

MEETING OF FEBRUARY 15, 2011

AGENDA ITEM NO. 5C



Application I.D.: PA2010-0055

Application Type: Conditional Use Permit

Location: 580 Masonic Way

Applicant: Mei Zhang

Owner: Harris Wolfson

APN's: 040-315-010

Zoning: C-1 (Neighborhood Commercial)

General Plan Designation: (Cn) Commercial Neighborhood

Environmental Determination: Categorically Exempt, Section 15301

PROJECT DESCRIPTION

The applicant requests approval of a Conditional Use Permit to allow conversion of a parking lot to an outdoor play area for the "Challenge School" language learning center for the subject property. The project includes removal of six existing parking spaces and the placement of new fencing enclosing the outdoor space.

RECOMMENDATION

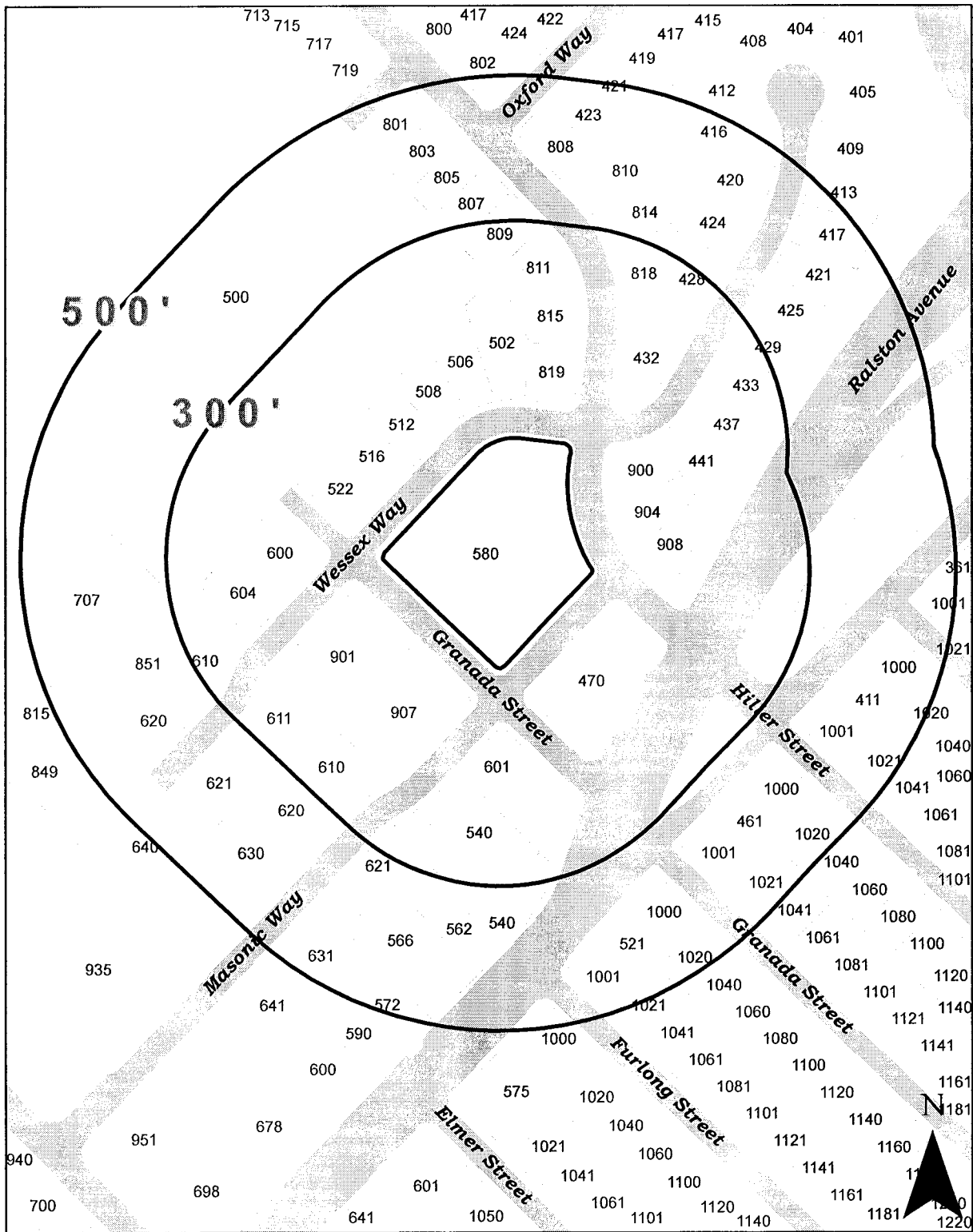
Staff recommends the Planning Commission approve the Conditional Use Permit application subject to the conditions of approval contained on the attached resolution¹.

