

Planning Commission Staff Report

October 22, 2014
Item 5.a.

- SUBJECT:** P14-1022 and P14-1195
- APPLICANT:** Genius Kids (Rennu Dhillon)
- PROPERTY OWNER:** Ellis Partners (Caroline Morris)
- PURPOSE:** Applications for a Conditional Use Permit to operate a licensed daycare for children age 2-6 years and a tutoring center for grades Kindergarten to sixth grade and for Design Review approval for an outdoor play area
- LOCATION:** 5698 Stoneridge Drive
- GENERAL PLAN:** Business Park (Industrial/Commercial and Office) and Mixed Use
- ZONING:** PUD-I/C/O (Planned Unit Development – Industrial, Commercial, and Offices) District
- EXHIBITS:**
- A. [Draft Conditions of Approval, dated October 22, 2014](#)
 - B. [Narrative and Operation Details, Franchise Agreement, Preliminary Floor Plan, Preliminary Play Area Design and Section, and Examples of Play Equipment, dated "Received, September 16, 2014."](#)
 - C. [Hacienda Owner's Association Approval Letters, dated September 23, 2014, for the Conditional Use Permit and Design Review applications](#)
 - D. [Trip Generation Study for Genius Kids, dated September 15, 2014, prepared by Hexagon Transportation Consultants](#)
 - E. [Location and Noticing Maps](#)
 - F. [Public Comments](#)

I. BACKGROUND

Proposal

Ms. Rennu Dhillon, owner/operator of Genius Kids, proposes to lease and occupy an approximately 4,626-square-foot tenant space at the Hacienda Plaza in Hacienda Park

to operate Genius Kids, which would include licensed daycare for children age two to six years, a tutoring center for grades Kindergarten to sixth grade, and an outdoor play area. The proposed use will require an application for Conditional Use Permit (CUP) approval for the operations of the daycare and for the tutoring center since their enrollment will be greater than 20 students, and an application for Design Review (DR) approval for the outdoor play area.

Normally, the Conditional Use Permit application would be reviewed by the Planning Commission at a public hearing and the Design Review application would be reviewed by the Zoning Administrator at the staff level. Given that both applications cover different components -- operations and play area design -- of the same use, staff considers it appropriate for the Planning Commission to review and act on both applications simultaneously.

II. SITE DESCRIPTION

Site Description and Surrounding Uses

Figure 1, below, is the focused aerial photo/location map showing the location of the proposed Genius Kids daycare/tutoring facility in the Hacienda Plaza.

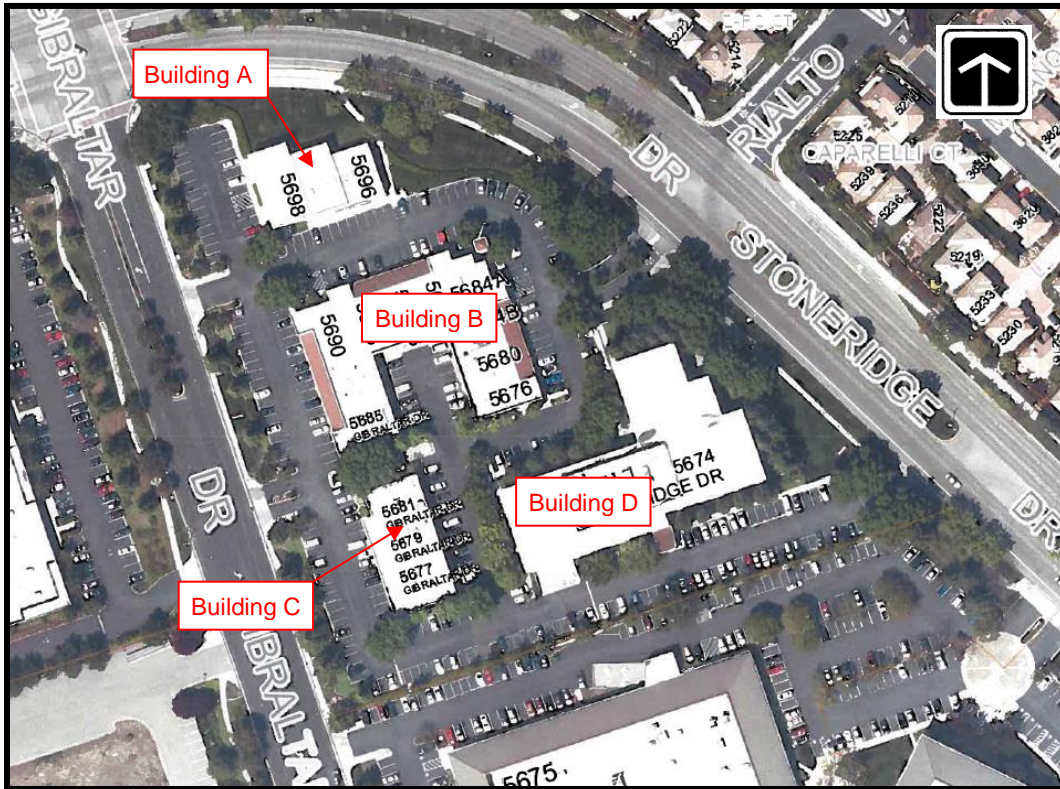
Figure 1: Focused Aerial Photo/Location Map



