

City of Burlingame

Conditional Use Permit Amendment

Item No. 8f
Regular Action

Address: 1505 Sherman Avenue and 1248 Balboa Avenue
(Trinity Lutheran Church)

Meeting Date: February 25, 2019

Request: Amendment to a Conditional Use Permit for a preschool use operated by the church to expand on the existing site.

Applicants: Rev. Schufreider and Dan Ionescu

APN: 026-154-200, -210, and -220

Property Owner: Trinity Lutheran Church

Site Area: 26,611 SF

General Plan: Medium High Density and Low Density Residential

Zoning: R-1 and R-3

Environmental Review Status: The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301, which states that existing facilities, consisting of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination are exempt from environmental review.

Site Description: Trinity Lutheran Church owns a total of three parcels bounded by El Camino Real, Sherman Avenue, and Balboa Avenue. The Trinity Lutheran site consists of five buildings (including a detached garage) and the addresses of the church-owned properties are as follows:

1. 1245 El Camino Real (main church building used for assembly and services);
2. 1505 Sherman Avenue (Baden Hall building, originally a single-family dwelling, currently used as a preschool with a previously granted CUP);
3. 1519 Sherman Avenue (a single-family dwelling with detached garage); and
4. 1248 Balboa Avenue (originally a single-family dwelling, currently used as a youth house that includes classes and a library).

Previously Approved Conditional Use Permit (Operations): In 2012, 2013, and 2016 the Planning Commission approved separate applications for Amendments to a Conditional Use Permit for a preschool use operated by the church in an existing building at 1505 Sherman Avenue. The preschool currently occupies the building at 1505 Sherman Avenue and the paved areas between the various buildings are fenced and used as playgrounds for the preschool. The approved number of students on site at one time is 28 students and the approved number of staff is five staff members, for a total of 33 persons on-site for the preschool use.

The preschool operates Monday through Friday, from 7:00 a.m. to 6:00 p.m. During the hours when the preschool is in operation with five preschool staff on-site, the other buildings on the church site will typically be occupied by two persons, the pastor and a part-time administrative employee.

Parking and Circulation: There are a total of nine on-site parking spaces, two of which are disabled accessible parking stalls. There are five permanent parking spaces (two of which are disabled accessible) behind the building at 1245 El Camino Real. The paved area behind 1248 Balboa Avenue has four transitional striped parking spaces; these four spaces are utilized for parking by preschool parents during drop off and pickup, but the paved area is used as a playground between preschool drop off and pick up hours.

Vehicles dropping off or picking up students enter the site on either Balboa Avenue or on El Camino Real. Vehicles also use the alley located down the center of the church site to approach the building at 1505 Sherman Avenue, stopping in the area between the detached garage and 1505 Sherman Avenue. While stopped, vehicles are met by a member of the preschool staff that escorts the student into the building during drop-off hours between 7:00 a.m. - 9:00 a.m. During the pickup hours of 4:00 p.m. - 6:00 p.m., a member of the preschool staff escorts children from the building out to waiting vehicles. If a parent needs to park to pick up their student or to talk with school staff, their vehicle can be parked in one of the nine on-site spaces.

Since the 2013 amendment approval, no complaints about the preschool operations have been received by the

Planning or Code Enforcement Divisions.

Proposed Amendment to the CUP (current application): The applicant is proposing to expand the previously approved preschool operations into a second building on the site. The building at 1505 Sherman Avenue will continue to be used for the preschool and the operations are proposed to expand into the existing building at 1248 Balboa Avenue.

With the proposed expansion into another existing building on site, the preschool is proposed to increase by 12 students and two staff members; the total number of students will increase from 28 to 40 students, and the number of preschool staff will increase from five to seven staff members.

The on-site parking and circulation are not proposed to be altered; there are nine on-site parking spaces, four of which are transitional parking spaces used only during preschool drop off and pick up hours. The building proposed to be used for the preschool expansion at 1248 Balboa was previously used for youth group classes, so there is no change in use and no change in the required on-site parking with the proposal to move preschool classes into this building.

Representatives of Trinity Lutheran Church note that staff and preschool operations do not typically require all of the existing parking on the site during the weekdays. However, as part of the proposed expansion Trinity Lutheran Church has entered into a parking agreement with BurlPres (formerly First Presbyterian Church) at 1500 Easton Drive, one block north of Trinity Lutheran Church. The parking agreement notes that Trinity Lutheran may use the BurlPres parking lot at the corner of El Camino Real and Easton Drive for "overflow" staff parking during the weekdays if necessary (see the attached letter dated February 1, 2019). Planning Staff has confirmed that during the weekdays the BurlPres parking lot typically has more than half of the parking spaces available. Condition #9 has been added regarding use of the BurlPres parking lot as overflow staff parking.

The City of Burlingame's Traffic Engineer has observed the existing preschool operations and site at Trinity Lutheran and notes that there is no evidence of traffic congestion or queuing for the current operations. The Traffic Engineer did not require a traffic study for the proposed preschool expansion, but requests that Trinity Lutheran Church work with the City to resolve any future traffic issues that may arise from the preschool operations (see attached Public Works- Engineering memo dated January 23, 2019). Condition #3 incorporates this requirement into the Conditions of Approval for the Conditional Use Permit.