ZONING/GENERAL PLAN DESIGNATION

The subject site is located within the C-1 (Neighborhood Commercial) zoning district. The proposed outdoor play area would be an ancillary use to the language learning center, which is a permitted use within the C-1 Zoning District. Any uses conducted outside of a completely enclosed building (i.e. for the existing language center) are conditionally permitted pursuant to Section 5.2.2(j) of the Belmont Zoning Ordinance. Thus, the applicants request approval of a Conditional Use Permit to allow the outdoor ancillary use.

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

300/500-foot radius map



1 inch = 200 feet

PRIOR ACTIONS

City records indicate that the existing multi-tenant shopping center was initially constructed in 1956.

The Challenge School (language learning center) began operating in an approximately 2,880 sq. ft. tenant space at the existing multi-tenant shopping center in 2007. The learning center currently includes four teachers, and operates on weekday afternoons (after school) from September to June. The learning center is closed in the summer and on all school holidays.

After opening the facility, the applicant was reportedly notified by California Department of Social Services, Community Care Licensing Division (CCLD) that the learning center required a license to operate, pursuant to Title 22 of the California Health and Safety Code. It was further revealed that any facility licensed to care for and/or supervise children for more than one day per week and/or more than four hours per day, required an outdoor play area.

The applicant applied for a Conditional Use Permit to allow conversion of a parking lot to an outdoor play area in November 2010, after failing to secure an exemption from the requirements of Title 22. Staff subsequently contacted CCLD and confirmed the aforementioned requirements. In addition, staff was informed that the proposed outdoor play area would meet Title 22 requirements for minimum area (minimum of 2,250 sq. ft., scheduled for use by one-half of total occupancy as approved by CCLD), and fence height (minimum four feet).

SITE CONDITIONS

The subject commercial property is developed with an approximately 17,450 square-foot multi-tenant commercial building, as well as a surface parking lot and site landscaping. The property is located at the northwest corner of Masonic Way and Hiller Street. The surrounding uses are:

- North – Single and Multi-Family Residential (R-1 & R-2)
- South – Commercial retail/office uses (fronting on Ralston Avenue)
- East – Single and Multi-Family Residential (R-1 & R-2)
- West – Multi-Family Residential (R-4)

As noted above, the subject tenant space is currently being used as language learning center. The on-site parking area can be accessed from both Hiller Street and Masonic Way. The on-site surface parking lot contains 78 spaces. The site is landscaped with planter boxes, shrubs, and ground cover and street trees along both the Masonic Way and Hiller Street frontages.

PROJECT ANALYSIS

The applicant proposes conversion of approximately 2,508 sq. ft. of parking lot to an outdoor play area. The project includes removal of six existing parking spaces and the placement of a new 5'3" high, iron rail fence enclosing the outdoor space. There would be gates to allow access for emergency vehicles and scheduled deliveries. The existing parking area at the rear of the building would be re-stripped, such that the project would result in a net loss of three parking spaces (see Sheet 2 of project plans).

The outdoor space would be scheduled for use on weekday afternoons between 1:00 pm and 6:00 pm. Typical use of the outdoor space would include basketball, catch, and jump-rope activities. No whistles, buzzers, air horns, or amplified noise making equipment of any kind is proposed for use in the outdoor area.