The Hacienda Plaza is a retail commercial/office center constructed between 1984 and 1985 on Site 37 in the Hacienda Park. Site 37 is an approximately 6.33 acre, triangular-shaped property defined by Gibraltar Drive on its west side, Stoneridge Drive on its east sides, and an office building on its south side.

Figure 2, below, is the aerial photo of the entire Hacienda Plaza.

Figure 2: Hacienda Park Aerial Photo/Location Map



The Hacienda Plaza includes three, one-story commercial/retail buildings (Buildings A, B, and C on Figure 1) and one, two-story office building (Building D on Figure 1). Total floor area for all four buildings is approximately 84,862 square feet, served by 370 parking spaces, including 274 standard size parking spaces, 80 compact size parking spaces, eight parking spaces compliant with the Americans with Disabilities Act, and eight carpool/vanpool parking spaces for an overall parking ratio¹ of 4.36 parking spaces per 1,000 square feet of gross floor area, or one parking space per 229 square feet of floor area.

Public street access to Hacienda Plaza is provided to/from Gibraltar Drive by one right-turn only enter/exit driveway and one right-/left-turn enter/exit driveway, and to/from Stoneridge Drive by two right-/left-turn enter/exit driveways. A Wheels/Livermore Amador Valley Transit Authority (LAVTA) bus stop is located on the south side of Stoneridge Drive directly opposite the project site. Hacienda Plaza contains a 50-foot wide public service easement adjacent to Stoneridge Drive and a 33-foot wide public service easement adjacent to Gibraltar Drive. The public service easements also function as the building and parking area setbacks from public streets in the Hacienda Park.

¹ Site 37 is covered by two Hacienda Park parking standards: the Hacienda Park office standard of 4 parking spaces per 1,000 square feet of gross floor area and the Hacienda Park retail standard of 5 parking spaces per 1,000 square feet of gross floor area.

Genius Kids would occupy the vacant tenant space in Building A. The only existing tenant in Building A is the Food and Beverage convenience market. Tenants in Building B, on the south side of the parking area adjacent to Building A include Molly Mo Insurance Company (5684-A Stoneridge Drive), La Gaga Hair Salon (5684-B Stoneridge Drive), HS2 Academy (5690 Stoneridge Drive), and a vacant tenant space (5686 Stoneridge Drive).

Figure 3, below, is a photo of Building A.

Figure 3: Building A



Permitted Uses at Hacienda Plaza

The Hacienda Plaza is designated CPD, Retail/Commercial and Financial Planning District by the Hacienda Park PUD Development Plan and Design Guidelines. On August 3, 2011, the Zoning Administrator approved PUD-81-30-49M and PUD-85-08-23M, PUD Minor Modifications to the Hacienda Park PUD Development Plan to designate childcare facilities as conditionally permitted uses in all areas of the Hacienda Park, excluding residential areas.