In an effort to keep the surrounding neighborhood aware of the amendment application prior to the Planning Commission hearing, Trinity Lutheran notified the neighbors of the proposed expansion in a mailed notice for a community meeting (see attached notice dated January 20, 2019 for a February 2, 2019 meeting at the church). Trinity Lutheran staff notes that no persons attended the meeting to express concerns about the proposed preschool expansion.

1505 Sherman Avenue and 1248 Balboa Avenue

Site Area: 26,611 SF

Plans date stamped: September 28, 2018

	EXISTING	PROPOSED	ALLOWED/REQUIRED
Use:	Preschool ¹	To increase the number of students in the program from 28 to 40 children, to increase the number of preschool staff from five to seven persons, and to expand into a second, existing building on the site	Conditional Use Permit for a preschool operated by Trinity Lutheran Church in R-1 and R-3 zones

¹ Conditional Use Permit Amendments (approved June 11, 2012, April 8, 2013, and June 27, 2016) for a preschool use operated by Trinity Lutheran Church in an existing building (CS 25.26.030 b).

Staff Comments: Planning staff placed this application directly on the action calendar since several amendments for this use on this site have been previously reviewed and granted by the Planning Commission. However, if the Commission feels there is a need for more discussion, this item may be placed on a future action calendar for a second review and/or public hearing with direction to the applicant.

Findings for an Amendment to a Conditional Use Permit: In order to grant an amendment to a Conditional Use Permit, the Planning Commission must find that the following conditions exist on the property (Code Section 25.52.020, a-c):

- (a) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- (b) The proposed use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- (c) The planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

Suggested Conditional Use Permit Findings: The proposed use in existing church buildings is contained on the subject property and will not be detrimental or injurious to property or improvements in the vicinity. That with the imposed conditions of approval for operation of the preschool, including a maximum number of students and staff, and a parking and circulation plan, the proposed use will be compatible with the existing church use and the surrounding residential uses and with the General Plan designation, therefore the project may be found to be compatible with the requirements of the City's three 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 operations shall be limited to the buildings at 1505 Sherman Avenue and 1248 Balboa Avenue, and to the adjacent fenced play yard of Trinity Lutheran Church at 1505 Sherman Avenue, to the play structure at the rear of 1519 Sherman area, and to the paved area behind 1248 Balboa Avenue, used as a play area during stipulated hours, as shown on the plans submitted to the Planning Department and date stamped September 28, 2018; and as shown on the previously approved drop-off and pick-up plans, dated March 27, 2012;
2. that the Conditional Use Permit shall apply only to a preschool and shall become void if the preschool is replaced by a permitted use, is expanded into other buildings or play areas, or is demolished or destroyed by catastrophe or natural disaster;
3. that in accordance with the Public Works - Engineering Division memo dated January 23, 2019, based upon complaint the traffic and circulation plan for the preschool shall be subject to inspection, review, and possible revisions; in the event of documented congestion or queuing of vehicles, or other neighborhood parking or traffic impacts, the preschool administration shall work with the Public Works-Engineering Division to incorporate changes to the traffic plan and that these revisions may require an amendment to the Conditional Use Permit for the preschool;
4. that the preschool may be open Monday through Friday, from 7:00 a.m. to 6:00 p.m., with a maximum of 40 students and 7 staff persons on site at one time;

5. that a preschool staff member will escort all children to and from their vehicles to the building during the drop-off hours designated in the parking plan between 7:00 a.m.- 9:00 a.m. and between 4:00 p.m. - 6:00 p.m.;
6. that the paved parking area striped for four (4) parking spaces, located behind 1248 Balboa Avenue, shall be gated and used as a play area for the children only outside of drop-off and pick-up hours for the preschool, during the times between 11:00 a.m. -11:45 a.m. and 3:00 p.m -4:00 p.m.
7. that any changes to the floor area, use, hours of operation, number of employees, or the number of students which exceeds the maximums as stated in these conditions shall require an amendment to this Conditional Use Permit;
8. that drop-off and pick-up of children for the preschool shall occur on-site in the driveway space located at the rear of the Baden Hall building, that vehicles associated with the preschool use shall access the site only through the entry points on Balboa Avenue and on El Camino Real, and that vehicles shall exit the site only through the driveway on Sherman Avenue;
9. that any Trinity Lutheran Church preschool staff that cannot regularly park on site shall park in available parking at BurlPres Church at 1500 Easton Drive, per the parking agreement dated February 1, 2019;
10. that any interior demolition or removal of the 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;
11. 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
12. that any improvements for the use shall meet the requirements of the California Building and Fire Codes, in effect at the time of building permit submittal, as amended by the City of Burlingame.

Erika Lewit
Senior Planner

- c. Dan Ioenscu, 1611 Borell Pl. #23, San Mateo, CA 91102, architect
Pastor Schufreider, Trinity Lutheran Church, 1245 El Camino Real, Burlingame, CA 94010

Attachments:

Application to the Planning Commission
Letter of Explanation, date stamped September 28, 2018
Conditional Use Permit Application
Commercial Application
Trinity Lutheran neighborhood notice for proposed expansion, dated January 20, 2019
Parking Agreement for Trinity Lutheran Church and BurlPres, dated February 1, 2019
Public Works-Engineering Division Comments, dated January 23, 2019
Planning Commission Resolution (Proposed)
Notices of Public Hearing – Mailed February 15, 2019
Area Map