

Planning Commission Agenda Report

November 28, 2018
Item 6.a.

- SUBJECT:** P18-0240 and P18-0241
- APPLICANT:** Nachi Periakaruppan, Chida and Company, LLC
- PROPERTY OWNER:** Willow Road Associates, LLC
- PURPOSE:** Applications for Conditional Use Permit (CUP) and Design Review to operate a heritage school and preschool with an outdoor playground.
- LOCATION:** 4464 Willow Road
- GENERAL PLAN:** Business Park (Industrial / Commercial and Office) / Mixed Use
- ZONING:** PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office) District
- EXHIBITS:**
- A. [Draft Resolution and Conditions of Approval](#)
 - B. [Narrative, Floor Plan, and Site Plans dated "Received November 8, 2018"](#)
 - C. [Location and Noticing Map](#)

STAFF RECOMMENDATION

Staff recommends the Planning Commission approve Conditional Use Permit (CUP) Case No. P18-0240 and Design Review Case No. P18-0241 based on the findings and subject to the draft conditions of approval in Exhibit A.

EXECUTIVE SUMMARY

The applicant requests CUP and Design Review approvals to establish a new heritage school and preschool (Safari Kid) with an outdoor playground for up to a combined 325 students at 4464 Willow Road, within Hacienda. At this location, heritage schools and preschools require Planning Commission review and approval of a CUP. As proposed and conditioned, staff finds the use and design of the playground are consistent with the intent of the General Plan and objectives of the zoning district and will be compatible with the surrounding uses, and therefore recommends approval of the CUP and Design Review applications.

BACKGROUND

State Heritage Schools

Section 33195.4 of the California Education Code (CEC) defines a “heritage school” as a school that serves children who are at least four years and nine months of age and no older than 18 years of age, and who also attend a public or private full-time day school, in addition to other specified requirements. Heritage schools are not subject to licensure by the State Department of Social Services as a child daycare center pursuant to the Health and Safety Code. Although not licensed by the state, heritage schools are still required to obtain criminal record information for persons associated with the school as well as meet other safety standards set within the CEC Health and Safety Code.

State-Licensed Childcare Facilities

Childcare facilities, such as the proposed preschool, that do not qualify as State Heritage Schools (e.g. that include infants and children younger than four years and nine months of age), are required to be State licensed through the Child Care Licensing Program of the State Department of Social Services. All state licenses are required to be obtained and in place prior to establishing operations.

Hacienda Business Park

On August 3, 2011, the City approved a modification to Hacienda’s approved Planned Unit Development plans to allow both state licensed childcare facilities and heritage schools. These uses are conditionally allowed uses on all Hacienda properties, with the exception of those currently designated solely as High Density Residential.

Safari Kid currently operates an existing heritage school within Hacienda at 5627 Gibraltar, Suite 200, approved by the Planning Commission on April 13, 2013, under Conditional Use Permit P13-0013. The applicant is proposing to relocate their existing business in order to expand their current operations and add a preschool.

SITE DESCRIPTION

The subject site is an approximately 4.6-acre parcel on the west side of Willow Road, directly across from Hart Middle School as shown below in Figure 1. The site has a one-story, approximately 63,011-square-foot multi-tenant building with 251 shared on-site parking spaces (242 standard stalls and nine ADA stalls). Safari Kid would occupy approximately 27,900 square feet of floor area; the rest of the building is occupied by two tenants, Guerilla Jiu-Jitsu (martial arts studio) and Pacific Office Automation (office space for office equipment sales and service). Each of the two existing tenant suites has exterior doors that allow for direct access to the tenant spaces; there is no common hallway or internal access between suites.