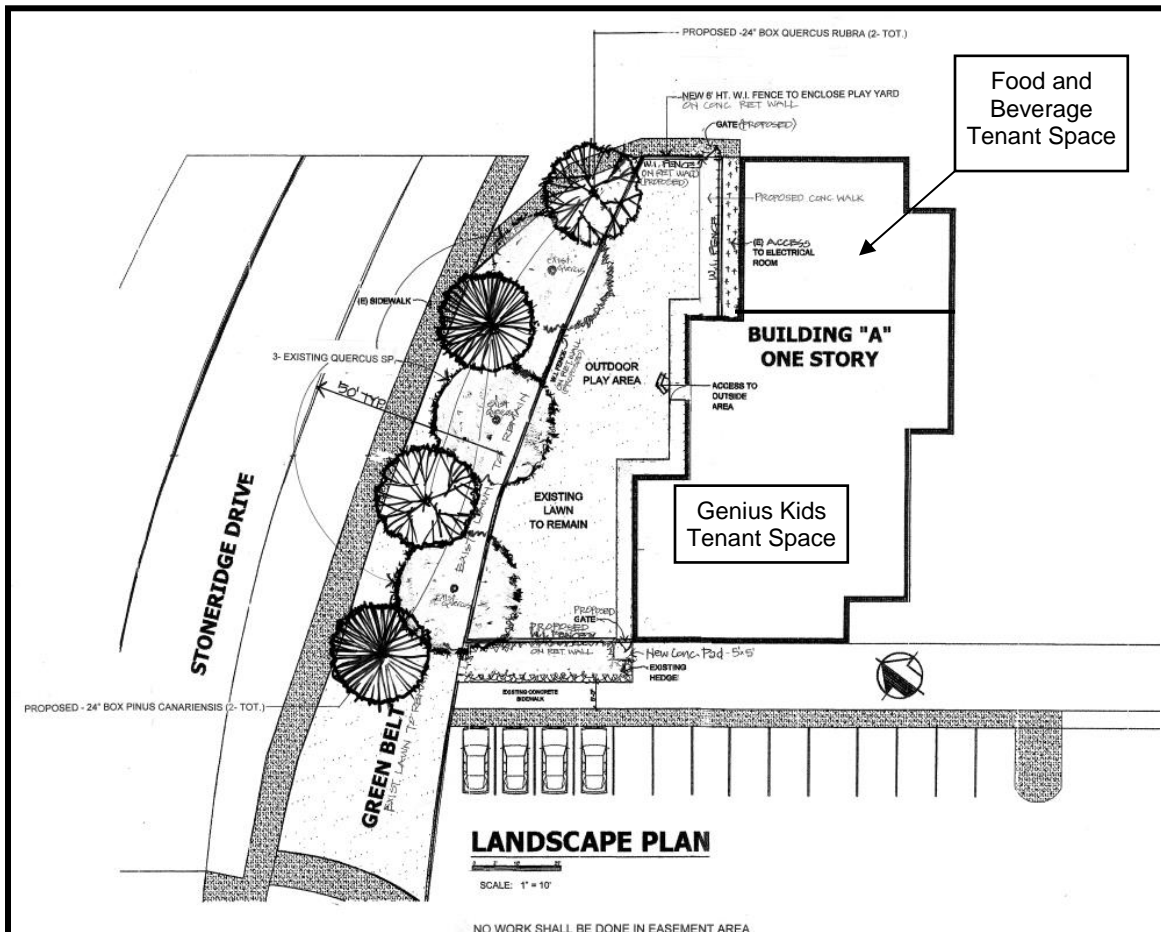
In addition, the CPD Planning District incorporates the permitted and conditionally permitted uses of the C-C (Central Commercial) and C-F (Freeway Commercial) Districts of the Pleasanton Municipal Code. The C-C and C-F Districts designate tutoring facilities with more than 20 students as conditionally permitted uses requiring a Conditional Use Permit.

III. PROJECT DESCRIPTION

Location

Genius Kids would occupy an approximately 4,626-square-foot tenant space in Building A of the Hacienda Plaza. Exhibit B, attached, includes the applicant's description of Genius Kids' proposal, including a narrative, schedule, site plan and preliminary floor plans, and a copy of the Genius Kids franchise agreements describing its programs. Figure 4, below, is a copy of the proposed site plan/landscape plan.

