

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: August 1, 2019

TO: Zoning Hearing Officer

FROM: Planning Staff

SUBJECT: Consideration of a Use Permit Renewal, pursuant to Section 6500 of the County Zoning Regulations, for the continued operation of a State-licensed, 100-child day care facility in the unincorporated Emerald Lake Hills area of San Mateo County.

County File Number: PLN 2001-00381
(Redwood Parents Nursery School/Margie Lawson)

PROPOSAL

The applicant is requesting a renewal of their use permit to allow the continued operation of a State-licensed day care facility for 100 preschool age children. The facility is housed in a building constructed and operated as a pre-school to serve the Emerald Lake Hills area in the early 1950s.

RECOMMENDATION

That the Zoning Hearing Officer approve the Use Permit Renewal (County File Number PLN 2001-00381) by making the required findings and adopting the conditions of approval listed in Attachment A.

BACKGROUND

Report Prepared By: Tiare Peña, Project Planner, Telephone 650/363-1850

Owners/Applicants: Redwood Parents Nursery School/Margie Lawson

Project Location: 3997 Jefferson Avenue, Redwood City

APN: 068-192-100

Zoning: R-H/DR (Residential Hillside/Design Review)

General Plan Designation: Institutional

Sphere-of-Influence: Redwood City

Existing Land Use: Nursery School

Water Supply: Redwood City Municipal Water District

Sewage Disposal: Emerald Heights Sewer Maintenance District

Flood Zone: FEMA Flood Zone C, area of minimal flooding, Community Panel No. 060311 0250 B, effective date July 5, 1984

Environmental Evaluation: Exempt under provisions of Section 15301, Class 1 of the California Environmental Quality Act, permitting of public or private facilities involving no expansion of use beyond that existing at the time of the lead agency's determination.

Setting: The site has functioned as a preschool since the 1950s, and is surrounded by single-family residences.

Chronology:

<u>Date</u>	<u>Action</u>
1950s	- Site utilized as a preschool for 25 preschool students.
March 1977	- Recordation of a Deed of Gift of real property from the Highlands Youth Incorporated, to the Redwood Parents Cooperative.
August 1987	- Use permit (formerly UP 87-3) approved.
July 1988	- Administrative review and inspection completed.
September 1992	- Use permit renewal approved.
August 1998	- Use permit renewal approved.
August 2001	- New file number (PLN 2001-0038) assigned.
September 2001	- Administrative review and inspection completed.
November 2005	- Use permit renewal approved.
November 2009	- Administrative review and inspection completed.
November 2012	- Zoning Hearing Officer public hearing on use permit renewal approved.

- November 2016 - Administrative review and inspection completed.
- August 2019 - Zoning Hearing Officer public hearing.

DISCUSSION

A. KEY ISSUES

1. Compliance with Conditions of Last Approval

All of the use permit's 2012 conditions of approval are assessed below with regard to compliance and if the conditions should be either retained or revised. Staff recommends that some conditions, as indicated, be dropped in instances where the condition: (1) has been complied with, or (2) is no longer deemed feasible or necessary by the responsible department.

Planning Department

1. This use permit shall be valid through November, 2019. If the applicant wishes to renew this use permit at that time, an application for renewal must be submitted at least six months prior to the expiration date. An administrative review of this permit shall be required in November 2015.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes, but modified to reflect new dates as follows: The use permit shall be valid for a period of seven years, ending August 1, 2026. Ongoing operation of the facility will be administratively reviewed at year three (2022) after the approval of this use permit.

2. The premises shall be maintained and the operation conducted in a manner that is safe, healthful and free from nuisance.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

3. Children's class periods shall not begin before 9:00 a.m., nor end later than 5:00 p.m.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

4. The maximum number of children per class shall be 25.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes, but modified to add a maximum of four class, maximum 100 kids.