Figure 1 – Aerial Photo

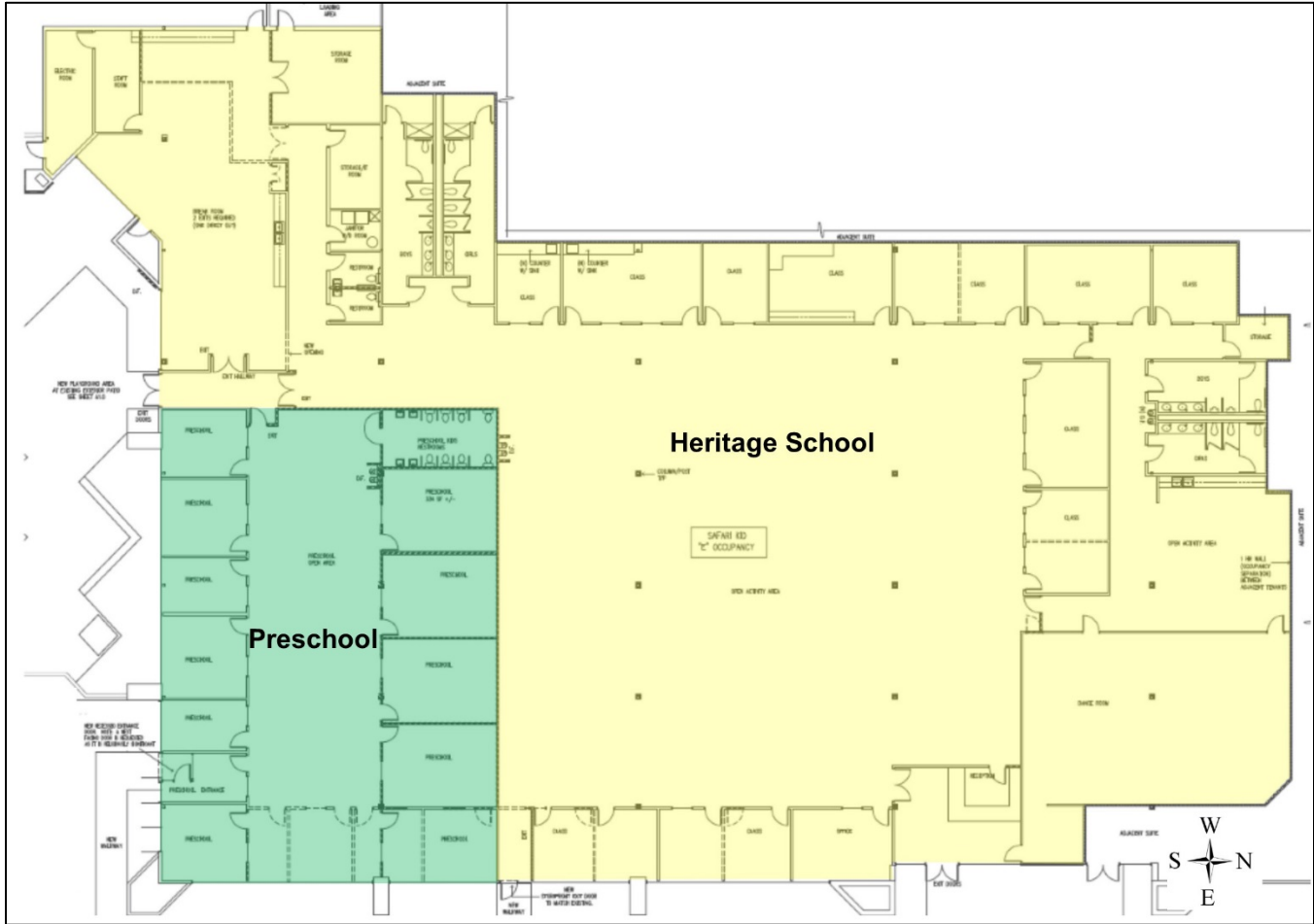


PROJECT DESCRIPTION

Overview

The project includes both a preschool and heritage school, with a combined total of up to 325 students. The preschool would operate year-round, and the Heritage School during the school year only, with a separate summer camp program. Although the programs would operate within separate portions of the tenant space as shown in Figure 2, there would be some overlap between their operating hours. Each of the components of the proposed operation is outlined below. Table 1, on page 9, summarizes the entire project.

Figure 2 – Floor Plan



Preschool Operations

The proposed preschool would operate within an approximately 5,705-square-foot portion of the tenant space. The preschool would typically operate between the hours of 7:30 a.m. and 7 p.m. Monday through Friday with three daily sessions (7:30 a.m.-11:30 a.m., 12:30 p.m.-3:30 p.m., and 3:45 p.m.-7 p.m.). Each session is 3-4 hours long; children can attend individual sessions as a part-time student or all day as a full-time student.

The preschool program would include children between the ages of two and five. As part of the preschool, the proposal includes converting an existing partially enclosed patio area along the south side of the building into an outdoor play area. Preschoolers would be allowed outside in small groups (generally up to 40 children) between the hours of 9:30 a.m. and 5:30 p.m. for 20 minutes at a time.

