

Jennifer Wallis

From: [REDACTED]
Sent: Wednesday, June 18, 2014 9:38 PM
To: Jennifer Wallis
Subject: Photos from Jun 2014 Photo Stream

Jennifer, this photo is taken from my bedroom window showing the front door to the Day Care approximately 12 feet from my bedroom. I hear loud talking of parents and children being dropped off every day, sometimes the Day Care does not answer the door immediately. Unfortunately I hear the noise due to the proximity of my condo.

There is no way this Day Care should have 10 children in this community. Please DENY the appeal. Thank you.
Jean Dowling [REDACTED]





This photo is taken from my bedroom window showing the garage window where the children play approximately 10 feet from my bedroom.

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Jennifer Wallis

From: [REDACTED]
Sent: Wednesday, June 18, 2014 9:54 PM
To: Jennifer Wallis
Cc: [REDACTED]
Subject: Re: P14-0191 - Large Family Daycare Appeal

Jennifer,

The following articles will clearly support the denial of the Day Care application for 10 children in our community.

1. The owner uses the garage for the children, not to park their 3 cars.
2. There is no outdoor play space for 10 children.
3. 10 children in a garage with no heat or air conditioning is not healthy or safe for the children.
4. No business of any kind shall be permitted.

Please deny the appeal for a Day Care for 10 children. 6 is more than should be allowed in this small community.

Thank you,

Jean

Signature (Siena) at Hacienda Owners' Association

December 18, 2006

Articles of Incorporation, Bylaws of the Association and Declaration of Restrictions

4.7 GARAGES GENERALLY

Unless otherwise provided for in the Rules, garage doors shall remain closed, except when a vehicle is entering or leaving the garage. Garages shall be kept sufficiently clear so as to permit parking of the number of vehicles for which the garage was designed. No vehicle may be parked anywhere else on the Project other than the garage of the residence in which the vehicle owner lives unless that garage has parked within it the number of vehicles for which it was designed.

4.8.3 USES

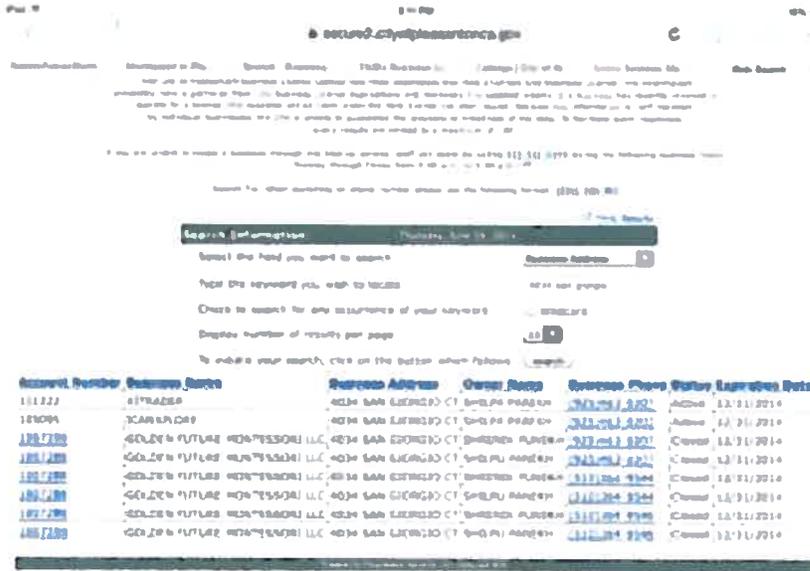
No Garage may be used for any type of commercial activity.

4.28 USE AND OCCUPANCY OF RESIDENCES

Each Residence shall be used solely for residential purposes. Except for uses within Residences permitted by local ordinances, no business of any kind shall be established, maintained, operated, permitted or constructed in any portion of the Project. No Residence shall be occupied by more persons than are permitted by law. No Owner may permit or cause anything to be done or kept upon or in a Lot which might obstruct or interfere with the rights of other Owners or which would be noxious, harmful or unreasonably offensive to other Owners. Each Owner shall comply with all of the requirements of all federal, state and local governmental authorities, and all laws, ordinances, rules and regulations applicable to the Owner's Lot.

Dear Jennifer and Mike,

We researched the Golden Future Montessori Daycare and are not able to find a current business license with Alamada County and the City of Pleasanton. In addition, it says on their website <http://www.goldenfuturemontessori.com/home/faq.html> that the business was established in 2007. How can this be since they are now trying to apply for zoning?



