



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: June 5, 2019

TO: Hearing Officer

SUBJECT: Modification to Conditional Use Permit #1540

LOCATION: 169 Arlington Drive

APPLICANT: Cottage Co-Op Nursery School

ZONING DESIGNATION: RS-6 (Single-Family Residential, 0-6 lots per acre)

GENERAL PLAN DESIGNATION: Low Density Residential 0-6 DU/Acre

CASE PLANNER: Beilin Yu

STAFF RECOMMENDATION: Adopt the Environmental Determination and the Specific Findings in Attachment A to **approve** Modification to Conditional Use Permit #1540 with the conditions in Attachment B.

PROJECT PROPOSAL: Modification to Conditional Use Permit #1540: To allow modifications to the hours of operation for an existing Child Day-Care Center. Conditional Use Permit #1540 was approved in 1985 to allow the establishment of a day-care center with a maximum enrollment of 40 students. Eight conditions of approval were incorporated as part of the approval. Condition #6 limits the hours of operation from 9:00 a.m. to 12:00 p.m., Monday through Friday, with occasional classes and parent meetings in the afternoon and evenings, but not later than 8:00 p.m. A Minor Modification to the original Conditional Use Permit was approved in 2017, which extended the hours of operation to 1:30 p.m. The submitted application requests to modify the hours of operation to 8:00 a.m. to 4:00 p.m., with no more than 40 students at any one time. Additionally, the submitted application identifies the number of occasional after hour events, and requests that these events cease no later than 9:00 p.m.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental

Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301, Existing Facilities). Section 15301 applies to the operation and permitting of uses in existing structures where there is negligible or no expansion of the use. The request to extend the hours of operation is considered a negligible expansion of the existing child day-care center use.

BACKGROUND:

Site characteristics: The subject site is a 19,690 square-foot rectangular lot, located on the north side of Arlington Drive, east of Pasadena Avenue. The site is developed with a 3,742 square-foot two-story structure and an attached two-car garage. A child day-care center occupies the site, and has been in operation at the site since 1985.

Adjacent Uses: North: Single-Family Residential
South: Single-Family Residential
East: Single-Family Residential
West: Single-Family Residential

Adjacent Zoning: North: RS-6 (Single-Family Residential, 0-6 lots/acre)
South: RS-6 (Single-Family Residential, 0-6 lots/acre)
East: RS-6 (Single-Family Residential, 0-6 lots/acre)
West: RS-6 (Single-Family Residential, 0-6 lots/acre)

Previous cases on this property: CUP #1540 – Conditional Use Permit to establish a day-care school with an enrollment of 40 students. Approved on November 20, 1985.

Minor Modification to CUP #1540 – Modification to the hours of operation from 9:00 am to 12:00 pm, to 9:00 am to 1:30 pm. Approved on April 21, 2017.

PROJECT DESCRIPTION:

On November 20, 1985, the City of Pasadena Zoning Hearing Officer approved Conditional Use Permit #1540, establishing a day-care center with an enrollment of 40 students within an existing single-family dwelling. In approving the application, the Hearing Officer adopted three findings and an environmental determination that the project would not have a significant impact on the environment. The approval included eight conditions generally addressing minimum indoor and outdoor area for each students; construction of a six-foot high wall; screening of the parking in the front yard area; and hours of operation. Based on the original conditions, hours were limited between 9 a.m. and 12 p.m., Monday through Friday. Occasional classes and parent meetings were allowed in the afternoons and evening, but not later than 8 p.m.

In 2017, the Director of Planning and Community Development approved a Minor Modification to the approved Conditional Use Permit to extend the hours of operation from 9:00 a.m. to 1:30 p.m., Monday through Friday. This additional time was to allow the school to provide a lunch program on-site. Before the Minor Modification approval students were having lunch off-site at Arlington Garden, located approximately 215 feet to the west, across Pasadena Avenue. No other changes were proposed or approved.

The current application requests to extend the hours of operation from 8:00 a.m. to 4:00 p.m., to allow for an afternoon session. The proposal would limit the afternoon session to a maximum of 25 students, and does not request to increase the maximum number of permitted students at any one time. Additionally, the current application identifies the occasional after-hour events occurring on-site, and requests that some events be allowed to have an end time of 9:00 p.m., one hour beyond the current permitted 8:00 p.m. end time. The table below provides a summary of the type of events that occur as part of the day-care center program:

Type	Est. Attendees	Frequency	Proposed time
School Wide Event	50 to 100	6 times per year	No change
Admission Open House	50 to 100	1 time per year	No change
Admissions Parent Info Night	Less than 50	3 times per year	End at 9:00 p.m.
Parent Support Meetings	Less than 25	4 to 6 times per year	End at 9:00 p.m.
Board Meetings	12 to 15	1 per month	End at 9:00 p.m.
School Maintenance Days	5 to 15	1 per month	Weekends

The request to revise the hours of operation requires the approval of a Modification to the previously approved Conditional Use Permit #1540.

