

**RECOMMENDED
FINDINGS OF FACT FOR APPROVAL**

**PLN16-0033
750 Fargo Avenue
Alameda County Assessor's Parcel Number 80G-1290-4-6
Woodroe, Inc. (applicant) and
San Lorenzo Unified School District (property owner)**

The Board of Zoning Adjustments hereby approves the Conditional Use Permit and Categorical Exemption from CEQA for the proposed private school for up to 226 children (preschool through 5th grade) within existing San Lorenzo Unified School District buildings, approximately 12,125 square feet along the northern frontage of Fargo Avenue, at 750 Fargo Avenue, subject to the following findings:

Conditional Use Permit Findings

1. That the proposed location of the use is in accord with the objectives of this Code and the purposes of the district in which the site is located.

Schools, Public or Private are permitted in the RS Residential Single-Family Zoning District with a conditional use permit (Section 2-506.B.5). The proposed use would be subject to certain limitations and conditions of approval to avoid adverse effects on adjacent uses and properties. The use is in accord with the purpose of the RS District, which is to provide areas appropriate for a single family residential uses and associated uses capable of being located adjacent to residential areas through provision of adequate buffering and attenuation measures. These limitations include the following:

- Use of the existing outdoor playground areas for the private school, which would be approximately 55 feet from adjacent senior apartments to the west; approximately 400 feet from adjacent townhome properties to the east; 140 feet from residential properties to the north across Fargo Avenue; 350 feet from residential properties to the south; and partially buffered by the existing school buildings, flood canal, and Fargo Avenue; thereby limiting noise impacts to adjacent residences from the outdoor play activities.
- Existing parking spaces will be designated for parents dropping-off and picking up children, staff parking, and visitor parking for the private school.
- Operational hours of the private school along with the summer camp program will be from 7:00 a.m. to 6:00 p.m. and will be compatible with the existing day care facility hours. Preschool and Kindergarten would operate from 9:00 a.m. through 12:00 p.m. and 1st grade to 5th grade would operate between 9:00 a.m. through 3:00 p.m., which are similar hours to other schools in the City.

2. **That the proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.**

The proposed private school use conforms to the General Plan, which designates the property as Public/Institutional which is used to denote public schools, libraries, post offices, churches, and other public or institutional buildings. As Private Schools are conditionally permitted in RS Residential Single-Family districts, the Zoning Code accepts the conditional compatibility of this use with the Public/Institutional designation. The private school ensures that the following General Plan goals and policies are achieved:

Goal 2.02 Neighborhood Schools and Parks – Recognize local schools and parks as key aspects of what makes a neighborhood desirable and unique.

Goal 4.03 Public Facility Development – Promote collaborative, creative solutions between the public and private sector to develop additional schools, parks, and other public facilities in the City.

Goal 46 Schools – Encourage and support high-quality educational facilities and services in San Leandro.

The proposed private school will provide education for up to 226 children, and will be capable of serving the nearby residential areas. The days and hours of operation, which correspond to the same days and hours as the current day care use at the site, will help ensure that the school activities are complementary in time and scale with the surrounding residential uses and should not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the area.

3. **That the proposed use will comply with the provisions of this Code, including any specific condition required for the proposed use in the district in which it would be located.**

With the required conditional use permit and the regulations in the California Educational Code and California Health and Safety Code, and inspection and approval by Alameda County Fire Department, the private school will comply with both local and State requirements.

4. **That the proposed use will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities which cannot be mitigated.**

The site is adequately accessed with site access from both Fargo Avenue and Lewelling Boulevard and with adequate off-street parking for the private school. A total of 81 parking onsite parking spaces would be provided for the approximately 22 staff members, drop off areas, and visitors for the private school. The number of trips to the site per day would not be greater than the trips for the Bay Area Chinese Bible Church and Chinese Christian School that operated at the site, that had a school enrollment of 800 children and church membership of 1,250 people. The private school use for the education of 226 children will not increase the burden on existing public facilities, utilities or infrastructure and meets the criteria for the Conditional Use Permit.

California Environmental Quality Act Categorical Exemption Findings

This item is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301 (a) as it is an Existing Facility that involves no expansion; no interior and exterior alterations; and is not located in an environmentally sensitive area.