



Community Development Department | Planning Division
 200 Old Bernal Avenue | P.O. Box 520, Pleasanton, CA 94566
 925-931-5600 | pod@cityofpleasantonca.gov
 www.cityofpleasantonca.gov

2019 APPLICATION FOR DEVELOPMENT REVIEW

Application No(s): P18-0314

Date Filed: 02/15/19

I. CHECK TYPE OF APPLICATION(S):

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> Administrative Design Review (\$271) <input checked="" type="checkbox"/> Appeal (of Case <u>P18-0314</u>) (\$271) <input type="checkbox"/> Beekeping (\$162) <input type="checkbox"/> Condominium Conversion (\$2,997) <u>Design Review</u> <ul style="list-style-type: none"> <input type="checkbox"/> Minor (up to \$25,000 value) (\$271) <input type="checkbox"/> Major (over \$25,000 value) (\$1,792) <u>Environmental (CEQA) Fees</u> Document Preparation <ul style="list-style-type: none"> <input type="checkbox"/> Staff review of Consultant Work (25% of consultant costs) Filing Fees <ul style="list-style-type: none"> <input type="checkbox"/> EIR (\$3,099.81) <input type="checkbox"/> Negative Declaration (\$2,216.25) <input type="checkbox"/> County Clerk Processing Fee (\$50) <input type="checkbox"/> General Plan Amendment (\$16,150) <input type="checkbox"/> Growth Management (\$868) <u>Home Occupation/Cottage Foods</u> <ul style="list-style-type: none"> <input type="checkbox"/> Non-exempt – no hearing (\$108) <input type="checkbox"/> Non-exempt – with hearing (\$271) <input type="checkbox"/> Lot-Line Adjustment (\$467) | <ul style="list-style-type: none"> <input type="checkbox"/> Outdoor Dining/Display (\$152) <input type="checkbox"/> Over-height Fence Permit (\$27) <u>Preliminary Review</u> <ul style="list-style-type: none"> <input type="checkbox"/> No Hearing (\$0) <input type="checkbox"/> With Hearing (\$1,574) <u>PUD (Planned Unit Development)</u> Residential <ul style="list-style-type: none"> <input type="checkbox"/> 1 unit (\$3,258) <input type="checkbox"/> 2-5 units (\$8,145) <input type="checkbox"/> 6-15 units (\$16,291) <input type="checkbox"/> 16+ units (\$21,721) Commercial <ul style="list-style-type: none"> <input type="checkbox"/> 0-20,000 sq ft (\$3,258) <input type="checkbox"/> 20,001-60,000 sq ft (\$8,145) <input type="checkbox"/> 60,001-100,000 sq ft (\$16,291) <input type="checkbox"/> 100,001+ sq ft (\$21,721) <u>PUD Modifications</u> <ul style="list-style-type: none"> <input type="checkbox"/> Minor Modification – existing residential development (\$108) <input type="checkbox"/> Minor Modification (\$543) <input type="checkbox"/> Major Modification (\$2,172) | <ul style="list-style-type: none"> <input type="checkbox"/> Reasonable Accommodation (\$27) <u>Rezoning</u> <ul style="list-style-type: none"> <input type="checkbox"/> without PUD (\$13,348) <input type="checkbox"/> with PUD application (\$2,172) <input type="checkbox"/> Sign Design Review (\$380) <input type="checkbox"/> Specific Plan/Specific Plan Amendment (25% of consultant costs – min. \$2,172) <u>Subdivision Map</u> <ul style="list-style-type: none"> <input type="checkbox"/> Tentative Tract Map (\$5039) <input type="checkbox"/> Minor Subdivision (\$543) <u>Use Permits</u> <ul style="list-style-type: none"> <input type="checkbox"/> Conditional (\$814) <input type="checkbox"/> Minor Conditional (\$814) <input type="checkbox"/> Large Family Daycare (\$1,086) <input type="checkbox"/> Pets (other than cats & dogs) (\$217) <input type="checkbox"/> Temporary Conditional (\$152) <input type="checkbox"/> Administrative Temporary (\$27) <u>Variance</u> <ul style="list-style-type: none"> <input type="checkbox"/> General (\$2,454) <input type="checkbox"/> Developed Residential Lot (\$543) <input type="checkbox"/> Other _____ |
|--|---|--|

II. GENERAL DATA REQUIRED

- A. Name of Applicant (Please Print): Rocio Arango
- B. Address or Location of Property: 3149 Chardonnay Dr.
- C. Assessor's Parcel Number(s): _____
- D. Site Area (acres/sq. ft.): _____
- E. Current Zoning: R-1-65 F. Proposed Zoning: _____
- G. Existing Use of Property: Residential
- H. Description of Proposal: Expansion to a Large Family Daycare

(continue on separate sheet if necessary)

(Refer to the appropriate "Informational Handouts" for required submittal information that must accompany this application.)

(continued on reverse)

III. AUTHORIZATION OF PROPERTY OWNER AND OWNERS ASSOCIATION

J. PROPERTY OWNER: In signing this application, I, as property owner, have full legal capacity to, and hereby do, authorize the filing of this application. I understand that conditions of approval are binding and agree to be bound by those conditions, subject only to the right to object at the hearings or during the appeal period. I certify that the information and exhibits submitted are true and correct.

Name (Pls. Print): _____ Daytime Telephone: _____
Company: _____ Other Telephone: _____
Address: _____ Fax: _____
City: _____ Zip: _____ E-mail: _____
Signature: _____ Date: _____

K. OWNERS ASSOCIATION: Is the property subject to the rules or guidelines of a homeowners association (HOA) or a business owners association?

Yes No

If yes, did the proposed project receive approval from the HOA/business owners association?

Yes No The HOA/business owners association does not review any proposed construction projects or use changes
**If yes, please attach a copy of the HOA response.*

Association Contact (Pls. Print): _____ Daytime Telephone: _____
Association Name: _____ Other Telephone: _____
Address: _____ Fax: _____
City: _____ Zip: _____ E-mail: _____

L. APPLICANT OTHER THAN PROPERTY OWNER: In signing this application, I, as applicant, represent to have obtained authorization from the property owner to file this application. I agree to be bound by conditions of approval, subject only to the right to object at the hearings on the application or during the appeal period. If this application has not been signed by the property owner, I have attached separate documentation of full legal capacity to file the application. I certify that the information and exhibits submitted are true and correct.

Name (Pls. Print): Joshua Brysk Daytime Telephone: [REDACTED]
Company: _____ Other Telephone: /
Address: [REDACTED] Chardamey Dr. Fax: /
City: Pleasanton Ca Zip: 94566 E-mail: [REDACTED]
Signature: [Signature] Date: 2/15/19

M. NOTE ANY OTHER PARTY(IES) WHO SHOULD RECEIVE STAFF REPORTS AND NOTICE OF APPLICATION ON A SEPARATE SHEET AND ATTACH TO APPLICATION.

IV. SCHOOL FEE AGREEMENT (If a residential project, answer the question below)

Have you signed a School Fee Agreement with the Pleasanton Unified School District?

Yes No

If yes, please attach a copy of the signed agreement.

RECEIVED

FEB 15 2018

CITY OF PLEASANTON
PLANNING DIVISION

P18-0314
Applicant: Rocio Arango
3149 Chardonnay Dr.
Conditional Use Permit

NARRATIVE FOR APPEAL OF ZONING ADMINISTRATOR DECISION

This appeal is based on the Zoning Administrator's misapplication of the law and misinterpretation of the facts relevant to the application. The Zoning Administrator stated that the scope of review is "narrow" and refused to consider the numerous impacts that the planned expansion of the daycare into a large family daycare will have on the surrounding residents and owners. Numerous questions concerning the safety, traffic and noise impacts were raised by written submissions, a petition by the residents, and comments at the hearing. None of these were addressed by the Zoning Administrator—instead it was incorrectly opined that it is the responsibility of the State's Community Care Licensing Division (CCLD) to measure and consider the impacts to the community. CCLD actually defers to the city to determine the appropriateness of condition use permit approval and the conditions considering the impacts to the surrounds. CCLD limits its scope to the confines of the daycare and the treatment of the children by the applicant.

The Zoning Administrator has abdicated her responsibility to review the application and consider the appropriateness of locating a large family daycare on a no outlet street with limited access and parking. For example, I attach my initial e-mail with preliminary issues addressed. Additionally, subsequent to the application, someone illegally placed traffic monitors on the street in the vicinity of the applicant's house and the Zoning Administrator and staff had them removed. At and after the hearing, staff indicated that they were going to investigate the matter. I specifically requested that a signed statement under penalty of perjury confirming that the applicant and owner were not involved in this illegal action be a condition of approval. My neighbors and I are concerned that if the applicant and/or owner harbor an attitude of illegality, any conditions of approval will be made meaningless by the brazenness of scofflaws or the inability of the good and faithful authorities of the city to enforce them.



Joshua Brysk <[REDACTED]>

Conditional Use Permit Application (P18-0314)

1 message

Joshua D. Brysk <[REDACTED]>
To: jsoo@cityofpleasantonca.gov

Sun, Nov 25, 2018 at 7:55 PM

I have lived at 3174 Chardonnay Dr., Pleasanton for over 15 years. I am writing to provide comment on the referenced application to operate a Large Family Daycare. My house is caddy-corner to the applicant and we have already been affected by the smaller daycare since the applicant moved in. Cars dropping off and picking up have parked across driveways and we have noticed the increased traffic. I request that a hearing be scheduled and adequate notice be given, unless the application is denied without a hearing. Here are my concerns:

1. Procedural.

I received your notice card on November 19, 2018, requesting comments by November 26, 2018. This gives only one short week, vacation for many, as notice. The comment period should be extended with a renewed notice inviting comments from those neighbors who were not at home and did not have an opportunity to submit comments.

2. Narrative for Proposed Facility

The narrative is vague in many respects (operating hours, drop-off and pick-up schedule, numbers of children) and obscures the true nature of the planned operation. The licensee is Rocio Arango, but the business is run as an LLC (Amigos Childcare services, LLC). This is a decidedly commercial venture proposed on a no outlet residential block zoned residential (R-1-65). The narrative states 5 Jay Court was not appropriate for increased capacity due to access. 5 Jay Court had better access through Ray Street than Chardonnay Dr. does. 5 Jay Court also had more bathrooms and was 1,973 sq. ft. versus the 1,549 sq. ft. at Chardonnay Dr.

The numbers of children appear to be up to 20 (6 pre-school all day, 6 morning pre-school, 6 afternoon "TK & K" and 1-2 elementary afternoon). Twenty students is a huge impact and would appear to be beyond the license proposed for fourteen. Staggering the times as proposed does not ameliorate the impact to neighbors and only spreads it throughout a broader time frame.

Listing the lot size is deceptive because a large portion of the yard is unusable due to its slope. The entire house will be used for care children, but the house is also used by the family children--it is unclear how the space will be shared. It is stated that some pick up services will be offered, that the proprietors will use the garage for their vehicles, but also that the garage is off-limits to children.

3. Traffic

Sauterne is a one-way street, so that there is only one exit path for the clients of this business. In the past, we have had an issue with cut-through traffic (before Sauterne was one-way). There appear to be 20 client-children (forty daily trips) being added to our small no outlet street. I expect many of the cars will park on the street to drop off, then continue in the same direction where they will have to make a u-turn to come back and exit. Potentially, I see 80 passes by my house.

4. Safety

Emergency vehicle access was a concern for the City. My understanding is that after consultation with the fire department, Sauterne has been left one-way with no planters to assure emergency egress. If an emergency evacuation were needed the applicant's plan involves "an extensive emergency bin." My concern would be how would 14-20 children (many pre-ambulatory) be brought to safety without a sufficient number of vehicles, adult drivers and caretakers, car seats and egress points.

Within 3/4 mile, Megan's law database lists four registrants. Within a block is a former drug house which the City Attorney fought hard to clean up [the status of this property needs to be verified as I understand the use restrictions were temporary and may be lifted].

As you can see, there is a lot to be reviewed and investigated in a variety of areas before the application should even be considered. Regardless, this is just the wrong place for a high capacity daycare business to operate. We have Little Flowers Montessori and Genius Kids programs to serve the neighborhood appropriately located in commercial space.

If the application is denied or withdrawn, please let me know.

Josh

2/15/2019

Gmail - Conditional Use Permit Application (P18-0314)

Joshua Brysk
[REDACTED] Chardonay Dr.

City of Pleasanton
Community Development Department
Planning Division
200 Old Bernal Ave
Pleasanton, CA. 94566

P18-0314
RECEIVED
NOV 03 2018
CITY OF PLEASANTON
PLANNING DIVISION
EXHIBIT B

November 1st, 2018

To: Whom It May Concern:

Please accept this letter as proposal for Large Family Day Care .

Arango Family Day Care, DBA: Amigos Child Care Services, LLC, has been providing a Spanish Immersion program to its participants at 5 Jay Court. The program has been operating since 2011 under state license for as a small family day care. I am currently renting a home that may allow me to increase capacity from small to large family day care.

The location is at 3149 Chardonnay Dr. It is a single-family home, one floor, 4 bedroom/2 bathroom, two car garage with driveway, nice backyard and good space for the set up of a day care. 1,549 SQF home in a 8,125 lot. The landlord is aware of my intention of having a large family day care at their home. As per my visit to your office, there are no other family daycare providers in the vicinity.

In the home I will live with my children. We have resided at our home at 5 Jay Court for 12 years. We moved to Pleasanton because of its Dual Immersion Program. The Jay Court home is not look promising to increase capacity because of its location on a small court.

Hours of Operation and Ages:

The hours of operation are from 7 a.m. – 6 p.m. with a drop off and pick up time of children scattered throughout the day, serving students who are 2.5 years of age until 12 years old.

About 6 preschool age students will be here all day, arriving any time after 7 a.m. and departing any time before 6 pm.

In addition, about 6 students will be participating in the morning preschool program which runs between 8:00 a.m. to 12:30 noon. Parents drop off from 8:00 – 8:30 am and pick up between 12:00 -12:30 noon.

During the afternoon TK & K program we offer pick up at Valley View elementary at noon time and provide after school day care services. Students depart at different times between the hours of 3:45 p.m. to 6 p.m. About 6 students may take this program as that is the car capacity.

Elementary school students may be pick up at Valley View at 2:50 p.m. and brought back to the day care for a pick up before 6 pm. Please note that this service will only be offered to siblings of full day care program and may be a student or two.

Parking:

Two Parents' cars should be able to park in the driveway for drop off and pick up times. All parents and children are to treat the driveway as a parking lot. Children must always hold on to their parent's hand and it is not a play area. Staggered schedule must be followed by parents to easy traffic and impact to the neighbors at the same time allowing me to welcome and explain to parents at least one thing about our day.

A full time assistant and I should be able park inside the garage. A part time assistance might come around noon time to allow for lunch breaks and may park on the street if she/he has a car.

Outside Play Time:

The outside time is to be split into two groups. The younger children and the older children, allowing to provide more appropriate activities according to age and helping with the noise level management. The home does not have back neighbors. The use of nice voices is encouraged at all times and to avoid conflict, we keep our bodies to ourselves and be kind to friends!

Outdoor play time for preschool program is around 10 - 10:25 am. younger group and 10:25 - 10:50 older group. Outdoor Play time in the afternoon is at 4 p.m.

Inside Time:

During our inside time, we have a routine that is fast paced and keeps the children engage. Lots of didactive materials are use through out the day, Handwriting with out Tears and Hampton Brown Phonetic system are part of our curriculum in preparation to Kindergarten and fun circle and movement times.

