose ex-parte contacts, conduct the public hearing, deliberate and adopt the following **Resolutions:** a) Approving a Conditional Use Permit for a minor amendment to the Planned Development Zoning Stage 2 Development Plan (Ordinance No. 33-05) for the site designated as Semi-Public in Positano; b) Approving a Site Development Review for a 14,869 square foot building comprised of a 10,667 square foot childcare center and 4,269 square foot community center; and c) Approving a Minor Use Permit for shared parking between the childcare center and community center.

PROJECT DESCRIPTION:

The project site is an irregular shaped parcel located at the southwest corner of Positano Parkway and West Cantara Drive in the Positano neighborhood as shown in Figure 1. The subject property is approximately 2.1 acres and currently vacant. The project site has a General Plan and Eastern Dublin Specific Plan land use designation of Semi-Public. The site is generally surrounded by residential homes and a water quality basin (across Positano Parkway).

Figure 1. Project Site



On December 6, 2005, the City Council approved the Positano project as part of the larger Fallon Village Project. The approvals included a General Plan and Eastern Dublin Specific Plan Amendment, Planned Development Rezone with a related Stage 2 Development Plan, and a Vesting Tentative Map creating the residential lots, along with the subject Semi-Public site, and sites designated for a Neighborhood Park, Neighborhood Square, elementary school site, and land designated Rural Residential/Agriculture and Open Space on the 488-acres owned/controlled by Braddock & Logan.

The adopted General Plan and Eastern Dublin Specific Plan Amendment established specific land use designations. As a part of that approval process, the subject site was designated for Semi-Public land uses. The site was designated Semi-Public in accordance with the Semi-Public Facilities Policy. The purpose of the policy was to ensure that sites were provided to support future Semi-Public facilities such as childcare centers, religious institutions, and other uses that deliver community services.

The Planned Development Zoning established the permitted and conditionally uses on the Semi-Public parcel. This zoning allows both a daycare center and a community center/clubhouse. The Planned Development Zoning further identified development standards including proposed densities, development regulations, design guidelines, architectural standards, and a preliminary landscaping plan.

Current Request

The Applicant is requesting approval to construct a 14,936 square foot building comprised of a 10,667 square foot childcare center and a 4,269 square foot multipurpose room that will be open for rent to the community. The proposed project includes a 15,516 square foot outdoor play area for the childcare center, and related improvements including parking, landscaping.

The current request for the proposed project includes the following entitlements:

- **Conditional Use Permit** – To amend the Planned Development Zoning Stage 2 Development Plan to establish development standards and hours of operation.
- **Site Development Review Permit** - For a 14,869 square foot building comprised of a 10,667 square foot childcare center and a 4,269 square foot multipurpose room, and associated site and landscape improvements.
- **Minor Use Permit** – For a parking reduction for shared parking between the daycare facility and the community center.

ANALYSIS

Conditional Use Permit – Minor Amendment to Stage 2 Development Plan

The Zoning Ordinance allows the Planning Commission, by means of a Conditional Use Permit, to approve a minor amendment to an adopted Development Plan, subject to findings related to compliance with the adopted Planned Development Zoning District Ordinance.

The application includes a Conditional Use Permit for a minor amendment to the Planned Development Zoning Stage 2 Development Plan for Fallon Village. Most of the standards and requirements for a Stage 2 Development Plan required by Chapter 8.32 of the Zoning Ordinance were adopted in 2005 with the Stage 1 and 2 Development Plans. A daycare center and a community center are both listed as permitted uses in the Development Plans. However, the PD did not establish height and setback requirements for buildings on this Semi-Public site.

The proposed amendment to the Stage 2 Development Plan will establish the maximum height and minimum setback for any building on this site, as listed in the tables below.

Development Standards

Maximum Building Height	25 feet
Minimum Setbacks	Along Positano Pkwy: 20 feet Along West Cantara Dr: 20 feet Adjacent to Residential Properties (South & Southeast): 40 feet Adjacent to Vacant Land (Southwest): 40 feet

The CUP will also establish the hours of operation for the building and outdoor activities. The daycare center will typically operate Monday through Friday during the day and the community center will be open for use in the evenings during the week and throughout the day on weekends. The building shall only be open for use during the following hours:

Day	Time
Monday-Thursday	6:30 a.m.-8 p.m.
Friday	6:30 a.m.-10 p.m.
Saturday	8 a.m.-10 p.m.
Sunday	8 a.m.-8 p.m.

Outdoor activities, including use of the play equipment, will be limited to the hours of 9 a.m. and 6 p.m. Monday through Friday. The play equipment will only be used by the daycare center.