Figure 4: Proposed Site Plan/Landscape Plan

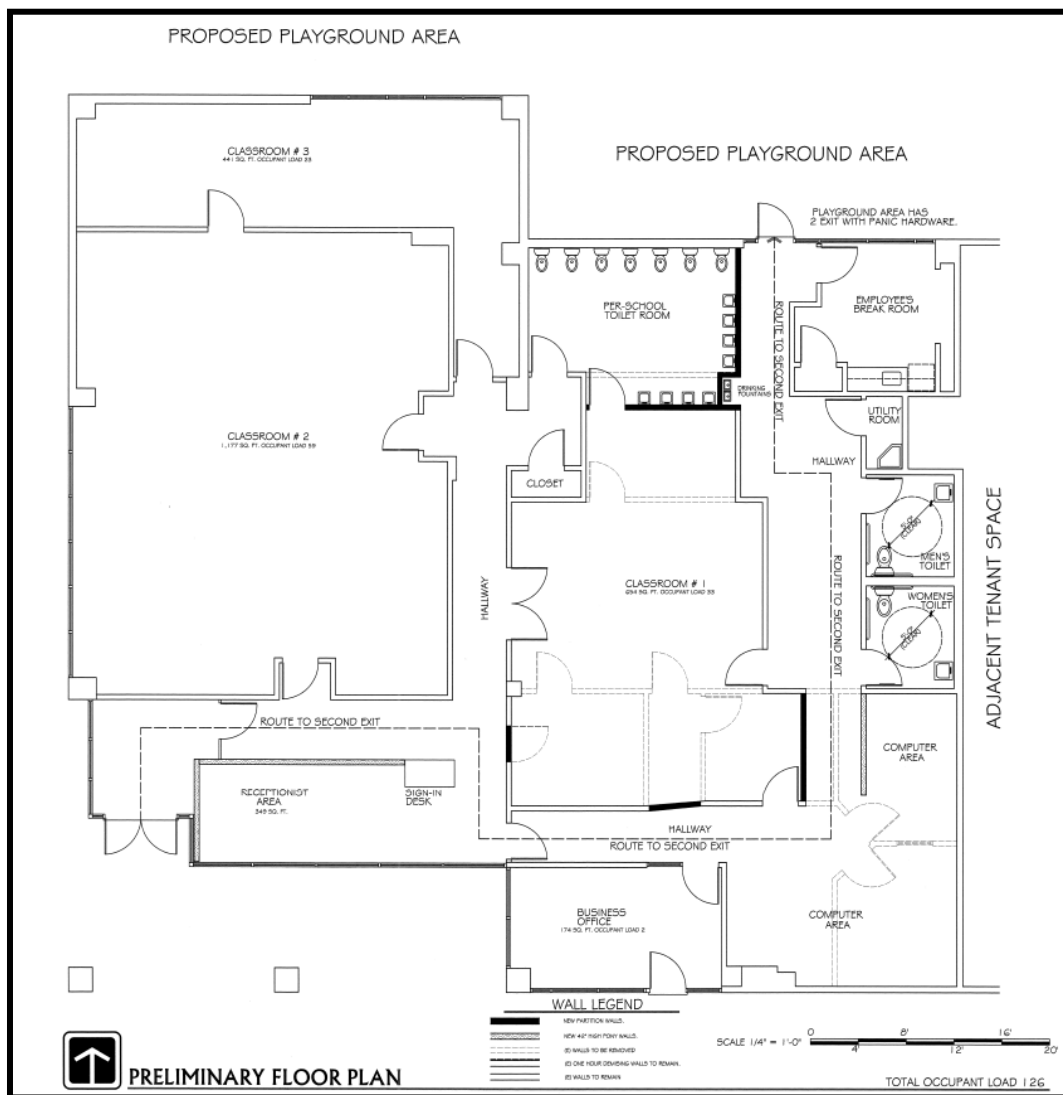


Tenant Space Modification

Genius Kids would convert the existing suite to its daycare/tutoring center including a business office, children's bathroom, three classrooms, computer areas, employees' break room, separate men's and women's bathrooms, a shared entrance/receptionist area, and storage and utility areas.

Figure 5, below, is a copy of the proposed floor plan.

Figure 5: Proposed Floor Plan



Genius Kids would also construct an outdoor, fenced-in play area in the landscape area between the north side of Building A and the 50-foot deep public service easement that separates Hacienda Plaza from Stoneridge Drive. Genius Kids would grade this area flat with an approximately two-foot tall retaining wall cut into the existing berm area and would then install a black wrought-iron style fence on top of the retaining wall to secure the play area. The proposed fence would vary in height from five feet to six feet measured from the top of the retaining wall or from grade. Genius Kids proposes to install green vinyl netting behind the wrought-iron fence to screen the play area from view. The play area would be accessible from the exit door on the north side of the Genius Kids tenant space and from the entry gates on the east and west sides of the play area. Entry gates would be locked at all times but would feature panic-hardware in the event of an emergency.

Program Description

As described in the Genius Kids franchise agreement, Genius Kids would offer three general curriculums based on the age of the child:

- Infants, toddlers, preschool, and pre-Kindergarten,
- Transitional and enrichment Kindergarten, and
- After school academics, e.g., tutoring, for grades Kindergarten through the sixth grade.

As stated to staff by Genius Kids, the preschool, pre-Kindergarten, and Kindergarten programs would focus on various subjects including music and movement, yoga, phonics, reading and comprehension, story time and literature, mathematics and critical thinking, science, social studies, art, crafts, public speaking, drama and theatre. Students would spend 20 to 30 minutes per subject with the subjects spread over the five-day program. For after school tutoring, Genius Kids would offer mathematics, reading and comprehension, spelling, vocabulary, creative writing, public speaking, speech and debate. The purpose is to augment the education provided by local schools and, as stated by Genius Kids, to build and develop self-confidence and public speaking.