Off limits area:

- Two car garage area is off limits to children
- Area pass the back fence, towards the back of the home which drops down to back street

Safety:

Taking care of children, Safety is a number one priority. Always following Community Care Licensing Regulations plus a bunch more precaution one learns to implement after years of experience. Children are never unattended, nothing dangerous is accessible to children and furniture is secured. There is also an extensive emergency bin that can be carried out with us should we need to evacuate.

Neighbors:

I am meeting neighbors just about every day and look forward to introducing myself and explained to them about my family daycare and will give them heads up about a mailing from the city on the matter.

I look forward to hearing from you and will gladly answer any questions you might have. I am aware that the process will also be required fire clearance and community care licensing permission.

Thank you in advance for considering my request. I hope you allow me to continue to be of service to the community here in Pleasanton. The preschool & Kinder program are in high demand and it feeds into the Valley View Spanish Immersion Program.

Attached you will find

- Landor's permission
- Themes for current school year
- Schedule of daily schedule activities
- Floor Plan
- Prove of Insurance as a provider – to be transfer to new location upon movement
- Renter's insurance declaration
- Pictures of 3149 Chardonnay current set up and play structures and sand box to come
- Community Care Licensing Permit for current location

Appreciate your time in the matter.

Sincerely,

Rocio Arango

Currently: Arango Family Day Care Lic 013420782 / DBA: Amigos Child Care Services & City License #111210. Please note license number will change at the Chardonnay location.

Temas 2018-2019

Agosto – August

Mi escuela My School

Septiembre - September

Familia y mascotas Family and pets

Octubre – October

Arboles, hojas y calabazas Trees, leaves and pumpkins

Noviembre - November

Lo que pasa en la granja Things that happen in the farm

Diciembre - December

Cosas que se van Things that go

Enero - January

Nuestro Cuerpo Our bodies

Febrero - February

Sentimientos y Amistad Feelings and Friendships

Marzo - March

Extrellas Stars

Abril - April

Con mis sentidos With my senses

Mayo - May

Acampando, bichos y mariposas Camping, bugs and butterflies

AMIGOS

Daily Routine

8:30 a.m. - 12:00 noon

- Free Play
- Guided Activity - Small groups
- Circle & Music Time
- Snack
- Rotated Outside time & Guided Activity
- Art - large group
- Circle & Music Time

Lunch around 12:40 noon

Spanish TV time Quiet 1:10 - 1:35 p.m. for all

Nap time or mat rest time around 1:35 p.m. preschool age

1:35 p.m. - 6:00 p.m.

- Art for Kinder students / Free play for preschoolers
- Guided Activity
- Circle Time - phonetics
- Free Play Time
- Snack
- Outside time
- Free Play, including iPod time for reading and math.

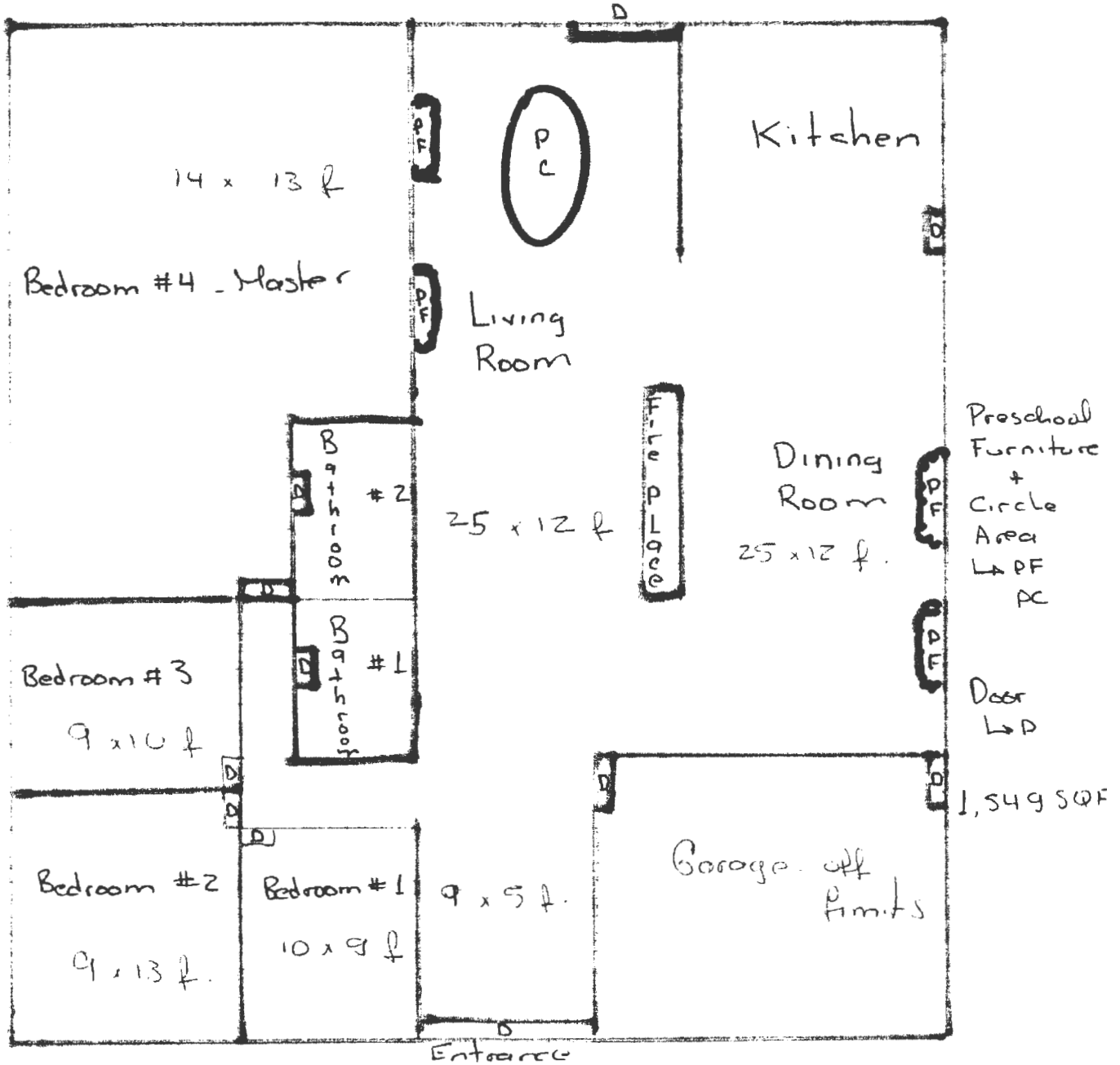
Note: at times the time frames vary but we try to maintain our routine as much as possible. At this young age, the length of the activity varies depending on interest, but the routine of our day is consistent.

FACILITY SKETCH (Floor Plan) - Family Child Care Home

Applicants are required to provide a sketch of the floor plan of the home or facility and outside yard. The floor sketch must label rooms such as the kitchen, bath, living room, etc. Please identify areas which will be "off limits" to children. Door and window exits from the rooms must be shown in case of an emergency (see Emergency Disaster Plan). Show room sizes (e.g. 8.5 x 12). Keep close to scale. Use the space below. See back for yard sketch.

FACILITY NAME
ROCIO ARANGO

ADDRESS 3149 Chardonnay Dr., Pleasanton, CA
94566

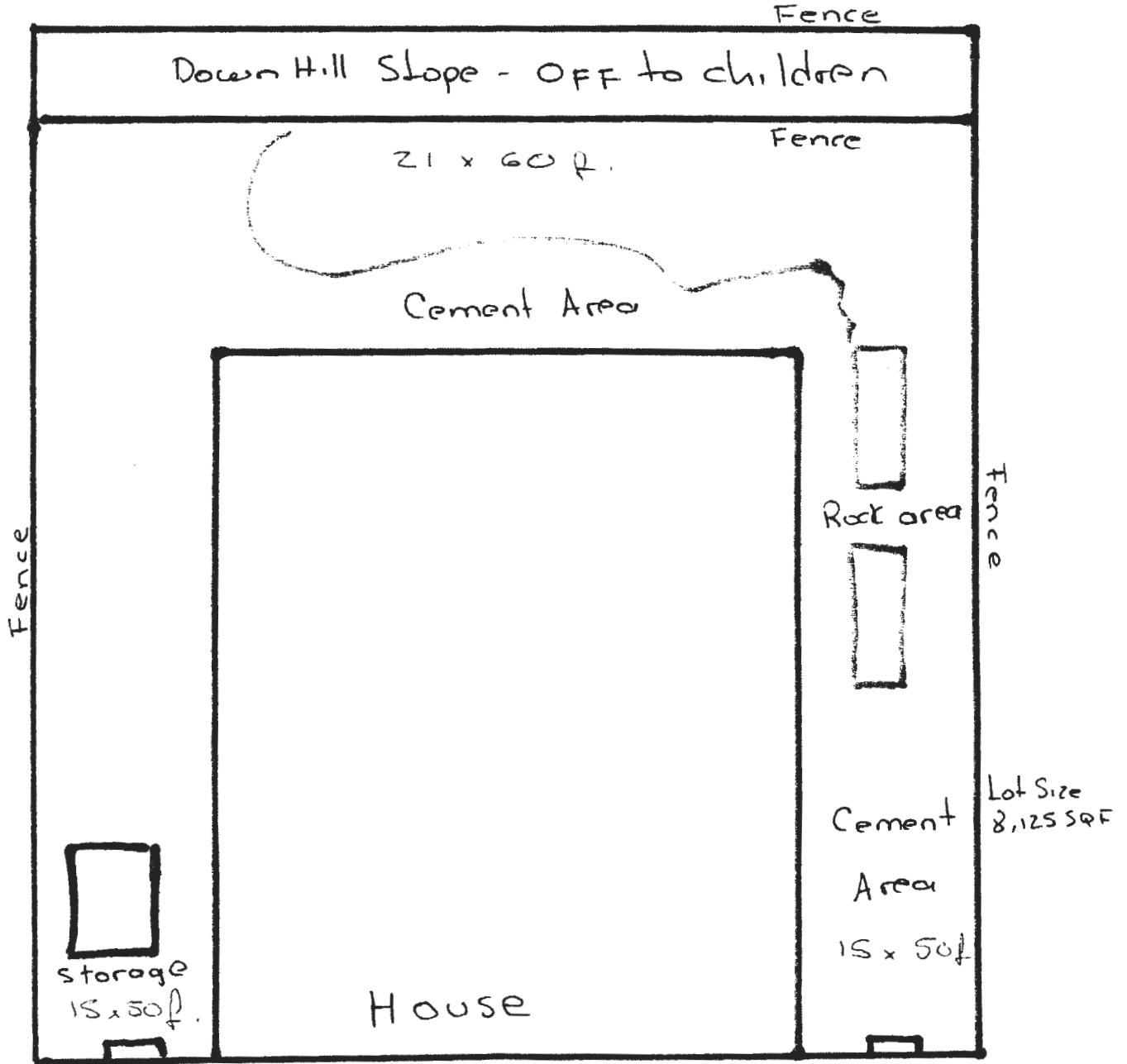


FACILITY SKETCH (Yard) - Family Child Care Home

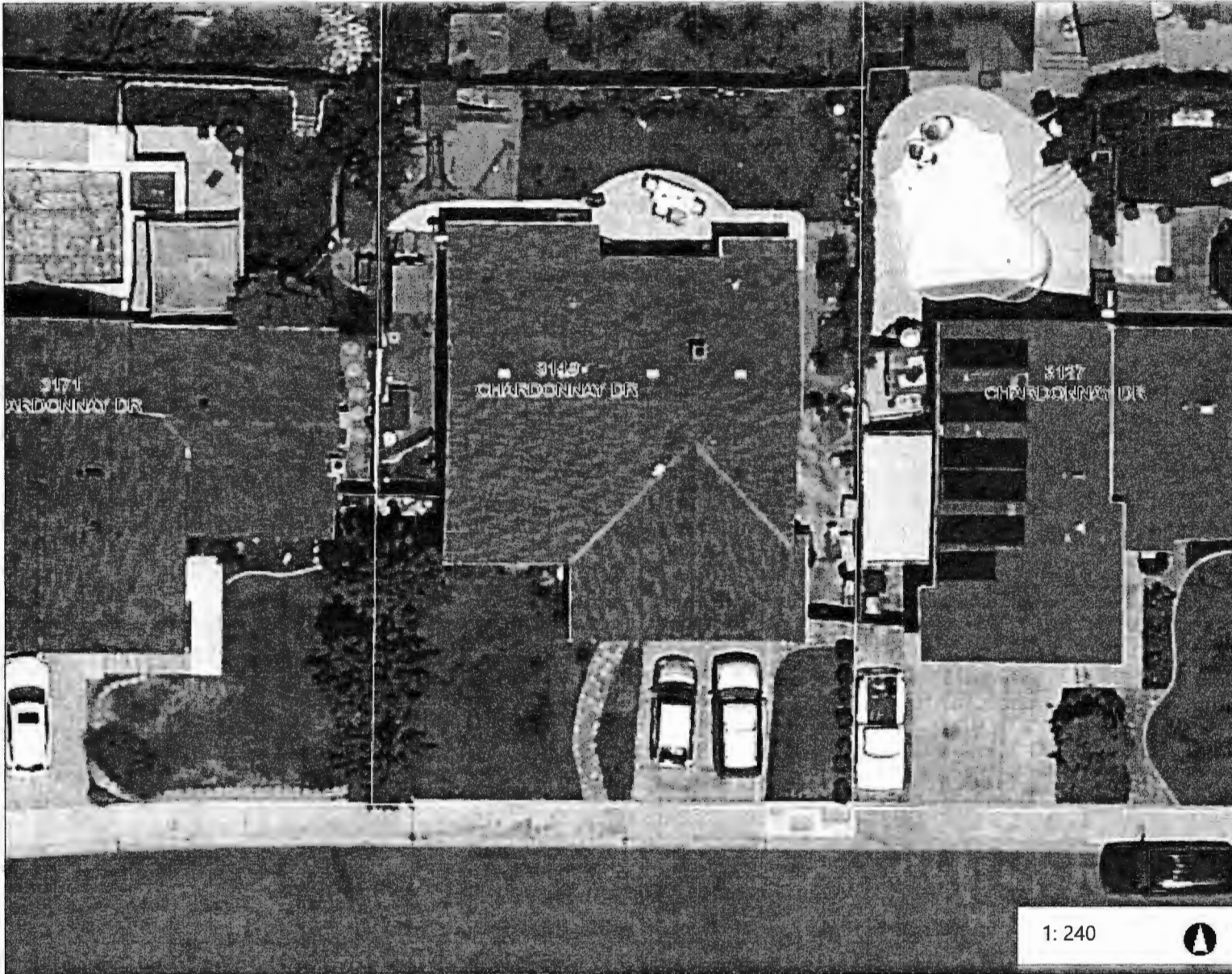
The yard sketch should show all buildings in the yard including the home (with no detail), garage and storage building. Include walks, driveways, play area, fences, gates. Please identify areas which will be "off limits" to children. Show any potential hazardous areas such as pools, garbage storage, animal pens, etc. Show the overall yard size. Try to keep the sizes close to scale. Use the space below.