A resolution approving the Conditional Use Permit to amend the Planned Development Zoning Stage 2 Development Plan is included as Attachment 1 with the proposed development standards included as Attachment 2.

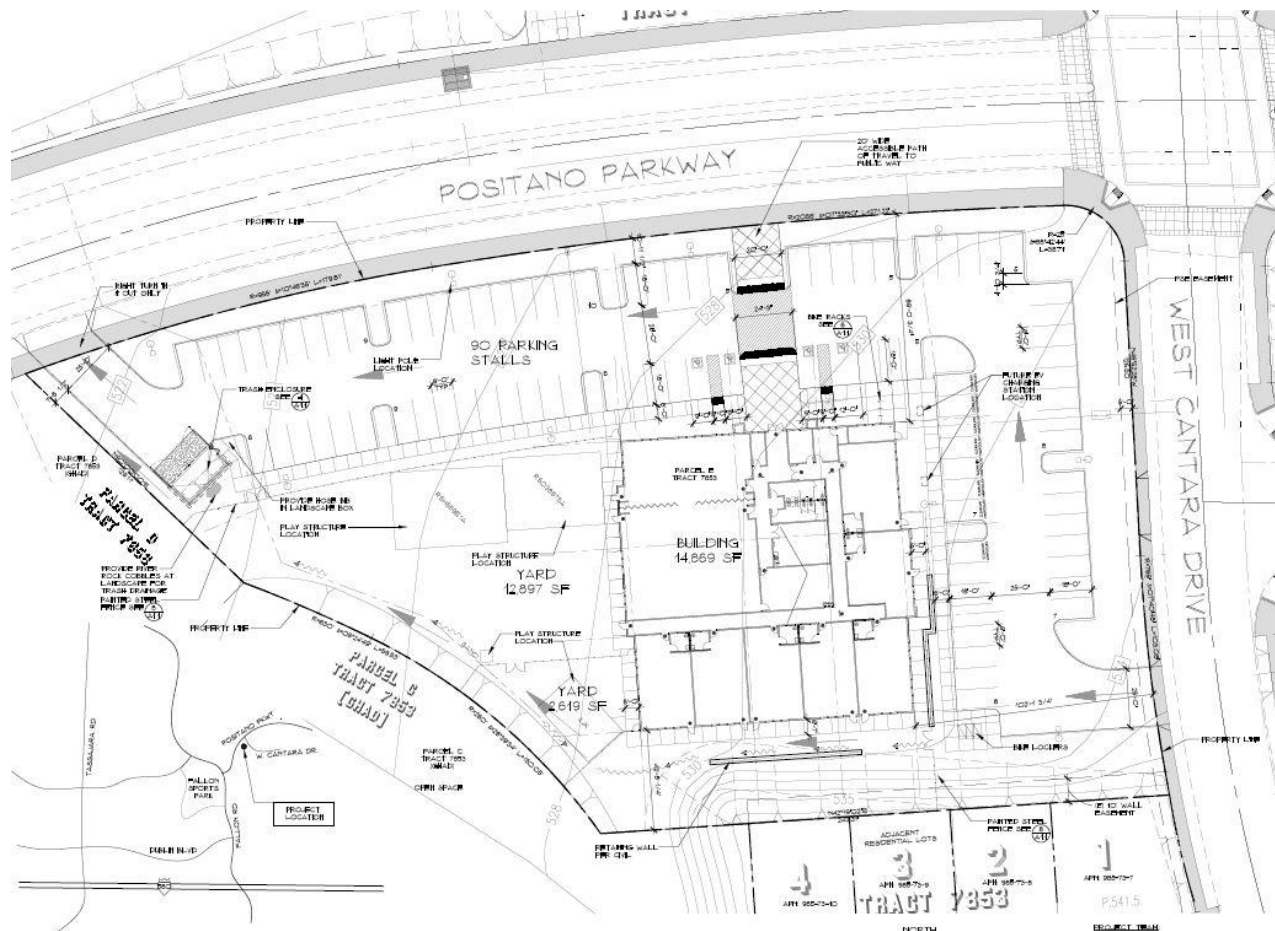
Site Development Review

The Zoning Ordinance requires a Site Development Review Permit for the construction of new structures. Approval of the Permit is subject to findings related to compliance with General Plan policies, impacts to general safety and welfare, site layout, impacts to views, impacts to topography, architectural considerations and landscape considerations as shown in the draft resolution included as Attachment 3. Please refer to Attachment 4 for the project plans.

Site Layout

The proposed site layout shows the building located near the center of the site with pedestrian access from both Positano Parkway and W. Cantara Drive. The playground, trash enclosure and a majority of the parking has been located as far from adjacent residences as possible. This layout was designed to minimize the impacts to adjacent residences and to ensure efficient circulation. The proposed site plan is shown in Figure 2 below.

