

City of Burlingame

Conditional Use Permit

Item No. 7a
Consent Calendar

Address: 1430 Palm Drive

Meeting Date: August 8, 2022

Request: Application for Conditional Use Permit for a preschool use in an existing church building.

Applicant: Rita Enright, One Love Montessori

APN: 029-012-220

Property Owner: New Life Community Church of Burlingame

Lot Area: 29,725 SF

Architect: Alan William Coon

Zoning: R-1 and R-3

General Plan: Low Density and Medium and High Density Residential

Environmental Review Status: The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 - Existing facilities, Class 1(a) of the CEQA Guidelines, which states that interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances are exempt from environmental review.

Property History: New Life Community Church is located on the subject property. The property has three street frontages which include Palm Drive, El Camino Real, and Fairfield Road. In addition to a church use, the site has also historically served school type uses. Planning Division records show that a Variance for a summer school was granted in 1957 for the time period of June 24 through August 2, 1957. In 1987, a Special Permit was approved to allow music classes for children aged one to seven.

Project Description: The applicant, owner of One Love Montessori, is proposing to operate a preschool/prekindergarten in the existing church building at 1430 Palm Drive, zoned R-1 and R-3 (zoning boundary runs through middle of property). Code Section 25.10.020 requires a Conditional Use Permit for school uses in the R-1 and R-3 zoning districts.

One Love Montessori provides educational and enrichment programming for children between the ages of two and a half years to six years of age. They currently operate as a home-based Montessori preschool/prekindergarten in San Mateo and are seeking to expand into a larger space and to serve more children in the area.

There are two floors in the church building and the applicant is proposing to operate on the first floor only. The existing social hall/stage, nursery, and meeting room would be used as classroom space. A new fence is proposed to enclose an existing lawn area along Fairfield Road and would serve as a playground area for the children. Since the proposed use is not intensifying the existing activities on site, no additional parking is required for the project. The existing parking lot provides 20 on-site parking spaces. An existing parking lot across the street on Palm Drive, also owned by New Life Community Church, provides 19 parking spaces.

There would be three designated drop-off and pick-up zones for the preschool; they include the existing church parking lot at the corner of El Camino Real and Palm Drive, a portion of the street frontage along Palm Drive, and the parking lot across the street at the southeast corner of El Camino Real and Palm Drive (owned by the church).

Hours of operation would be from 8:00 a.m. to 6:00 p.m., Monday through Friday. There is expected to be a total of 45 – 50 children attending the preschool. Approximately 45 children are expected to be on site between the hours of 8:00 a.m. to 5:00 p.m.; and the number would decrease to about 24 children during the last hour of operation (5:00 to 6:00 p.m.). Including the applicant, there would be a total of six staff members. At any one time on site, there is expected to be a maximum of 45-50 children and 3-6 staff members for a total of 48-56 persons.

1430 Palm Drive

Plans date stamped: May 13, 2022

	Existing	Proposed	Allowed/Req'd
Use:	Religious Assembly Facility (church)	Preschool ¹	Schools with a Conditional Use Permit

¹ Conditional Use Permit for a preschool in an existing church building (falls under school use) (C.S. 25.10.020).

Staff Comments: None.

Study Meeting: At the Planning Commission Study meeting on June 13, 2022, the Commission noted that the preschool was a compatible use with the existing church uses on site and voted to place this item on the Consent Calendar (see attached June 13, 2022 Planning Commission Minutes). There were no changes suggested by the Commission.

Findings for a Conditional Use Permit: Any decision to approve a Conditional Use Permit application pursuant to Chapter 25.66 shall be supported by written findings. In making such determination, the following findings shall be made:

- A. The proposed use is consistent with the General Plan and any applicable specific plan.
- B. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code.
- C. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity.
- D. The site is physically suitable in terms of:
 - 1. Its design, location, shape, size, and operating characteristics of the proposed use to accommodate the use, and all fences, landscaping, loading, parking, spaces, walls, yards, and other features required to adjust the use with the land and uses in the neighborhood;
 - 2. Streets and highways adequate in width and pavement type to accommodate public and emergency vehicle (e.g., fire and medical) access;
 - 3. Public protection services (e.g., fire protection, police protection, etc.); and
 - 4. The provision of utilities (e.g., potable water, schools, solid waste collection and disposal, storm drainage, wastewater collection, treatment, and disposal, etc.).
- E. The measure of site suitability shall be required to ensure that the type, density, and intensity of use being proposed will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located.

Suggested Conditional Use Permit Findings:

- A. The proposed preschool use is consistent with the General Plan in that there is no increase in density (proposed use is within an existing church facility).

- B. The proposed use is allowed within the zoning district with a Conditional Use Permit and complies with all other applicable provisions of this Zoning Code and the Municipal Code.
- C. The design, location, size, and operating characteristics of the proposed activity will be compatible with the existing and future land uses in the vicinity in that the preschool is located within an existing church building and there are no changes proposed to the interior or exterior of the building.
- D. The site is physically suitable for the proposed use in that there is no change to the site or church building required; that besides using a portion of Palm Drive as a drop off/pick up zone, there is no change to the existing street which has been adequate to accommodate public and emergency vehicles; that the proposed use does not impact public protection services or provision of utilities to the site.
- E. The proposed use, which includes a preschool use on the grounds and within an existing church building, will not adversely affect the public convenience, health, interest, safety, or general welfare, constitute a nuisance, or be materially injurious to the improvements, persons, property, or uses in the vicinity and zoning district in which the property is located in that the use.

For these reasons, the project may be found to be compatible with the Conditional Use Permit criteria.

Planning Commission Action: The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission’s decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

- 1. that the preschool shall be limited to operating on the first floor of the building and within the designated areas shown on the plans submitted to the Planning Division and date stamped May 13, 2022, sheets A-1 and A-2;
- 2. that the Conditional Use Permit shall apply only to a preschool use and shall become void if the preschool changes the uses provided on-site or ceases, is replaced by a permitted use, is ever expanded, demolished or destroyed by catastrophe or natural disaster or for replacement;
- 3. that any changes in operation, floor area, use, number of employees, or number of students shall require an amendment to this Conditional Use Permit;
- 4. that interior demolition or removal of existing structures on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
- 5. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit; and
- 6. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at time of building permit submittal, as amended by the City of Burlingame.

Amelia Kolokihakaufisi
Associate Planner

c. Rita Enright, One Love Montessori, applicant
Alan William Coon, architect

Attachments:

June 13, 2022 Planning Commission Minutes
Application to the Planning Commission
Letter of Explanation
Conditional Use Permit Form
Commercial Application Form
Letter of Support, dated May 31, 2022
Planning Commission Resolution (proposed)
Notice of Public Hearing – Mailed July 29, 2022
Area Map