ANALYSIS:

Staff’s review of a modification request includes an analysis of whether the proposed hours of operation of the child day-care center would affect the general welfare of the surrounding property owners. In addition, it also includes an analysis of the current operation’s compliance with the conditions of approval, as well as the current development standards in the City’s Zoning Code.

Conditions of Approval

As stated earlier, Conditional Use Permit #1540 was approved with eight conditions of approval. The existing child day-care center is operating in accordance with the conditions of approval, as shown on the submitted plans and information provided with the application.

Condition #1: A minimum of 35 square feet of indoor area shall be provided for each pupil as per Planning Commission standard number 1. Plans submitted with this application show 1,345 square feet of indoor area which would permit a maximum of 40 pupils.

The plans submitted for the current application indicates that the interior area dedicated for child-care is 1,437 square feet, which equates to approximately 36 square feet per child for the existing 40 student capacity.

Condition #2: A minimum of 125 square feet of outdoor play shall be provided for each child and so located that it be not less than 25 feet from any residence nor in the required front or side yard setback.

The plans submitted for the current application indicates that the existing play area is 7,345 square feet, which equates to 185 square feet of outdoor play area for each of the maximum permitted 40 students. This area does not include the required eight-foot side yard setbacks nor the required 25-foot rear yard setback.

However, the plans indicate a play house within the required west side yard setback, and a raised play area within the required rear yard setback, although these areas were not include in the play area size above. A condition of approval is recommended that the play house and the play area be removed from the required setbacks.

Additionally, the 7,345 square-foot play area is not fully enclosed by fencing. A condition of approval is recommended that the 7,345 square-foot play area be fully enclosed by a six-foot high fence so no play area is closer than 25-feet from a residence and the play area is not located within any required side or rear yard setback.

Condition #3: When the use abuts residentially-zoned property, a 6-ft solid masonry wall shall be constructed at the property line adjoining that portion of the educational institution nursery school or kindergarten used for play area.

The properties to the east, west, and north (rear) of the subject site are residentially-zoned, and the plans submitted for the current application indicates that a six-foot masonry wall exists along the sides and rear property lines abutting these properties. A site inspection by staff confirmed that a six-foot masonry wall exists along the property lines surrounding the rear yard of the site.

Condition #4: That wherever possible, the curbs at the front of the schools be painted for passenger loading zones.

Staff from the Planning Division and the Department of Transportation met regarding the feasibility of installing passenger loading zone at the front of the subject site. The subject site has a street frontage of approximately 79-feet in length. The existing 8-foot wide driveway is setback approximately 16-feet from the east side property line, which results in an unobstructed frontage of approximately 55-feet in length. This length would accommodate a maximum of two 20-foot long passenger loading spaces. Due to the age of the children attending the child day-care center, when dropping-off or picking-up the students, the parents park the car and enter the child day-care center with the children, as opposed to dropping-off and picking-up the children at the curb. As such, a two-car passenger loading space would not be efficient for this type of facility. Additionally, even without designating these curb spaces as passenger loading spaces, these spaces are the most utilized spaces for the day-care center, as they are the closest spaces to the facility.

Condition #5: Not more than one staff member per off-street parking spaces shall be permitted at any one time.

Currently, the site is developed with a two-car garage, and four tandem parking spaces on the driveway. According to the information provided by the applicant, the day-care center currently employs five teachers and one administrator daily.

Condition #6: Hours of operation shall be between 9:00 a.m. and 12:00 p.m., Monday through Friday with occasional classes and parent meetings in the afternoon and evenings but never later than 8:00 p.m.

The current hours of operation are from 9:00 a.m. to 1:30 p.m. As mentioned earlier, a Minor Modification to CUP #1540 was approved in 2017, which extended the hours from 12:00 p.m. to 1:30 p.m. According to the information submitted with the current application, the occasional classes and parent meetings in the afternoon include school related events such

as admission open house, parent info night, parent support meetings, and school maintenance days. According to the applicant, the events occurring on-site cease at 8:00 p.m., and meetings that extend beyond 8:00 p.m. are currently held off-site.