FACILITY NAME
ROCIO ARANGO






ADDRESS 3149 Chardonnay Dr, Pleasanton, CA
94566







Legend

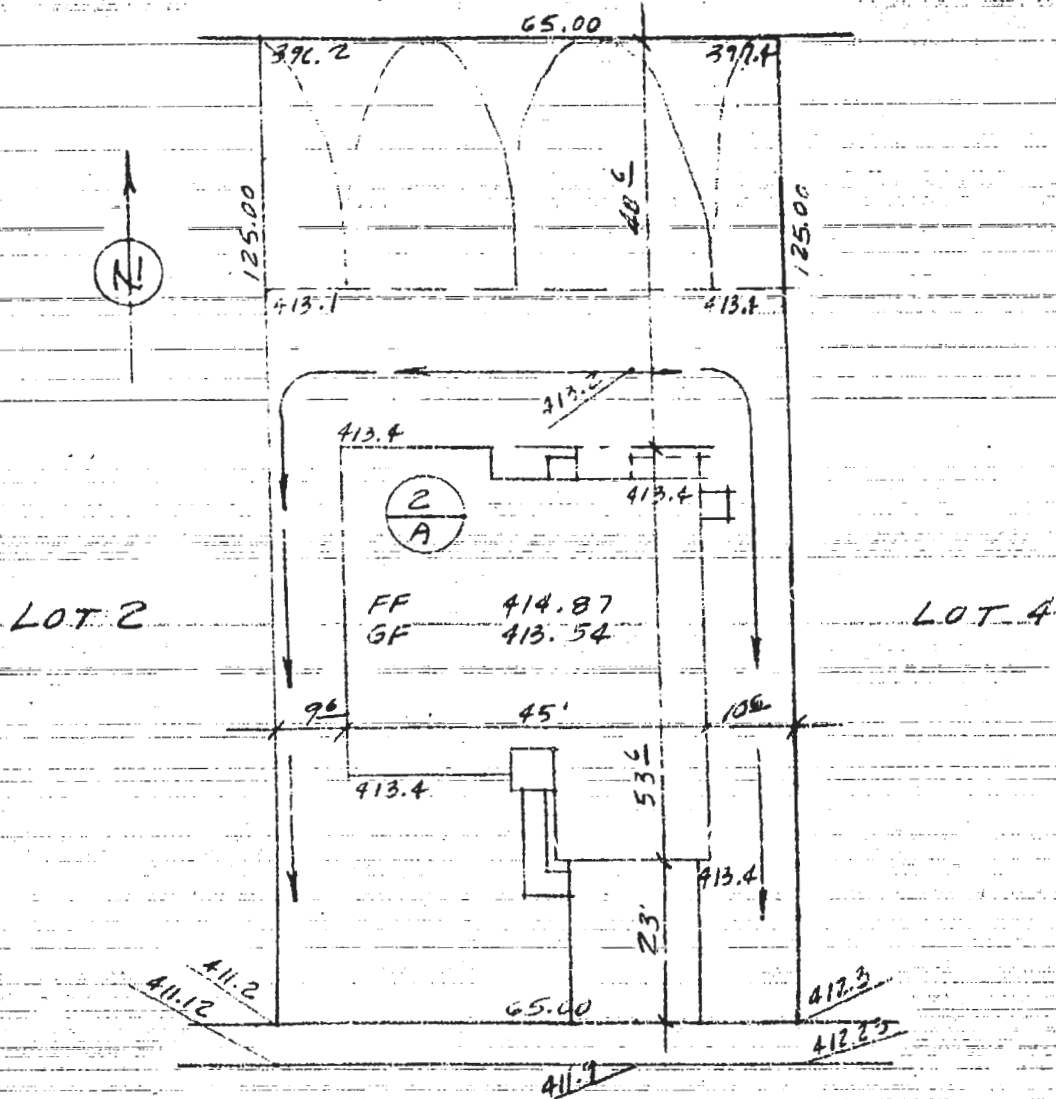
-  Pleasanton City Limit
-  Fire Station
-  School
-  Park
-  Parcel

Notes

Notes

40.0 0 20.00 40.0 Feet

VINEYARD AVENUE



CHARDONNAY DRIVE

LOT 3 TRACT 3327
 VINTAGE HILLS UNIT 9
 PLEASANTON, CALIF.
 SCALE: 1" = 20'

Dear Neighbors

November 26, 2018

This is Rocio Arango at 3149 Chardonnay. As I stated in my note to you earlier this month, I am in the process of applying to the city for a large family day care capacity permit.

As part of the process, a notice was sent out to you and some concerns have been received by the city against the proposal: safety, space, parking and traffic.

My goal with this letter is to address some of the issues and invite you to come and visit me, check it out, don't discuss the matter with me, just meet and you can give your view to the city after that and live in harmony.

So, just come have a glass of wine, cheese, crackers or a cookie.

Sunday, December 2nd @ 6 pm – 7 pm.

To me, the **noise** and laughter of a child are wonderful and being an educator to them is a privilege that I look forward to having on a daily basis, giving them a strong head start in life and Spanish language along the way. The program keeps the children engaged, follows a curriculum and provides opportunity to play as well. We encourage the use of gentle voices and rotate our activities often as they need that at this age in order to maintain good classroom behavior. Once capacity increases, the outside time will be divided into two groups, the younger and older group.

Safety is my number one priority. I follow all requirements imposed on me by the city of Pleasanton, Fire Department and State Licensing and go above and beyond the standard – because all of years of experience in the field. One has to be extremely careful when it comes to accidents and the best is to take as many precautions as possible. I have been fortunate to always doubt with caring parents – they hold me to high standards and I do the same and have no problem asking them to follow a rule if there is need to do so. With in the process of making the home safe I have spent about \$1,200 dollars and other fees involved from agencies for an additional \$1,500

The **space** in the home is just perfect for the program and have a very comfortable classroom setting for the children at the warm of a home. Each of my children have a bedroom, the master bedroom is our living room and the entire family room area is the preschool / day care area.

None of my parents should be **parking** in your drive way. They should all park within the limits of my property. Feel free to call if you ever have a car that you think it belongs to one of my parents. I have two spaces in my driveway open and 2 in front of my house for them to use and no need for anyone to be crossing the street for **safety** concerns and common courtesy.

Last week, I got the OK from my landlord to take off some shelves on the garage, so two cars can fit in there so my assistant can park inside the garage along with my car.

I know it sounds overwhelming to think of capacity to 14 children and the **traffic** it may cause in the street. Children arrive throughout the day between 7 am and depart by 6 p.m. Peak times are 8 – 8:30 am and 12 – 12:30 noon. During peak times I can stagger drop off and pick up so that no more than 4 cars come at the time. There is no other rush time period at any given time.

The homes in this street are lovely and the street is wide. The **traffic** my program may be causing is not a fast traffic, it is a cautious group as they are coming to a stop. It is happy traffic and if anything, it will improve neighborhood watch as parents are always on the alert for any issue that may put their child at risk.

I had a Child Care Center in Palo Alto for 3 years long time ago. Got tired of the commute and brought the program to my home in Pleasanton hoping to be the mommy I wanted to be rather than spending endless hours in traffic and away from them. It has given me the opportunity to be very present in the life of my children and best decision ever for the past 7 years. So, I know what I am doing. This is not something new to me, it is my profession and make a living out of it.

The program feeds students into the Dual Immersion Program at Valley View. Preschool years are the perfect age for children to start a new language as they learn with out immediate translation, just with what we tell them it is as we do in English. It is very unique. There are other centers that offer Spanish as a class but not an immersion.

So why moving the day care? Well, my marriage of 20 years has come to an end and this is a new start for me in which you have no idea what a difference you can make in my life. I have been a resident of Pleasanton since my oldest started Kinder 11 years ago and moved here because of the dual immersion program. 4 more years to go until my youngest graduates from high school!

There has been a suggestion that I start up as a small family daycare and increase capacity based on how things go. Please understand this is a costly process and with small capacity, I will be like many in the bay area, holding more than one job to be able to live in the area and there is too much at risk when working with children by one self (type of care and increase risk liability). Also, the business is not going to grow immediately to 14 children. Most parents are settle for the school year now and they will join my program slowly.

I look forward to the opportunity to be a neighbor you can count on and call on me when there is need.

Thank you!

Rocio Arango

Tel: 925-5977638

Jenny Soo

Subject: FW: Arango Family Day Care
Attachments: Memorandum changes.pdf

P18-0314
RECEIVED

JAN 25 2019

CITY OF PLEASANTON
PLANNING DIVISION

EXHIBIT B

From: ROCIO ARANGO
Sent: Thursday, January 24, 2019 6:10 PM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Subject: Re: Arango Family Day Care

Please allow me to present the following for my application of a large family day care permit.

Parking:

Driveway will always be open for parents to park there, as well as two street parking spaces in front of the home during pick up/ drop off time. Neither assistant nor I will park on the driveway.

Preschool Schedule:

Morning preschool program will operate in two staggered schedules to deal with peak times with no more than 4 cars schedule at each time.

- 1) 8:00 am – 12:00 noon
- 2) 8:10 am – 12:10 noon

Please note that children are ready to go during peak times and with open end activities that allows them to disengage right away plus conversation are to the point. 10 minutes between both groups is enough transition time.

Gap time:

There will be a 30 minutes gap time before my assistant arrives after 12:40 noon, with the Kinder group that gets pick up at Valley View Elementary School.

Parent Agreement:

Within the agreement parents will have stipulations referring to parking areas, staggered times and any conditions imposed by the city of Pleasanton that relates to having their support in the matter and child enrolled in the program. In the mean time, a

memorandum is being presented to them for their signature and will be presented to you once all signatures are collected.

Thanks and Regards,
Rocio Arango

[report this email as spam.](#)

Memorandum

1-24-19

Dear Parents

In order to proceed with City permit for large family day care, the following needs to be implemented immediately.

- Use Sylvaner up to Chardonnay when driving to the facility in order to avoid making a U turn in the neighborhood.
- Park in the driveway in a manner that 2 cars fit there or in the street in front of the house.
- No more than 4 cars can be schedule on each stagger time as agree upon with each family.
- Our drop off and/or pick up schedules are staggered during peak preschool times (8 am – 12:00 noon or 8:10 am -12:10 noon)

Note that city is requesting a 30 minute window @ 12:40 noon before K group arrives so you must stay with in your schedule to help make this possible.

- Individual agreement about your schedule will be updated with your need in mind, to make changes clear and you must follow your schedule for your child to continue care at this facility. Agreement won't be updated until after city hearing in case any other conditions are imposed upon us.

Thank you for understanding, your acknowledge signature bellow is required to present it to the city. Grateful for your support always! Rocio Arango

Family last name and signature

Date

Juan _____

Liebman _____

Clinton _____

Sandico _____

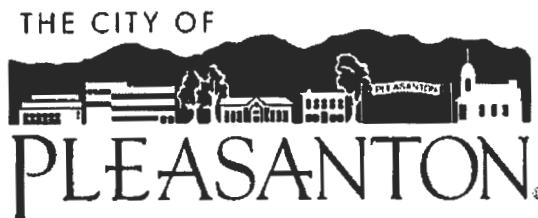
Ruiz _____

Jimenez _____

Lind _____

Vierra _____

Hammes _____



February 1, 2019

Rocio Arango
3149 Chardonnay Drive
Pleasanton, CA 94588

Subject: P18-0314, Large Family Daycare
Effective Date: February 19, 2019

Dear Ms. Arango:

At its hearing on January 31, 2019, the Zoning Administrator approved Case P18-0314, your application for a Conditional Use Permit to operate a Large Family Daycare for a maximum of 14 children at the existing residence located at 3149 Chardonnay Drive. Approval was granted subject to the conditions as shown on the attached Exhibit A.

The following criteria have been considered while reviewing the application. As proposed and as conditioned, the proposed Large Family Daycare Home will meet these criteria.

A. Spacing. No large family day care home shall be approved if the site of the proposed use is located within 300 feet of the exterior boundary of another large family day care home or nursery school, unless the zoning administrator makes the specific finding that the concentration of such uses will not adversely affect the neighborhood in which it is located due to the cumulative increase in noise, traffic and/or parking requirements.

The Zoning Administrator has verified that the proposed facility is not within 300 feet of a large family day care home or nursery school. Thus, the Zoning Administrator finds that neither spacing or concentration are an issue.

B. Traffic Control. Large family day care homes shall not create any traffic hazard. The zoning administrator may prescribe such conditions as may be reasonably required to ensure the safety of all affected by the proposed use, including requiring traffic-control measures reasonably required to avoid any identified adverse effect.

The subject site is located in a residential neighborhood with single-family detached homes. The expansion of the current small family day care home to a large family day care home will bring additional vehicles to the neighborhood during drop-off/pickup times. However, the additional traffic will not create any traffic hazard.

COMMUNITY DEVELOPMENT
www.cityofpleasantonca.gov

P. O. BOX 520 · 200 Old Bernal Avenue
Pleasanton, CA 94566-0802

Planning
(925) 931 5600
Fax: 931 5483

Building & Safety
925-931 5300
Fax: 931 5478

Code Enforcement
925-931 5620
Fax: 931 5478

Permit Center
925-931 5630
Fax: 931 5478

Traffic Engineering
925-931 5677
Fax: 931 5487

Several neighbors indicated that the traffic tends to be fast-moving and substantial on Chardonnay Drive and that the proposal would contribute to the existing traffic and would affect existing traffic-safety issues. In consideration of the neighbors' concerns, the Zoning Administrator has included conditions of approval to do the following: 1) require the driveway be made available for parents during drop-off/pickup times; 2) prohibit double-parking in the street or temporarily block traffic or block neighbors' driveways; and 3) prohibit parking or making U-turns in neighboring residents' driveways. The Zoning Administrator believes that, with the imposed conditions, the operation of the proposed large family day care home will not create any traffic hazard to the immediate neighborhood.

Finally, the City's Traffic Division has reviewed the project application and has determined that the existing street has the capability of handling the additional 42 daily trips generated from the proposed large family day care home and that the additional trips will not significantly worsen existing traffic conditions cause roadway congestion, or create a "traffic hazard." Thus, the Zoning Administrator finds this criteria will be met.

- C. 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.**

Up to 12 parent/guardian vehicles would use the applicant's driveway or on-street parking for drop-off and pick-up if the majority do not carpool to and from the daycare home. The project narrative indicates that drop-off times would be staggered, as the full-time students start to arrive after 7 a.m. when the day care home opens and the part-time students would be dropped off between 8 and 8:30 a.m. and picked up between noon and 12:30 p.m. Late afternoon/early evening pickup time would be staggered between 3:45 and 6 p.m. In general, pick-up and drop-off takes approximately five minutes per parent/guardian. Finally, the two-car garage would accommodate the applicant's and the full-time assistant's vehicles. The part-time assistant may park on the street in front of the residence. Parents would use the driveway for drop-off and pick-up, and may also use on-street parking in front of the residence for drop-off and pick-up if the driveway is not available.

Prior to the Zoning Administrator hearing, staff made two visits to the project site to observe the applicant's current drop-off and pick-up operation during the morning and afternoon periods. Staff observed that parents used the applicant's driveway when dropping-off/picking-up children. Additionally, ample on-street parking was observed either in front of the project site or within a reasonable distance to the project site that would meet the parking demand from the proposed large family daycare home for drop-off and pick-up. If daycare parents continue to use the driveway and on-street parking in front of the residence for drop-off and pick-up, parking will not be an issue. The Zoning Administrator has included a

condition requiring the applicant to inform daycare parents to use the driveway and on-street parking in front of the residence for drop-off and /pick-up. On the basis of the forgoing, the Zoning Administrator finds the parking requirement criteria would be met.

D. 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.

Chapter 9.04 of the PMC regulates noise levels for different land uses. Section 9.04.030 Noise Limits-Residential property states: “No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on residential property, noise level in excess of 60 dBA [A-weighted decibels] at any point outside of the property plane, unless otherwise provided in this chapter.” According to the PMC, “noise level” means the maximum continuous sound level or repetitive peak level produced by a source or group of sources as measured with a precision sound level meter using the “A” weighting scale, with the meter response function set to “slow.”