Operation and Enrollment

The schedule shown in the attached Exhibit B anticipates attendance of no more than 90 children at any one time. Staff will consist of up to nine instructors/administrators at any one time.

Genius Kids would operate year-round with weekday sessions from 7:00 a.m. to 12:00 noon for part-time daycare children, from 7:00 a.m. to 5:30 p.m. for the full-time daycare children, and from 3:00 p.m. to 5:00 p.m. for the tutoring students only. The daycare children will be dropped off and picked-up by their parents around 7:00 p.m.

In addition to the morning drop-offs and evening pickups of daycare children, Genius Kids would operate two vans² to pick-up its tutoring students from their respective schools and to then drop them off at Genius Kids between 3:00 p.m. and 3:30 p.m.; parents of the tutoring students would then pick up their children from 5:30 p.m. to 7:00 p.m. Genius Kids proposes this service as a convenience to parents and to reduce traffic on City streets and within the Hacienda Plaza. The two vans would be parked in the parking area near the west side of the Genius Kids space. As conditioned, Genius Kids is required to operate its van service as follows:

1. Children 12 years and younger who do not take a Genius Kids van shall be signed in/out of the daycare/tutoring facility by a parent and/or legal guardian. Children 12 years and younger who take a Genius Kids van shall be signed in by a school designated staff member and signed out of the subject school by a parent and/or legal guardian.

² The vans would fit in a full-size parking space.

2. All vehicles used by Genius Kids to pick-up children shall have a Genius Kids emblem placed on the doors of the van.
3. All vehicles used by Genius Kids to pick-up children shall have two members of the Genius Kids staff staffing the vehicle during pick-ups and drop-offs.
4. All vehicles used by Genius Kids to pick-up students shall have access to a means of communication so that the driver can be in direct contact with staff at all times when picking up and dropping off the students.
5. Drivers for the Genius Kids vans shall have a student roster to verify students' names and grades.

Additional conditions that address such items as the disposal of dirty diapers, requiring the outdoor play area to be completed before Genius Kids starts operations, etc., that have been required by the Planning Commission for similar daycare operations are also required of the proposed use.

Signs

No tenant identification signs are proposed with this application. The sign program for the Hacienda Plaza would allow (for this tenant space) one wall-mounted sign on the building's west elevation facing Gibraltar Drive and one wall-mounted sign on the south elevation facing the parking area. The sign program also sets forth design criteria for the signs' area, placement on the building facades, and illumination. The applicant would submit a separate sign proposal to the City for review and approval prior to installation.

IV. ANALYSIS

Land Use

One of the primary concerns in reviewing the proposed applications for Conditional Use Permit and Design Review approval is the effect of the proposed use on surrounding uses. As a land use, Genius Kids is consistent with the Pleasanton General Plan and with the Hacienda Park PUD Development Plan:

1. The Land Use Element of the General Plan designates the subject property as Business Park (Industrial/Commercial and Office) and Mixed Use.

Genius Kids is an educational and child care center and is consistent with the General Plan land use designation and with the following General Plan Programs, Policies, and Goals:

- Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.

- Goal 2: Achieve and maintain a complete well-rounded community of desirable neighborhoods, a strong employment base, and a variety of community facilities.
- 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.
- Policy 22: Facilitate the provision of safe, affordable, high quality child-care facilities and service to families.

2. The PUD regulations for the site require a Conditional Use Permit for a childcare use and for a tutoring use with more than 20 students at any one time.

In staff's evaluation, this use is compatible with the surrounding uses. The proposed daycare/tutoring facility is located adjacent to existing commercial and office uses, is across the parking area from the HS2 Academy (tutoring), and is buffered from the traffic on Stoneridge Drive by the 50-foot deep public service easement including a landscaped berm. The proposed daycare/tutoring facility is also buffered from the rear yards of the Avila residential development, located on the northeast side of Stoneridge Drive, by an approximately 180-foot distance measured from the proposed play area to the masonry sound wall on the closest residential rear property line on the Avila development. This separation also includes a landscaped 33-foot public service easement between the Avila development and Stoneridge Drive.

Staff also considers it unlikely that the operation of the proposed daycare/tutoring center would adversely impact the surrounding businesses in Hacienda Plaza or, in turn, be impacted, by these businesses. For example, given the ages of the children attending the daycare/tutoring facility, staff considers it unlikely that the children would congregate outside the facility and impact the operation of the other businesses in the Hacienda Plaza. Daycare and tutoring children would be supervised by the Genius Kids staff. Entrance doors are conditioned to be closed except when being used.