PROJECT DATA

Criteria	Existing	Proposed	Required/ Max. Allowed
Lot Size(s)	Approx. 1.23 Acres	No Change	NA
Slope	Less than 5%	No Change	NA
FAR	0.32	No Change	0.8
Square Footage	17,450 sq. ft.	No Change	NA
Parking*	78 Spaces	75 spaces	72 Spaces

*See parking analysis section later in this report.

ZONING CONFORMANCE & DISCUSSION

The Belmont Zoning Ordinance (BZO) section 5.2.1(a) allows by right the proposed learning center use. BZO section 5.2 establishes conditionally permitted uses in the C-1 District and subsection (g) states that, “*Any use conducted outside of a completely enclosed building,*” is subject to the Conditional Use Permit review process.

Section 15-102 of the Noise Ordinance (July 2006), establishes maximum noise levels for non-residential properties. The maximum permitted during nighttime hours is 55 dBA, and the maximum noise level permitted during daytime hours is 65 dBA. The learning center will be required to operate in compliance with the adopted 2006 Noise Ordinance.

Parking

There are currently 78 parking spaces available on-site for patron and employee parking. The applicant proposes removing six parking spaces behind the building, but re-striping the area resulting in a net loss of three parking spaces. The parking for the site is as follows:

Tenant/Use	Floor Area	Parking Spaces
Challenge School – (5 teachers – one stall/teacher)	3,000 sq. ft.	5
Dental – (4,635 sq. ft. /250 – using the 90% rule)	5,150 sq. ft.	18.5
Chiropractor - (1,890 sq. ft. /250 – using the 90% rule)	2,100 sq. ft.	7.5
Restaurant – (dining 450 sq. ft. /60 & 650 sq. ft. /600)	1,100 sq. ft.	8.5
Cleaners – (1,400 sq. ft. / 500)	1,400 sq. ft.	3
Restaurant/Market – 840 sq. ft. /60 & 3,860 sq.ft./250	4,700 sq. ft.	29.5
TOTAL	17,450 sq. ft.	72

¹Section 8.4.3 of the BZO provides that if the net floor area of multi-use commercial building is not known, then 90% of the gross floor area shall serve as a basis for determining parking requirements.

The entire commercial and office center, as proposed, would require 72 parking spaces; after restriping of the parking lot, the center would maintain 75 parking spaces for a surplus of three parking spaces. Thus, the current combination of uses would not exceed the sites parking requirements. However, staff is recommending a condition of approval that would require the applicant to restripe the outdoor area for additional parking, if there is a change in tenancy for the learning center tenant space that requires more parking.

Lighting

No new lighting is proposed with the exterior improvements. The Police Department has included a condition of approval requiring adequate lighting if the play area would be used after dark. Staff has recommended a condition of approval that would require submittal of a lighting plan for review and approval by the Community Development Department. Said plan would need to include fully-shielded "cut-off" lighting fixtures so as not to cause glare impacts within the public right-of-way or onto the residential properties located across the street.

NEIGHBORHOOD OUTREACH STRATEGY

The applicant performed neighborhood outreach in accordance with City Policy. The applicant reported sending a letter to all property owners within 300 feet of the site informing them of the proposal and requesting any comments/feedback. The applicant reported no comments were received in response to the letter.

Approximately one year ago The Code Enforcement Division received a verbal complaint regarding the lack of permits and an outdoor play area for the learning center. The subject application responds to that issue. There have been no other inquiries about the project received by city staff as of the writing of this report. It appears that the applicant has achieved the neighborhood outreach strategy task.

ENVIRONMENTAL CLEARANCE (CEQA)

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act as it qualifies under Section 15301:

"Minor alteration of existing public or private structures...involving negligible or no expansion of an existing use."

The proposal to allow an outdoor play area would not result in any expansion to the existing use of the tenant space and is exempt from CEQA.