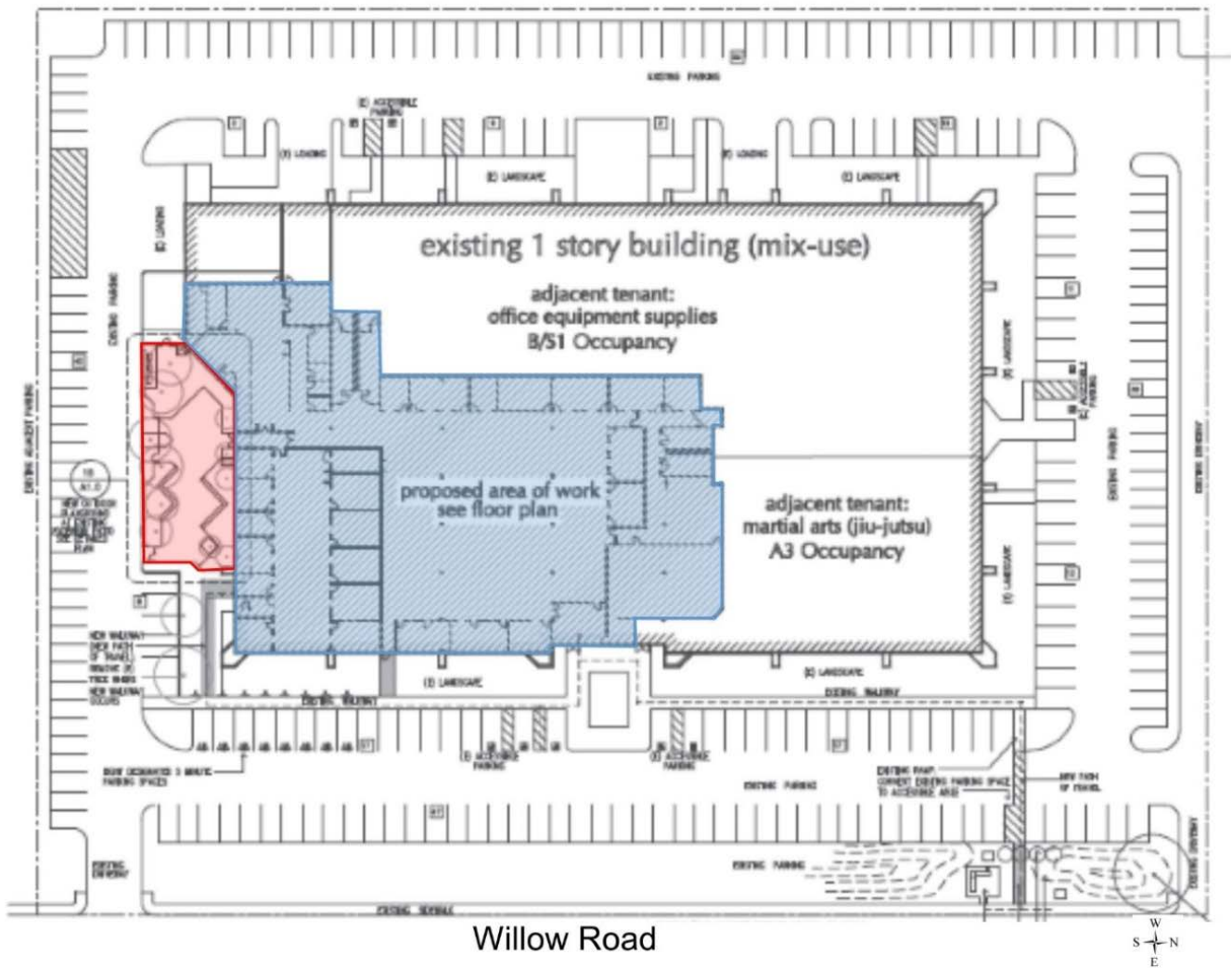
The applicant is proposing a maximum of 100 preschool students (50 full-time and 50 part-time) at any given time, within 11 classrooms. There would be approximately 13 full-time staff at any one time including a director, office assistant, teachers, and aides. The majority of students for the preschool would be dropped off/picked up by parents/guardians. For both drop-off and pick-up, parents/guardians would park on-site – a total of eight 5-minute parking spaces would be provided, with additional parking available within the general parking lot.