The outdoor play area would be located on the north side of the Genius Kids space and its use would be limited to no more than 24 children at any one time for no longer than 15 to 20 minutes; would be supervised by three Genius Kids staff; and would only be operated from 10:00 p.m. to 12 noon in the morning and from 3:00 p.m. to 5:00 p.m. in the afternoon.

In the past, the Planning Commission has granted CUPs for similar facilities in business parks, such as Little Ivy League (tutoring, at 4160 Hacienda Drive). The subject building is a freestanding building located on a site that has adequate on-site parking and the daycare/tutoring facility would be operated predominantly entirely indoors. Staff

believes that the subject location is appropriate and does not expect that the proposed use would impact or be impacted by the existing and future surrounding businesses.

Traffic and Circulation

Staff anticipates the maximum number of a.m. and p.m. peak hour car trips during the weekday session to be 44 trips³ before daycare begins at 7:00 a.m. and after daycare and tutoring ends at 5:00 p.m. However, these numbers may vary depending upon the number of children/students that are driven to the facility by a parent/guardian who drops off and returns to pick up the child/student.

The Traffic Engineering Division has reviewed and accepted the traffic analysis that was prepared for Genius Kids, and has determined that the number of students and hours of operation for Genius Kids would not have a significant impact to existing traffic levels. However, should Genius Kids wish to increase its enrollment and/or alter the hours stated in its narrative, review from the City's Traffic Engineer would be required to assess whether a new traffic study would be required including the payment of fees and other mitigation measures.

Parking

As previously stated, the Hacienda Plaza was developed with a total of 370 parking spaces distributed throughout the 6.33-acre Hacienda Plaza site and among the four buildings that comprise the Hacienda Plaza. Based on staff's count, there are 27 parking spaces to the west of Building A and another eight parking spaces directly to the south of the proposed Genius Kids facility that would be readily usable by parents, visitors, and staff associated with Genius Kids. Because Genius Kids is part of a multi-tenant retail/commercial and office center, no parking will be exclusively assigned or allocated to Genius Kids.

With a proposed floor area of 4,626 square feet, Genius Kids would be "allocated" 20 parking spaces based on the Hacienda Plaza's existing parking ratio of 4.36 parking spaces per 1,000 square feet of gross floor area or one parking space per 229 square feet. For the proposed use, the Pleasanton Municipal Code would require one parking space for each employee, including teachers and administrators, one parking space for every four students in the tenth grade or above.

The Pleasanton Municipal Code's student parking requirement is not applicable to Genius Kids since the children are below the tenth grade. With nine employees and two vans, 11 parking spaces would be required for the proposed use per the Pleasanton Municipal Code. Therefore, the Pleasanton Municipal Code-required parking demand for the proposed daycare/tutoring facility would be satisfied by the 20 parking spaces "allocated" to this tenant space based upon its proposed floor area.

³ Stated in the traffic/parking report prepared by Hexagon Transportation Consultants, Inc..

Figure 6, below, is a photograph of a portion of the parking area on the west side of Genius Kids that would be used to park the Genius Kids vans and would be used by the Genius Kids staff, parents, and visitors.

Figure 6: Parking Area



The Pleasanton Municipal Code does not address parking demand during drop-off/pick-up times, which would be the most impacted time from a parking standpoint. Staff has visited the Genius Kids site and has observed ample available parking during all times of the day. Staff believes that there would be adequate parking for Genius Kids given the proposed drop-off/pick-up times; that parents would only park in the spaces for a short period of time; and that the tutoring students would be brought to Genius Kids by the vans operated by the Genius Kids staff. Staff notes that even if the tutoring students were picked-up/dropped-off by their parents there would still be adequate parking for Genius Kids as well as for the other businesses in Hacienda Plaza.

Noise

Staff anticipates that the proposed daycare/tutoring facility would generate interior noise levels comparable to and no different from that of an office or retail use. The proposed sessions would be held indoors, with the doors closed during business hours, or outside in the outdoor play area. As proposed, the applicant would locate the facility's bathrooms, computer area, employee break room, and utility room along the east side of the tenant space adjacent to the convenience market to function as a noise barrier. As stated to staff, there would be no loud amplified music above typical speech level and there would be no loud musical instruments, such as drums, horns, etc. Based upon the interior floor plan of the proposed facility, in conjunction with operational

features of the project, staff does not believe that any special noise mitigation, i.e., double layer of sheetrock on interior walls, will be necessary.