5. The premises may be used for evening meetings or adult classes and shall be limited to two per week.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

6. The premises may be used for weekend children's parties and shall be limited to two weekends per month.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

7. Evening meetings or activities shall not extend beyond 10:00 p.m. on a regular basis. Should there be an event planned to extend beyond 10:00 p.m., the applicant shall notify residents within 100 feet of the property not less than 24 hours before the event by a means determined by the applicant. In no case shall an event extend beyond 12:00 midnight.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

8. The applicant shall place a chain barrier across the west exit of the parking lot during evening parties to encourage traffic flows onto Jefferson Avenue.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

9. The applicant shall clearly post the use permit conditions and rental agreement terms on the school property.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

10. The applicant shall designate a responsible liaison for contact by neighbors with complaints concerning noise and inappropriate behavior.

Compliance with Condition? Yes.

Recommend to Retain Condition? Yes.

2. Compliance with Required Use Permit Findings

Approval of the use permit renewal requires that the following findings be made:

- a. **That the granting of the use permit renewal to allow the continued operation of the day care/preschool, as described and as conditioned, will not result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the neighborhood.**

The daycare/preschool is not located in the Coastal Zone, so will not impact coastal resources. This use permit for the day care/preschool operation has been active since 1987. County staff has not received any complaints regarding the operation of this facility. Staff has inspected the site, reviewed the conditions of approval and has determined that the findings indicated above can be made to allow the continued operation of this day care/preschool facility.

B. REVIEWING AGENCIES

	Approve	Deny	Conditions
Building Inspection Section	X		None
Department of Public Works	X		None
Emerald Lake Homeowners Association	X		None
Woodside Fire Protection District	X		None

ATTACHMENTS

- A. Recommended Findings and Conditions of Approval
 B. Location Map
 C. Site Plan

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County of San Mateo
Planning and Building Department

RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN 2001-00381

Hearing Date: August 1, 2019

Prepared By: Tiare Peña

For Adoption By: Zoning Hearing Officer

RECOMMENDED FINDINGS

Regarding the Environmental Review, Find:

1. That the project is exempt under provisions of Section 15301, Class 1 of the California Environmental Quality Act, permitting of public or private facilities involving no expansion of use beyond that existing at the time of the lead agency's determination.

Regarding the Use Permit, Find:

2. That the granting of the use permit renewal to allow the continued operation of the day care/preschool, as described and as conditioned, will not result in a significant adverse impact to coastal resources or be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

RECOMMENDED CONDITIONS OF APPROVAL

Current Planning Section

1. This use permit shall be valid through November 2026. If the applicant wishes to renew this use permit at that time, an application for renewal must be submitted at least six months prior to the expiration date. An administrative review of this permit shall be required in November 2022.
2. The premises shall be maintained and the operation conducted in a manner that is safe, healthful and free from nuisance.
3. Children's class periods shall not begin before 9:00 a.m., nor end later than 5:00 p.m.
4. The maximum number of children per class shall be 25. The maximum number of classes shall be limited to 4.

5. The premises may be used for evening meetings or adult classes and shall be limited to two per week.
6. The premises may be used for weekend children's parties and shall be limited to two weekends per month.
7. Evening meetings or activities shall not extend beyond 10:00 p.m. on a regular basis. Should there be an event planned to extend beyond 10:00 p.m., the applicant shall notify residents within 100 feet of the property not less than 24 hours before the event by a means determined by the applicant. In no case shall an event extend beyond 12:00 midnight.
8. The applicant shall place a chain barrier across the west exit of the parking lot during evening parties to encourage traffic flows onto Jefferson Avenue.
9. The applicant shall clearly post the use permit conditions and rental agreement terms on the school property.
10. The applicant shall designate a responsible liaison for contact by neighbors with complaints concerning noise and inappropriate behavior.