When Golden Future Montessori LLC was established in 2007 in California USA, having learned from the California State Government

What is Golden Future Montessori?

Our private professional Montessori centers for children of our city in California are based on Montessori's research and concepts and were Golden Future Montessori is designed for children between the ages of 2 years to 6 years. Based on Dr. Maria Montessori's philosophy and after programs created to nurture the physical, social, cognitive and emotional development of each child.

Golden Future Montessori LLC is the only professional

The Golden Future Montessori LLC is beyond typical the care of preschool programs and based on Dr.

The Siena HOA Rules for Residents' Business Use of Residence require that not only the business owner must obtain approval from local, state, or federal governmental agencies (section 2), it also states that the home office or home business must not have employees working in the residence (section 9).

Mrs. Parekh is actually mentioning in her appeal letter that her employee/helper does not utilize any parking spots but is walking from the community.

RULES FOR RESIDENTS' BUSINESS USE OF RESIDENCE

Residents who use their residence for running home offices or businesses must adhere to the following rules:

1. The Resident must not conduct any illegal activity or business inside the residence, including, but not limited to, gambling, the sale and consumption of drugs, the sale of guns, or the sale or creation of pornographic material.
2. The home office or home business must be consistent with the residential nature of the Community.
3. The Resident must obtain any required approvals for the business use from the appropriate local, state, or federal governmental agency.
4. The home office or home business must not place an undue burden on any of the Community's common areas.
5. The home office or home business must not create noise, vibrations, glare, fumes, odors, or electrical or electronic interference detectable by neighbors.
6. The Resident must not put up displays or signs indicating that the residence is being used as something other than a residence.
7. The home office or home business must not generate significant traffic, foot or vehicular or parking usage (as determined by Management) by clients, customers, delivery services, or others.
8. The Resident must not store, park, or otherwise keep equipment or other items related to the business outside the Resident's residence or in any common area.
9. The home office or home business must not have employees working in the residence, other than members of the Resident's family who also reside in the residence.
10. The business use must not involve the use, storage, or disposal of any grouping or classification of materials that are designated as a hazardous material under federal, state, or local law.
11. The business use must be subordinate to the use of the residence as a residence and must not need external modifications that detract from the residential appearance of the residence. All external modifications, shall require the prior consent of Management.

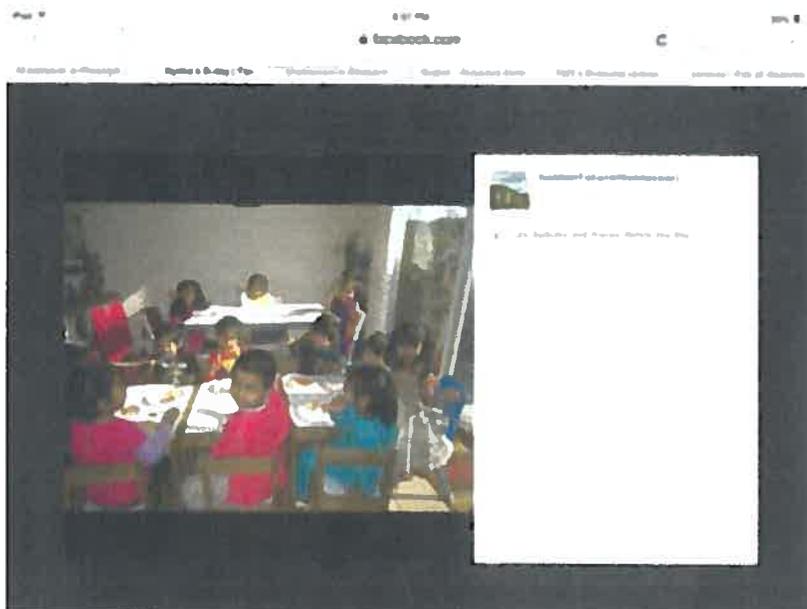
Mrs. Parekh brings up several arguments in her appeal. We found the contrary on the Golden Future Montessori Facebook page <https://www.facebook.com/GoldenFutureMontessori?ref=photo>

Outdoor space:

Mrs. Parekh mentions in her appeal letter that 3 children at a time are using the outdoor space. We are counting 7 children in the picture below taken from the Golden Future Facebook site.