The City’s interpretation has been that this standard does not apply to human voices as human voices (including those associated with children’s play and normal conversations) are a typical component of residential neighborhoods in Pleasanton. Human voices in typical circumstances also generally do not contribute to the noise environment in a constant and continuous way that would support a Code Enforcement action. While one could imagine an extreme example of a situation where human voices would be considered to violate the Noise Ordinance (e.g., a stadium filled with people adjacent to a residential district, or loud recreational activities in the middle of the night), groups of children playing outside during daytime hours do not generally rise to the level of a violation because this noise resembles that associated with a typical residential household with young occupants. However, the use of mechanized equipment (e.g., musical instruments, amplified speakers), whether a part of a home day care or a single-family residence, could violate the City’s noise standards. Such equipment is not proposed as part of this application. Therefore, the proposed Large Family Day Care would not exceed the thresholds in the Noise Ordinance for residential properties.

The Noise Element of the General Plan identifies land use compatibility standards for different land uses. For instance, noise levels between 60 and 75 decibels on the day-night equivalent level (Ldn) are considered conditionally acceptable in single-family residential districts. Since the Ldn metric represents average sound levels over a 24-hour period (with noises between 10 p.m. and 7 a.m. weighted more heavily), normal daytime activities (including children playing outside) would not result in an exceedance of conditionally acceptable noise levels in the General Plan. Thus, the Zoning Administrator finds the noise criteria would be met.

Rocio Arango, P18-0314
February 1, 2019
Page Four

E. Fire Code Requirements. Large family daycare homes shall meet all regulations of the state fire marshal adopted as part of the California Administrative Code and relating specifically to large family daycare homes.

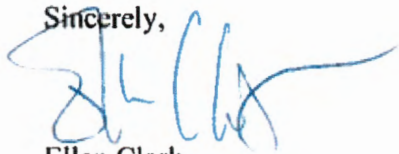
Health and Safety Code Section 13235 states that family day care homes must obtain a fire safety clearance by the local fire enforcing agency. Here, the Livermore-Pleasanton Fire Department conducted a pre-inspection and verified compliance as it relates to State law. Thus, the Zoning Administrator find there would not be any issues related to the Fire Code, and this criteria would be met.

Based upon the satisfaction of the above criteria and that the proposed Large Family Daycare Home Use is consistent with the zoning regulations and General Plan policies of the City of Pleasanton, the Zoning Administrator approves your application, subject to the conditions of approval as shown on the attached Exhibit A.

This approval will become effective on February 19, 2019, unless appealed prior to that time.

If you have any questions concerning this approval, please feel free to contact me at (925) 931-5606.

Sincerely,



Ellen Clark
Zoning Administrator

c: Ryan Rucker, Fire Marshal, Livermore-Pleasanton Fire
Mark Dennis, Code Enforcement
Business Licens

**EXHIBIT A
CONDITIONS OF APPROVAL**

**P18-0314
3149 Chardonnay Drive
Effective Date: February 19, 2019**

SPECIAL CONDITIONS OF APPROVAL

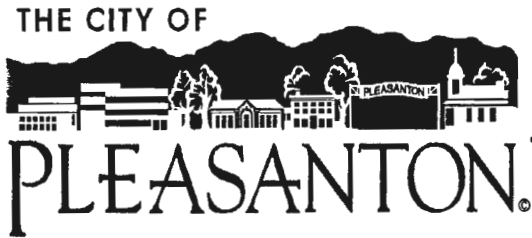
1. The large family day care home covered by this approval shall substantially conform to the narrative, site plan and floor plan dated "Received, November 8, 2018, Exhibit B," on file with the Planning Division, except as modified by the following conditions. Minor changes to the operation may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits.
2. The outdoor play area shall be supervised by staff at all times. The outdoor play area shall be occupied by a maximum of six children at any one time and shall only be used for up to two and one-half hours per day. Children shall be allowed to use the outdoor play area for approximately one hour during the mid-morning and approximately one hour during the afternoon.
3. The applicant shall request all parents/guardians to drive safely, obey traffic laws, and be courteous of the neighborhood when driving or parking. The applicant shall request that all parents/guardians not double park, honk the horn, or park or make u-turns in driveways other than the driveway at 3149 Chardonnay Drive. The applicant shall also notify all parents/guardians that children are not allowed to cross the street by themselves.
4. The applicant shall make the garage available for parking two vehicles at all times, as required by the Pleasanton Municipal Code. During the approved business hours of the large family day care home (Monday through Friday 7 a.m. to 6 p.m.), all automobiles owned/operated by the applicant or other persons living in the home or employees of the daycare shall be parked in the garage or directly in front of the subject site when the day care home is in operation. During drop-off/pick-up times, the driveway shall be made available for parents/guardians to park.
5. The large family day care home is limited to a maximum of 14 children at any one time.
6. The large family day care home shall not create noise levels in excess of those allowed in residential property pursuant to Chapter 9.04 of the Pleasanton Municipal Code.
7. The applicant shall obtain all appropriate State licenses for a Large Family Day Care Home and shall maintain those licenses during the entire time the residence is utilized as a large family day care home.

8. The applicant shall meet all the requirements of the State Fire Marshall relating to large family day care homes and obtain a final inspection by the Livermore Pleasanton Fire Department.
9. If additional hours or activities beyond what was stated in the applicant's statement of operation on file in the Planning Division are desired, City review and approval is required. Such modification may be approved by the Director of Community Development if found to be in substantial conformance with the approval. The Director of Community Development may require neighborhood noticing of the matter if the proposed changes are determined to be significant.
10. A 30-minute gap between noon and 12:30 p.m. shall be required when the large family day care home is in operation, i.e. part-time preschoolers shall be picked up no later than noon and no TK-K children shall be dropped off earlier than 12:30 p.m.

STANDARD CONDITIONS OF APPROVAL

11. The applicant's site shall be maintained in a neat and litter-free manner at all times.
12. If operation of this large family day care home results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this permit may be referred to the Planning Commission for its review at a public hearing. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke the said permit approval. Possible mitigation measures may include changing the hours of operation or other measures deemed necessary.
13. At no time shall signs, balloons, banners, pennants, or other attention-getting devices be utilized on the site for this large family day care home.
14. This approval will lapse one (1) year from the effective date of approval unless the applicant receives a business license for the large family day care home.
15. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

< End >



**Zoning Administrator
Agenda Report**

January 31, 2019 at 3:30 p.m.
Council Chamber
200 Old Bernal Avenue

SUBJECT: P18-0314

APPLICANT: Rocio Arango

PROPERTY OWNER: Greg and Erin Haubner

PURPOSE: Application for a Conditional Use Permit to operate a large family day care home with a maximum of 14 children at the existing residence

LOCATION: 3149 Chardonnay Drive

GENERAL PLAN: Medium Density Residential

ZONING: R-1-6,500 (One-Family Residential) District

EXHIBITS:

- A. Draft Conditions of Approval
- B. Narrative/Project Plans dated "Received" November 8, 2018 and January 25, 2019
- C. Public Comments
- D. Location Map

RECOMMENDATION

Staff recommends that the Zoning Administrator approve Conditional Use Permit (CUP) application P18-0314 subject to the draft conditions of approval listed in Exhibit A.

EXECUTIVE SUMMARY

The applicant, Rocio Arango, has been operating a State-licensed small family day care home with a maximum of eight children in Pleasanton since 2011. Ms. Arango recently relocated the small family day care home to 3149 Chardonnay Drive and has since filed an application to expand the small family day care home to a large family day care home for up to 14 children. Large family day care homes are required to obtain a CUP as well as approval from the Livermore-Pleasanton Fire Department. As explained below, staff believes this application is consistent with State law and the City's zoning regulations, and staff has included conditions of approval to mitigate any potential impacts to the neighborhood.

BACKGROUND

Legal Background regarding Small or Large Family Day Care Homes

Family Day Care Homes are regulated by the State of California. The State legislature has declared that “family day care homes for children should be situated in normal residential surrounds so as to give children the home environment which is conducive to healthy and safe development.” Further, the Legislature made clear that day care homes are a matter of “statewide concern with the purpose of occupying the field to the exclusion of municipal zoning, building and fire code and regulations governing the use or occupancy of family day care homes for children, except as specifically provided for in this chapter, and to prohibit any restrictions relating to the use of single-family residences for family day care homes for children as provided by this chapter.” (Health & Safety Code section 1597.40(a)) In short, the State has preempted local governments from regulating day care homes so long as they meet the requirements set forth in state law.

Health & Safety Code section 1597.46(a), which regulates large family day care homes, provides: “A city, county, or city and county shall not prohibit large family day care homes on lots zoned for single-family dwellings...[and shall] classify these homes as a permitted use of a residential property for zoning purposes.” While a city may require an applicant to obtain a use permit, it may only prescribe reasonable standards, restrictions, and requirements concerning “spacing and concentration, traffic control, parking, and noise control...” (H&S code section 1597.46(a)(3))

Background regarding the Application

The subject property is located in the R-1-6,500 district, i.e., a single-family residential zoning district. “Small Family Day Care Homes” (those serving up to 8 children) are permitted uses in this district, meaning that the applicant does not need a conditional use permit to serve up to eight children at the subject property. However, as explained above, the City may require a use permit and may impose *reasonable conditions* on “Large Family Day Care Homes” in order to mitigate specific impacts, i.e., spacing and concentration, traffic control, parking, and noise issues.

Following noticing of this application, staff received a number of comments and concerns from neighbors in opposition to the proposed large family day care home. Concerns ranged from traffic, parking, noise, and neighborhood safety. Based on these concerns, staff scheduled a hearing for the Zoning Administrator to review and consider the application.

SITE AND AREA DESCRIPTION

The subject site is a single-family home located at 3149 Chardonnay Drive. The lot is approximately 8,125 square feet in area and is surrounded by similarly-sized single-family-homes to the east, west, and south. The property abuts Vineyard Avenue on the north. The location of the site and the surrounding area are shown in Figure 1.

Figure 1: Subject Property and Surrounding Area



PROJECT DESCRIPTION

As proposed, the large family day care home would operate from 7 a.m. to 6 p.m., Monday through Friday with children between the ages of ages 2 ½ to 12 years old. More specifically, the applicant proposes to operate as follows:

- Six full-time preschool-age children (7 a.m.-6 p.m.)
- Six part-time preschool-age children (8 a.m.-12:30 p.m.)
- Six Transitional Kindergarten (TK) and Kindergarten (K) students (noon-6 p.m.)
- Two elementary school students who are siblings to children already enrolled in the large family day care home (2:50-6 p.m.)

Breaking this information down into various time zones, Table 1 shows how many children will be on site (and when) between the hours of 7 a.m. and 6 p.m.

Table 1: Number of Children on Site in Various Time Zones

Time Zones	Number of Children On Site	Notes
7 a.m. – 12:10 p.m.	12	6 full-time (F/T) preschoolers 6 part-time (P/T) preschoolers
12:10-12:40 p.m.	6	6 F/T remain on site after 6 P/T leave
12:40-2:50 p.m.	12	6 F/T plus 6 TK-K
2:50-6 p.m.	14	6 F/T plus 6 TK-K and 2 elementary schoolers

Per State law, the applicant may not have more than 14 children on site at any time. The above tables shows no more than 14 children would be on site at one time.

Per the applicant's project description, daily activities typically include free play, circle and music time, small and large group activities, and reading and math for TK-K students. Outdoor play times are generally scheduled for an hour in the morning (beginning around 10 a.m.) and an hour in the afternoon (beginning around 4 p.m.).

The large family day care home would have a total of three staff members: the applicant, one full-time assistant, and one part-time assistant. The part-time assistant normally arrives at noon and stay for the afternoon. One of the staff members will be responsible for picking up TK-K and elementary school students from local schools after schools are dismissed in the afternoon. While one is doing pickups, the others would remain on premises to care for the children. The subject residence includes a two-car garage that would be reserved for use by the applicant and one of her assistants. The driveway would be made available for parents during drop-off and pick-up times. There are also two on-street spaces directly in front of the home that will be available to the part-time assistant and parents to park for drop-off and pick-up.

ANALYSIS

As explained in the Legal Background above, the State of California has preempted the field regarding small and large family day care homes. Cities, however, may consider specific potential impacts and apply reasonable conditions to mitigate those impacts. Health & Safety Code section 1597.46 allows a city to prescribe reasonable conditions regarding spacing and concentration, traffic control, parking, and noise control. The City of Pleasanton has adopted standards for large family day care homes in section 18.124.370 of the Pleasanton Municipal Code (PMC). PMC section 18.124.370 is broken down into 5 categories, discussed below:

- A. Spacing. No large family day care home shall be approved if the site of the proposed use is located within 300 feet of the exterior boundary of another large family day care home or nursery school, unless the zoning administrator makes the specific finding that the concentration of such uses will not adversely affect the neighborhood in which it is located due to the cumulative increase in noise, traffic and/or parking requirements.**

Staff has verified that the proposed facility is not within 300 feet of a large family day care home or nursery school. Thus, staff does not believe spacing or concentration are an issue.

- B. Traffic Control. Large family day care homes shall not create any traffic hazard. The zoning administrator may prescribe such conditions as may be reasonably required to ensure the safety of all affected by the proposed use, including requiring traffic-control measures reasonably required to avoid any identified adverse effect.**

The subject site is located in a residential neighborhood with single-family detached homes. The expansion of the current small family day care home to a large family

day care home will bring additional vehicles to the neighborhood during drop-off/pickup times. However, the additional traffic will not create any traffic hazard. Table 2 shows the schedules for full- and part-time children, which assumes the potential vehicle trips during drop-off and pick-up times.

Table 2: Potential Vehicle Trips During Drop-Off and Pick-up Times

	Drop Off	Pick Up
Morning (7-8:30 a.m.)	12 (full- and part-time preschool)	--
Mid-Day Noon-12:10 p.m. 12:40 p.m.	-- 6 (TK-K)*	6 (part-time preschool) --
Afternoon (2:50 p.m.)	2 (elementary schoolers)	--
Late Afternoon/Early Evening (3:45-6 p.m.)	--	12 (full-time preschool, TK-K, and elementary school) **
Trips	20	18
Total Daily Trips	38	

*While the applicant proposes to provide pick-up service from local schools for children, the table above assumes a "worst-case scenario" where parents drop off their children.

**Two of the 14 children are siblings; thus the late afternoon/early evening pickup trips would be 12 instead of 14.

In addition to the trips generated during drop-off and pick-up times, the day care home would have two employees who would generate two additional trips in the morning and evening, resulting in a maximum total of up to 42 daily trips generated by the large family day care home (assuming staff to do not pick up children from the schools and bring them to the site).

Several neighbors indicated that the traffic tends to be fast-moving and substantial on Chardonnay Drive and that the proposal would contribute to the existing traffic and would affect existing traffic-safety issues. In consideration of the neighbors' concerns, staff has recommended conditions of approval to do the following: 1) require the driveway be made available for parents during drop-off/pickup times; 2) prohibit double-parking in the street or temporarily block traffic or block neighbors' driveways; and 3) prohibit parking or making U-turns in neighboring residents' driveways. Staff believes that, with the imposed conditions, the operation of the proposed large family day care home will not create any traffic hazard to the immediate neighborhood.

Finally, the City's Traffic Division has reviewed the project application and has determined that the existing street has the capability of handling the additional 42 daily trips generated from the proposed large family day care home and that the additional trips will not significantly worsen existing traffic conditions, cause roadway

congestion, or create a “traffic hazard.” Thus, staff does not believe traffic will be an issue.