Condition #7: Landscaping shall be added in the front yard area as necessary to screen the parking and driveway areas subject to Zoning Administrator's approval.

There is dense landscaping along the east and west side property lines, as well as four multi-trunk trees along the front property line. Based on a site visit, staff determined that the existing landscaping satisfies the condition as it screens the driveway from the surrounding properties.

Condition #8: The applicant shall meet the requirements of all other City Departments.

The child day-care center complied with all requirements of other City Departments in 1985, in order to obtain its Certificate of Occupancy.

Based on the discussion above, the child day-care center has operated in compliance with the conditions of approval, except for enclosing the play area to ensure it is not encroaching into the sides and rear setback areas. To ensure compliance, a condition of approval is recommended that the play area be fully enclosed by fencing.

Development Standards

In addition to the conditions of approval, the existing day care center is also subject to the development standards in Section 17.50.080.B (Child Day-Care Centers) of the City's Zoning Code, as discussed below.

Outdoor play space: The total area of the outdoor play space shall be a minimum of 75 square feet per child, and no outdoor play space shall be within 25 feet of a residential structure on an abutting lot in a residential. Additionally, a six-foot high wall or fence shall surround the outdoor play area.

As discussed above, Condition #2 is more restrictive requiring 125 square feet of outdoor play area for each student. As such, the existing child day-care center complies with the current Zoning Code outdoor play space requirement. Currently, the outdoor play area is not completely enclosed by a six-foot high wall or fence, and a condition of approval is recommended that the outdoor play area be completely enclosed by a six-foot high wall or fence.

Side and rear landscape buffers: Landscaping shall be used to buffer noise in side and rear setback areas adjacent to RS zoning districts. For each 100 square feet of yard area or fraction thereof, 0.10 canopy trees (24 inch box or larger), 0.20 under-story trees (15 gallon or larger), and 2.0 shrubs (five gallons or larger) are required. Where an existing mature landscape element is retained on the site, it may be counted as double in meeting these minimum requirements.

The play area measures 7,345 square feet, and therefore a total of eight canopy trees 24-inch box or larger; fifteen under-story trees 15 gallon or larger, and 147 shrubs five gallons or larger are required in order to buffer the noise in the side and rear setback areas. A condition of approval is recommended that a landscape plan is submitted to show compliance with the landscape buffer requirement, and that landscaping be installed to comply.

Parking: The parking requirement for a child day-care center is two spaces per 1,000 square feet of gross floor area. Parking shall not be located in an existing front or corner side setback unless located on a driveway leading to a covered parking space.

As discussed above, condition #5 states that not more than one staff member per off-street parking shall be permitted. Currently, there are four parking spaces available on the driveway, and two parking spaces within a garage; and the day-care currently employs five teachers and one administrator daily. The proposed modification request does not entail any new construction that would result in additional gross floor area, as such, the current parking situation, as conditioned in the original CUP #1540, may remain. However, in order to provide additional on-site parking, as part of the modification request, the applicant is proposing to pave the area between the existing driveway and the east side property line to accommodate an additional three tandem parking spaces. The existing dense landscaping along the east side property line will be maintained in order to maintain compliance with existing condition #7.

Loading area: The location and design of passenger loading and unloading areas shall be reviewed and approved by the Department of Public Works.

No passenger loading and unloading area is proposed with this request, although Department of Transportation reviewed the feasibility of providing passenger loading spaces along the property frontage, and determined that it would not be effective for this facility.

Refuse storage: A refuse storage area shall be provided in compliance with Section 17.40.120 (Refuse Storage Facilities) of the City's Zoning Code.

Currently there is a six-foot by 12-foot trash enclosure located adjacent to the driveway, in front of the garage. The existing trash enclosure complies with the minimum five-foot by seven-foot size requirement, the enclosure is finished with stucco, and the solid wood door does not face the street.

Outdoor lighting: Outdoor lighting shall comply with Section 17.40.080 (Outdoor Lighting) of the City's Zoning Code.

No outdoor lighting is proposed with the modification request.

Hours of operation: The allowable hours of operation in residential zoning districts shall be established by the Conditional Use Permit required for the use. Outdoor activities may only be conducted between the hours of 7:00 a.m. and 7:00 p.m. in residential zoning districts.

As discussed earlier, the current hours of operation are from 9:00 a.m. to 1:30 p.m., with occasional afternoon and evening activities occurring no later than 8:00 p.m. The proposed modification requests increasing the hours of operation from 8:00 a.m. to 4:00 p.m., and the discussion for the modification is below.