Preschool Outdoor Play Area

Safari Kid would convert an existing 3,168-square-foot partially enclosed outdoor patio on the south side of the subject building into a completely fenced-in play area, as shown in red on the site plan in Figure 3. The proposed preschool would include scheduled outdoor play time for groups of up to approximately 40 students at a time as well as occasional events such as barbeques for up to 65 students and staff. Existing landscaping would be modified to accommodate the improvements including additional plantings and new artificial turf within the play area. A 6-foot-tall black wrought iron fence would be installed to enclose and connect the play area to the facility. The play area would be accessible by doors from the building and would also have two exterior gates that would be locked at all times but would feature panic-hardware to allow egress in the event of an emergency.

Please see the attached narrative and project plans (Exhibit B) for additional information on the proposed use and improvements.

Figure 3 – Site Plan



Heritage School Operations

The proposed heritage school would operate within an approximately 22,200-square-foot portion of the tenant space, separate from the preschool space. The heritage school would

typically operate between the hours of noon and 7:30 p.m. Monday through Friday during the regular school year. The heritage school would include children from Transitional Kindergarten (TK) to 8th grade attending after normal school hours. The heritage school would provide a variety of programs for school-aged children, geared towards various cultures. Children would be taught to read and write in addition to arts and crafts, dance, and music instruction. Children would also participate in drama/public speaking, chess, and computer lessons as a part of the school's academic curriculum. The details of the programs, as described by Safari Kid, are included in Exhibit B.

In addition to the proposed afterschool program, Safari Kid would also offer additional one-hour special instruction classes in the evening and on weekends that are only available to their students and not open to the public. Weekend instruction would be between the hours of 9 a.m. and 6 p.m. These special instruction classes include dancing, robotics, and sports. The details of the programs and student flowchart are included in Exhibit B.

The applicant is proposing a maximum of 225 heritage school students at any given time within 11 classrooms, as well as various indoor open activity and common space areas. There would be approximately 25 full-time staff including teachers and aides at any one time. The majority of students for the heritage school would be picked up directly from their school by Safari Kid Van Pool vehicles and brought to the center. Afternoon/evening pick-up would be by parents/guardians. For pick-up, parents/guardians would park on-site in either the eight proposed 5-minute loading spaces or within the general parking lot. Overall, the maximum number of students (both preschool and heritage school) anticipated to be on-site at one time would be 325 and the maximum number of staff would be 38. The anticipated combined student pick-up and drop-off schedules are shown in detail in Exhibit B but have been summarized previously in Table 1.

Table 1 – Staff and Student Flow

Hour of the Day	Total Number of Students Dropped Off ₁	Total Number of Students Picked Up ₁	Peak Number of Students On-site	Peak Number of Staff On-site
Before 8 a.m.	27		20	7
8-9 a.m.	88		100	15
9-10 a.m.	0		100	15
10-11 a.m.	0		100	15
11 a.m.-12 p.m.	20	30	90	15
12-1 p.m.	58		140	23
1-2 p.m.	15		140	38
2-3 p.m.	125 ₂		265	38
3-4 p.m.	60 ₂	68	325	38
4-5 p.m.		34	250	28
5-6 p.m.		30	220	26
6-7 p.m.		140	150	26
7-8 p.m.		75	30	2
8-9 p.m.		16	15	1

1: Inclusive of staff arriving for work and departing from work.

2: The majority of students are dropped off by Vanpool during this time.

In addition to these afterschool programs, Safari Kid will offer a summer camp session when the children are not in school. The camp session would be Monday through Friday from 8:30 a.m. to 7 p.m. during the months of May through August with the maximum number of students and staff at one time remaining the same: 225 children with 25 staff members.

Safari Kid proposed to retain the same model as currently used at their existing location, where parents drop their children off at a park or at the nearby middle school between 8:30 a.m. and 10:00 a.m. where the children would participate in supervised activities until 11:00 a.m. Between 10 a.m. and 11 a.m. Safari Kid would then use their vehicles to transport the children to their facility where the children would participate in heritage and academic programs until their parents/guardians pick them up. Although the outdoor recreation component is an element of the Safari Kid program, there is no requirement under State law or other regulations to provide for outdoor activities.