- C. 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.**

Up to 12 parent/guardian vehicles would use the applicant’s driveway or on-street parking for drop-off and pick-up if the majority do not carpool to and from the daycare home. The project narrative indicates that drop-off times would be staggered, as the full-time students start to arrive after 7 a.m. when the day care home opens and the part-time students would be dropped off between 8 and 8:30 a.m. and picked up between noon and 12:30 p.m. Late afternoon/early evening pickup time would be staggered between 3:45 and 6 p.m. In general, pick-up and drop-off takes approximately five minutes per parent/guardian. Finally, the two-car garage would accommodate the applicant’s and the full-time assistant’s vehicles. The part-time assistant may park on the street in front of the residence. Parents would use the driveway for drop-off and pick-up , and may also use on-street parking in front of the residence for drop-off and pick-up if the driveway is not available.

Prior to the Zoning Administrator hearing, staff made two visits to the project site to observe the applicant’s current drop-off and pick-up operation during the morning and afternoon periods. Staff observed that parents used the applicant’s driveway when dropping-off/picking-up children. Additionally, staff observed that there was ample on-street parking either in front of the project site or within a reasonable distance to the project site that would meet the parking demand from the proposed large family daycare home for drop-off and pick-up. If daycare parents continue to use the driveway and on-street parking in front of the residence for drop-off and pick-up, parking will not be an issue. Staff therefore has included a condition requiring the applicant to inform daycare parents to use the driveway and on-street parking in front of the residence for drop-off and /pick-up.

- D. 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.**

Chapter 9.04 of the PMC regulates noise levels for different land uses. Section 9.04.030 Noise Limits-Residential property states: “No person shall produce or allow to be produced by any machine, animal, device, or any combination of the same, on

residential property, noise level in excess of 60 dBA [A-weighted decibels] at any point outside of the property plane, unless otherwise provided in this chapter.” According to the PMC, “noise level” means the maximum continuous sound level or repetitive peak level produced by a source or group of sources as measured with a precision sound level meter using the “A” weighting scale, with the meter response function set to “slow.”

The City’s interpretation has been that this standard does not apply to human voices as human voices (including those associated with children’s play and normal conversations) are a typical component of residential neighborhoods in Pleasanton. Human voices in typical circumstances also generally do not contribute to the noise environment in a constant and continuous way that would support a Code Enforcement action. While one could imagine an extreme example of a situation where human voices would be considered to violate the Noise Ordinance (e.g., a stadium filled with people adjacent to a residential district, or loud recreational activities in the middle of the night), groups of children playing outside during daytime hours do not generally rise to the level of a violation because this noise resembles that associated with a typical residential household with young occupants. However, the use of mechanized equipment (e.g., musical instruments, amplified speakers), whether a part of a home day care or a single-family residence, could violate the City’s noise standards. Such equipment is not proposed as part of this application. Therefore, the proposed Large Family Day Care would not exceed the thresholds in the Noise Ordinance for residential properties.

The Noise Element of the General Plan identifies land use compatibility standards for different land uses. For instance, noise levels between 60 and 75 decibels on the day-night equivalent level (Ldn) are considered conditionally acceptable in single-family residential districts. Since the Ldn metric represents average sound levels over a 24-hour period (with noises between 10 p.m. and 7 a.m. weighted more heavily), normal daytime activities (including children playing outside) would not result in an exceedance of conditionally acceptable noise levels in the General Plan. Thus, staff does not believe noise will be an issue.

E. Fire Code Requirements. Large family daycare homes shall meet all regulations of the state fire marshal adopted as part of the California Administrative Code and relating specifically to large family daycare homes.

Health and Safety Code Section 13235 states that family day care homes must obtain a fire safety clearance by the local fire enforcing agency. Here, the Livermore-Pleasanton Fire Department conducted a pre-inspection and verified compliance as it relates to State law. Thus, staff does not believe there are any issues related to the Fire Code.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners within 100-feet of the site. Staff received emails, visits, and calls from residents on Chardonnay Drive, Chardonnay Place, and Marsala Court in opposition to the proposed Large Family Day Care Home. Concerns ranged from lack of adequate parking, noise impacts, impact on home values, traffic congestion and safety. Staff also received emails and letters in support of the proposed large family day care home. All written correspondence is provided in Exhibit C. All of the neighborhood concerns, with the exception of home values (which may not be considered per State law), are addressed above.

If this CUP is approved, the applicant will still need to apply for and receive a license from the State of California Department of Social Services-Community Care Licensing division to operate a large family day care home.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15301, Existing Facilities, Class 1. Therefore, no environmental document accompanies this report.

CONCLUSION

State law dictates what cities may consider when reviewing an application for a conditional use permit for a large family day care home. Based on the analysis discussed above, staff finds that any potential impacts of the proposed large family day care home can be adequately mitigated through the attached conditions of approval and recommends that the Zoning Administrator approve the proposed application.

Staff Planner: Jenny Soo, Associate Planner, 925-931-5615 or jsoo@cityofpleasantonca.gov
Reviewed by: Steve Otto, Senior Planner, 925-931-5608 or sotto@cityofpleasantonca.gov

Exhibit A
Draft Conditions of Approval
P18-0314
3149 Chardonnay Drive

SPECIAL CONDITIONS OF APPROVAL

The large family day care home covered by this approval shall substantially conform to the narrative, site plan and floor plan dated "Received, November 8, 2018, Exhibit "B," on file with the Planning Division, except as modified by the following conditions. Minor changes to the operation may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits.

1. The outdoor play area shall be supervised by staff at all times. The outdoor play area shall be occupied by a maximum of six children at any one time and shall only be used for up to two and half hours per day. Children shall be allowed to use the outdoor play area for approximately one hour during the mid-morning and approximately one hour during the afternoon.
2. The applicant shall request all parents/guardians to drive safely, obey traffic laws, and be courteous of the neighborhood when driving or parking. The applicant shall request that all parents/guardians not double park, honk the horn, or park or make u-turns in driveways other than the driveway at 3149 Chardonnay Drive. The applicant shall also notify all parents/guardians that children are not allowed to cross the street by themselves.
3. The applicant shall make the garage available for parking two vehicles at all times, as required by the Pleasanton Municipal Code. During the approved business hours of the large family day care homes (Monday through Friday 7 a.m. to 6 p.m.), all automobiles owned/operated by the applicant or other persons living in the home or employees of the daycare shall be parked in the garage or directly in front of the subject site when the day care home is in operation. During drop-off/pick-up times, the driveway shall be made available for parents/guardians to park.
4. The large family day care home is limited to a maximum of 14 children at any one time.
5. The large family day care homes shall not create noise levels in excess of those allowed in residential property pursuant to Chapter 9.04 of the Pleasanton Municipal Code.
6. The applicant shall obtain all appropriate State licenses for a Large Family Day Care Home and shall maintain those licenses during the entire time the residence is utilized as a large family day care home.
7. The applicant shall meet all the requirements of the State Fire Marshall relating to large family day care homes and obtain a final inspection by the Livermore Pleasanton Fire Department.

8. If additional hours or activities beyond what was stated in the applicant's statement of operation on file in the Planning Division are desired, City review and approval is required. Such modification may be approved by the Director of Community Development if found to be in substantial conformance with the approval. The Director of Community Development may require neighborhood noticing of the matter if the proposed changes are determined to be significant.

STANDARD CONDITIONS OF APPROVAL

9. The applicant's site shall be maintained in a neat and litter-free manner at all times.
10. If operation of this large family day care home results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this permit may be referred to the Planning Commission for its review at a public hearing. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke the said permit approval. Possible mitigation measures may include changing the hours of operation or other measures deemed necessary.
11. At no time shall signs, balloons, banners, pennants, or other attention-getting devices be utilized on the site for this large family day care home.
12. This approval will lapse one (1) year from the effective date of approval unless the applicant receives a business license for the large family day care home.
13. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

< End >

Jenny Soo

Subject: FW: Large day care next door

-----Original Message-----

From: Cmdavisfamily

Sent: Saturday, November 24, 2018 5:21 PM

To: Jenny Soo <JSoo@cityofpleasantonca.gov>

Subject: Large day care next door

Hi I am a neighbor right next door and I am fully against this daycare. They already have 5 or 6 kids there now and at certain times there is no parking in front of my house. I have a pool and am worried about a child getting into my backyard and possibly drowning in it. I am a firefighter and have seen it way too often. Please think about revoking this application. Chris Davis

Sent from my iPhone

Click

https://www.mailcontrol.com/sr/vX1nuiJ_B3HGX2PQP0mvUoZ6CX_kCKjTCy_H5Fd4YXIExTXW9Ehsk7AMzF5grG6PmJvhtnKn-lzX405xsHCs_A== to report this email as spam.

Jenny Soo

Subject: FW: 3149 Chardonnay Drive - Daycare for a residence in Vintage Hills

Importance: High

From: Tina Onderbeke

Sent: Thursday, December 20, 2018 1:34 PM

To: Jenny Soo <JSoo@cityofpleasantonca.gov>

Subject: 3149 Chardonnay Drive - Daycare for a residence in Vintage Hills

Importance: High

Ms. Soo,

In follow up to my voicemail since my call was not returned. We object to this zoning request – the kind of traffic this will bring into our neighborhood is concerning. It's already difficult to get out from the corner of Chardonnay and Touriga, and from Touriga to Vineyard Ave during school hours. I predict impatient parents, accidents, general chaos related to traffic. A daycare of this size should be leasing space in a commercial or other type space more suitable to for this many children. The fact that up to 42 cars per day during the week could be zooming in and out of a local neighborhood just doesn't make sense. It's a concern on many levels and I don't understand why it would be permitted by the City. Please be sure our comments are noted.

Clinton and Tina Onderbeke

Pleasanton, CA 94566

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Jenny Soo

Subject: FW: Amigos preschool

From: Doug Vierra

Sent: Wednesday, November 28, 2018 9:02 AM

To: Jenny Soo <JSoo@cityofpleasantonca.gov>; Loren Reynolds <lorenvet@yahoo.com>

Subject: Amigos preschool

Hello,

I am a Pleasanton Resident. I live at 2765 Corte Bandera in the Del Prado neighborhood. We have had our daughter enrolled at Amigos for the past 5 months. I wrote a more detailed letter that my wife and I signed and I believe Rocio will be delivering this to you on Friday. I would love to speak with you in person if you have time. Whether we are able to meet or not, I would like to understand the process of what is going on. Rocio has shared with us parents that some of her new neighbors have complaints or concerns about the school. However, she didn't share (and may not know) what the process is for these complaints. How and when will you be deciding what to do in this situation? Is it in your power to close her school? How will this decision be publicized/announced? How and when were the complaints brought to your attention?

I didn't mention this in my letter, but the previous location that Rocio used for Amigos was on a tiny court. The parking was incredibly tight even for regular families living a normal suburban lifestyle. While she continually advised us to park in her driveway and be mindful of neighbors, there never was an actual incident between neighbors and parents that I am aware of. This new location on Chardonnay is a quiet but wide residential street with ample parking. Rocio has a full driveway that 90% of the time would be more than enough to accommodate whichever parents are dropping off or picking up at any given time. There is no valid reason that her little school can't be a healthy and positive addition to the neighborhood.

I am a homeowner whose taxes support our local school district. I am personally disappointed in the hours and availability for the public school where my son attends. The Kindergarten is only a half day and the T-K is only available to students born from Sep 1 to early Dec (my daughter is mid Dec and cannot enroll until she is nearly 6). Early education must be found from private endeavors.

We as a city have a vested interest in well educated citizens and that begins when they are toddlers. The city should be encouraging and enabling quality schools such as Amigos. If there were valid complaints of overly loud music or screaming children or violence or neglect, then I would be the first one to admit a school, this school, may not fit in a neighborhood or should be closed. But without substantial evidence of such an issue, you and the city would make a huge mistake (and enemies of us parents) if you closed her school.

Please consider this decision from both sides. Please be transparent and open with your process. Please reply to my email with a time when we can speak in person.

Thank you very much,

Doug Vierra Jr

Douglas Vierra

Jenny Soo

Subject: FW: Conditional Use Permit Application (P18-0314)

From: Joshua D. Brysk
Sent: Sunday, November 25, 2018 7:56 PM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Subject: Conditional Use Permit Application (P18-0314)

I have lived at Pleasanton for over 15 years. I am writing to provide comment on the referenced application to operate a Large Family Daycare. My house is caddy-corner to the applicant and we have already been affected by the smaller daycare since the applicant moved in. Cars dropping off and picking up have parked across driveways and we have noticed the increased traffic. I request that a hearing be scheduled and adequate notice be given, unless the application is denied without a hearing. Here are my concerns:

1. Procedural.

I received your notice card on November 19, 2018, requesting comments by November 26, 2018. This gives only one short week, vacation for many, as notice. The comment period should be extended with a renewed notice inviting comments from those neighbors who were not at home and did not have an opportunity to submit comments.

2. Narrative for Proposed Facility

The narrative is vague in many respects (operating hours, drop-off and pick-up schedule, numbers of children) and obscures the true nature of the planned operation. The licensee is Rocio Arango, but the business is run as an LLC (Amigos Childcare services, LLC). This is a decidedly commercial venture proposed on a no outlet residential block zoned residential (R-1-65). The narrative states 5 Jay Court was not appropriate for increased capacity due to access. 5 Jay Court had better access through Ray Street than Chardonnay Dr. does. 5 Jay Court also had more bathrooms and was 1,973 sq. ft. versus the 1,549 sq. ft. at Chardonnay Dr.

The numbers of children appear to be up to 20 (6 pre-school all day, 6 morning pre-school, 6 afternoon "TK & K" and 1-2 elementary afternoon). Twenty students is a huge impact and would appear to be beyond the license proposed for fourteen. Staggering the times as proposed does not ameliorate the impact to neighbors and only spreads it throughout a broader time frame.

Listing the lot size is deceptive because a large portion of the yard is unusable due to its slope. The entire house will be used for care children, but the house is also used by the family children--it is unclear how the space will be shared. It is stated that some pick up services will be offered, that the proprietors will use the garage for their vehicles, but also that the garage is off-limits to children.

3. Traffic

Sauterne is a one-way street, so that there is only one exit path for the clients of this business. In the past, we have had an issue with cut-through traffic (before Sauterne was one-way). There appear to be 20 client-children (forty daily trips) being added to our small no outlet street. I expect many of the cars will park on the street to drop off, then continue in the same direction where they will have to make a u-turn to come back and exit. Potentially, I see 80 passes by my house.

4. Safety

Emergency vehicle access was a concern for the City. My understanding is that after consultation with the fire department, Sauterne has been left one-way with no planters to assure emergency egress. If an emergency evacuation

were needed the applicant's plan involves "an extensive emergency bin." My concern would be how would 14-20 children (many pre-ambulatory) be brought to safety without a sufficient number of vehicles, adult drivers and caretakers, car seats and egress points.

Within 3/4 mile, Megan's law database lists four registrants. Within a block is a former drug house which the City Attorney fought hard to clean up [the status of this property needs to be verified as I understand the use restrictions were temporary and may be lifted].

As you can see, there is a lot to be reviewed and investigated in a variety of areas before the application should even be considered. Regardless, this is just the wrong place for a high capacity daycare business to operate. We have Little Flowers Montessori and Genius Kids programs to serve the neighborhood appropriately located in commercial space.

If the application is denied or withdrawn, please let me know.

Josh
Joshua Brysk

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Jenny Soo

Subject: FW: Zoning Application for Large Family Daycare

From: Linda Wolf
Sent: Sunday, November 25, 2018 2:20 PM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Subject: Zoning Application for Large Family Daycare

Planning Division,

I have some major concerns about the proposed daycare located at 3149 Chardonnay Drive, Pleasanton, 94566.

First, the extra traffic this BUSINESS will generate. Due to the location, the traffic will either need to make a U-turn to exit the street or drive to the dead-end to turn around then proceed down the complete length of Chardonnay Drive to exit.

Secondly, for 14 children, additional personnel will be needed to care for them and thus create even more traffic.