Currently, the condition of approval allows for occasional evening activities to occur until 8:00 p.m. To ensure compliance with this standard, a condition of approval is recommended that any occasional activity occurring outdoors end at 7:00 p.m. Any activity occurring after 7:00 p.m. must occur indoors only.

Modification to Conditional Use Permit

Daily School Operation

The current application requests modifying the current hours of operation of 9:00 a.m. to 1:30 p.m., to 8:00 a.m. to 4:00 p.m. The new hours of operation would start one hour earlier and end 2.5 hours later. The proposed earlier drop-off time at 8:00 a.m. would allow the day-care center to stagger the drop-off time and limit the number of parents at each allotted time, lessening the number of parents and cars at the property at the same time.

The purpose of the later closing time is to accommodate an afternoon session, which is currently not offered at the center. The application requests no more than 25 students for the afternoon session, although the current conditions of approval allows for a maximum of 40 students at any one time. The limitation in the number of students for the afternoon session will reduce traffic and cars parked on the street during afternoon pick-up and drop-off times. According to the applicant, it is also expected that some students from the morning session may stay for the afternoon session, which would further decrease the amount of traffic during the afternoon session.

In order to control the traffic and parking, and minimize impacts on the adjacent neighbors, the child day-care center has established parking and traffic procedures, labeled "Rules of the Road". As part of the plan, parents are informed to only approach the day-care center from the east, driving on Arlington Drive from Fair Oaks Avenue and toward Pasadena Avenue, going west. Parents are also informed to only park on the north side of Arlington Drive; only turn right onto Pasadena Avenue; not pull into the day-care's driveway or any other neighboring properties' driveway; and to park at least three-feet from the edge of all driveways. Additionally, it informs parents to not move any trash cans on trash pick-up days to make room for parking, and to park three-feet away from any trash cans; amongst other rules.

To further address the traffic and parking generated by the child day-care center, a condition of approval is recommended to require a parking monitor during all pick-up and drop-off times. The parking monitor would further ensure that cars related to the child day-care center are adhering to the parking and traffic procedures.

Lastly, because the maximum permitted number of students at any one time is not proposed to be increased, and because the afternoon session would not be as intensive as the existing operation, the noise level from the outdoor play area would be similar to or less than the current morning sessions. The proposed hours of operation would not extend until evening hours, and are consistent with other child day-care centers, which typically serves working parents, and are therefore in operation until after work hours.

After Hour Events

The proposed application identifies the occasional after-hour events occurring on-site, and requests that 8:00 p.m. end time. The table below provides a summary of the type of events that occur as part of the day-care center program:

Type	Est. Attendees	Frequency	Proposed time
School Wide Event	50 to 100	6 times per year	No change
Admission Open House	50 to 100	1 time per year	No change
Admissions Parent Info Night	Less than 50	3 times per year	End at 9:00 p.m.
Parent Support Meetings	Less than 25	4 to 6 times per year	End at 9:00 p.m.
Board Meetings	12 to 15	1 per month	End at 9:00 p.m.
School Maintenance Days	5 to 15	1 per month	Weekends

The after hour events listed above are typical events that occur with the operation of a child day-care center. There are a maximum of six school wide events with an estimated attendance of more than 50 people. These events involve children and the parents, occur throughout the school year, and have an end time of 8:00 p.m., in accordance with the current condition of approval. The current application does not propose to extend the end time of these events.

There is one Admission Open House event, which typically occurs in October or November. This event also includes parents and children, therefore has an estimated attendance of more than 50 people, but no more than 100 people. This event has an end time of 8:00 p.m., in accordance with the current condition of approval. The current application does not propose to extend the end time of these events.

These two types of events, with a maximum of seven total, occurring throughout the year, are the largest types of events with an estimated attendance of more than 50 people, however no more than 100 people.

Three times a year, the school hosts Admission Parent Info Night. These events typically occur in January and/or February, and only include parents, therefore the estimated attendance for these events are less than 50 people. These events start at 6:30 p.m. to accommodate working parents, and as part of the current application, the applicant requests that these events be allowed to end at 9:00 p.m.

Four to six times per year, the day-care center hosts Parent Support Meetings. These events have an estimated attendance of less than 25 people. Some of the events occur in the evenings to accommodate working parents, and as part of the modification application, the applicant requests that these events be allowed to end at 9:00 p.m.

