



*City of Arts & Innovation*

# City Council Memorandum

**TO: HONORABLE MAYOR AND CITY COUNCIL** **DATE: JULY 26, 2016**

**FROM: COMMUNITY & ECONOMIC DEVELOPMENT** **WARD: 4**  
**DEPARTMENT**

**SUBJECT: PLANNING CASES P15-0983 (CONDITIONAL USE PERMIT) AND P15-0984 (DESIGN REVIEW) – BY MARK RUBIN OF REGIONAL PROPERTIES - TO ESTABLISH A CHILD DAY CARE CENTER AT- 515 ALESSANDRO BOULEVARD**

## **ISSUE:**

Approval of a Conditional Use Permit and Design Review from Mark Rubin of Regional Properties, Inc., for the construction of a 10,000 square foot child day care center ("The Learning Experience") and a 13,050 square foot secured outdoor play area within the Mission Village Shopping Center, in the CR-SP – Commercial Retail and Specific Plan (Mission Grover) Overlay Zones.

## **RECOMMENDATIONS:**

That the City Council:

1. Determine the proposed project is exempt from California Environmental Quality Act (CEQA) review pursuant to Section 15303 (New Construction or Conversion of Small Structures) and Section 15332 (In-Fill Development Projects); and
2. Approve Planning Cases P15-0983 and P15-0984 based on, and subject to, the Planning Commission findings and recommended conditions found in the attached staff report.

## **STAFF/PLANNING COMMISSION RECOMMENDATIONS:**

Staff recommended approval to the Planning Commission, subject to recommended conditions of approval. On June 16, 2016, the City Planning Commission recommended approval of Planning Cases P15-0983 and P15-0984 by a vote of 7 ayes, 0 noes and 0 abstentions, subject to staff's recommended conditions.

## **BACKGROUND:**

The applicant, Mark Rubin of Regional Properties, is requesting approval of a 10,000 square foot child day care center ("The Learning Experience") and a 13,050 square foot secured outdoor play area. The day care center would serve up to 167 children, ranging in age from 6 weeks to 5 years old.

The child day care center includes ten classrooms, a play village (Make Believe Boulevard), and support services such as a management office, reception area, staff lounge, pantry, and restroom facilities. Each classroom and age group will comply with the State of California's Community Care Licensing teacher to child ratio requirements.

The proposed outdoor play area is located on the southern portion of the site adjacent to Mission Village Drive. It will be enclosed by a 6-foot high PVC perimeter fence. The outdoor play area will be divided into four play areas separated by an internal 4-foot high chain link fence to provide a basketball court, infant/toddler playground, preschool playground, and soccer area. The playground schedule will be from 10:00 a.m. to 11:30 a.m. and from 3:00 p.m. to 4:30 p.m. daily.

All children will be required to be signed in and out at the reception counter by parents or guardians and then walked to their designated classroom. It is anticipated that the average drop-off will take five minutes, whereas the average pick-up will take eight minutes. The Learning Experience will be served by the proposed 41 space parking lot, accessed by two driveways, one from Northrop Drive and the second from Mission Village Drive.

The proposed hours of operation of the facility are from 6:30 a.m. to 6:30 p.m., Monday through Friday, with activities such as open houses, curriculum nights, holiday parties, and birthday parties on nights and weekends.

For additional information, please refer to the June 16, 2016, City Planning Commission staff report, recommended conditions and draft minutes.

**FISCAL IMPACT:**

There is no fiscal impact since all project costs are borne by the applicant.

Prepared by:	Rafael Guzman, Community & Economic Development Director
Certified as to	
availability of funds:	Scott Miller, Interim Finance Director/Treasurer
Approved by:	Al Zelinka, FAICP Assistant City Manager
Approved as to form:	Gary G. Geuss, City Attorney

**Attachments:**

1. City Planning Commission Recommended Conditions
2. City Planning Commission Report and Exhibits – June 16, 2016
3. City Planning Commission Draft Minutes – June 16, 2016