For the off-site recreation, Safari Kid is required to obtain a rental agreement with the City's Library and Recreation Department for the use of any City-operated outdoor recreational space during summer camp each year including City-owned parks and PUSD properties. Staff notes that the rental agreement has to be applied for each year and is on a first-come, first-served basis. In the past, Safari Kid has utilized either Hart Middle School or Creekside Park for their program. When reviewing the rental agreement requests, the Library and Recreation Department considers the number of students and staff and park amenities including adequacy of parking and circulation. In the event that an outdoor recreational space is not available for Safari Kid's use, the applicant would need to secure other outdoor recreational space or other recreational opportunities to be reviewed and approved by the City prior to operating the camp. A condition of approval has been added to reflect this requirement.

Transportation and Parking

To help, Safari Kid would have 15 vanpool vehicles operated by volunteer parents and/or a professional transportation company to transport students from the children's regular public/private schools to the heritage school facility. The vehicles would also be used to transport the children during the summer camp. The vehicles would then leave with the volunteer parents and/or a professional transportation company and do not remain on-site after dropping children off and will not be parked on-site overnight. As noted, the applicant is proposing to restripe eight parking stalls on the east side of the tenant space as 5-minute spaces, which may be used for the van drop-off.

Interior Tenant Improvements/Building Modifications

The proposed heritage school and preschool programs would be completely separate from each other with each having their own entry and exit from the building. Please refer to Figure 2 previously shown in the report. Minor exterior entry modifications are proposed to create the new entry for the preschool. Safari Kid will also have separate restrooms for the exclusive use of the children and faculty for both the heritage school and preschools within each's portion of the building. The adjacent tenants have their own restroom facilities and will not have access to Safari Kid's facilities.

ANALYSIS

Land Use and General Plan

The Land Use Element of the General Plan designates the subject property as “Business Park (Industrial / Commercial and Office) / Mixed Use.” Safari Kid will operate two different programs including a preschool facility and heritage school, each with an academic curriculum. The project would be consistent with the General Plan land use designation and with the following General Plan Program, Policies, and Goal:

- Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.
- Policy 7: Encourage and support high quality public and private educational facilities in Pleasanton and facilitate lifelong educational opportunities for all ages.
- Policy 13: Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.
- Goal 2: Achieve and maintain a complete well-rounded community of desirable neighborhoods, a strong employment base, and a variety of community facilities.

The zoning for this site is PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office), and the site is located in the Research and Development/Light Manufacturing Planning District (IPD) of Hacienda, which permits land uses such as offices and light manufacturing and requires conditional use permit approval for uses such as indoor recreational sports facilities, heritage schools, and preschools. If the CUP is approved, the proposed heritage school and preschool facility would be consistent with the zoning district.

When the proposed use is educational, instructional, recreational, or daycare, staff evaluates how that use integrates into the surrounding uses. The proposed heritage school and preschool is located on a site directly across Willow Road from Thomas Hart Middle School. The proposed cultural and academic enrichment programs are similar to those offered at other after-school tutoring, heritage and preschool facilities, which have been approved and operate in similar environments. In the past, the Planning Commission has granted Conditional Use Permits for tutoring facilities in business parks including Safari Kid’s existing location at 5627 Gibraltar, Little Ivy League at 4160 Hacienda Drive, and Global Village School at 4807 Hopyard Road. The subject site would have adequate on-site parking for the proposed use (as discussed in the Parking section below) and the activities occurring at the facility are not expected to generate significant noise levels. Based on this analysis, staff believes the proposed heritage school and preschool would be compatible with the surrounding uses.

For similar reasons, staff also considers it unlikely that the operation of Safari Kid would adversely impact the surrounding businesses within the building or, in turn, be impacted by these businesses. For example, given the ages of the children (pre-school through 8th Grade) that would attend Safari Kid, it is unlikely that the children would congregate unattended outside the facility and impact the operation of the other businesses in the building. Safari Kid children would be supervised by staff at all times and entrance doors are conditioned to be closed except when being used. The outdoor play area would be located on the south side of

the building adjacent to the subject tenant space and its use would be limited to the hours of 9 a.m. and 5:30 p.m. for no longer than 20 minutes at a time. All use of the outdoor play area would be supervised by Safari Kid staff at all times.