Once a month, the day-care center have board meetings, where twelve to fifteen of its board members meet. According to the applicant, these meetings typically end later than 8:00 p.m., beyond what is allowed under the current conditions of approval. As such, the meetings have been held off-site. As part of the current application, the applicant is requesting the board meetings to be allowed to end at 9:00 p.m., so the meetings are able to occur at the day-care center site.

Lastly, one weekend day per month, a group ranging from five to fifteen volunteers perform maintenance at the school site.

As mentioned above, the events which occurs after school hours at the child day-care center is typical of a day-care center or any educational institution. The frequency of the events are also consistent. In order to keep the surrounding neighbors informed of when these events are occurring, the child day-care center has been maintaining an event calendar on their website. A

condition of approval is recommended to require the maintenance of the event calendar online to ensure the neighbors will continue to be informed of upcoming events related to the center.

Additionally, for the events where attendance is expected to be more than 50 people, the applicant has agreed to maintain a parking monitor on the surrounding streets, to ensure the event attendants are adhering to the parking and traffic procedures (Rules of the Road). Staff is of the opinion that for the three Admission Parent Info Night events, where attendance is expected to have less than 50 people, a parking monitor should also be provided as well. As such, a condition of approval is recommended that a parking monitor be present during these events to ensure cars coming to the events are adhering to the parking and traffic procedures.

In analyzing the request to allow some events or meetings to end at 9:00 p.m., staff determined that the current end time of 8:00 p.m. should remain. The day-care center is located in a residential neighborhood, with residential uses surrounding the center, and allowing additional activity in the evening hours would detract from the residential environment.

Regarding the maintenance days occurring once a month on the weekends, staff determined that the monthly maintenance is similar to the maintenance of a residential property, therefore allowed to continue to occur.

As such, based on the analysis above, staff determined that the requested modification to extend the hours of the daily operation can be approved, however the request to extend the hours of the after-hour events cannot. The additional hours of the daily operation would be during the day and not extend into the evening hours, and are consistent with the hours of operation of other day-care centers. However, the additional hour for the events would intensify activities in the evening, which would detract from the residential environment. Based on the analysis above, staff believes that the required findings to approve modification to the previously approved Conditional Use Permit can be made.

TREE PROTECTION ORDINANCE:

A total of 13 trees exists on the subject site, all of which would remain as part of the project. The only site improvement proposed with the modification, is the paving of three additional tandem parking spaces adjacent to the existing driveway. No trees exist in this portion of the site, therefore no trees will be impacted or removed as part of the project.

GENERAL PLAN CONSISTENCY:

As conditioned, the requested modification to the hours of operation of an existing child day-care center is consistent with General Plan Land Use Element Goal 16 (superior Services), which encourages a superior level of services meeting the needs of Pasadena's diverse residents, including schools, hospitals, parks, child and senior facilities and programs, libraries, shelters, public auditoriums, Health services, social clubs and recreation centers; and Goal 24 (Supporting Uses in Residential Neighborhoods) which encourages supporting uses that meets the needs of residences located and designed to be subordinate to, and compatible with, the function and quality of the residential environment.

Specifically, the proposed modification is consistent with Policy 16.5 (Child Care), which addressed the provision of adequate child care facilities, encouraging locating facilities at or near work sites and public transportation; and Policy 24.2 (Compatible Non-Residential Uses), which allows for the continuation of existing and development of new child day care centers in any land

use zone where they are compatible with adjacent uses. The application is a request to extend the hours of operation of an existing child day-care center, which is consistent with the hours of operation to of other similar facilities, while addressing parking and traffic flow. The extended hours would enhance the provision of child-care, consistent with Policy 16.5, and would allow the existing facility to continue to exist, consistent with Policy 24.2.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, Class 1 §15301, Existing Facilities) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15301 applies to the operation and permitting of uses in existing structures where there is negligible or no expansion of the use. The request to extend the hours of operation is considered a negligible expansion of the existing child day-care center use.

REVIEW BY OTHER CITY DEPARTMENTS:

The proposal was reviewed by the Department of Transportation, Department of Public Works, Fire Department, Building and Safety Division, and Design and Historic Preservation (DHP) Section. The Department of Transportation, Department of Public Works, Fire Department, and Design and Historic Preservation (DHP) Section had no comments. Comment from the Building and Safety Division is incorporated in Attachment B of this report.