Thirdly, the number of children begs the issue of the noise level, particularly during drop-off and pick-up.

Lastly, I am concerned there is inadequate space for sleep, play and mealtime to insure the safety of 14 children.

This is a significant business endeavor and should NOT be located in a residential neighborhood.

Thank you for your consideration,
Linda Wolf

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Jenny Soo

Subject: FW: Daycare at 3149 Chardonay Drive

-----Original Message-----

From: Marie Stapleton Sent: Monday, November 26, 2018 8:41 AM

To: Jenny Soo <JSoo@cityofpleasantonca.gov>

Subject: Daycare at 3149 Chardonay Drive

Hi,

I have been informed that the new residents of 3149 Chardonay Drive have applied for a large daycare license. I am a neighbor and I am not in support of this. Chardonay is a quiet neighborhood street where kids play and walk to and from school. Adding 14 cars each morning and afternoon to the traffic will not be good or safe for the neighborhood. Also, Chardonay is not a through street so all cars will have to turn in the area further increasing the traffic and danger on the road.

Regards,
Marie Stapleton

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https://www.mailcontrol.com/sr/DtJa66XK5urGX2PQPOMvUoZ6CX_kCKjTtUH3MNSC21SaXM319p1Gn8NXPVI5CO_kyDVAMHtZSFb46EHnGWFGZQ== to report this email as spam.

Jenny Soo

Subject: FW: Daycare App 3149 Chardonnay Dr

From: nahdo
Sent: Saturday, November 24, 2018 11:21 PM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Subject: Daycare App 3149 Chardonnay Dr

Hello. I've lived at [redacted] for 30 years and am quite familiar with the house located at 3149 Chardonnay, its currently owned by friends of mine. They are a family of 4, that recently moved so they would have room for granddad. This residence does not have the square footage to adequately allow for 12 children. That would be rather poor conditions for the kids to exist in all day, I think half of that, 6 would be more realistic. If this home is to be used as both a residence for the 4-5 people I've noticed there, and daycare for 6 or 12 that is absolutely ridiculous!

Can you tell me if this home is being for only a daycare site, or additionally as a family residence?

While the backyard would be sufficient for a play area for children, it would be important that they not play out front or near street as we've had considerable issues with excessive speed and our kids safety on Chardonnay, thus the 1 way entrance/without exit on Sauterne.

I think it should also be noted...Mike Bruns lives across the street and has a long history of volatile and erratic behavior, which you can verify with the PD. Also, a meth house just 5 homes east of 3149 on Chardonnay also makes this a less than optimal location for a group of children. This fact, also well documented by PD! As a working Mom I'm well aware of the shortage of good daycare, so have mixed feelings writing this...but I really don't feel this would qualify as "good daycare" anyway.

Best Regards,

Nahdo Selig

Sent from Yahoo Mail on Android

Click [here](#) to report this email as spam.

Jenny Soo

Subject: FW: Day care proposed on Chardonnay Drive

-----Original Message-----

From: Nancy S <

Sent: Wednesday, November 21, 2018 3:03 PM

To: Jenny Soo <JSoo@cityofpleasantonca.gov>

Subject: Day care proposed on Chardonnay Drive

Hello,

I'm Nancy Storch, I live., Pleasanton just two doors down from the proposed daycare. I am currently in Southern California so I'm not able to look at the details of the project or the consequences of having a daycare close by.

I'd like the City to:

1) look into the past record of this woman's daycare businesses.

2) and I'd like to know what the consequences have been for neighbors who have lived within two houses of similar home daycare providers caring for 14 children, located in Pleasanton in residential neighborhoods similar to mine.

I'm also concerned about kids being dropped off and picked up in front of my house.

Please keep me in the loop on this issue.

Thank you,

Nancy Storch long-time resident of Pleasanton.

Click [https://www.mailcontrol.com/sr/VKQM9hUxASPGX2PQPOMvUqy_8K4P2-](https://www.mailcontrol.com/sr/VKQM9hUxASPGX2PQPOMvUqy_8K4P2-30oi4Ku_2Leol1iulBmVhyACjER9gTBjC6xe_YZ4A-SLGNc_rJiVGaJg==)

30oi4Ku_2Leol1iulBmVhyACjER9gTBjC6xe_YZ4A-SLGNc_rJiVGaJg== to report this email as spam.

Jenny Soo

Subject: FW: P18-0314/3149 Chardonnay

From: Nancy S
Sent: Monday, December 03, 2018 10:51 PM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Subject: Re: P18-0314/3149 Chardonnay

Hi Jenny,

Last night I met with Rocio Arango at her house. She had dropped an invitation on my doorstep inviting neighbors to stop by 6 to 7 pm to chat and have wine and other goodies. She was very pleasant and explained to me and another neighbor family how she runs her daycare/preschool in her living room + kitchen/dining area, with a bathroom down the hall.

Her goal is to build her business to run year round, with two or three daily sessions that allow up to 14 children per session. Her program appeared to be primarily preschool with added daycare. She currently cares for 10 children, 5 in the morning and 5 in the afternoon that she picks up. None of the children live in our neighborhood. She said she looks forward to expanding her business and would like to have customers who work at Lawrence Livermore Laboratory.

I don't think Rocio Arango picked the right location to meet her dream of running a large daycare/preschool. She mentioned that in the past she's worked with small child groups in her home and large groups at a church.

I feel that her plans are too big for a Chardonnay Dr location. Chardonnay Dr has no outlet, and her customers make U turns to park and/or go back to Touriga. Her house is the smallest model in the neighborhood. And the accessible yard is also very small. It's hard to imagine 14 children plus two or three adults in such small space all morning or all afternoon.

Nearby neighbors have come to me and expressed their concerns for safety of the children, and loss of parking space at their homes. Some are feeling very stressed.

Please do not approve "large family daycare home at 3149 Chardonnay Drive". I'd like Rocio Arango to look for a more suitable, safer location for her vision of expanding her daycare/preschool business.

Best Regards,

Nancy Storch

On Nov 26, 2018, at 2:30 PM, Jenny Soo <JSoo@cityofpleasantonca.gov> wrote:

Dear Neighbors,

Thank you for your emails and calls in response to the notice re: the proposed large family daycare home at 3149 Chardonnay Drive. I have relayed your concerns to the applicant, who will re-evaluate her proposal and

inform me her decision in a couple of days. For those who are the immediate neighbors on Chardonnay Drive, the applicant may again reach out to you to directly address your concerns. I will let you know what the next step is after I hear back from the applicant.

Again, thank you for your comments. If you have any other questions and/or comments, please call or email me.

Jenny

Jenny Soo

Associate Planner, Community Development Department

D: 925-931-5615

F: 925-931-5483

jsoo@cityofpleasantonca.gov

City of Pleasanton | P.O. Box 520, Pleasanton, CA 94566

<image011.png> <image012.png><image013.png><image014.png><image015.png>

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Jenny Soo

Subject: FW: Amigos Pre School

-----Original Message-----

From: Rae Allan <
Sent: Monday, December 17, 2018 10:23 AM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Cc: Amigos preschool Parker And Wyatt's Pre School <micasita0203@gmail.com>
Subject: Amigos Pre School

Dear Ms Soo,

It is with sadness that I have heard that Amigos Pre School is having difficulty with the licensing process. I understand that the request to increase the numbers is to ensure the financial viability of the business. This is a valuable addition to the available day care offered in Pleasanton and supports the program at Valley View. I am a Nanny and I have dropped children at Amigos for a full academic year. I found the Day care to be efficient and organized. We all had our times of dropping off and Rocio always greeted each child and chatted with me to ensure a positive handover. She ensured the children were well and she set positive expectations for the days learning. Although I can understand neighbors concerns around drop off and pick ups I believe they are misplaced. Rocio was always very respectful of her neighbors and encouraged her family's to be respectful of her neighbors during drop of and pick up. It was not acceptable to block driveways or block the street and I never witnessed any incident which caused neighbors upset or concern. We all had different schedules and staggered drop off and pick ups. Daycare is not a one size fits all service and Amigos offers a high quality day care with Spanish language skills as an intrinsic part of the experience. This unique day care should be celebrated for the diversity it brings to our community and the choice it offers parents. I hope this is helpful in your deliberations, thank you

Rae Allan
Vintage Hills Resident

Sent from my iPhone

Click
<https://www.mailcontrol.com/sr/pMtmGKPckkDGX2PQPOMvUgfUspOYWKRbenWzLhec3Ypyei7ndGAZq35GN4y84mreTLaEBNDbudweRLY-cWrx9g==> to report this email as spam.

Jenny Soo

Subject: FW: Day care permit at 3149 Chardonnay Drive

-----Original Message-----

From: Sandra Ryan <

Sent: Monday, November 26, 2018 7:16 PM

To: Jenny Soo <JSoo@cityofpleasantonca.gov>

Subject: Day care permit at 3149 Chardonnay Drive

We are concerned about the size of the day care that is being planned for 3149 Chardonnay Drive. The size of the house does not seem to be large enough for 14 children, and the additional traffic will affect the noise and safety of our neighborhood.

Sandra Ryan

Sent from my iPad

Click

https://www.mailcontrol.com/sr/1V9zTT2ixs_GX2PQPOMvUikZGg4PuPFT3RiRfPMYvIKcm6KuqXg_crAMzF5grG6P9WT37oGTw4MAXoNDtAu6BA== to report this email as spam.

Jenny Soo

Subject: FW: P18-0314/3149 Chardonnay Drive

From: THOMAS GALLAGHER
Sent: Sunday, December 02, 2018 9:31 PM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Subject: P18-0314/3149 Chardonnay Drive

Hello,

I am Thomas Gallagher, . Pleasanton, just down the street from the "Large family Preschool home" at 3149 Chardonnay.

I was in the dark about this business in our residential neighborhood until I talked to Mrs. Arango a few days ago

and received her letter of explanation as to why she should be able to operate a business of this magnitude in a residential neighborhood. I am very concerned!

My main concern is the traffic that will be generated from this approval. I have lived in this neighborhood for 30 plus years, I've seen alot of kids grow up, including my own on this street and traffic has always been a concern, enough to get the city to shut down Sauterne St. to one way due to the bumper to bumper commuter cut-thru traffic heading to Livermore and beyond.

We have many neighbors with young children that are constantly playing in front of their homes or riding bicycles, playing basketball or soccer, alot of these activities are in the street, with this increase of traffic from dropping off and picking up the children all day long, I don't feel the current homeowners should be subject to the added danger for the betterment of this business, in a rental home in our quiet neighborhood.

I believe an operation of this size should be placed in a commercial area with adequate parking and accessibility, not in an area where it will impact a neighborhood that people pride themselves to live in and raise their children.

Thank You,

Thomas Gallagher

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Petition re Zoning Application P18-0314
3149 Chardonnay Dr., Pleasanton CA

We the undersigned oppose the application for Rocio Arango (P18-0314) to operate a Large Family Daycare (maximum of 14 children) at the existing residence located at 3149 Chardonnay Drive, Pleasanton, CA. We express our concern for the impacts on traffic, parking and safety and noise impacts for the immediate neighbors. The applicant seeks to expand a commercial business to serve 14 children at a time (no daily limit) on a no outlet street.

We are concerned that:

- 50-80 or more traffic trips will be added to a no outlet street which is not adequate for this traffic level of service (LOS)
- Neighbors have already had near accidents with drivers rushing to drop off/pick up
- Applicant's clients have parked across neighbors' driveways and will continue to do so
- Upscaling the school means parking farther away, walking children across uncontrolled streets and intersections
- Sauterne is a one-way street, leaving egress only by making a u-turn and exiting through Chardonnay [to Touriga]--doubling the traffic and safety impacts
- Applicant's emergency evacuation plan involves "an extensive emergency bin." 14 children too young to walk without supervision cannot be brought to safety without a sufficient number of vehicles, adult drivers and caretakers, car seats and egress points
- Within 3/4 mile, Megan's law database lists four registrants
- Within a block is a former drug house which the City Attorney fought hard to clean up

We feel that Little Flowers Montessori and Genius Kids programs located in commercial space within walking distance (1/2 a mile) serve the neighborhood appropriately. The applicant's program could be similarly located in a commercial space and would be welcomed by us all.

SIGNATURES ATTACHED

Petition re Zoning Application P18-0314

3149 Chardonnay Dr., Pleasanton CA

Address	Name	Signature
3193 Chardonnay Dr	Nancy Storch	Nancy Storch
3174 Chardonnay Dr.	Josua Bryse	Josua Bryse
3239 Chardonnay Pl	Daniel Moll	Daniel Moll
3245 Chardonnay Pl	Sandra Ryan	Sandra Ryan
3245 CHARDONNAY PL	KEVIN RYAN	Kevin Ryan
501 Burger Ct	Linda Parker	Linda Parker
501 Burger Ct	Ronald Parker	Ronald Parker
523 Burger Ct	Wilson On	Wilson On
523 Burger Ct.	Juliet Chia	Juliet Chia
54 POMA CA	Jan Mendez	Jan Mendez
530 Burger Ct	LOUISE FERRANDEZ	Louise Ferrandez
605 Sylvaner Dr.	Tara Collier	Tara Collier
630 SYLVANER DR.	ROBERT DOLLER	Robert Doller
3130 CHARDONNAY DR.	MICHAEL J BRUNS	Michael J Bruns
3108 Chardonnay Dr.	David Polanco	David Polanco
3108 chardonnay Dr.	Brena Polanco	Brena Polanco
623 MARSALA CT	PADRIG STARON	Padrig Staron
623 Marsala Ct	Mare Staron	Mare Staron
612 MARSALA CT.	Thomas Callahan	Thomas Callahan
612 MARSALA CT.	KATHY CALLAHAN	Kathy Callahan
3036 Chardonnay Dr	Dan Brennan	Dan Brennan
663 Orofino Ct	H. Asplund	H. Asplund
663 Orofino Ct	Nojden Pajontan	Nojden Pajontan
679 Orofino Ct	2009m dr	2009m dr
618 Orofino Ct	Manhar Bhi	Manhar Bhi
3174 Chardonnay Dr.	Sonja Cehic	Sonja Cehic
3174 Chardonnay Dr.	Elan Brysk	Elan Brysk
682 Orofino Ct	Diane Kirk	Diane Kirk
2979 Chardonnay Dr	Victoria Estelle	Victoria Estelle
3003 Chardonnay Dr.	Nichelle Flores	Nichelle Flores

[30 Signatures per page]

Petition re Zoning Application P18-0314

3149 Chardonnay Dr., Pleasanton CA

Address	Name	Signature
-3017 Chardonnay Dr.	Kurt Leffler	<i>[Signature]</i>
-589 BURGESS CT	OLIVER GONZALEZ	<i>[Signature]</i>
-2632 ENGRID CT	TEE BAWA	<i>[Signature]</i>
-2632 Ingrid CT	AMAN BAWA	<i>[Signature]</i>
-3047 Chardonnay Dr.	<i>[Signature]</i>	<i>[Signature]</i>
581 BUNGEY	<i>[Signature]</i>	<i>[Signature]</i>
3171 Chardonnay Dr	Michelle Davis	<i>[Signature]</i>

Timestamp	Your Address	Your Name	Your digital signature
12/16/2018	695 Orofino ct.	Eunjung Lee	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/16/2018	3193 Chardonnay Drive	Jialin Hong	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	2906 Chardonnay Drive	Dustin Boots	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	615 Orofino Ct.	Janet Ash	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	2906 Chardonnay Drive	Julia Boots	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	638 Marsala Court	Shahab khandan	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	638 Marsala Court	Farah khandan	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	2970 Chardonnay Drive	Lesiie Hoffmeyer	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	2938 Chardonnay Drive	Marlene Loos	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	2954 Chardonnay Dr	Linda C Wolf	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/17/2018	2954 Chardonnay Dr.	Robert Wolf	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/18/2018	2922 Chardonnay Drive	J. Michael Hosterman	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/18/2018	2922 Chardonnay drive	Jennifer Hosterman	By checking this box I am digitally signing this petition [I have not already signed a physical copy]
12/19/2018	3227 Chardonnay Place	Jason Briggs	By checking this box I am digitally signing this petition [I have not already signed a physical copy]

Jenny Soo

Subject: FW: P18-0314

From: Jan Ash <janash427@gmail.com>
Sent: Friday, January 25, 2019 1:50 PM
To: Jenny Soo <JSoo@cityofpleasantonca.gov>
Subject: P18-0314

Hi Jenny,

I am very concerned about the application for a large family day care at 3149 Chardonay Dr.

