



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET - 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

**TOM BURNS, PLANNING DIRECTOR**

October 2, 2008

Planning Commission  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

**October 22, 2008**

**Item #: 7**

**Time: After 9 AM**

**APN: 065-171-32**

**Application: 07-0704**

**SUBJECT: Appeal of the Zoning Administrator's decision to approve  
Application Number 07-0704**

Members of the Commission:

### **History**

The applicant is proposing to convert a small church building into a Montessori daycare. The original proposal included a two-phase growth scheme with Phase 1 serving a maximum of 50 children and Phase 2 serving a maximum of 66 children. The Zoning Administrator approved Application 07-0704 on September 5, 2008 with two major additional Conditions of Approval (the staff report in included as Exhibit 2). The daycare would be limited to 50 children and would have to be reviewed for compliance in one year (and a public hearing would be possible, if the staff found inconsistencies between the conditions of approval and the operation of the daycare).

The two immediate neighbors appealed the decision on September 16, 2008. The text of the appeal is included as Exhibit 1.

### **Issues raised by the Appellants -**

The primary issue asserted by the appellants is the amount of automobile noise from cars entering and leaving the site. This would primarily affect the immediate neighbors to the south and the east (see Exhibit 6 – aerial view). The neighbor to the east is a non-conforming structure that is approximately 1-2 feet from the property line. There is an existing driveway on the applicants' property that is directly adjacent to the shared property line.

The neighbor to the south is approximately 8-10 feet from the property line. This appellant is concerned about the noise that would come from cars coming into and leaving the parking lot while parents dropped off and/or picked up children.

While the appellant's assertion that easements be created and fences moved seventeen feet

inward from property lines is not a workable solution, the applicant has recognized their concerns and is willing to provide relief.

**Alternate Site Plan prepared by the Applicant -**

Recognizing that car noise may be an issue to the neighbor to the east, the applicant is proposing not to use the driveway to Laurel Street. The revised site plan retains the existing gate (closing off the driveway from the parking lot) that would be limited only to emergency vehicles. It also adds signage on the paving saying "DO NOT ENTER" at the intersection of the driveway and the parking area. This solution would direct all cars to enter and exit onto Valley Drive only.

The other change shown in the revised site plan is substituting a landscaped area for four parking spots adjacent to the neighbor to the south. The area would be adjacent to her driveway and across from her bedroom. The Zoning Administrator limited the number of children and therefore the loss of 4 parking spaces would be allowable under the zoning ordinance requirement for parking for daycare centers.

**Additional Issues -**

Other issues are discussed in the letters received from neighbors, which were not able to be included in the staff report (see Exhibit 4). These issues included: traffic along Laurel Drive and the intersection of Laurel Drive and Highway 9, the noise from children playing and a commercial use within a residential neighborhood.

The staff report to the Zoning Administrator discusses these issues. Since the appellant's letter did not include these concerns they are not described within this response.

**Summary**

The applicants revised site plan would provide relief to both neighbors. Staff feels that their concerns have been met and is recommending approval with the revisions proposed by the applicant.

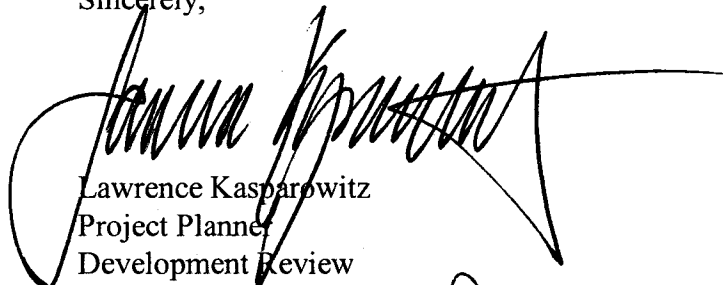
**Recommendation**

Staff recommends that the Planning Commission:

1. **UPHOLD** the Zoning Administrator's decision to approve Application Number **04-0116**, based on the findings contained in the Staff Report to the Zoning Administrator dated September 5, 2008, with the revised Site Plan submitted by the Applicant dated October 2, 2008.
2. Certify that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

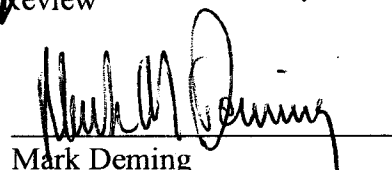
Page 3

Sincerely,



Lawrence Kasparowitz  
Project Planner  
Development Review

Reviewed By:



Mark Deming  
Assistant Director

#### Attachments

1. Letter from the Appellants
2. Zoning Administrator staff report
3. Approved Exhibit A (plans)
4. Additional Correspondence
5. Revised Site Plan, submitted by the Applicant
6. Aerial view of property

September 19, 2008

2008 SEP 16 PM 2 32

PLANNING COMMISSION  
County of Santa Cruz

Re: Appeal of Zoning Administrator's decision on Sept. 5, 2008 to permit a daycare center at 187 Laurel Drive, Felton

Zoning Administrator: Don Bussey  
Applicant: Melinda Gillen  
Application Number: 07-0704  
Assessor's Parcel Number: 065-161-32

Appeal made by:

Estelle Miller and Edward Pabis, owners of 159 Laurel Drive, Felton, property owners adjacent to 187 Laurel Drive, Felton, CA

Charlotte Bowen, owner of 5866 Valley Drive, property owner adjacent to 187 Laurel Drive, Felton, CA

REASON FOR APPEAL

Ms. Bowen and Ms. Miller presented information to the Zoning Administrator about the close proximity of 159 Laurel Drive and 5866 Valley Drive to 187 Laurel Drive. Since he did not address these concerns in his remarks to us at the end of the hearing we wanted a ruling about this specifically.

159 Laurel has a limited setback of about 3 feet on the side facing the Daycare building. Cars for the Daycare will enter off Valley Drive and exit to Laurel Drive below the Daycare Building between the Daycare and 159 Laurel. The Daycare has 20 feet of setback from the building to the property line on this side. Cars passing through will be about 3-4 feet from 159 Laurel. The close proximity of the cars exiting the Daycare would place an untoward burden on us to shoulder the brunt of the noise from the cars dropping off children for the Daycare and then exiting onto Laurel Drive. This would not be fair to us as the rest of the neighborhood has a greater distance from cars entering and exiting the Daycare.

The Daycare has been approved for 50 children with a staff of 9. This would bring 109 automobile trips five days a week, passing within 3 to 4 feet of our house's bedroom, bathroom and kitchen windows. This is a large flow of cars next to a residence. This traffic flow would create an unfair noise burden, decrease the value of our house and diminish the enjoyment of owning and living in the house. If we were next to another residence's driveway, we would not be subject to such a large flow of traffic. The

ATTACHMENT

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Church had limited usage on a twice a week basis. This was acceptable because it was limited to a few days and hours a week.

5866 Valley Drive is also closer to the Daycare facility car entrance on Valley Drive and the planned parking spaces. There is an 18 foot distance from the driveway on the side of 5866 Valley Drive to the property line. There appears to be a 2 to 3 foot area in front of the parking spaces. The fence between the driveway and the parking spaces is a wrought-iron fence.

Having this unusual and non-residential traffic flow directly next to our homes subjects us to the noise of car doors opening and shutting and cars starting and stopping anytime during the day. This will not be the usual intermittent car going down the street and will change dramatically our quality of life with the increase of noise. None of the other residences in this area are subject to this kind of commercial intrusion so close to their homes.

Currently, 159 Laurel has a renter who works nights and sleeps during the day. We don't want to suffer economical loss which will occur if he moves because he cannot sleep during the day due to the increase of noise.

#### APPEAL:

1. Direct the flow of traffic from the Daycare either back onto Valley Drive or use the already in existence driveway on the other side of the Daycare building.

There is an existing driveway above the Daycare building. While the increased noise of cars cannot be wholly mitigated, it can be diminished by cars exiting there just as well as exiting directly next to our home at 159 Laurel. This would cut down on the noise and would provide an acceptable distance from our home to the Daycare car exit. Cars could come in on Valley and exit on Laurel Drive above the Daycare in an already existing exit and at an acceptable distance from the intersection. OR, cars can exit from the same driveway they entered in on Valley Drive. Cars would then have a stop before either turning on Laurel or continuing down Valley Drive to exit the residential area.

2. Allow an easement of 17 feet between 159 Laurel Drive and the Daycare.

We would like to be given an easement of 17 additional feet from the property line at the side of our house at 159 Laurel onto the Daycare property so that there would be enough space between our house and the Daycare. This would give us 20 feet of space between our properties. This easement would return to the Daycare if it sells the property in the future.