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County of San Mateo - Planning and Building Department

ATTACHMENT B



VICINITY MAP

Project Site

068192100



San Mateo County Zoning Hearing Officer Meeting

Owner/Applicant: _____

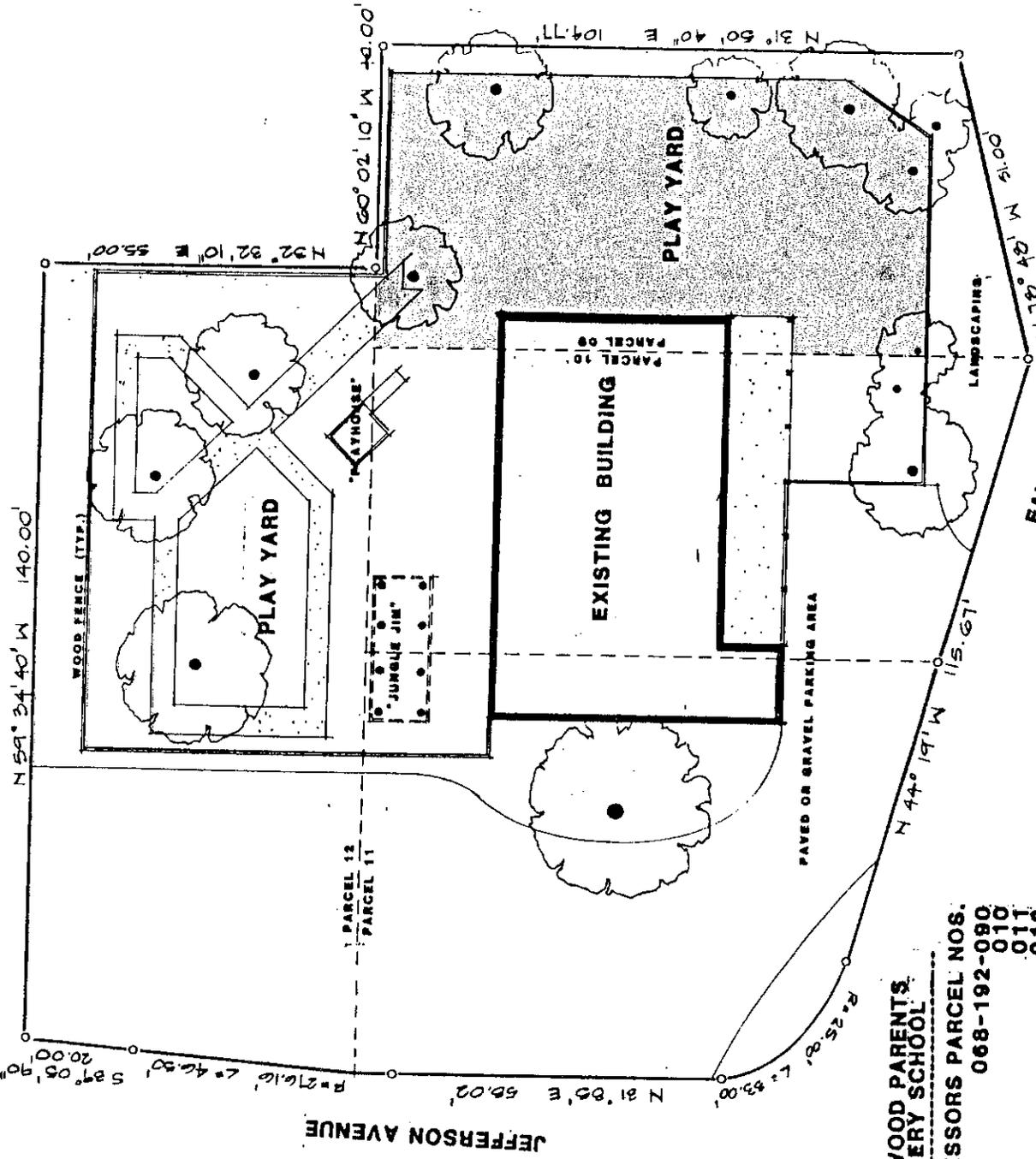
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File Numbers: _____