Figure 2. Proposed Site Plan



A 20-foot wide path of travel provides a prominent pedestrian access from Positano Parkway to the entry. Vehicular access to the project site is provided by a new driveway on Positano Parkway, which is limited to right in/ right out, and another driveway on W. Cantara Drive. The existing driveway cut on W. Cantara Drive will be removed and replaced with another driveway further to the east. Parents will utilize both entrances/exits with staggered drop-off and pick-up times. The entrance of the building faces Positano Pkwy.

Parking stalls are located along the north and east side of the building. These stalls include disabled accessible, standard and EV/vanpool parking stalls.

The applicant is proposing to use a combination of lights attached to the building and pole-mounted parking lot lighting in order to illuminate the site. Site lighting will be reviewed once a building permit is submitted in order to ensure there are no light/glare impacts to the adjacent residential development.

The trash enclosure is located on the southwest corner of the project site near the Positano Parkway driveway entrance and away from the adjacent residences. It is located in close enough proximity to the building but is not attached to the building so it doesn't hinder the aesthetic appeal of the building. It will consist of masonry and painted metal gates which will match the color of the building.

Outdoor Play Area

The proposed project will include a 15,516 square foot play yard located on the west side of the building. It will be divided into sections with small gates based on various age groups. The play areas will have colorful play structures for each age group. The exact play structures have not yet been determined but conceptual plans are included as Attachment 5. The larger play structures are anticipated to be 10-17 feet tall with smaller 4 foot tall play structures. A condition of approval has been included requiring the applicant to obtain a Site Development Review Waiver prior to installation. The play areas will include a rubberized safety play surface for areas that fall within the safety fall zone of the proposed play structures.

The project will include a six-foot tubular steel fence around the perimeter of the outdoor play area. The fence is necessary for the safety and security of the children. The open fence will blend in well with the surrounding area and complement the design of the proposed building.

The proposed amendment to the Planned Development Zoning limits the use of the play equipment to the hours of 9 a.m. and 6 p.m. Monday through Friday. The Zoning further restricts the use of the play equipment to the daycare center (Attachment 2).

Floor Plan

The building consists of a 4,226 square foot community center room, 7 classrooms, a kitchen, men's and women's bathrooms, 2 offices and a few storage/maintenance closets. The community center and classrooms will be used for their respective uses. The kitchen, bathrooms and storage closets will be shared by all users.

Architecture

The building features a California contemporary design that is consistent with the surrounding residential neighborhood. The project utilizes a material palette with colors and materials that are similar to the homes in the surrounding area such as textured stucco, stone veneer, a cement plaster accent columns and concrete roof tiles. The single-story building will be 22 feet in height and include multiple windows for natural lighting around the building. The main entry includes aluminum double doors and stone columns to allow for a prominent entrance facing Positano Parkway. The building also includes raised accent trim around the windows and doors.

Figure 2. Perspectives



View @ North Corner



View @ West Corner

A color and material palette has been provided that illustrates the variety of colors and textures for the building. This materials board will be presented at the Planning Commission meeting for review and consideration.

Landscaping

The landscaping has been designed to be compatible and complement the architecture. Plantings and hardscape elements are used to create a visual screen for the site. Improvements include trees, shrubs and groundcover along the perimeter of the building and periphery of the outdoor play yard. The building entry and east elevation will include a variety of plants along the building, as well as along the parking area extending to the southern side of the site. A condition of approval has been included to ensure that the landscape does not block visibility at the project driveway. The trash enclosure will also include planting around it to help screen the structure.

Public Art Compliance

The applicant intends to satisfy the City’s public art requirement through the payment of in-lieu fees. A condition has been added in the Resolution for the Site Development Review (Attachment 3).

A resolution approving the Site Plan Review Permit to construct the daycare center and community center is included as Attachment 3, with the project plans attached as Attachment 4.

Minor Use Permit – Parking Reduction for Shared Parking

The Zoning Ordinance, Chapter 8.76.050.F, allows a parking reduction for shared parking between use types with approval of a Minor Use Permit. The reduction in off-street parking requirements (from the sum of the parking required by each use type) may be approved if there is sufficient parking to meet the greatest parking demand, the use types and operating times don’t conflict, and overflow parking won’t impact adjacent uses.