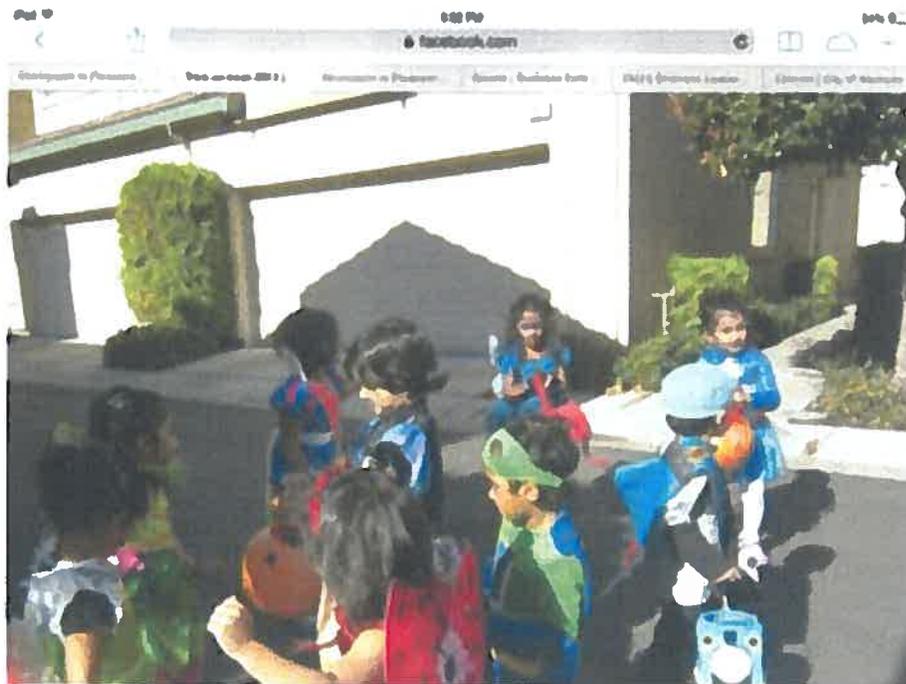
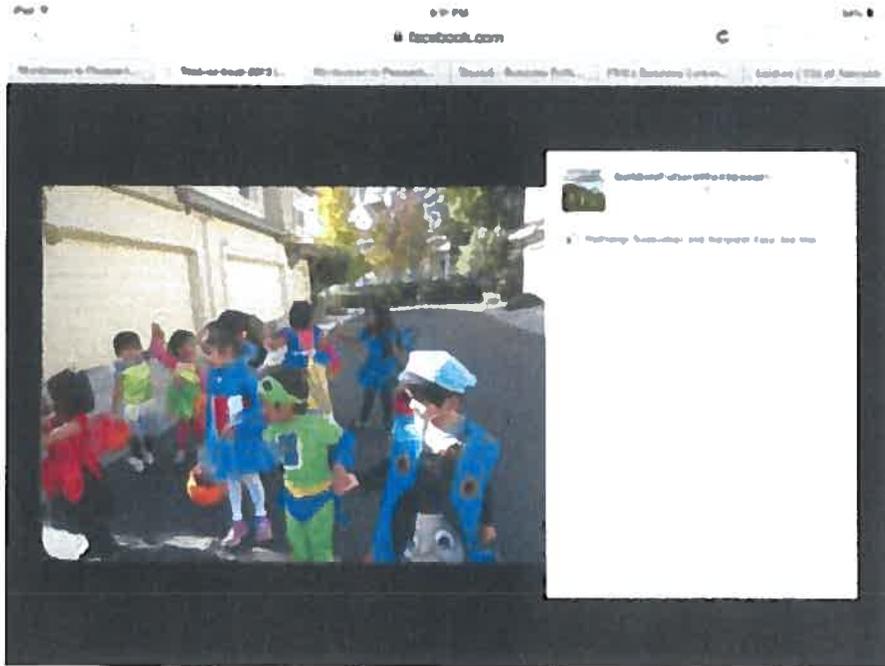


Other photos show more than 10 children in the facility:



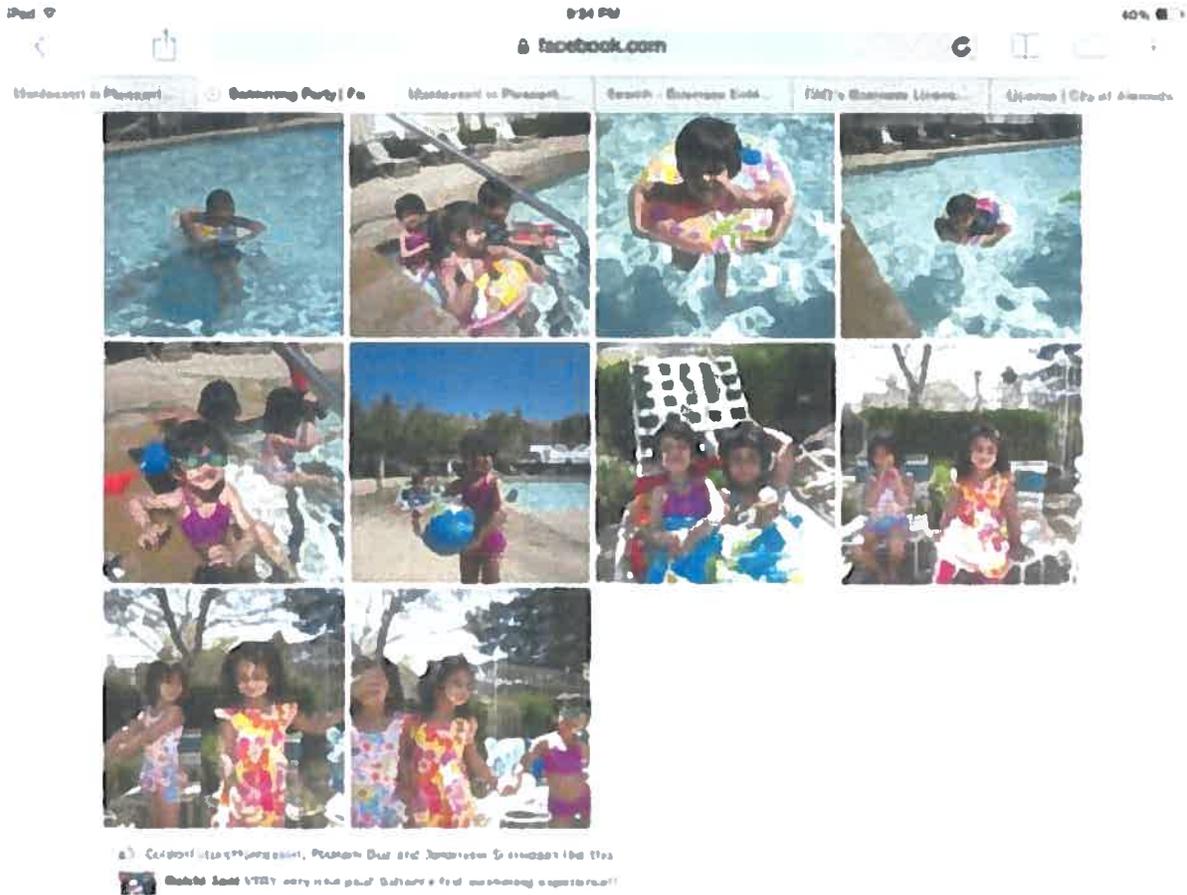
Child Safety:

Here are kids in the driveway that does not offer a safe sidewalk to enter the facility.