County of San Mateo - Planning and Building Department

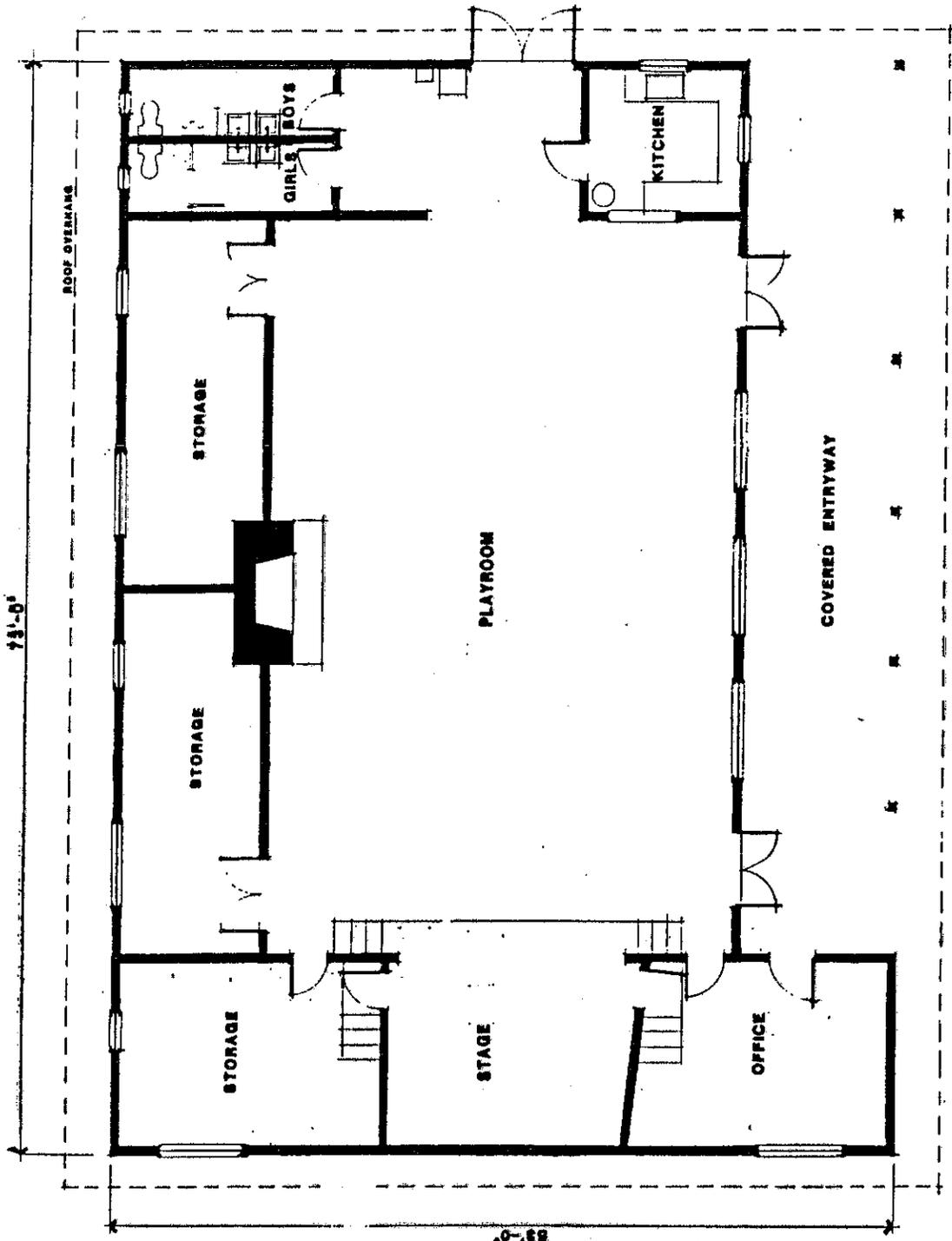
ATTACHMENT C



SITE PLAN

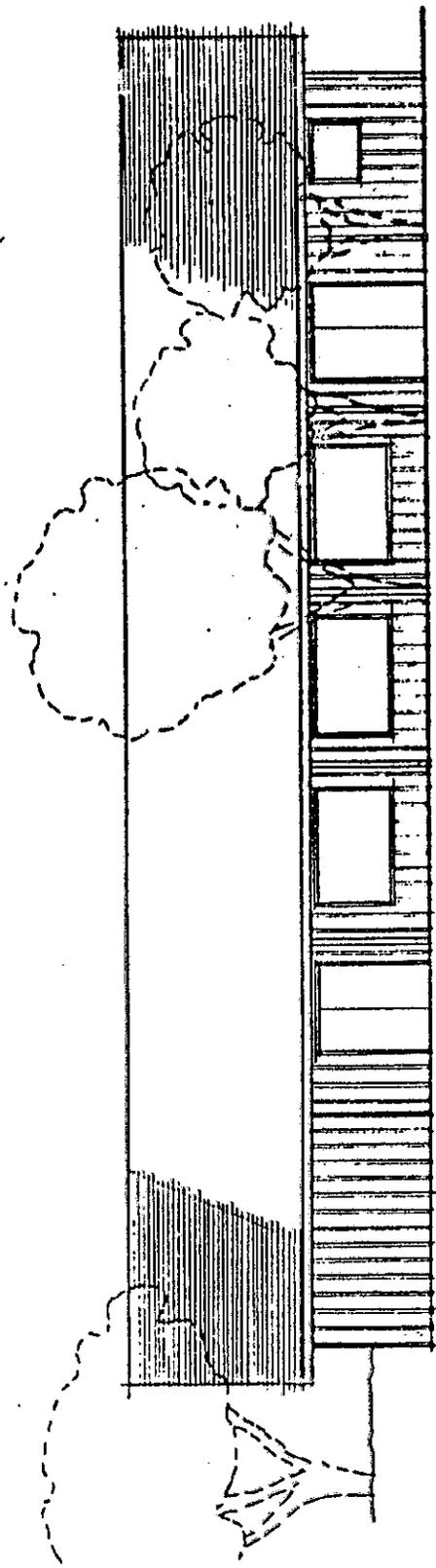
REDWOOD PARENTS
 NURSERY SCHOOL
 ASSESSORS PARCEL NOS.
 068-192-090
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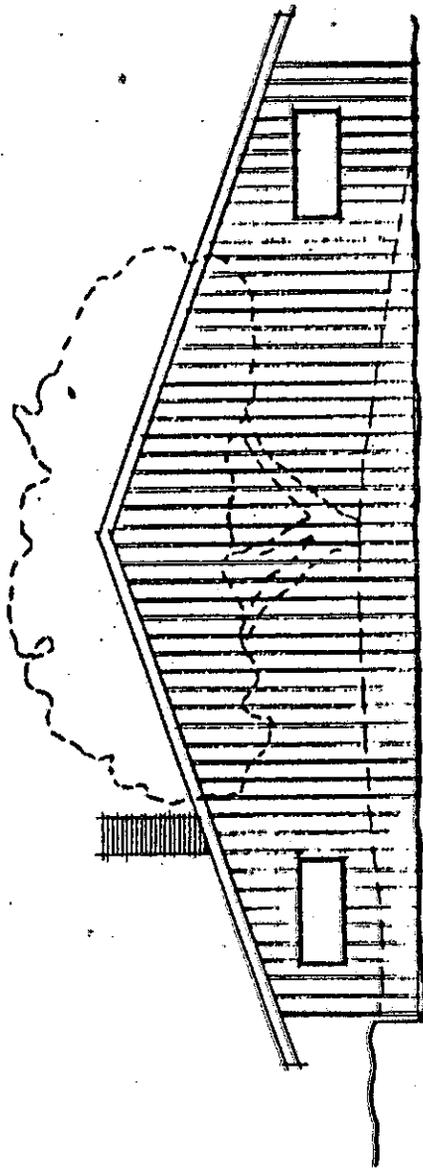


FLOOR PLAN

REDWOOD PARENTS
NURSERY SCHOOL



ELEV. FROM FALLEN LEAF WAY.



ELEV. FROM JEFFERSON AVENUE

REDWOOD PARENTS
NURSERY SCHOOL



ELEVATIONS

APPLICANT: _____

REQUEST: _____ NO. _____

LOCATION: _____

PRESENT ZONE: _____

SAN MATEO COUNTY PLANNING

MEETING OF - _____ 19__