CONCLUSION:

It is staff's assessment that the findings necessary for approval of the Modification to Conditional Use Permit #1540 to allow the existing child day-care center to operate between the hours of 8:00 a.m. and 4:00 p.m. can be made. The day-care center has operated at the subject property since 1985, mostly in compliance with the current conditions of approval. The proposed hours of operation would not extend into the evening hours, and would be consistent with the hours of operation of other similar day-care facilities, which typically serve working parents.

However, it is staff's assessment that the after-hour events should not be allowed to end at 9:00 p.m., one hour beyond the current 8:00 p.m. end time. The day-care center is located within a residential neighborhood, surrounded by residential uses, and any additional activity in the evening hours would detract from the residential character of the neighborhood.

Therefore, staff recommends that the Hearing Officer approve the application to allow the daily operation of the existing child day-care center from 8:00 a.m. to 4:00 p.m. with the findings in Attachment A and the Conditions of Approval in Attachment B.

Attachments:

- Attachment A: Specific Findings of Approval
- Attachment B: Conditions of Approval
- Attachment C: 'Cottage Co-Op's Rules of the Road'

ATTACHMENT A
SPECIFIC FINDINGS FOR MODIFICATION TO CONDITIONAL USE PERMIT #1540

Modification of Conditional Use Permit #1540 – To allow the hours of operation of 8:00 a.m. to 4:00 p.m. for an existing Child Day-Care Center

1. *The proposed use is allowed with a Conditional Use Permit within the applicable zoning district and complies with all applicable provisions of this Zoning Code.* The existing child day-care center was established on the subject site with the approval of Conditional Use Permit #1540 in November 1985. The requested new hours of operation from 8:00 a.m. to 4:00 p.m. requires the approval of a modification to the previously approved Conditional Use Permit #1540. The existing child day-care center is subject to the development standards in Section 17.50.080.B of the City's Zoning Code. As proposed and conditioned, the center complies with all the applicable developments standards.
2. *The location of the proposed use complies with the special purposes of this Zoning Code and the purposes of the applicable zoning district.* The subject site is located in the RS-6 (Single-Family Residential, 0-6 units/acre) Zoning District. One of the general purposes of the Residential Zoning District is to provide appropriate sites for public and semi-public land uses requiring a residential environment. The existing child day-care center provides child care services, which benefits from having a residential environment. The facility has been operating at the subject site since 1985, and the proposed hours of operation from 8:00 a.m. to 4:00 p.m. would better serve working parents while not extending the operations until the evening hours, thereby not detracting from the residential environment.
3. *The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan.* As conditioned, the requested modification to the hours of operation of an existing child day-care center is consistent with General Plan Land Use Element Goal 16 (superior Services), which encourages a superior level of services meeting the needs of Pasadena's diverse residents, including schools, hospitals, parks, child and senior facilities and programs, libraries, shelters, public auditoriums,. Health services, social clubs and recreation centers; and Goal 24 (Supporting Uses in Residential Neighborhoods) which encourages supporting uses that meets the needs of residences located and designed to be subordinate to, and compatible with, the function and quality of the residential environment. Specifically, the proposed modification is consistent with Policy 16.5 (Child Care), which requests provision of adequate child care facilities, encouraging locating facilities at or near work sites and public transportation; and Policy 24.2 (Compatible Non-Residential Uses), which allows for the continuation of existing and development of new child day care centers in any land use zone where they are compatible with adjacent uses. The application is a request to extend the hours of operation of an existing child day-care center, which is consistent with the hours of operation to of other similar facilities, while addressing parking and traffic flow. The extended hours would enhance the provision of child-care, consistent with Policy 16.5, and would allow the existing facility to continue to exist, consistent with Policy 24.2.
4. *The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.* The modification approval will extend the hours of operation of the existing child day-care center by one hour in the morning and 2.5 hours in the afternoon, and will not increase the number of students at any one time, maintaining the existing maximum of 40 students at any one time. The additional hours of

operation will allow staggered drop-off and pick-up time, which would decrease the number of cars arriving at the site at the same one time, and in turn decreasing the number of cars parked on the street. The additional hours of operation will also not extend into the evening hours, and will be consistent with the hours of operation of other child day-care centers, which typically serves working parents.