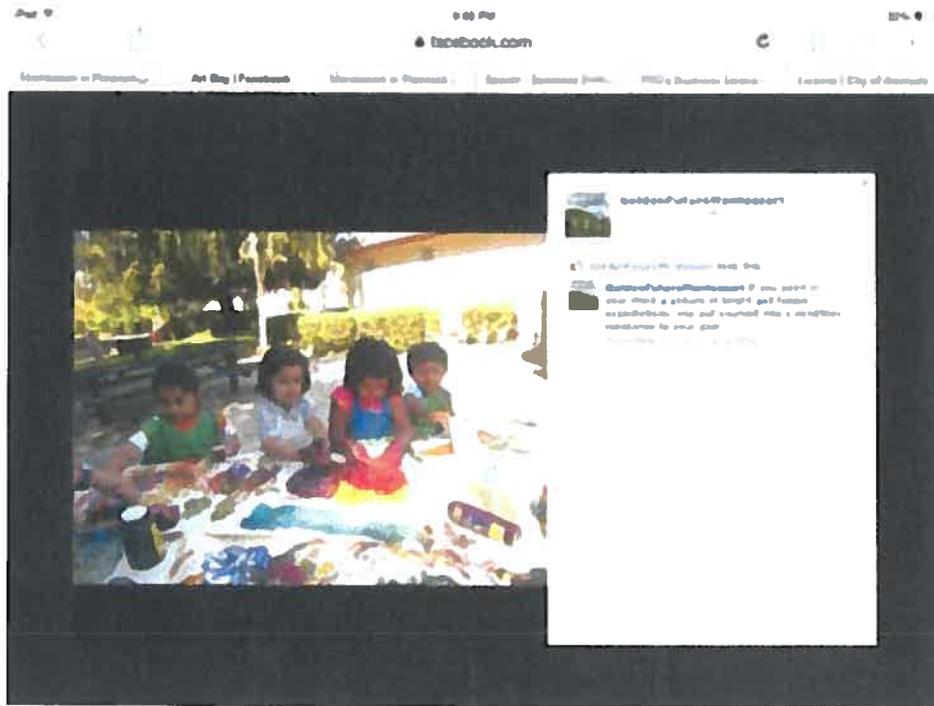


The HOA Rules permit each resident to bring 2 guests to the pool area.

The daycare is actually using the common areas which not only is against the above mentioned rule, but is also a major liability for residents and the HOA.



The children are also utilizing common areas that are part of the Valencia HOA.



In addition to all the issues mentioned above, we also noticed 2 other businesses registered to the same address and same owner, Shilpa Parekh, a total of 3 businesses running out of one residence. Have all the businesses been approved by the HOA?
<http://www.icanxplore.com> and <http://xitrader.com>

secure2.cityofpleasantonca.gov

Search Information: Thursday, June 11, 2014

Select the field you want to search: Business Address

Type the keywords you wish to locate: 4034 SAN GEORGIO

Click to search for any occurrence of your keywords: ALL

Display number of results per page: 10

To refine your search, click on the button which follows: search

Account Number	Business Name	Business Address	Owner Name	Business License	Status	Expiration Date
111772	XITRADER	4034 SAN GEORGIO CT	SHILPA PAREKH	0230469-3207	Active	12/31/2014
185095	ICANXPLOE	4034 SAN GEORGIO CT	SHILPA PAREKH	0230469-3207	Active	12/31/2014
1867288	GOLDEN FUTURE MONTESSORI LLC	4034 SAN GEORGIO CT	SHREENI PUNEK	0230469-3207	Closed	12/31/2014
1867289	GOLDEN FUTURE MONTESSORI LLC	4034 SAN GEORGIO CT	SHILPA PAREKH	0230469-3207	Closed	12/31/2014
1867290	GOLDEN FUTURE MONTESSORI LLC	4034 SAN GEORGIO CT	SHREENI PUNEK	0230469-3207	Closed	12/31/2014
1867291	GOLDEN FUTURE MONTESSORI LLC	4034 SAN GEORGIO CT	SHILPA PAREKH	0230469-3207	Closed	12/31/2014
1867292	GOLDEN FUTURE MONTESSORI LLC	4034 SAN GEORGIO CT	SHREENI PUNEK	0230469-3207	Closed	12/31/2014

We find the appeal to be contrary to the evidence and facts. We hope to see a swift decision reached by the city and hope to see enforcement of violations dealt with in a timely manner.

Sincerely,

Cherith Tsukada
Wolfgang Timm
Siena Homeowner



Jennifer Wallis

From: [REDACTED]
Sent: Friday, June 20, 2014 6:43 PM
To: Jennifer Wallis; Jean
Cc: [REDACTED]
Subject: Re: P14-0191 - Large Family Daycare Appeal

Jennifer,

I have been in this community for the past four years, and it is the only one I have ever seen grant a daycare licence in a townhome / condo community.

The day care poses a hazard with the additional vehicular traffic in the neighborhood, in with children entering and exiting the house on an almost continous basis through out the day.

I concur with my neighbor Jean, and do not wish to see a licence granted. Furthermore, I am prepared to file an injunction to prevent the process and take further legal action if the city grants this permit.

Regards,

Ben Heine

Jennifer Wallis

From: [REDACTED]
Sent: Thursday, June 26, 2014 8:07 AM
To: Jennifer Wallis
Subject: Daycare Appeal

Hello Jennifer –

I have received more objections from homeowners to the proposed daycare expansion on San Giorgio Ct.

There is considerable concern about liability exposure from neighbors should an incident occur at the daycare or related to the daycare, since the facility operates on shared community property (homeowners association). As noted earlier, the homeowners at this development share interest in the common area property, which includes the streets, sidewalks, parking and landscaped areas.

There are additional concerns about the potential adverse effect (real or imagined) that a larger daycare would have on property values, should a potential buyer or seller have objections to the daycare.