This is on the street just north of where Sylvaner Dr. cuts into Chardonay Dr. This place is a very dangerous spot, I have come so close to being hit a number of times by people who just zoom onto Chardonay from Sylvaner without looking. If we have the added traffic from a daycare this could prove deadly

Also I don't understand how someone who I believe is renting the home can do a large home daycare anyway. It seems to me the owner would have to sign off on that.

My main concern is the amount of traffic this would bring into a pretty confined area. I have no problem with a 5-6 child daycare but up to 14 is not a good idea.

Also with the Drug house that is at the east corner of Chardonay and Sauterne I feel that as a parent I would not want my children anywhere near that. People come and go from that house at all hours of the day and night. Why would the city even consider putting children in possible harms way?

in Christ,

Jan

Office Manager/Missions Director

Rock Bible Church

"He alone is my rock and my salvation, my fortress; I shall not be shaken." Psalm 62:6

Click [here](#) to report this email as spam.

The Beck Family

Pleasanton, CA 94566

December 14, 2018

Ms. Jenny Soo, Associate Planner
City of Pleasanton, Community Development, Planning Division
P.O. Box 520
Pleasanton, CA 94566

RECEIVED

DEC 17 2018

CITY OF PLEASANTON
PLANNING DIVISION

Re: Amigos Preschool, 3149 Chardonnay Drive, Pleasanton

Dear Ms. Soo,

We are writing in support Rocio Arango and Amigos Preschool. Our three children have been under the care of Rocio at Amigos Preschool for the past five years. During that time, Rocio has always created a safe and nurturing environment for our children to learn and grow as they prepare for Kindergarten.

We first discovered Amigos after we learned about the Dual Immersion program in the Pleasanton Unified School District. As English speakers, we felt it was important to find a way for our children to have a basic understanding of the Spanish language prior to starting Kindergarten in the DI program. Rocio has provided so much more than that! In fact, our first two children tested so well on the Dual Immersion placement test they could have qualified for native speakers. They continue to perform well in school and receive compliments from their teachers about the quality of their Spanish! Our youngest son has been going to Amigos since he was two and can say his ABCs, count to twenty, and name his colors in Spanish as easily as he can in English. He has learned both at Amigos. As a testament to the quality of Rocio's preschool curriculum, there are currently five PUSD teachers that send their children to Amigos and one is a teacher in the Dual Immersion program at Valley View. All of the other families at Amigos are Pleasanton residents and are active within the community. We are thankful for the lasting friendships we have developed with the families of Amigos Preschool, which continue to strengthen our bond with the community of Pleasanton.

Rocio goes above and beyond to create a safe and caring environment for her students. She has obtained all of the required permits to operate her preschool and spent thousands of dollars to enhance the life safety systems of her home. She has truly dedicated herself (and her home) to her work. The living room of her home serves as a friendly, bright and colorful classroom. The space is divided for the various activities that keep the kids engaged throughout the day. Rocio clearly meets the standards set forth by the city and surpasses the quality of the various other Pleasanton preschools that our children have attended over the years.

In addition to providing a safe and productive environment for her students learn, Rocio regularly plans activities for her students outside of the home. She has taken her students to the library, the local LPFD station house, the pumpkin patch, as well as regular trips to the park for outdoor play.

We like that Amigos is located in a quiet neighborhood. When Andy arrives in the morning (between 7:15 and 7:30a), he is frequently the only car on the street. In the afternoons (between 3:30 and 4:00p), Sarah will occasionally overlap with another parent. Even with another family picking up at the same time, there is always parking in the driveway. Rocio communicates with parents to make sure that pick-ups and drop-offs are done safely and with minimal disruption to her neighbors.

In addition to her work at Amigos, she is raising a family and finds time to be an active member of the Pleasanton community. She is supporting her two active teenagers and regularly volunteers for the Pleasanton Valley Swim Club and the other activities her children are involved in.

Through her business, Rocio is providing the children of our community with a tremendous gift of language and communication that is so desperately needed in our world today.

Please contact us directly if you have any questions that we can answer about our experience.

Sincerely,



Andy Beck



Sarah Beck

December 8, 2018

Jenny Soo
Associate Planner
Community Development Department
City of Pleasanton

Lauren Juan

Pleasanton, CA 94566

RECEIVED

DEC 17 2018

CITY OF PLEASANTON
PLANNING DIVISION

Dear Ms. Soo,

I am writing on behalf of Rocio Arango, who is the teacher of my 4-year-old son. My son has attended her bilingual pre-school for several months now, and our family is very thankful for Ms. Rocio and her services. My son has benefited not only from the Spanish element of the program that Ms. Rocio provides, but from her experience as a long-time teacher and education professional, as well. She is an excellent educator and takes great care in attending to all the details of a home-run business.

This is my son's third year in pre-school, but his first with Ms. Rocio. Last year, at his previous pre-school, my son had a very difficult time. He developed anxiety about going to school, and was noticeably distressed on the mornings he attended school. Needless to say, this became very upsetting for me, not only as a mom, but as a former teacher who places great importance on my children's school experience (before becoming a stay-at-home-mom, I taught Kindergarten and first grade for several years at public school in Union City). The emotional angst he was experiencing concerned me greatly, but the larger concerns of his negative associations with school at only three years old were extremely worrisome.

When we made the decision to leave the former school and attend Ms. Rocio's program, I was nervous to say the least. I was afraid his anxiety about attending school would only increase, given that her program would be entirely in Spanish, and he had no Spanish language experience. And before I even picked him up from his first day with Ms. Rocio, I knew this was a special place. She had sent me via text a photo of him happily at work with a quick note about what a good day he had. Since then, my son has quickly grown to love school again. He attends her program only a few days a week, but often asks "Can I come to Amigos every day?" and has me show him on the calendar how many days until his next day with her.

Ms. Rocio has great communication with me each day when I pick him up, providing helpful feedback on both his academic progress and his social-emotional growth, which I appreciate so much. As a credentialed teacher who has worked extensively with young children, I trust her insight implicitly and feel completely confident in her merits as a teacher of the "whole" child. She is a wonderful teacher, whose experience and expertise in the field is clear as soon as you see her with her students. Ms. Rocio

provides a newsletter for us parents at the start of each month detailing the learning themes and vocabulary that will be covered, and provides theme-related art projects for the children as well as handwriting and phonics practice. She also takes photos of the kids each day and posts them on a class website for the parents to see and enjoy. Seeing these moments is priceless! With that said, it is no wonder that Ms. Rocio's program is very much loved and highly regarded by all the lucky parents whose children have come through her door.

As residents of Pleasanton, we are so lucky to have the opportunity to take part in the Spanish Immersion program at Valley View Elementary (my older daughter attends the program, and my son will begin it next year). We are not Spanish-speakers at home, so Ms. Rocio's unique bilingual pre-school is priceless for us in giving our son a strong Spanish foundation so that he can enter bilingual Kindergarten more prepared, and ultimately enjoy more success as a student.

When shopping around for pre-schools, it was rather remarkable that Pleasanton has virtually no options for Spanish preschool, especially given the city's highly respected dual immersion elementary program. I believe that Ms. Rocio's pre-school is the only full-immersion program available. It is a shame that her program, along with the linguistic preparation it provides, can be experienced by so few children. Expanding the number of students she is licensed to teach would benefit so many families, which would benefit the dual immersion program, as well.

I understand the concerns of the neighbors regarding traffic and parking; they are certainly valid and understandable. I can say, however, that as a parent of the program, my observation since school began is that drop-offs and pick-ups are quite calm, and actually staggered. Although my son attends the school at the same hours as the other children in the program, there is usually no overlap of drop-offs or pick-ups, and I am often the only one parked in her driveway or in front of her sidewalk. Occasionally (less than half the time), there are one or two other parents there at the same time as me, which is still quite calm. Drop-offs and pick-ups are quite quick, as well, usually just long enough for a doorbell ring and quick kiss good-bye. All of this helps minimize the flow of traffic and congestion, as there are rarely more than two parents there at the same time.

In the consideration of allowing Ms. Rocio to be licensed to teach more children, I hope you will take into account the many benefits of her school. Her school is one of the bright spots our city has to offer, and allowing more students to experience her program would only make our city better.

Sincerely,



Lauren Juan



Chris Juan

Francis and Liliana Sandico

Pleasanton, CA 94588

December 8, 2018

RE: Amigos Immersion School
% Rocio Arango

Dear Sir or Madam,

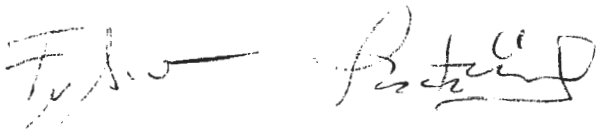
This letter is to provide our testament regarding Amigos Immersion School. Our twin boys, Nolan and Benjamin Sandico, are attending preschool at Amigos. They have been with Amigos for two years in preparation to attend an Immersion elementary school in Pleasanton

As parents, we are completely satisfied with the education our children are receiving from Rocio. They have expressed growth and fun learning experience at Amigos. Their day to day experience with Rocio provides them a good educational foundation to go to the next level.

As an educator, Rocio understands the concerns parents go through when leaving a child to someone else's care. She makes sure that she address any possible safety hazards that can happen. For example, she has disaster preparedness plan in place in the event they need to vacate the place of business. The place of business have been retrofitted to be suitable for child care with extensive safety measures in place, like a fire alarm system, first aid kit and etc...

Amigos is a crucial part of our family life. We, the parents of all the children, support Rocio with her endeavor to provide a good and healthy environment to educate our kids in learning a second language. No one recommend her to us when we were looking for a preschool. The reviews we read in YELP and messaging other former attendees parents gave us assurance on how she handles children and effectiveness as an educator. We would not hesitate on giving her another thumbs up as many other parents have in the past.

Sincerely,



Francis and Liliana Sandico

RECEIVED

DEC 17 2018

CITY OF PLEASANTON
PLANNING DIVISION

Ryan and Michele Schmidt

December 11, 2018

Jenny Soo
City of Pleasanton
P.O. Box 520
Pleasanton, CA 94566

Dear Jenny,

We are Ryan and Michele Schmidt of Vintage Hills in Pleasanton and are writing this letter to offer support for Amigos Preschool. Our daughter Mila (4) currently attends Amigos and our son Luca (6) who previously attended the preschool is now excelling in the Dual Immersion program at Valley View Elementary. Having our children learn a second language has always been very important to us and we are grateful to have found the unique program that Amigos offers. Rocio, the director, is warm and caring. She exhibits excellent class control along with her full time assistant. Although my children have quite different personalities and learning styles, Amigos has been able to meet both of their needs. Rocio communicates well and always informs me about my daughter's day at pickup. As a family, we have enjoyed the extra curricular activities Amigos has arranged including trips to the pumpkin patch, a petting zoo at a local park, and a wonderful graduation ceremony. In the interest of expansion, I feel confident that my daughter would get an excellent education at Amigos if capacity increased.

When Amigos moved to Vintage Hills I was excited to welcome them to the neighborhood. I am now able to walk my daughter to preschool. Amigos is located on a wide street and I haven't seen any traffic buildup. The large driveway easily fits two cars, and there is plenty of parking in front of the house. Rocio staggers the drop offs and pick ups so it is never crowded. The inside of the house is wonderful for the children. It is light and airy. The kids have clear divisions of areas such as a library, carpet circle time, and tables for activities. They enjoy guided learning both inside of the house and in the backyard. I have always observed the kids being respectful and engaged.

Overall we feel lucky to be a part of such an incredible program at Amigos and under the excellent direction that Rocio has provided for our children. If you have any questions, please do not hesitate to contact us. Thank you for your time.

Sincerely,

 RECEIVED
DEC 17 2018

Ryan and Michele Schmidt

CITY OF PLEASANTON
PLANNING DIVISION

November 29, 2018

Dear Ms Soo,

Our daughter, Anna, is in her third year at Amigos with Rocio Arango. Our goal in placing her at Amigos was to give her a foundation in Spanish. From her first day there, we couldn't imagine a better place for her to learn and grow. Amigos has become a family to us. Anna has thrived in a nurturing home-based setting and has made wonderful friends.

For her father and me, preparing Anna for a global future is of utmost importance. The ability to communicate in a second major world language is an invaluable skill, and one we could not provide at home. Her attendance at Amigos has given Anna a head start on her language acquisition that we hope to continue through Valley View's Dual Immersion program.

We are fortunate to live in a community that recognizes the immense value of teaching our children a second language and are fortunate that we have Amigos to provide an early start. As a community, we should encourage parents to take advantage of these programs. To do that means expanding access. I understand Valley View has done that with the addition of a third Kindergarten classroom in the DI program. As the only Spanish immersion preschool in Pleasanton, Amigos should be able to increase enrollment as well and give more families the opportunity to provide a bilingual education to their children.

Thank you,
Jessica and Mike Clinton

RECEIVED

DEC 11 2018

CITY OF PLEASANTON
PLANNING DIVISION

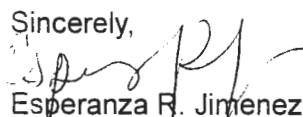
Dear Jenny Soo,

My name is Esperanza Jimenez and I have taken my 3 children to Amigos since 2014 for their preschool experience and for kindergarten pick-up help. Rocio is a wonderful teacher and a great asset to our city. As a teacher at Valley View I have seen the great benefit it is to have my own children and their classmates begin with her as their teacher at Amigos. Given that we have the Dual Immersion program all of her students have a head start at not only learning how to speak Spanish, but also learning basic academic skills to be successful in our program. She is very organized, structured and always makes sure she tries to accommodate her neighbors needs.

As a teacher, Rocio has a very structured curriculum where she makes sure to plan diverse activities throughout the day to keep the kids occupied and learning. She is well aware of their attention needs. Being that they are little, she makes sure to fulfill their need to move from one activity to another to make sure that they are constantly entertained. My kids have always loved going with her because they are constantly doing different activities and learning. Rocio also has a good handle on discipline and will contact parents right away if a need arises. She is firm and rewarding with the students, and although they are little and squirmish they learn how to behave in a classroom setting and listen to a teacher. As you know some kids may need more attention than others, I feel that she is able to give the kids the attention they need on an individual basis and as a whole. She has a helper who also follows Rocio's lead to make sure that all children are attended to and are kept busy and safe when situations arise. I have full confidence that if more children are allowed in the program, this will remain the same. She has built a foundation on the kids safety, love and learning.

I also feel as parents of the program, Rocio has built a community of helpers. If and when needed, we step in to make sure that everything is running smoothly for her and the kids whether it's during pick-up or drop-off times or at any time the need arises. She has constant communication with us whether it is through text or email. We have procedures to follow at pick and drop off times and we make sure to communicate the time that we will be picking up and dropping off our kids. Rocio has already explained to us that we are to first and foremost, park 2 cars in the driveway and if needed we are to park in front of her house. If changes are to be made to increase the number of participants, I am sure that Rocio will let us know the new protocol as she sees fit to better fulfill the needs of her neighborhood. In the past, she has followed the rules and needs of her neighbors and has made sure to communicate with us if we are not following these needs.