Parking

There are 251 on-site parking spaces that are shared amongst the tenants in the 63,011-square-foot building. The overall parking ratio of the center is one parking space for every 251 square feet of floor area. Applying this parking ratio to the 27,900-square-foot tenant space, 111 parking spaces would theoretically be allocated to the tenant space.

Per section 18.88.030 (E) (*Schedule of off-street parking space requirements*) of the Pleasanton Municipal Code (PMC), this type of use would require one parking space for each employee, including teachers and administrators, and one space for every four students in grade 10 or above. The student parking requirement, one space for every four students, is not applicable since the children are below grade 10. With 38 staff members, 38 parking spaces would be required for the proposed use. The PMC-required parking demand for this use would be satisfied by the 111 parking spaces “allocated” to this facility based on the total tenant square-footage.

Staff notes that section 18.88.030 (E) of the PMC does not address parking demand during drop-off/pick-up times, which would be the most impacted time from a parking standpoint. Staff believes that there would be adequate parking for drop-off/pick-up given that parent/guardian arrival and departure times are staggered with vehicles parked in the spaces for a short period of time. The preschool and heritage school students would have different arrival times (mornings and afterschool) that would also be staggered, and the heritage school's operation includes van transportation for students after school to the facility. Anticipated student pick-up and drop-off schedules are shown in detail in Exhibit B but have been summarized previously in Table 1. During no 30-minute interval throughout the day does the total number of students and staff coming or going to the site exceed the number of allocated parking spaces for the use.

The largest number of required parking spaces would occur in the late afternoon/evening during pick-up times. As indicated in the submitted drop off and pick up schedule included in Exhibit B, the largest number of student pick-ups requiring parking spaces (70 students) would occur between 6:30-7 p.m. In addition to the students being picked up during this time, there would be approximately 26 staff remaining on-site requiring parking for a total of approximately 96 stalls that may be utilized.

Even at this peak time, staff believes the 111 “allocated” parking spaces would be sufficient to serve the project, and that adequate parking is available. In addition, the adjacent office use would be closed at the 6:30-7 p.m. peak pick-up period, making more parking potentially available. However, should parking problems occur, staff has included a condition of approval which allows the Director of Community Development to refer the use permit back to the Planning Commission for possible mitigation measures (Exhibit A). Possible mitigating conditions could include: reducing the number of children, modifying the arrival/departure times, etc.

Traffic and Circulation

Located at the west side of Willow Road directly across from Hart Middle School, the subject site has two entrances along Willow Road as well as shared access that allows circulation through the adjacent property to Inglewood Drive.

The Traffic Engineering Division has reviewed the proposal and determined that the majority of the facility's operating hours are outside the PM peak traffic period; therefore, a traffic study was not required. However, the preschool morning drop-off may coincide with Hart Middle School during the school year which already creates congestion along Willow Road. Therefore, a condition of approval has been included which requires the applicant provide a detailed pick-up and drop-off procedure that includes an on-site circulation element that directs parents to access and depart the site from Inglewood Drive to the north during the preschool's morning drop-off period (if proper access agreements are in place or can be secured), or any other times as deemed necessary by the City Traffic Engineer. In addition, a condition of approval has been included in which Traffic Engineering staff will monitor circulation at the Safari Kid site to ensure smooth flow on city streets around the school site during the AM (7-9 a.m.), school PM (2-4 p.m.) and PM (4-6 p.m.) peak hours. Based on this monitoring the City may determine and require changes to the hours listed in the narrative (Exhibit B) so that peak-hour trips are reduced, or if other measures are required, such as an on-site circulation attendant. If unanticipated impacts are observed and adequate mitigation is not able to be made, then the application may be brought back to the Planning Commission for subsequent review at a public hearing.

Noise

The Pleasanton Municipal Code states that a proposed conditional use must be in accord with the objectives of the Zoning Ordinance. One of those objectives is to "promote the stability of existing land uses that conform with the General Plan and to protect them from inharmonious influences and harmful intrusions." As proposed, with the exception of the preschool playground, programs would be held indoors with doors closed during business hours. Although there will be dance classes included in the curriculum, the applicant has indicated that music would be played from a small CD player or laptop and not an amplified music system. Based on the proposed floor plan and project narrative, staff does not believe that the noise generated from the dance class would cause a significant negative impact on the adjacent neighbor.