5. *The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.* The modification approval will extend the hours of operation, however will not increase the number of students at any one time. Other than the additional hours, the operation of the center will continue as it has existed since its establishment in 1985. With the modification approval, additional conditions of approval will be added, such as requiring a parking monitor during pick-up and drop-off times, and ensuring that landscape buffer be provided in the setback areas, which will improve the operation of the exiting use. Therefore, the approval of the additional hours will not alter the use of the facility, which has not been detrimental to properties and improvements in the neighborhood.
6. *The design location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity in terms of aesthetic values, character, scale, and view protection in that the proposal does not convey an overdeveloped appearance in this area.* The child day-care center has existed on the subject site since 1985. The modification approval will extend the hours of operation but will not increase the number of students at any one time. The only physical alteration proposed with the current application is paving of three additional tandem parking spaces adjacent to the existing driveway. These spaces will provide additional on-site parking for volunteers, and remove parked cars from the surrounding streets. Additionally, the child day-care center has been designed and conditioned to comply with all the development standards for child day-care centers set forth in the Zoning Code, and therefore are compatible with the character and scale of other residential uses in the area.
7. *There are changed circumstances sufficient to justify the modification to the original approval.* The need for child day care has increased over the years, and the proposed afternoon session with a maximum of 25 students would provide for the needed service while maintaining the residential environment by limiting the number of students and the hours to daytime only.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR MODIFICATION OF CONDITIONAL USE PERMIT #1540

The applicant or successor in interest shall meet the following conditions:

1. The proposed project shall substantially conform to the site plan submitted with this application and dated "Received at Hearing "June 5, 2019", except as modified herein.
2. These conditions of approval supersede all previous conditions of approval for Conditional Use Permit #1540.
3. The approval of this application authorizes the existing child day-care center to operation from 8:00 a.m. to 4:00 p.m., Monday through Friday.
4. The morning sessions shall be limited to a total of 40 students at any one-time. The afternoon session shall be limited to a maximum of 25 students at any one time. The applicant shall maintain a roster, and shall be provided to the Zoning Administrator upon request.
5. The Zoning Administrator, at any time, can call for a review of the approved conditions at a duly noticed public hearing. These conditions may be modified or new conditions added to reduce any impacts of the use. The Hearing Officer may revoke the Conditional Use Permit if sufficient cause is given.
6. Any change to these conditions of approval or expansion of the use shall require the modification of this Conditional Use Permit or a new Conditional Use Permit.
7. The applicant or successor in interest shall meet the applicable code requirements of all other City Departments.
8. The proposed project, Activity Number PLN2018-00254, is subject to a Final Zoning Inspection. A Final Zoning Inspection is required for the project prior to the issuance of a Certificate of Occupancy. In addition, the project requires Condition Mitigation Monitoring. Contact the Planning Case Manager, Beilin Yu at (626) 744-6726 to schedule an inspection appointment time.

Planning Division

9. The start time for the morning sessions shall be a minimum of 15 minutes apart to allow for staggered drop-off of students. The pick-up time shall also be staggered.
10. The pick-up time for the morning sessions shall not coincide with the drop-off time for the afternoon session.
11. Per calendar year, the after hour events shall be limited as follows:
 - Six (6) School Wide Events, with an expected attendance of more than 50 people but no more than 100 people;
 - One (1) Admission Open House, with an expected attendance of more than 50 people but no more than 100 people;
 - Three (3) Admission Parent Info Night, with an expected attendance of no more than 50 people;

- Six (6) Parent Support Meetings, with an expected attendance of no more than 25 people; and
 - Twelve (12) Board Meetings, with an expected attendance of no more than 15 people.
12. The after hour events shall end no later than 8:00 p.m. Any outdoor activity shall cease at 7:00 p.m.
 13. For the School Wide Events, Admission Open House, and Admission Parent Info Nights, at least one parking monitor shall be present at the property frontage and/or its surrounding area to ensure all parents are adhering to the 'Cottage Co-Op's Rules of the Road', included as Attachment C.
 14. The applicant shall maintain an event calendar on the day-care center's website, informing the neighbors of any upcoming events. The events shall be added to the calendar at its earliest convenience, but no later than 14-days prior to the events.
 15. A contact person and contact information shall be maintained on the website at all times.
 16. The applicant shall maintain a log of complaints received and how the complaint was addressed. This log shall be submitted to the Zoning Administrator upon request.
 17. A minimum of 35 square feet of indoor area and a minimum of 125 square feet of outdoor area shall be provided for each child.
 18. Within 30-days of the effective date of this approval, a plan clearly depicting the location of the residential structures on all abutting lots, the location of the outdoor play area, compliance with the 25-foot separation, and location of the required six-foot high fence enclosure shall be submitted for the review and approval of the Zoning Administrator. Within 90-days of the effective date of this approval, the applicant shall install the six-foot high fence fully enclosing the outdoor play area. The outdoor play area shall not be located within a required side or rear setback, and shall be located at least 25-feet from any residential structure on an abutting lot. The six-foot high fence shall be maintained at all times.
 19. Within 90-days of the effective date of this approval, the applicant shall remove any play equipment/structure located within any setback areas and/or within 25-feet of any residential structure. No play equipment/structure shall be located within any setback areas and/or within 25-feet of any residential structure.
 20. A six-foot high masonry wall shall be maintained along the property lines abutting a residentially zoned property.
 21. Within 30-days of the effective date of this approval, the applicant shall obtain a Zoning Permit approval for the installation of the three additional tandem parking spaces, adjacent to the east of the existing driveway. Within 90-days of the effective date of this approval, the applicant shall install the said tandem parking spaces.
 22. No more than one staff member and/or volunteer per off-street parking space shall be permitted at any time.
 23. Landscaping shall be maintained in the front yard area to screen the parking and driveway areas.