CONDITIONAL USE PERMIT

In order to grant a Conditional Use Permit, the Planning Commission must make the following findings pursuant to Section 11.5.1 (a-d) of the City of Belmont Zoning:

- a) The location of the proposed use is compatible to other land uses in the general neighborhood area and does not place an undue burden on existing transportation, utilities and service facilities in the vicinity.*

The applicant is requesting a Conditional Use Permit to allow an outdoor play area for a learning center. The proposed outdoor play area is ancillary and complementary to the allowed commercial use, and would not increase occupancy or add to vehicle trips to the site. No new floor area would be added. The Conditions of Approval will limit the hours of operation and require that the outdoor uses comply with the Belmont Noise Ordinance. Utilities are already in place for service this commercial unit. There is sufficient on-site parking available to serve the commercial center. This finding can be made in the affirmative.

- b) The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this ordinance.*

The existing multi-tenant commercial building conforms to height and setback requirements of the Zoning Ordinance. The proposed ancillary outdoor uses comply with all applicable Building, Fire and Zoning Ordinance requirements. The proposed outdoor play area is appropriate for the C-1 (neighborhood Commercial) setting. Proposed site modifications include only fencing, which would meet all development standards without substantially impacting site aesthetics. Existing landscaping would not be impacted by the project. This finding can be made in the affirmative.

- c) The site will be served by streets of a capacity sufficient to carry the traffic generated by the proposed use.*

The subject site is currently served by Hiller Street and Masonic Way. Both roads are of sufficient capacity to serve this neighborhood commercial center. The proposed outdoor play area would be ancillary to the learning center use of the tenant space, and would not generate additional traffic. In addition, conditions of project approval would require that the outdoor play area be scheduled for use outside of any set delivery times for adjacent businesses, to the maximum extent feasible, and that the gates of the outdoor area are to be left open when not in use to allow for better site circulation. Thus, as proposed and conditioned, no traffic interruption is anticipated from the project. This finding can be made in the affirmative.

- d) The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.*

All City departments have reviewed the proposal and provided conditions of approval that should ensure that the outdoor play area will not adversely affect neighboring properties or the general welfare of the City. These conditions, together with standard conditions of approval requiring compliance with the City's Noise Ordinance, are anticipated to ensure that no significant noise impacts occur to adjacent and/or surrounding residential properties. With incorporation of and adherence to the above stated conditions of approval, staff believes that this finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

Based on the foregoing analysis, staff recommends approval of the Conditional Use Permit application with the conditions of approval as specified in Attachment III.

ACTION ALTERNATIVES

1. Continue the project and direct staff to work with the applicant to modify the request.
2. Deny the Conditional Use Permit. The Commission will identify specific facts to support a denial, and a resolution would be returned to the Commission for final action.

ATTACHMENTS

- I. 500 Foot Radius Map (page 2 of this report)
- II. Resolution approving the Conditional Use Permit
- III. Conditions of Project Approval
- IV. Neighborhood Outreach Strategy
- V. Project Plans/Material Sheets (Commission only)

Respectfully submitted,



Damon DiDonato
Senior Planner



Carlos de Melo
Community Development Director

CC: Applicant/Property Owner

RESOLUTION NO. 2011-_____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
APPROVING A CONDITIONAL USE PERMIT
FOR 580 MASONIC WAY (APPL. NO. 2010-0055)

WHEREAS, Mei Zhang, Applicant, requests Conditional Use Permit approval to allow conversion of a parking lot to an outdoor play area for the “Challenge School” language learning center at 580 Masonic Way, within the C-1 Zoning District; and,

WHEREAS, a public hearing was duly noticed, held on February 15, 2011, and closed; and,

WHEREAS, the Planning Commission of the City of Belmont finds the project to be categorically exempt pursuant to the California Environmental Quality Act, Section 15301; and,

WHEREAS, the Planning Commission hereby adopts the staff report dated February 15, 2011, and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission finds the required findings for the Conditional Use Permit are made in the affirmative as follows:

CONDITIONAL USE PERMIT

In order to grant a Conditional Use Permit, the Planning Commission must make the following findings pursuant to Section 11.5.1 (a-d) of the City of Belmont Zoning:

a) The location of the proposed use is compatible to other land uses in the general neighborhood area and does not place an undue burden on existing transportation, utilities and service facilities in the vicinity.