The table below illustrates the parking demand for the proposed daycare center and community center. The applicant proposes to operate the daycare Monday through Friday from 6:30 a.m. to 6:30 p.m. and the community room in the evenings and on weekends when the daycare is closed. Therefore, the applicant is proposing to provide a total of 90 parking stalls in order to exceed the greatest parking demand. The proposed site plan has 5 more vehicular spaces than is required for the greatest parking demand created by the community center. The parking stalls will include a mix of disabled accessible stalls, standard stalls, and electric vehicle/vanpool stalls as required by the Building Code.

Parking Requirement

Land Use	Parking Requirement	Square Footage/ Daycare Req.	Required Stalls
Community Center	1 parking space per 50 square feet for non-fixed seating in the assembly area	4,269	85
Daycare	1 per employee, plus 1 per company vehicle, plus a loading space for every 5 children or clients at the facility	25 Employees 229 children 2 company vehicles	73

The classrooms will only be utilized for the daycare and will not be used as part of the community center. The community center can be used by the existing daycare students for special functions but will not be used as an additional classroom or for any other purpose that would increase the number of children and required parking stalls. A condition of approval has been included which prohibits the daycare center and community center from operating at the same time in order to ensure that adequate parking is available on site (Attachment 6, Condition# 14).

A resolution approving the Minor Use Permit is included as Attachment 6.

ENVIRONMENTAL REVIEW

The project is located within the Fallon Village project, which was the subject of the Fallon Village Project Supplemental Environmental Impact Report (EIR). The EIR supplemented the Eastern Dublin EIR which was certified by the City Council on May 10, 1993 (SCH # 91103064, Resolution No. 51-93). In 2002, a Supplemental EIR (SCH # 2001052114, Resolution No. 40-02) was completed for the Eastern Dublin Specific Plan to analyze new information and changed circumstances since the 1993 EIR. Supplemental mitigation measures were adopted.

Another Supplemental EIR (SCH # 2005062010, Resolution No. 222-05) was adopted on December 6, 2005, as part of the Fallon Village project. The project had proposed some additional residential and commercial development beyond the 2002 approvals and adjusted some of the land use designation boundaries throughout the project area. The Final Supplemental EIR was a supplement for both the 1993 and 2002 EIRs.

Pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15168(c)(2), the proposed project was examined to determine if another environmental document should be prepared. The project includes a proposal for a daycare and community center on a Semi-Public site, which has been analyzed for potential environmental factors in the previous Supplement EIR. There is no substantial evidence in the record that any new effects would occur, that any new mitigation measures would be required, or that any of the conditions triggering supplemental environmental review under CEQA Guidelines section 15162 exists.

CONSISTENCY WITH THE GENERAL PLAN AND ZONING ORDINANCE:

The project site has a current General Plan and Eastern Dublin Specific Plan land use designation of Semi-Public and consistent Planned Development Zoning. The project will contribute to the surrounding neighborhood allowing for opportunities for a local daycare and community events. The proposed project is consistent with the land use designation, zoning and Eastern Dublin Specific Plan, which allow for both a daycare and community center.

The proposed project has been reviewed for conformance with the Community Design and Sustainability Element of the General Plan. The project has been designed to be compatible with adjacent and surrounding development. Pedestrian circulation has been linked together with sidewalks and public and private streets. In general, the proposed project furthers the goals of the Community Design and Sustainability Element of the General Plan by providing a high quality of life and preserving resources and opportunities for future generations.

REVIEW BY APPLICABLE DEPARTMENTS AND AGENCIES:

The Building Division, Fire Prevention Bureau, Public Works Department, and Dublin San Ramon Services District have reviewed the project and provided Conditions of Approval included in the attached Resolutions pertaining to the Conditional Use Permit, Site Development Review, and Minor Use Permit (Attachments 1, 3 and 5) where appropriate to ensure that the project is established in compliance with all local ordinances and regulations.

NOTICING REQUIREMENTS/PUBLIC OUTREACH

In accordance with the City's policy, the Applicant installed a Planning Application Notice Sign along the project frontages. The sign includes details about the project and how to find out more information. The project is also included on the City's Project Development Website.

A notice of this public hearing was mailed to all property owners and occupants within 300-feet of the proposed project. The Public Notice was also published in the *East Bay Times* and posted at several locations throughout the City. A copy of this Staff Report was provided to the Applicant. The Staff Report for this public hearing was also available on the City's website.

ATTACHMENTS:

1. Resolution Approving a Conditional Use Permit for a Minor Amendment to the Planned Development Zoning
2. Exhibit A to Attachment 1 - Development Standards
3. Resolution Approving a Site Development Review Permit for a 14,869 Square Foot Building
4. Exhibit A to Attachment 3 - Project Plans
5. Exhibit B to Attachment 3 - Conceptual Renderings of Outdoor Play Structures
6. Resolution Approving a Minor Use Permit for Shared Parking