Ms. Bowen at 5866 Valley Drive would like an easement of 5 to 6 feet on the Daycare property in front of the parking spaces to cut down on the noise of the parking cars.

ATTACHMENT 1 .

3. Daycare to mitigate loss of quiet to neighbors by building a wooden fence and providing homeowners soundproof windows on the affected sides of homes.

We propose that the Daycare build a wooden 6 foot fence 17 feet from the property line at 159 Laurel to cut down on the noise.

Similarly, it is proposed that the Daycare build a 6 foot fence along the easement in front of the parking spaces on the side at 5866 Valley Drive.

The noise could also be mitigated by the Daycare paying for the installation of double pane windows on the affected sides of both homes. This would reduce the noise of the cars inside our homes.

Our residences are zoned R1. A Daycare will be for the public good but it also should not intrude upon an ordinary citizen's right to the quiet that other residential neighborhoods experience in Felton.

Thank you,

Estelle Miller  
Edward Pabis  
159 Laurel Drive  
Felton, CA

Charlotte Bowen  
5866 Valley Drive  
Felton, CA

ATTACHMENT 1

EULIADA

FENCE / EASEMENT

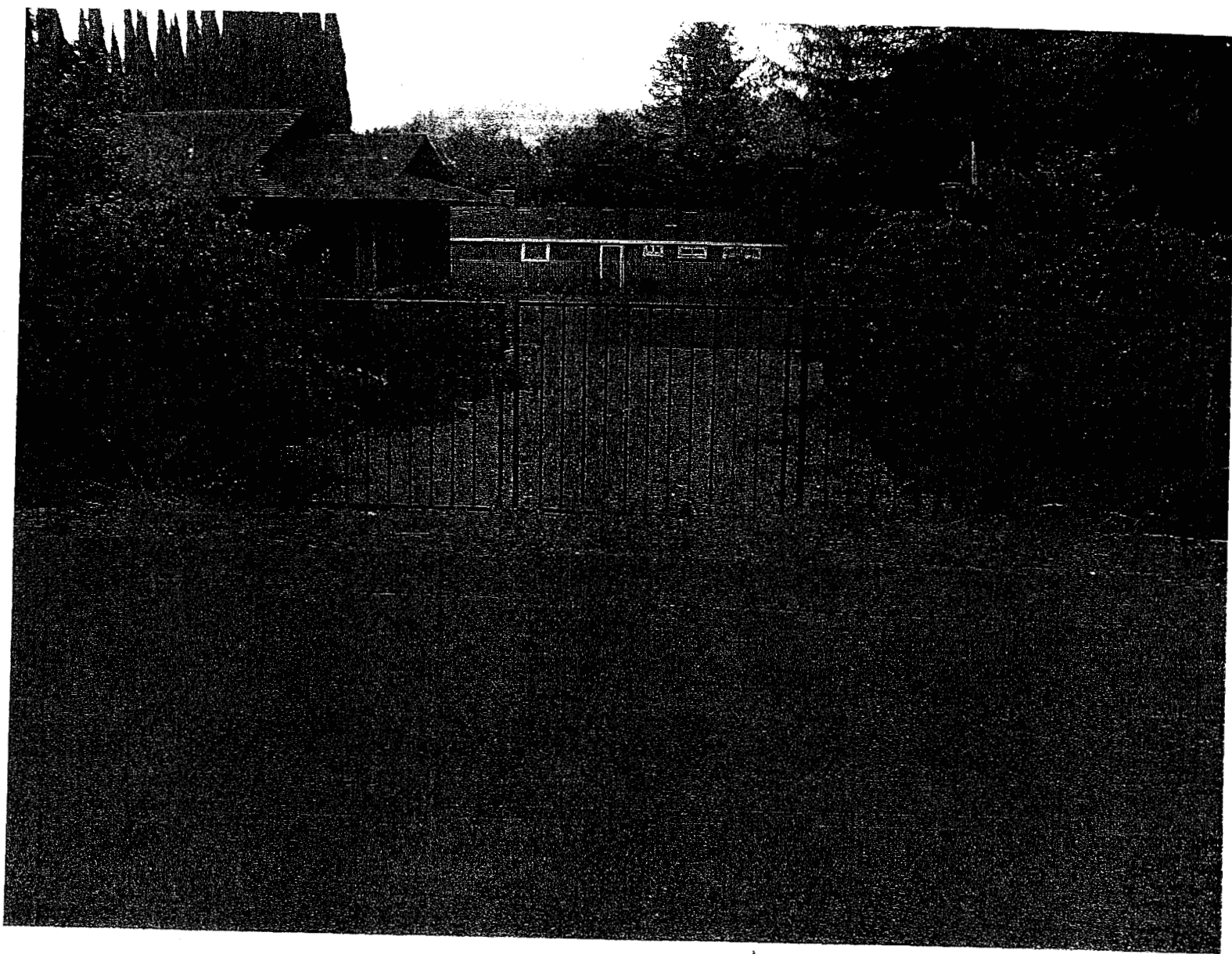
VALLEY DRIVE

LAUREL DRIVE

EXISTING FENCE TO REMAIN WITH  
NEW NYLON PANELS - SEE  
DETAIL 9/A3.2

NEW 6'-0" HIGH SOLID BOARD  
VERTICAL WOOD FENCE - SEE  
DETAIL 4/A3.2

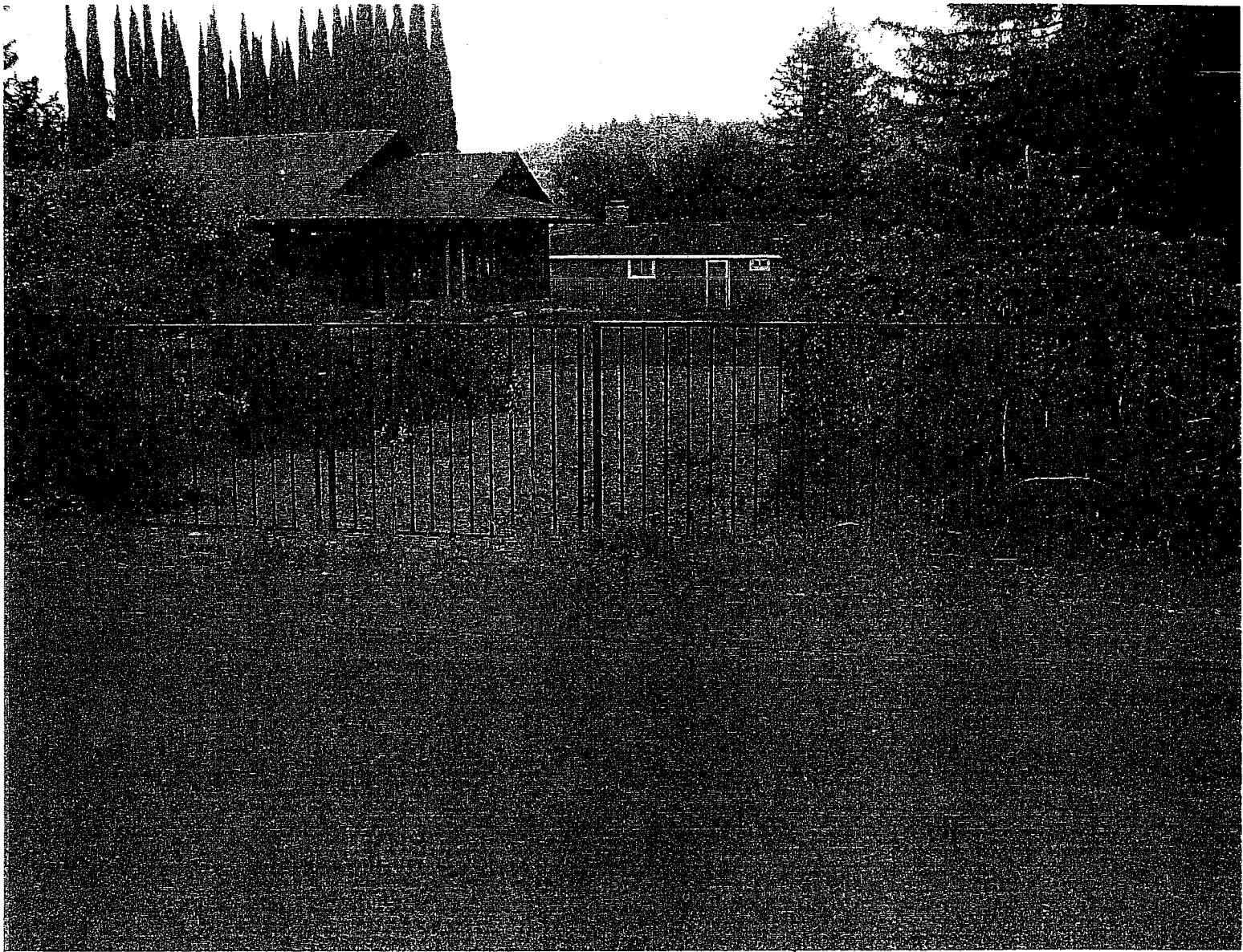
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Taken from street: Valley  
Ms. Bowen's property is to the Right →