The applicant is requesting a Conditional Use Permit to allow an outdoor play area for a learning center. The proposed outdoor play area is ancillary and complementary to the allowed commercial use, and would not increase occupancy or add to vehicle trips to the site. No new floor area would be added. The Conditions of Approval will limit the hours of operation and require that the outdoor uses comply with the Belmont Noise Ordinance. Utilities are already in place for this commercial unit. There is sufficient on-site parking available to serve the commercial center. This finding is affirmed.

b) The site is of sufficient size to accommodate the proposed use together with all yards, open spaces, walls and fences, parking and loading facilities, landscaping and such other provisions required by this ordinance.

The existing multi-tenant commercial building conforms to height and setback requirements of the Zoning Ordinance. The proposed ancillary outdoor uses comply with all applicable Building, Fire and Zoning Ordinance requirements. The proposed outdoor play area is appropriate for the C-1 (neighborhood Commercial) setting. Proposed site modifications include only fencing, which would meet all development standards without substantially impacting site aesthetics. Existing landscaping would not be impacted by the project. This finding is affirmed.

c) The site will be served by streets of a capacity sufficient to carry the traffic generated by the proposed use.

The subject site is currently served by Hiller Street and Masonic Way. Both roads are of sufficient capacity to serve this neighborhood commercial center. The proposed outdoor play area would be ancillary to the learning center use of the tenant space, and would not generate additional traffic. In addition, conditions of project approval would require that the outdoor play area be scheduled for use outside of any set delivery times for adjacent businesses, to the maximum extent feasible, and that the gates of the outdoor area are to be left open when not in use to allow for better site circulation. Thus, as proposed and conditioned, no traffic interruption is anticipated from the project. This finding is affirmed.

d) The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity or the general welfare of the City.

All City departments have reviewed the proposal and provided conditions of approval that should ensure that the outdoor play area will not adversely affect neighboring properties or the general welfare of the City. These conditions, together with standard conditions of approval requiring compliance with the City's Noise Ordinance, are anticipated to ensure that no significant noise impacts occur to adjacent and/or surrounding residential properties. With incorporation of and adherence to the above stated conditions of approval, the Planning Commission believes that this finding is affirmed.

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the Conditional Use Permit for an outdoor play area at 580 Masonic Way, subject to the attached conditions in Exhibit "A".

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on February 15, 2011 by the following vote:

AYES,
COMMISSIONERS: _____

NOES,
COMMISSIONERS: _____

ABSENT,
COMMISSIONERS: _____

ABSTAIN,
COMMISSIONERS: _____

RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

EXHIBIT "A"

CONDITIONS OF PROJECT APPROVAL CONDITIONAL USE PERMIT 580 MASONIC WAY (APPL. NO. 2010-0055)

I. COMPLY WITH THE FOLLOWING CONDITIONS OF THE COMMUNITY DEVELOPMENT DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions:

Planning Division

1. Plans submitted for building permit and all construction shall conform to the plans on file in the Planning Division for Appl. No. 2010-0055. The Director of Community Development may approve minor modifications to the plans.
2. In accordance with the Belmont Zoning Ordinance, the Conditional Use Permit granted by this approval shall expire one (1) year from the date of approval, with said approval date indicated on the accompanying Planning Commission resolution. Any request for extension of the expiration date shall be made in accordance with the applicable provisions of the Belmont Zoning Ordinance.
3. Within 30 days of this approval, the property owner shall file with the Director of Community Development, on forms provided by the City, an acknowledgment that he/ she has read, understands and agrees to these conditions of approval.
4. In the event that this approval is challenged by a third party, the property owner and all assignees will be responsible for defending against this challenge, and agrees to accept responsibility for defense at the request of the City. The property owner and all assignees agree to defend, indemnify and hold harmless the City of Belmont and all officials, staff, consultants and agents from any costs, claims or liabilities arising from the approval, including without limitation, any award of attorneys fees that might result from the third party challenge.
5. The rear parking area shall be re-striped (as shown on Sheets 1 and 2 of the project plans) prior to removal of existing parking within the approved outdoor play area.
6. The gates to the outdoor play area shall remain open at all times when it is not in use by children, including when the learning center is not in session. The outdoor play area shall be scheduled for use when deliveries to adjacent business are not scheduled to occur to the maximum extent feasible.
7. If there is a change in tenancy that no longer requires that outdoor play area, then the outdoor play area shall be restriped and used for additional parking for the commercial center.