24. Within 30-days of the effective date of this approval, the applicant shall submit a landscape plan showing compliance with the landscaping buffer requirement for the review and approval by the Zoning Administrator. Specifically, the plan shall include a total of eight canopy trees 24-inch box or larger; fifteen under-story trees 15 gallon or larger, and 147 shrubs five gallons or larger within the side and rear setback areas or its equivalent, if mature landscaping exists within the side and rear setback areas. Within 90-days of the effective date of this approval, the required buffer landscaping shall be installed.
25. The day-care center shall maintain the 'Cottage Co-Op's Rules of the Road', included as Attachment C, and distribute it to all enrollees. A copy of this document shall be made available to any interested neighbors. Any modifications to the 'Cottage Co-Op's Rules of the Road' shall be submitted to the Zoning Administrator for the record.
26. During all drop-off and pick-up times, at least one parking monitor shall be present at the property frontage and/or its surrounding area to ensure all parents are adhering to the 'Cottage Co-Op's Rules of the Road', included as Attachment C.
27. The facility shall operate in compliance with applicable local and state regulations at all times including the Pasadena Municipal Code and Zoning Code.
28. The facility shall comply with the standards of the City's Noise Ordinance (P.M.C. Chapter 9.36).

Building and Safety Division

29. Project shall comply with the current edition of the California Building Standards at the time if plan review submittal.

ATTACHMENT C
COTTAGE CO-OP'S RULES OF THE ROAD



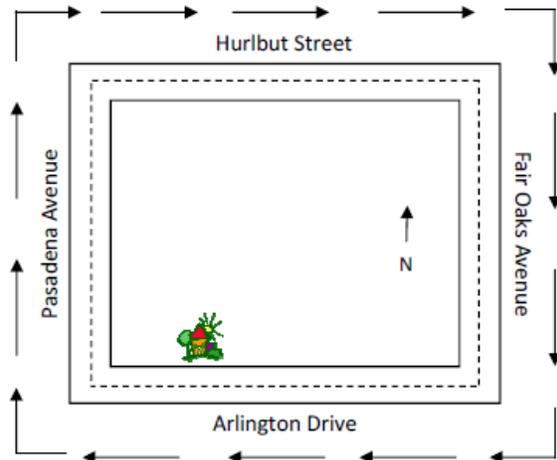
COTTAGE CO-OP NURSERY SCHOOL

Rules of the Road—Traffic and Parking Plan

We are fortunate to be located in a beautiful residential neighborhood. Over the years we have developed a set of rules that govern our driving and parking on Arlington Drive in order to minimize our impact on the neighborhood.

As members of Cottage Co-op, all Cottage families and staff agree to the following rules at all times. In addition, please share this information with anyone who visits Cottage, including grandparents or babysitters. It is your responsibility to ensure that your visitors are informed so our procedures are carefully followed.

- Please approach Cottage from the East end of Arlington Drive turning off of Fair Oaks Avenue. And always drive towards Pasadena Avenue, heading West.
- We park only on the North side of the street.
- When leaving Cottage, make only a right turn onto Pasadena Avenue.
- Don't pull into Cottage's driveway or any other neighbor's driveway. Please park at least 3 feet away from the edge of all driveways.
- Thursdays are trash pick-up days. Do not move trash cans around to make space for parking. Park at least 3 feet away from any trashcan.
- Do not make U-turns anywhere on Arlington Drive.
- If you pass a spot, do not stick your car in reverse and back up to get. Go around the block.



Thank you for helping us keep our neighborhood safe and our neighbors happy!

Revised June 2014