ATTACHMENT 1





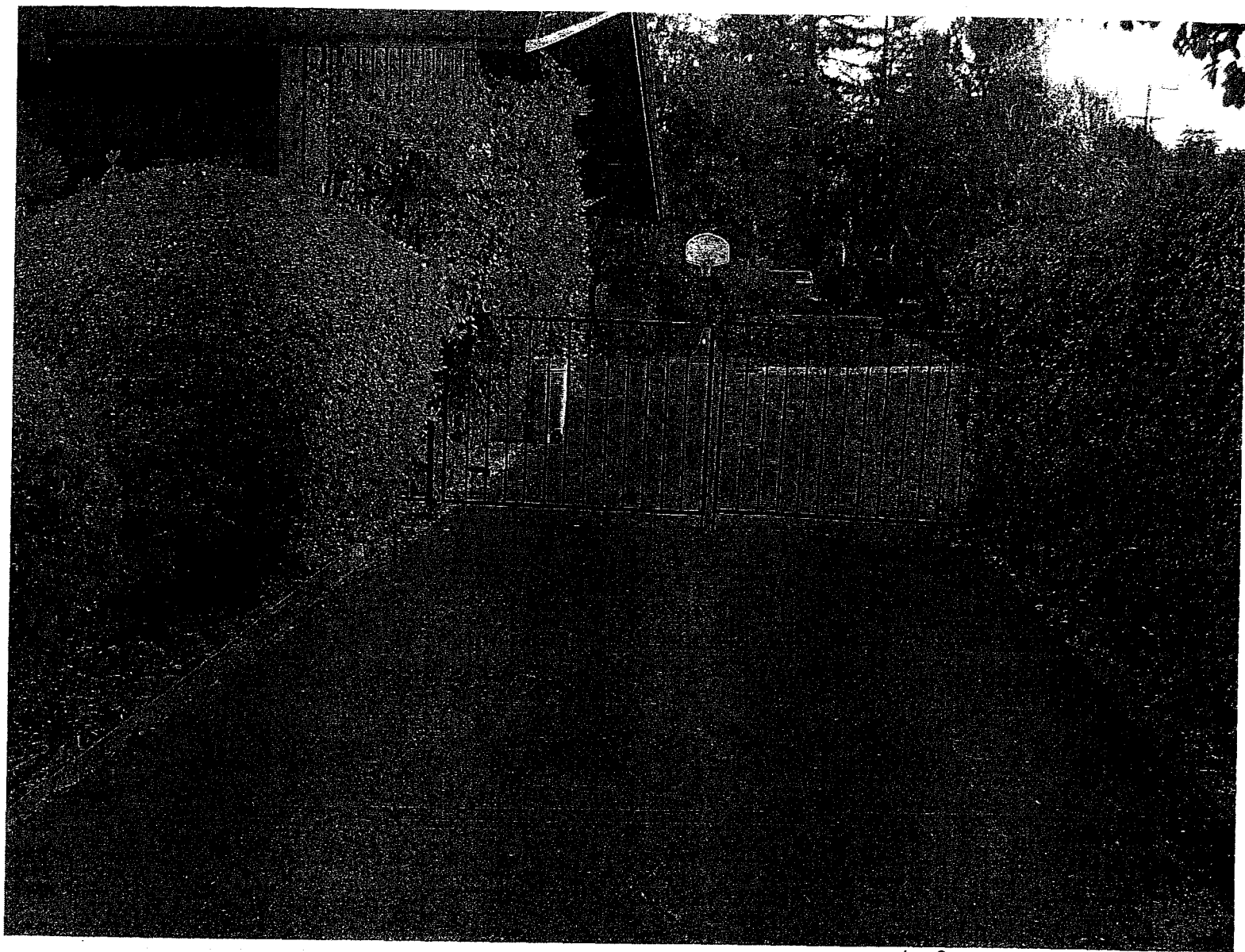
Another photo of Property  
@ 187 Laurel Drive  
taken from Valley