8. A lighting plan shall be submitted for review and approval by the Community Development Department, prior to issuance of building permits and/or the installation of any exterior lighting. Said plan shall include fully-shielded "cut-off" lighting fixtures so as not to cause glare impacts within the public right-of-way or onto residential properties located across the street.
9. The outdoor space shall be scheduled for use on weekday afternoons between 1:00 pm and 6:00 pm. No whistles, buzzers, air horns, or amplified noise making equipment of any kind shall be permitted for use in the outdoor area.

Building Division

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.
 1. Plans shall conform to approved project plans.
 2. Obtain all required permits
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
 1. All construction and related activities which require a City permit shall be allowed only during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday and 10:00 a.m. to 5:00 p.m., Saturdays. No construction activity or related activities shall be allowed outside of the aforementioned hours or on Sundays and the following holidays: New Year's Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. All gasoline powered construction equipment shall be equipped with an operating muffler or baffling system as originally provided by the manufacturer, and no modification to these systems is permitted.

II. COMPLY WITH THE FOLLOWING CONDITIONS OF THE PUBLIC WORKS DEPARTMENT:

- A. The following conditions shall be shown on plans submitted for a building permit and/or site development permit or otherwise met prior to issuance of the first building permit (i.e., foundation permit) and shall be completed and/or installed prior to occupancy and remain in place at all times that the use occupies the premises except as otherwise specified in the conditions.

1. Streets, sidewalks and curbs in need of repair within and bordering the project shall be repaired and/or removed and replaced in accordance with the Department of Public Works approved standards. Photographs or video of before condition are recommended.
 2. Roof leaders and site drainage shall be directed to the City stormwater drainage system. A dissipator box or other energy reduction method shall be used.
 3. Roof downspout systems shall be designed to drain into designated, effective infiltration areas or structures (refer to the Bay Area Stormwater Management Agencies Association (BASMAA) Start at the Source Design Guidance Manual for Stormwater Quality Protection [available from BASMAA @ 510-622-2465]).
- B. The following conditions shall be met prior to the issuance of the first building permit (i.e., foundation permit) and/or site development permits except as otherwise specified in the conditions.
1. The property owner/applicant shall apply for and obtain temporary encroachment permits from the Department of Public Works for work in the City public right-of-way, easements or property in which the City holds an interest, including driveway, sidewalk, sewer connections, sewer clean-outs, curb drains, storm drain connections, placement of a debris box.
 2. The property owner/applicant shall submit grading calculations to the Department of Public Works. The property owner/applicant apply for and obtain a grading permit from the Department of Public Works if required. The grading permit fee is based on the total amount of earth moved including cut and fill.
 3. Verify location of utility meters, valves, back flow preventers, and hydrants with appropriate utility company. Show relationship of each to site improvements, such as retaining walls.
 4. The owner/applicant shall submit a dust control plan for approval by the Department of Public Works. To reduce dust levels, exposed earth surfaces shall be watered as necessary. The application of water shall be monitored to prevent runoff into the storm drain system. Spillage resulting from hauling operations along or across any public or private property shall be removed immediately. Dust nuisances originating from the contractor's operations, either inside or outside of the right-of-way shall be controlled.
 5. The applicant shall submit an erosion and sedimentation control plan describing Best Management Practices (BMPs) to be used to prevent soil, dirt, and debris from entering the storm drain system. The plan shall include the following items:
 - a) A site plan showing the property lines, existing and proposed topography, and slopes; areas to be disturbed, locations of cut/fill and soil storage/disposal area; areas with existing vegetation to be protected; existing and proposed drainage patterns and structures; watercourses or sensitive areas on-site or immediately downstream of project; and designated construction access routes, staging areas and washout areas.
 - b) Erosion and sediment controls to be used during construction, selected as appropriate from the California Regional Water Quality Control Board, San Francisco Bay Region Erosion and Sedimentation Control Field Manual (available from: Friends of the San Francisco Estuary, P.O. Box 791, Oakland, CA 94604-0791).