Most of the noise generated by the preschool will be associated with the use of the outdoor play area. The outdoor playtime would be limited and staggered amongst the age groups with a maximum of 40 students during playtime. The two adjacent tenants, Guerilla Jiu-Jitsu (martial arts studio) and Pacific Office Automation (office for office equipment sales and service) are located in the adjacent suites to the north and west of the subject tenant space being occupied by the heritage school. The proposed outdoor play area would be located on the opposite side of the building from the other tenants in the building and not located near other entry or exit locations; therefore, it is unlikely that noise will be an issue. Furthermore, a condition of approval requires that should noise become an issue in the future, the Conditional Use Permit may be amended or revoked.

Design Review

As previously described, Safari Kid would locate their outdoor play area within an existing, partially enclosed patio/break area that includes partial stucco walls and landscaping. New wrought iron fencing would be installed to fill in the gaps between the existing patio walls in order to provide a secure play area. No parking will be removed as part of these proposed improvements and the landscaping removed to accommodate the play area would be replaced with new trees and artificial turf.

Staff finds that the proposed outdoor play area is appropriately sized and designed such that the proposed site modifications would not adversely affect the subject site, the existing uses, or the surrounding areas. Furthermore, the visibility of the outdoor play area would be limited by the existing screen walls.

Health Risk Assessment

Per the California Environmental Quality Act (CEQA), there are air quality guidelines and thresholds that certain uses, such as preschools, are required to adhere to based on their proximity to a pollution source. A health risk assessment is required when preschools are proposed within 1,000 feet of a roadway with average daily traffic of 10,000 or more trips. The proposed preschool and play area are located within 1,000 feet of West Las Positas Boulevard, which has average daily traffic of more than 10,000 vehicles. Therefore, a health risk assessment report was required. The report estimates the health risks that children would be exposed to from nearby sources of air pollution to determine if the health risks would be below the thresholds established by the Bay Area Air Quality Management District (BAAQMD). The results of the report found that the preschool and play area would not be exposed to significant health risks from existing sources of air pollution and the health risk would be below BAAQMD thresholds. A copy of the report is on file with the Planning Division.

ALTERNATIVES

As outlined in the above analysis, staff believes the use and design of the outdoor play area, as proposed and conditioned, would be compatible with the other uses in the vicinity and not create adverse impacts, and recommends the Planning Commission approve the project as proposed and conditioned. However, alternatives to the proposal that could be considered by the Planning Commission include:

1. Denial of all or part of the application. The Commission could deny the entire project or could approve only the preschool or only the heritage school; or
2. Approval of the CUP and Design Review with modifications. The Planning Commission could approve the CUP and Design Review to operate a heritage school and preschool at the current level of enrollment, with modified hours of operation, or other changes such as playground design or site improvement changes.

Since staff believes the findings to approve the project could be made as proposed and conditioned, believes the project will not adversely impact any existing uses or the surrounding area, and the project has been designed to be compatible with the existing building as well as all applicable site development standards, staff recommends that neither of the two project alternatives above be pursued.

PROS AND CONS FOR THE PROPOSED PROJECT

Pros	Cons
Use is consistent with the General Plan and zoning designation.	The proposal may increase traffic and parking demand; however, traffic/circulation and parking impacts would not be adverse.
Provides child care and educational services for children.	
Allows for expanded operation of an existing Pleasanton business.	

HACIENDA OWNERS ASSOCIATION

The Hacienda Owners Association has reviewed the application for the proposed use with play area and found that it is in substantial compliance with Hacienda’s guidelines set forth in the CC&R’s (Covenants, Conditions & Restrictions). The Association believes that the use, parking, traffic, and play area are compatible with currently approved uses within the subject area and, thereby, approved the proposed use and site changes.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners and tenants within a 1,000- foot radius of the site. Staff has provided the location and noticing maps as Exhibit C for reference. At the time this report was published, staff received no comments.

ENVIRONMENTAL ASSESSMENT

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

SUMMARY/CONCLUSION

As proposed and conditioned, staff believes that the proposed use, as well the proposed outdoor play area location and design, will be compatible with and will not detrimentally affect the existing or future adjacent/nearby uses. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area, and the City in general, is maintained. Staff has reviewed the proposed plans and believes there is sufficient parking on-site to accommodate the use. Staff believes that the proposed use will fulfill a community need and that the proposed location is appropriate.

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