Noise generated from outdoor play area is not anticipated to exceed 70 dBA, the exterior noise standard allowed by the Pleasanton Municipal Code at the property line. As previously stated, the outdoor play area would be limited to no more than 24 children at any one time for no longer than 15 to 20 minutes; would be supervised by three Genius Kids staff; and would only be operated from 10:00 p.m. to 12 noon in the morning and from 3:00 p.m. to 5:00 p.m. in the afternoon. The existing businesses and tenants on the east side of Genius Kids and located south of Genius Kids, across the parking area from Genius Kids, include a convenience market and tutoring, a hair salon, and insurance office. Any noise generated by the children in the outdoor play area, located on the north side of Genius Kids, would be blocked by this building and, therefore, would not impact the existing businesses and uses within the Hacienda Plaza or nearby residents.

Outdoor Play Area Design

Genius Kids would install an approximately 4,000-square-foot outdoor play area between the north side of Genius Kids and the 50-foot public service easement/building setback along the south side of Stoneridge Drive. The play area would be graded flat with an approximately two-foot tall retaining wall cut into the existing berm area and with a five- to six-foot tall black, wrought-iron style fence placed on top of the retaining wall or at grade to secure the play area. The play area would be accessible from the exit door on the north side of the Genius Kids tenant space and from the proposed entry gates on the east and west sides of the play area. Entry gates would be locked at all times but would feature panic-hardware in the event of an emergency. Examples of the play equipment that would be provided by the applicant are shown in Exhibit B.

The outdoor play area will be required to comply with requirements of the State Department of Social Services, Community Care Licensing Division (CCLD), and with the requirements listed in Chapter 18.44 of the Pleasanton Municipal Code: the play area must face or contain new or existing landscaping sufficient to buffer the play area from view. The proposed plans for the play area show the existing and the replacement turf that will be planted on the graded area of the play area. A 42-inch section of the existing turf area will be replaced with a concrete sidewalk from the play area to the new exit gates in the fence in compliance with the exiting requirements of the Building Code. As conditioned, new shrubbery would be required to be installed inside the play area's fence to enhance the play space. The applicant concurs with this requirement. Hacienda Park has reviewed the location and design of the play area and has stated its support of the proposed play area; that it complies with the Hacienda Parks landscape guidelines; and that no additional landscaping would be required outside the play area's fence due to its separation from Stoneridge Drive.

Staff notes that the three existing northern red (*quercus rubra*) oak trees in the public service area closest to the proposed play area plantings will be preserved. The City's Landscape Architect inspected the existing trees and based on their size and location determined that no special tree preservation measures will be required before grading

and construction of the play area begins. The applicant would also plant four, 24-inch box size specimen quercus rubra trees in the public service area to augment the existing oak trees.

Hacienda Owners Association

James Paxson, General Manager of Hacienda Owners Association, has reviewed the Conditional Use Permit and Design Review applications for the proposed use and the design of the outdoor play area and found the overall proposal to be in substantial compliance with Hacienda's guidelines set forth in the covenants, conditions and restrictions (CC&R's). The Hacienda Owners Association believes that the use, parking, traffic and design are compatible with the currently approved uses within the Hacienda Plaza and the subject area.

California State Licensing

Genius Kids will be required to comply with licensing requirements as prescribed in Title 22 of the California Code of Regulations. Should the Conditional Use Permit be approved, the applicant will be required to secure a child care licensing permit and to implement and abide by the CCLD's requirements.

City Departments and Divisions

The proposed use has been reviewed by the Planning and Building Divisions of the Department of Community Development and by representatives of the Pleasanton Police Department and the Livermore-Pleasanton Fire Department. The consensus is that the applicant's proposal would not be a problem for this location. However, if problems regarding land use, noise, parking, etc., verified by the City's Code Enforcement staff were to arise, the Director of Community Development could bring the application back to the Planning Commission for additional conditions to mitigate and/or prevent any nuisances that were identified or revoke the use permit, if necessary.

V. FINDINGS

A. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinances and the purpose of the district in which the site is located.

Objectives of the zoning ordinance include: fostering a harmonious, convenient, workable relationship among land uses; protecting existing land uses from inharmonious influences and harmful intrusions; and ensuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. As conditioned, staff feels the proposed daycare/tutoring facility would be consistent with these objectives. There are similar facilities, such as the Little Ivy League, in Hacienda Park, and the HS2 Academy across the parking area from Genius Kids that have been found to be compatible with the surrounding businesses. Staff believes that the proposed daycare/tutoring facility would also be compatible.

The subject site is zoned PUD-I/C/O (Planned Unit Development – Industrial, Commercial, and Offices) District, and it is located in the Retail/Commercial and Financial (CPD) District of Hacienda Park that generally has the characteristics of the City's C-C (Central Commercial) District. One purpose of the C-C District is to provide appropriately located areas for retail stores, offices, service establishments offering commodities and services required by residents of the City and its surrounding market area.