- c) Methods and procedures to stabilize denuded areas and install and maintain temporary erosion and sediment control continuously until permanent erosion controls have been established.
 - d) Provision for preventing erosion and trapping sediment on-site, such as sediment basins or traps, earthen dikes or berms, fiber rolls, silt fence, check dams, storm drain inlet protection, soil blankets or mats, covers for soil stock piles and/or other measures.
 - e) Provisions for installing vegetative cover in disturbed areas, including areas to be seeded, planted, and/or mulched, and types of vegetation proposed.
 - f) Provision for diverting on-site runoff around exposed areas and diverting off-site runoff around the project site (e.g., swales and dikes).
 - g) Notes, specifications, and/or attachments describing the construction, operation and maintenance of erosion and sediment control measures, including inspection frequency; methods and schedule for grading, excavation, filling clearing of vegetation and storage and disposal of excavated or cleared material; types of vegetative cover and mulch, including methods and schedules for planting and fertilization; and provisions for temporary and permanent irrigation.
6. All plans shall conform to the requirements of the City NPDES stormwater discharge permit and the San Mateo Stormwater Pollution Prevention Plan (STOPPP). The project plans shall include permanent storm water quality protection measures. The project plans shall identify Best Management Practices (BMPs) appropriate to the uses to be conducted on-site to effectively prohibit the discharge of pollutants with storm water run-off. A Maintenance and Operation Agreement shall be prepared by applicant incorporating the conditions of this section.
- C. The following conditions shall be met prior to occupancy except as otherwise specified in the conditions.
1. After the City permits are approved but before beginning construction, the owner/applicant shall hold a preconstruction conference with Building and Public Works Department staff and other interested parties. The developer shall arrange for the attendance of the construction manager, contractor, and all subcontractors who are responsible for grading and erosion and sedimentation protection controls.
 2. Failure to comply with any permit condition may result in a “Stop Work” order or other penalty.
 3. Grading shall be performed in accordance with the City Grading Ordinance, Chapter 9 of the City Code. Soil or other construction materials shall not be stockpiled in the public right-of-way unless an encroachment permit is obtained from the Department of Public Works. Grading shall neither be initiated nor continued between November 15 and April 15. Grading shall be done between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday unless otherwise specifically authorized by the Director of Public Works. The Stormwater Pollution Prevention Program Best Management Practices (BMPs) for construction shall be implemented to protect water quality.
 4. The owner/applicant shall ensure that all construction personnel follow standard BMPs for stormwater quality protection during construction of project. These includes, but are not limited to, the following:

- a. Store, handle and dispose of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b. Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, washwater or sediment, and non-stormwater discharges to storm drains and watercourses.
 - c. Use sediment controls, filtration, or settling to remove sediment from dewatering effluent.
 - d. Do not clean, fuel, or maintain vehicles on-site, except in a designated area in which runoff is contained and treated.
 - e. Delineate clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, trees, and drainage courses with field markers or fencing.
 - f. Protect adjacent properties and undisturbed areas from construction impacts using vegetative buffer strips, sediment barriers or filters, dikes, mulching or other measures as appropriate.
 - g. Perform clearing and earth moving activities only during dry weather (April 15 through November 14).
 - h. Limit and time applications of pesticides and fertilizers to prevent polluted runoff.
 - i. Limit construction access routes and stabilize designated access points.
 - j. Do not track dirt or other materials off-site; clean off-site paved areas and sidewalks using dry sweeping methods.
5. If construction is not complete by the start of the wet season (November 15 through April 15), prior to November 15 the developer shall implement a winterization program to minimize the potential for erosion and sedimentation. As appropriate to the site and status of construction, winterization requirements shall include inspecting/maintaining/cleaning all soil erosion and sedimentation controls prior to, during, and immediately after each storm event; stabilizing disturbed soils through temporary or permanent seeding, mulching, matting, tarping or other physical means; rocking unpaved vehicle access to limit dispersion of mud onto public right-of-way; covering/tarping stored construction materials, fuels, and other chemicals. Plans to include proposed measures to prevent erosion and polluted runoff from all site conditions. As site conditions warrant, the Department of Public Works may direct the developer to implement additional winterization requirements.

