



## Legislation Text

---

**File #:** 16-403, **Version:** 1

---

**PLN16-0033;** Conditional Use Permit to allow for a 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. Private Schools are a conditionally permitted use on the subject property which is in the RS Residential Single-Family District. Alameda County Assessor's Parcel Number 80G-1290-4-6; Woodroe, Inc. (applicant), San Lorenzo Unified School District (property owner).

### SUMMARY AND RECOMMENDATION

The applicant and property owner propose to establish a private school for up to 226 children (preschool through 5th grade) within existing San Lorenzo Unified School District buildings, along the northern frontage of Fargo Avenue. The subject property is zoned RS Residential Single-Family District. The proposed use requires a Conditional Use Permit in the RS District pursuant to Zoning Code Section 2-506.B.5.

Staff believes that, with the recommended Conditions of Approval, the private school would operate in a safe manner on the property without detriment or burden to the immediate area and would be compatible with adjacent residential uses. Staff recommends that the Board of Zoning Adjustments:

- A) Adopt the California Environmental Quality Act categorical exemption;
- B) Adopt the recommended Findings of Fact; and
- C) Approve Conditional Use Permit PLN16-0033 subject to the attached recommended Conditions of Approval.

### APPLICANT'S SUPPORTING STATEMENT

See attached statement.

### RELATIONSHIP TO SURROUNDING AREA AND BACKGROUND

The subject property, 750 Fargo Avenue, is located on the south side of Fargo Avenue and is approximately 9.9 acres in size. The site, which is owned by the San Lorenzo Unified School District, is presently developed with classrooms, auditorium, cafeteria, kitchen, music room, library, and an administrative area. The site also has parking, play grounds, play structures, and a field area.

The property is a through-lot, with frontage on both Fargo Avenue and Lewelling Boulevard. It is zoned RS Residential Single-Family District, the surrounding properties are zoned RS Residential Single-Family District, RM 1800 Residential Multi-Family District, and RM 1800 (PD) Residential Multi-Family Planned Development Overlay District. Development in the surrounding area consists of single-family homes, townhomes, apartments, mobile homes, a church, and a senior facility to the west of the subject property.

In 1985, the Bay Area Chinese Bible Church and Chinese Christian School received a Conditional Use Permit (CU-85-6) to use the former Lewelling Elementary School site from the San Lorenzo Unified School District for their church and school activities. The use permit was approved for a period of five years and was renewed and modified as the church and school grew over the years. The Bay Area Chinese Bible Church and Chinese Christian School left the site in June 2015.

In June 2016, Woodroe Inc. applied for Site Plan Review to allow for a day care facility at 750 Fargo Avenue. On June 16, 2016, the day care facility for a maximum of 200 children was approved by the Zoning Enforcement Official. The year round day care facility operates Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m.

In the future San Lorenzo Unified School District would be using the unused portions of the vacant buildings at 750 Fargo Avenue for the D.I.C.E. (District Independent Contract Education) program. The program is an alternative educational opportunity designed to serve middle and high school students. Those students are instructed by certificated teachers in individual and/or small groups for approximately four hours per week. The students remain nominally enrolled at their home school and continue to work to fulfill their home school's graduation requirements while having the opportunity to be simultaneously enrolled in ROP (Regional Occupational Program) and/or Adult School, and hold part time jobs. As a public school use, this future occupation of the San Lorenzo Unified School District space would not require review by the City of San Leandro.

## **DETAILS OF PROPOSAL**

Woodroe, Inc. is proposing to operate Woodroe Woods School at 750 Fargo Avenue. Woodroe Woods School would lease approximately 12,125 square feet of the approximately 32,950 square feet of building space available at the site. The lease area for the school is located along the northern frontage of Fargo Avenue. The school would use existing buildings at the site and no interior or exterior improvements requiring building permits are necessary to accommodate the use. Fenced playground areas will be provided for the children.

Woodroe Woods School would serve 226 children that would be in preschool through 5<sup>th</sup> grade. There would be approximately 22 staff members associated with the school. The school would operate Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m. The school year would run from September through mid-June and a summer camp associated with the school would operate from mid-June through the end of August. In addition to the normal operation of the school at the site, there would be a back-to-school night, parent's night out, annual fundraiser, and graduation.

Woodrow Woods School would be accessed by two driveways on Fargo Avenue and one driveway on Lewelling Boulevard. Parking would be provided with a total of 81 parking spaces on the site. Of the 81 parking spaces, 57 are assigned to school and 24 are shared parking spaces with the San Lorenzo Unified School District. Beyond the 81 onsite

parking spaces there are 49 more parking spaces available at the site, for a total of 130 parking spaces at the site.

## **STAFF ANALYSIS**

Schools, Public or Private are permitted in the RS Residential Single-Family Zoning District with a conditional use permit (Section 2-506.B.5). Since Private Schools are conditionally permitted in RS Residential Single-Family Districts, the Zoning Code accepts the conditional compatibility of this use subject to certain limitations and conditions of approval to avoid adverse effects on adjacent uses and properties. Woodroe Woods School will be capable of being located adjacent to residential areas through provision of adequate buffering and attenuation measures which include:

- Use of the existing outdoor playground areas for the proposed private school, which will 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.
- Designation of the existing 81 onsite parking spaces for parents dropping-off and picking up children, staff parking, and visitor parking for the proposed 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, which had a school enrollment of 800 children and a church membership of 1,250 people.
- Operation during the hours of 7:00 a.m. to 6:00 p.m. for the Woodroe Woods School and summer camp program will be compatible with the existing day care facility hours. Preschool and Kindergarten will operate from 9:00 a.m. through 12:00 p.m. and 1st grade to 5th grade will operate between 9:00 a.m. through 3:00 p.m., which are similar hours to other schools in the City. The days and hours of operation will help ensure that the school activities are complementary in time and scale with the surrounding residential uses.

Woodroe Woods School will provide education for up to 226 children and will be capable of serving the nearby residential areas. The proposed private school will be regulated by the California Educational Code and the California Health and Safety Code. The school will obtain licensing from the State of California Community Care Licensing Division. The Alameda County Fire Department will also inspect and approve the facility.

## **GENERAL PLAN CONFORMITY**

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 surrounding 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 nearby uses and should not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the area.

## **PUBLIC OUTREACH**

This item received normal noticing for the August 4, 2016 Board of Zoning Adjustments hearing, including a legal advertisement in the East Bay Times newspaper, the posting of placards on the property and nearby utility poles, and mailing notification to business and property owners within 500 feet of the subject property. In addition, a meeting notice was mailed to the Washington Homeowners Association.

## **ENVIRONMENTAL REVIEW**

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.

## **RECOMMENDATION**

The use as proposed conforms both to the City Zoning Code and to the General Plan. Any planning issues associated with this application will be mitigated by the implementation of the proposed recommended Conditions of Approval. Staff therefore recommends that the Board of Zoning Adjustments:

- A. Adopt the findings that this project is exempt under the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301 (a) for Existing Facilities with no expansion; no interior and exterior alterations; and is not located in an environmentally sensitive area.
- B. Approve the attached Recommended Findings of Fact for a Conditional Use Permit for PLN16-0033; and
- C. Approve Conditional Use Permit PLN16-0033 subject to the Recommended Conditions of Approval.

## **ATTACHMENTS**

Vicinity Map

Applicant's Supporting Statement

Recommended Findings of Fact

Recommended Conditions of Approval

Exhibit A - Site Plan

Exhibit B - Life Safety Plan

Exhibit C - Occupancy Plan

PREPARED BY: Anjana Mepani, Planner II, Planning Services Division