

THE CITY OF



PLEASANTON.

June 6, 2014

Shilpa Parekh
4034 San Giorgio Court
Pleasanton, CA 94588

Subject: P14-0191, Large Family Daycare
Effective Date: June 24, 2014

Dear Mrs. Parekh:

The City of Pleasanton Planning Division has completed its review procedure for the proposed Conditional Use Permit for a large family daycare. In accordance with Section 18.124.210 of the Municipal Code of the City of Pleasanton, notice of your proposal was sent to your adjacent neighbors on May 20, 2014. Staff received nine emails (including one from Signature HOA), as well as three phone calls, all in opposition of your proposed large family daycare. Concerns ranged from lack of parking and loading areas, noise impacts with adjoining neighbors with common walls, lack of outdoor space as well as HOA liability concerns. As communicated to you previously in writing and during our phone conversation, staff has similar concerns and has determined that the proposed large family daycare does not meet the intent of the large family daycare homes Ordinance (P.M.C. 18.124.190-18.124.240). The City allows the conduct of those types of daycares which traditionally take place in residences and which do not create the potential for changing the residential character of the neighborhood or create adverse impacts on parking, noise and traffic. Staff believes that the operation of a large family daycare from the subject townhome would create adverse impacts on parking and noise and therefore is denied.

Staff has assessed the requirements for a large family daycare as outlined in Chapter 18.124.240(A-E) of the Pleasanton Municipal Code. Staff has provided the code wording and a brief discussion on the standards that staff believes have not been able to be met:

Parking Requirements: Parking spaces, including both off-street and on-street, shall be available for the actual parking demand created by the use, including the applicant's own vehicles, those of employees, and those of persons delivering and picking up children. On-street parking is available for the use if such spaces are within a reasonable distance of the home and can be reached safely from the home by children.

- The current facility has failed to provide viable, and non-guest space parking for the parents to use when dropping off and picking up their children. The fire lane along this section of San Giorgio Court has done little to discourage the patrons from parking there while loading, unloading, or transitioning children to and from their vehicles according to surrounding neighbors.
- The proposed drop-off and pick-up schedule (Attachment No.2) confirms that the only parking that can be reasonably offered to the patrons of the facility are those intended for the guests of the whole development. This raises concerns for the applicant's ability to provide on-site parking/loading zones and the use of property not owned by the applicant for the operations of their business.
- The proposed use of the guest parking does not meet the requirement that on-street (offsite parking) be within a reasonable distance of the home and is to be safely reachable from the home by a child. The guest

COMMUNITY DEVELOPMENT

P. O. BOX 520, Pleasanton, CA 94566-0802

Planning	Building & Safety	Engineering	Traffic	Inspection
200 Old Bernal Ave. (925) 931-5600 Fax: 931-5483	200 Old Bernal Ave. (925) 931-5300 Fax: 931-5478	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	200 Old Bernal Ave. (925) 931-5650 Fax: 931-5479	157 Main Street (925) 931-5680 Fax: 931-5484

spaces in question are located approximately 150 feet from the subject lot. The use of the guest spaces would require the patrons to cross three other townhome garages while walking in the street/drive aisle the entire time to reach the subject lot. Staff is also concerned about the safety of children walking to the facility as a result of the insufficient loading zone and convenient parking.

- The displacement of potential guest users, the enforceability of requiring the applicant to mandate the use of the guest spaces, the likelihood that these spaces would be used during poor weather conditions, and the additional impacts to the residences along the street from the guest spaces to the subject lot are still concerns that have not been addressed.

Noise Control: Large family daycare homes shall not create noise levels in excess of those allowed in single-family residential areas in the noise element of the general plan or in excess of those allowed in residential property by chapter 9.04 of this code. The zoning administrator may impose reasonable limits on the hours of operation of the large family daycare home in order to ensure that these limits are met.

- Multi-family residential property is restricted to sixty (60) dBA when measured from four feet from any wall (with doors and windows closed) as stated in Chapter 9.04.030 of the Pleasanton Municipal Code. A large family daycare home could conceivably generate additional noise that would affect surrounding homes when the children are engaging in outdoor and indoor playtime and not closely supervised. With the proposed expansion, the number of children enrolled at the home would be increased from the currently allowed children to a maximum requested of 10 children. Given that the residences are attached townhomes with shared walls, the proposed expansion may significantly impact the immediate neighbors.

Being that the concerns for public and child safety, including noise and parking, have not been addressed, staff believes that the proposed location is not viable or suitable for a large family daycare. Should you wish to appeal this decision to the Planning Commission, you must submit an application for appeal with a letter stating the basis for your appeal and the application fee in the amount of \$3.75. The appeal must be submitted to the Planning Division prior to the expiration of the appeal date (on or before June 24, 2014).

If you have any questions, please feel free to give me a call at (925) 931-5607.

Sincerely,



Jennifer Wallis
Associate Planner

c: Signature @ Hacienda HOA, Mike Utic P.O. Box 2657, Castro Valley, CA 94546