III. COMPLY WITH THE FOLLOWING CONDITIONS OF THE POLICE DEPARTMENT:

1. Lighting shall be required in the outdoor play area if it is to be used during the evening or nighttime hours.
2. Adults shall supervise/watch children at all times when they occupy outdoor play area.
3. All activities shall be subject to the requirements of the Belmont Noise Ordinance

4. The gates of the outdoor play area shall allow access to emergency personnel/vehicles to the satisfaction of the Belmont Police Department.

IV. COMPLY WITH THE FOLLOWING CONDITIONS OF THE BELMONT/SAN CARLOS FIRE DEPARTMENT:

Fire Department

1. The gates of the outdoor play area shall allow access to emergency personnel/vehicles to the satisfaction of the Belmont-San Carlos Fire Department, or subsequent fire protection district.

Certification of Approved Final Conditions:	
_____	_____
Damon DiDonato, Senior Planner	Date

1. I will contact my neighbors by: DECEMBER 6, 2010

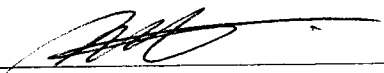
2. I will inform my neighbors of the project by: DECEMBER 6, 2010

3. I will gather feedback from my neighbors by: DECEMBER 13, 2010

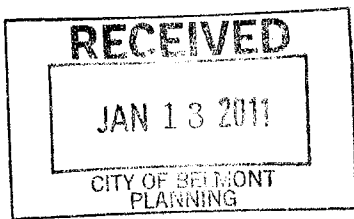
4. Here is the schedule for my outreach strategy:

- A. Contact: MEI ZHANG - DEC. 6, 2010
- B. Informing MEI ZHANG / SULLIVAN SANTOS - DEC. 6 - 13, 2010
- C. Feedback DEC. 6 - 13, 2010

5. As property owner, I, MEI ZHANG (print property owner's name), hereby acknowledge that I will make every reasonable effort to obtain neighbor comments on my project prior to presenting my request to the Planning Commission or City Council in public hearing. I understand that the purpose of the Neighborhood Outreach Strategy is to foster a positive and constructive dialogue regarding my project and its possible effects on surrounding homeowners and tenants.


Property Owner's Signature

NOVEMBER 24, 2010
Date



益智中文学校

Challenge School

558 Pilgrim Drive, Suite D

Foster City, CA 94404

Telephone : (650) 574-6878
Fax : (650) 292 2172
Email : fc@challengeschool.us
Web : www.challengeschool.us

Dear Damon DiDonato,

We are writing to respond to your letter dated December 21, 210.

Project Summary: Challenge School has 2 campuses, the Foster City and the Belmont campus. Foster City is a combined center with a full-day preschool program. Belmont campus, on the other hand, is a language center and its operating hour is only in the afternoon, Monday to Friday only. Also, Foster City campus opens full year but Belmont campus only opens from Sept to June, and close on all school holidays.

For the last four years, Belmont campus has been teaching Chinese to students from kindergarten to sixth grade and has about 4 teachers on site. For the outdoor area, we have only installed a basketball bracket. The usual outdoor activities are rope jumping, ball games, and some group games.

To have the outdoor area, we need to remove 6 parking spaces in the back. We have already conducted and submitted the parking study which shows the plaza has enough parking space after our 6 parking space deduction.

State Law: According to title 22 from Department of Social Services, any center, no matter it's a school, a tutor center, a music school or a language center like our Belmont campus, which take care of children for more than 3 hours a day need to obtain a license. As part of the licensing requirement, we need to provide an outdoor rest area for the students.

Project Owner Signature: attached

Remaining Fees: paid

Pictures: attached

Outreach: We have not heard anything from the outreach result

Sincerely,

A handwritten signature in black ink, appearing to be "Mei Zhang".

Mei Zhang (Director of Challenge School) 1/13/2011