The proposed facility would provide daycare and tutoring services in relatively close proximity to nearby residential areas and office areas. Measures are incorporated into the proposed facility's design or conditioned to be provided that would ensure its continued compatibility with the retail/office businesses in the Hacienda Plaza. As proposed, the daycare/tutoring facility will not interfere with the ability of surrounding uses to operate. The City has allowed similar daycare and tutoring uses to be located in office and commercial areas throughout the City and their operation is compatible with surrounding uses and area.

Staff believes the proposed use, as designed and conditioned, will be compatible with the adjacent Hacienda Park uses. The applicant will also be required to mitigate any future nuisances which may occur as a result of the proposed use. In summary, staff believes this finding can be made.

B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

Based on the proposal, the daycare/tutoring facility would be compatible with the existing uses in the Hacienda Plaza. The number of parking spaces that are available to Genius Kids would exceed the actual parking demand for the proposed use. The trips generated by the proposed use will not have a significant impact to the a.m./p.m. peak hour levels-of-service. Parking and circulation to the daycare/tutoring facility will not affect the existing uses in the Hacienda Plaza or be affected by them. Noise generated by the activities of the daycare/tutoring facility including the outdoor play area would not be detrimental to the Hacienda Plaza and surrounding area due to the facility's proposed design and operation. Children will be continually supervised by adults. The proposed conditions of approval will ensure that the daycare/tutoring center would be operated in a manner that is not detrimental to the public health, safety, or welfare or would be materially injurious to the properties or improvements in the vicinity. Therefore, staff feels that this finding may be made.

C. That the proposed conditional use will comply with each of the applicable provisions of the Municipal Code which apply to Conditional Uses.

Staff finds that, as conditioned, the proposed use will comply with all provisions and requirements of the City's zoning ordinance. As with any conditional use

permit, the use permit may be revoked if the conditions are not met. Therefore, the proposed use will comply with the provisions of the Zoning Ordinance. Staff feels this finding can be made with the proposed conditions of approval.

VI. PUBLIC NOTICE

Public notices regarding the proposed Conditional Use Permit and Design Review applications were mailed to property owners and businesses within 1,000 feet of the subject property.

Staff received two emails from Mr. Vil Thuse (5674 Stoneridge Drive in the Hacienda Plaza). Mr. Thuse does not consider Genius Kids to be an appropriate use at this location based on the amount of traffic to the Hacienda Plaza's businesses, such as BlueFox Indian Cuisine, Sweet and Savory Café and Bakery, etc.; large delivery vehicles that frequent the commercial/office center; and the impact to parking if any portion of the parking area is converted to a play area. Mr. Thuse added that with so many commercial complexes in Pleasanton having vacancies, a better location for Genius Kids should be considered that would be safer for children.

Staff discussed the application with Mr. Thuse and explained that an outdoor play area would be provided that is not located in a parking area; that the traffic and parking was thoroughly examined by City staff and found to be acceptable for the proposal; that Genius Kids would transport some of the children themselves in order to reduce its demand on parking; and that it is the City's responsibility to provide a variety of uses and businesses throughout the community.

Staff had not received any additional comments from the public as of the writing of the Planning Commission staff report, and would forward to the Planning Commission any public comments received after publication of the staff report as they are received.

VII. ENVIRONMENTAL ASSESSMENT

Projects of this nature are categorically exempt (Section 15303, New Construction or Conversion of Small Structures, Class 3) from the requirements of the California Environmental Quality Act (CEQA). Therefore, no environmental document accompanies this report.

VIII. CONCLUSION

The proposed daycare and tutoring facility is appropriate for this location at the Hacienda Plaza. Staff believes that it would be compatible with the surrounding uses and that it will not produce any adverse impacts on the adjacent tenants and residents due to noise, parking, traffic, or other objectionable influences. The proposed conditions of approval will ensure that the safety and general welfare of the development and surrounding area is maintained. Staff believes the proposal merits favorable action by the Planning Commission.

IX. STAFF RECOMMENDATION

Staff recommends the Planning Commission approve Case P14-1022 (Conditional Use Permit) and P14-1195 (Design Review) by taking the following actions:

1. Make the required conditional use findings as described in the staff report; and
2. Approve Case P14-1022 and Case P14-1195 subject to the conditions listed in Exhibit A.

Staff Planner: *Marion Pavan*, (925) 931-5610, mpavan@ci.pleasanton.ca.us