Thank you,

Mike

Mike Utic
Walsh Property Management



Jennifer Wallis

From: [REDACTED]
Sent: Saturday, June 28, 2014 2:46 PM
To: Jennifer Wallis
Subject: P14-0191, SHILPA PAREKH

Dear Ms. Wallis,

We wish to state our support for the Zoning Administrator's denial of a Conditional Use Permit to operate a daycare center in our Siena complex.

Our primary concern is that of the additional noise and traffic that will be brought into our complex.

We kindly request that the appeal be rejected. Thanks.

Best Regards,
Dan & Chris Poulin

[REDACTED]

sent from my trusty old Toshiba Satellite laptop...

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Jennifer Wallis

From: [REDACTED]
Sent: Sunday, June 29, 2014 3:19 PM
To: Jennifer Wallis
Subject: p14-0191 Shilpa parekh

I wanted to strongly object to any approval of this appeal. I have lived in the Hacendia Business Park since 1995. I bought this house with the understanding this was a residential neighborhood that would not allow businesses. Also given the exact location of this site I see how there would be a traffic impact given the lack of driveways. I can not more strongly urge a NO vote on this

Ernie Manzo

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Jennifer Wallis

From: [REDACTED]
Sent: Sunday, June 29, 2014 10:57 AM
To: Jennifer Wallis
Cc: [REDACTED]
Subject: Zoning Permit Appeal for 4034 San Georgio Court

Dear Ms Wallis,

I am writing in regards to the request for the permit to operate a large family daycare at 4034 San Georgio Court. I have been a resident of this community for over 18 years and have seen a lot of changes but I am against a large daycare facility in our neighborhood. Siena is not designed for businesses such as this. I have the same floor plan and I can't image having 10 kids in my small living space 8-10 hours a day. We have other daycares in this community and we have had problems with the caretaker letting the children run loose as I have had to stop several times and wait for them to round up 3 or 4 toddlers out of the street I live on so that I may proceed to my house. Complexes such as this should not be zoned for businesses because of safety and traffic congestion.

Thank you from a concerned citizen.

Sincerely,
Rebecca Stuckey
[REDACTED]

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Jennifer Wallis

From: [REDACTED]
Sent: Monday, June 30, 2014 6:07 PM
To: Jennifer Wallis
Subject: P14-0191, Shilpa Parekh

Jennifer,

As I will not be able to attend this meeting in person, due to overseas travel.

With respect to the appeal of the Zoning Administrators Denial of a Conditional Use Permit at 4034 San Giorgio Court. While I have not had time to check the relevant zoning codes for our local, my attorney has advised me that this is typically not permitted in PUD-HDR zones. As homeowners, we are always concerned about property values here in our community. I, like many others in our community feel that granting of such a permit, will have a negative impact on our community, and our home values. In addition to the potential negative impact to home values, there are concerns regarding public safety, traffic, noise, and damage to common property.

While it is laudable that Shilpa Parekh has such a keen desire to run a daycare center, this can be accomplished in many other ways. She can partner with a multitude of daycare centers in the region, which are located in appropriated zoned areas, or even seek a building for her own daycare center, or even stay with the small size she has currently, provided she can demonstrate that she adheres to the basic CC&R's of the community, and does not create a public nuisance.

As mentioned in my earlier communication, I have retained legal council, and am prepared to defend against the approval of 4034 as a large family daycare. Thank you for having the wisdom to deny this permit in the first play, and I trust that the same level heads will prevail.

Kindest Regards,

Benjamin P. Hane

[REDACTED]

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** Save a tree. Please don't print this e-mail unless needed.

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Jennifer Wallis

From: [REDACTED]
Sent: Tuesday, July 01, 2014 8:57 AM
To: Jennifer Wallis
Subject: P14-0191,Shilpa Parekh

Hello ,

My name is Jacqueline and I am following up by email on our conversation yesterday about the above mentioned operation of large family daycare. I do not think this is a good idea in such a small area as these Complexes. The Children will not have adequate safety with the vicinity of each dwelling being close together. I also know that there are specific parking spots for visitors and it would be in violation with red zoning to park in front of the persons curb side of garage. I work for Stay N Play daycare one day a week in Pleasanton at a home .Parents pick up there children and stay to talk about there day and progress of there children. It would not be conducive to the children or parents to have a family day care at 4034 San Giorgio Court. I live on Zevanove Ct in the same complex. I hope this letter helps any further assistance feel free to call me at [REDACTED] Jacqueline

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