I understand the concern that neighbors may have, but please rest assured that Rocio is always willing to have the lines of communication open to make sure that everyone's needs are met. She runs a tight ship and makes sure follow rules as they need to be followed to ensure the safety and security of all. Thank you so much for your time, please feel free to call me if you have any questions:

Sincerely,

Esperanza R. Jimenez

RECEIVED

DEC 17 2018

CITY OF PLEASANTON
PLANNING DIVISION

Judith Liebman
Benjamin Horowitz

Pleasanton, CA 94566

November 27, 2018

RECEIVED

DEC 17 2018

CITY OF PLEASANTON
PLANNING DIVISION

City of Pleasanton
200 Old Bernal Ave.
P.O. Box 520
Pleasanton, CA 94566

To whom it may concern,

We are longtime residents and homeowners in Pleasanton (15 years), and have the joy and privilege to be raising our two boys here. Our older son attends the Valley View Dual Immersion program which we have greatly benefited from and supported over the past 5 years. Our younger son has the wonderful opportunity to attend Amigo's Preschool with Rocio Arango.

We wanted to send our sincere opinion about concerns such as noise, safety, traffic, space, and parking, and the benefit to Pleasanton of allowing Amigos to expand into a large family daycare.

Rocio Arango and her helper are extremely proactive about leading positive, age appropriate activities that are well supervised. Given this dedication, noise from children inside or in the backyard of the home should not be excessive.

Safety is the number one objective for Rocio and Amigos Preschool. Since moving into her new home, Rocio has been very efficient in adding all the changes needed for a home daycare, and she goes above and beyond in this area. Children are never allowed outside of the home without supervision.

In dropping off and picking up our youngest at Amigos, we have noticed no traffic on Chardonnay Drive, with some limited traffic turning from Bernal onto Vineyard and from Tawny onto Touring Drive. At the daily times we drive there, almost none of the other cars are preschool parents, so we don't see any measurable effect on the traffic or parking on Chardonnay. There is always plenty of space to park in front of the house or in the driveway while picking up or dropping off, as well as on the rest of the street.

Rocio Arango has designed a truly amazing preschool program, and part of that is her excellent use of space, and allowance for most of her home space to be part of the preschool. She is extremely well organized, and uses storage space well, so when we look through daily pictures

of preschool activities I am always pleasantly surprised to see new & different educational materials in use. She is able to motivate fun active play inside as well as outside.

We have found Rocio's Spanish immersion preschool to be a one-of-a-kind treasure. In my role as a long time leader of the LLNL Moms' Group, I have put together daycare and preschool recommendations throughout the Tri-Valley area. Given this knowledge, I'm confident in saying that this program is unique and valuable to Pleasanton in several ways.

First of all, full day immersion in a second language for young children has been shown to greatly boost language and reading competence in both languages. Our son was previously at a loving home daycare (with mostly younger infants) where Spanish was the primary language, but he was not picking it up. We saw an immediate change after he started Rocio's program, and he is now on track for Valley View DI. Rocio is connected with several of the DI teachers, and goes above and beyond to develop each child at their own pace.

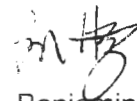
The second reason this program is so valuable and unique is that it brings together families of different backgrounds, and provides a common love of languages, friendship and fun. Pleasanton has diversity, but often those groups don't meet. Rocio Arango is a focal point, and this enriches the whole community.

Finally, Amigos is a warm, caring, safe, and fun place for preschool age kids, with assurance of caregiver continuity (since she is the owner), and an outstanding enrichment program. The kids and parents love her program, creating a waiting list to attend. It would be a service to Pleasanton to allow a few more kids this opportunity.



Judith Liebman

Sincerely,



Benjamin Horowitz

**MINUTES
ZONING ADMINISTRATOR
Pleasanton, California**

Council Conference Room
200 Old Bernal Ave., Pleasanton
Thursday, January 31, 2019

CALL TO ORDER

The meeting was called to order at 3:30 p.m. by Ellen Clark, Zoning Administrator.

Present: Rocio Arango, Applicant'
Staff: Ellen Clark, Zoning Administrator; Jenny Soo, Associate Planner; Matt Nelson, Associate Traffic Engineer; Cindy Quintero, Senior Office Assistant

P18-0314, Arango, CUP, 3149 Chardonnay Drive

Application to operate a Large Family Daycare (maximum of 14 children) at the existing residence located at 3149 Chardonnay Drive. Zoning for the property is R-1-6,500 (One-Family Residential) District.

Ms. Clark welcomed the applicant and public to the January 31, 2019, Zoning Administrator hearing and asked Ms. Soo, the project planner, to give a brief update on the project.

Ms. Soo briefly explained the project and stated that staff recommends approval subject to the conditions of approval.

Ms. Clark asked Ms. Soo to explain the state law requirements for small family daycares in terms of size as well as the parameters within the scope of the City's review. Ms. Soo explained that a small family daycare for up to 8 children, which is the type of daycare currently run by the applicant, is licensed by the state and does not require City review. A large family daycare (more than 8 and up to a maximum of 14 children) requires a conditional use permit from the City and examines the following criteria: spacing, noise, traffic, and parking. Per state recommendation, if these 4 criteria are satisfied, the City should approve the large family daycare because services such as this are needed. This leaves the City with a very narrow scope of review.

Ms. Clark asked how the conditions of approval, such as staggering of the drop-off times, will be enforced. Ms. Soo replied that they are enforced through the conditions of approval. If the conditions are not being followed, the neighbors can call the City to report it. If the City agrees that the conditions are not being followed, the City can call upon the applicant to find out why they are not being enforced. Conditions of approval have been sent to the neighbors.

Ms. Soo stated that Staff has added an additional condition which requires a 30-minute gap between the mid-day pick up and drop-off times.

Ms. Clark reported that a public comment was received by the City concerning the condition of the fencing along Vineyard Avenue. The concern is that it may invite trespassers or may be a safety issue.

Ms. Soo states that Staff has had an opportunity to discuss this concern with the applicant, Ms. Arango. Ms. Arango has agreed to repair the fencing so that all the fencing around the property is safe.

Ms. Clark asked Ms. Soo to speak to the comments received which reference a specific residence ('drug house') in the neighborhood that has had prior issues with drug violations and persons included on the list of registered sex offenders (Megan's Law) being within $\frac{3}{4}$ of a mile of the daycare residence.

Ms. Soo reported that she has spoken with the City Attorney's office and learned that according to Pleasanton Police, the problem of the drug violations has been resolved. The City Attorney also conveyed that the Megan's Law issue is something that the State should manage.

THE PUBLIC HEARING WAS OPENED.

Ms. Clark invited the applicant to speak.

Ms. Arango, the applicant, spoke of her passion for the Spanish language and her desire to expand her current small family daycare to better serve the community. She detailed her past creation of and participation in Spanish immersion programs in the Bay Area. Ms. Arango described her recent outreach to the neighbors to inform them of her desire to expand her daycare and to invite them to reach out to her with any questions or concerns.

Ms. Clark invited any member of the audience to speak.

Nancy Storch, a neighbor residing two-doors from the daycare, expressed her concern for the safety of the children attending the daycare due to the fencing surrounding the daycare residence and the u-turns on Chardonnay Drive. Ms. Storch requests that anyone associated with the daycare who is parking in front of her home for more than 30 minutes should be required to leave a sign on the passenger window of their car stating they have business at the daycare.

Leah Perez, a teacher at Valley View Elementary, stated that her son attended Ms. Arango's daycare. She expressed her approval of the current daycare and the expansion to a large family daycare to support the community.

Ericka, with the help of a translator, stated that her son Dylan attended Ms. Arango's daycare and expressed her gratitude to Ms. Arango.

Michelle Davis, a neighbor, spoke on behalf of herself and her husband, a longtime firefighter, who has seen several children drown in pools throughout his career. While she approves of Ms. Arango as a small business owner, she is concerned for the safety of the children, declining home values due to a possible accident, a large business being in the residential

neighborhood, and possible resulting traffic. She is also concerned about the impacts from the proposed business to home values.

Kimberley Barker, a resident of Neal Place, has known Ms. Arango since 2007. Her two children attended Ms. Arango's former preschools in San Jose and Palo Alto. She emphasized the need for responsible neighborhood daycare and encouraged everyone to embrace the applicant and her daycare.

Karen Wormuth, a neighbor adjacent to the daycare residence, stated her concern about condition #3 (in Exhibit A) regarding use of the driveway and garage, saying that it is not being followed or enforced. She acknowledged that these conditions may be required only after approval of the conditional use permit, but since visitors to the daycare are not respecting the neighbors now, how can neighbors be assured that they will after approval. She also expressed her concern for declining home values and increased traffic in the neighborhood if the application is approved.

A resident of Vintage Hills mentioned the positive experience his children had at Ms. Arango's preschool. He expressed his approval for the application.

Judith Lehman, a longtime resident of Pleasanton, stated that her son is currently at Ms. Arango's daycare and voiced her approval of the application. She pointed out that there are no other daycare options in the Tri-Valley area that offer Spanish immersion.

Joshua Brysk, a neighbor on Chardonnay Drive, noted that he submitted a petition opposing the expansion of Ms. Arango's daycare. The petition, signed by 58 neighbors living on Chardonnay Drive and surrounding streets, cites issues concerning traffic, parking, safety, emergency egress, Megan's Law registrants, and the aforementioned 'drug house.'

Mr. Brysk also mentioned that someone had recently placed traffic counters along the street. When neighbors contacted the City, they were told that the counters were placed illegally. Mr. Brysk expressed concern that if the applicant or property owner placed those counters, the action would indicate 'lawlessness' and requested that an additional condition of approval be added along with a statement under penalty of perjury from the applicant and the owner that they did not place the counters.

Mr. Brysk also suggested that a traffic study be done to determine whether this type of business would increase traffic to a level beyond what the neighborhood is able to handle. He also mentioned the possibility of arranging permit parking for residents.

Robbie, the son of the applicant, spoke of the benefits of his mother's daycare to the students.

Robbie Perkins, the applicant's husband, spoke of the value of small businesses such as his wife's daycare.

Amy Brown read a letter from a friend and resident who was unable to attend the meeting, in support of Ms. Arango's application.

Frank Garvin, a neighbor, is the grandfather of a child who attends the daycare. He admitted that he used to drive to the end of Chardonnay Drive to turn around at the end of the court, but he no longer does so. He made a commitment to the neighbors to make the changes necessary to address their concerns.

Douglas Vierra, Jr., a former teacher, voiced that the City is in need of quality preschools. His children attend Ms. Arango's daycare.

Rich Rollins questioned if the City has a right to impose a commercial venture in a residential area which will impact its citizens. Mr. Rollins said he was never informed that this application was submitted.

Dara, daughter of the applicant, expressed her support for the large family daycare.

Alma Avalos, a former teacher, said that Ms. Arango has been in compliance with regulations so she sees no reason why the City would not approve her application.

Ms. Clark invited the applicant to make any closing comments.

Ms. Arango stated that she hears the neighbor's concerns. She committed to do her best to make sure the parents abide by the conditions. She does not want to be a nuisance to her neighbors and will follow what the City asks of her. She welcomed the neighbors to talk with her and she will listen.

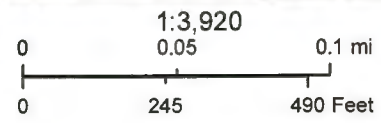
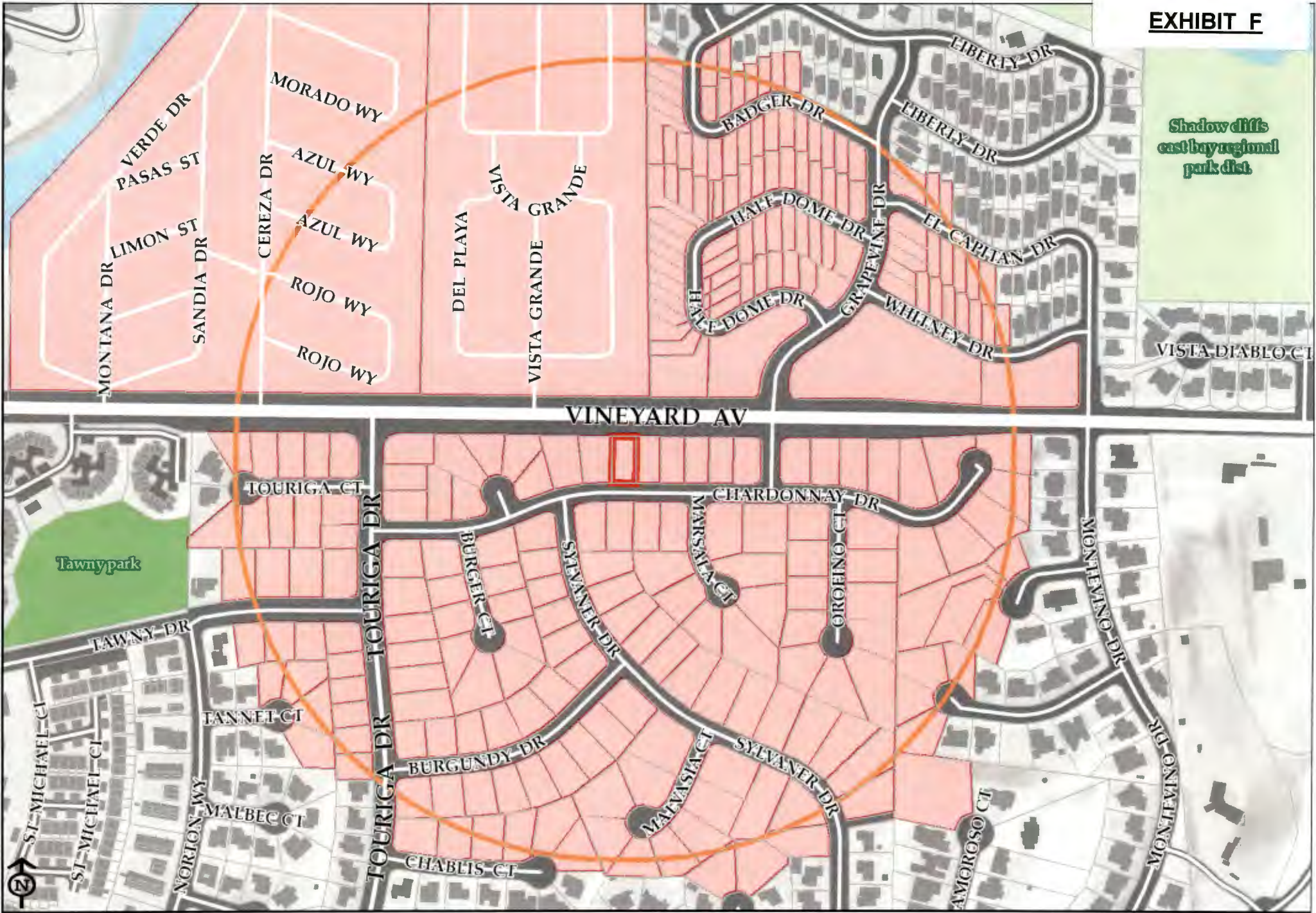
THE PUBLIC HEARING WAS CLOSED.

The Zoning Administrator granted approval of P18-0314, subject to the conditions of approval as shown on Exhibit A.

As there was no further business, the Zoning Administrator adjourned the meeting at 5:04 p.m.

Respectfully submitted,

Jenny Soo
Associate Planner



P18-0314, Brysk-Appellant/Arango-Applicant, 3149 Chardonnay Drive

Planning Division
March 4, 2019