ATTACHMENT 1



Taken from Street Valley

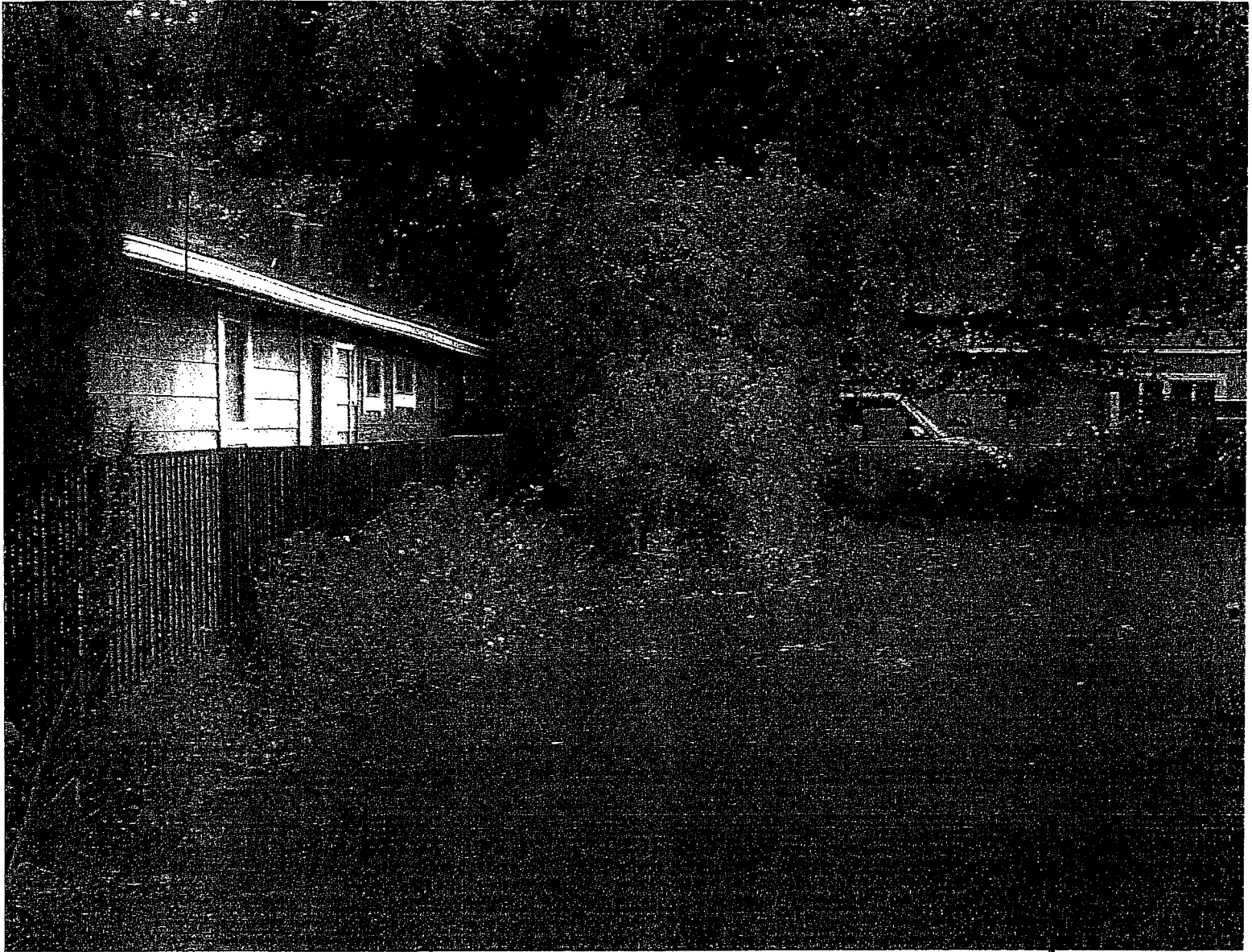
ATTACHMENT 1



Drive way into 187 Laurel DR.  
from photo taken from Laurel

ATTACHMENT 1

✓ 159 Laurel DR  
Felton



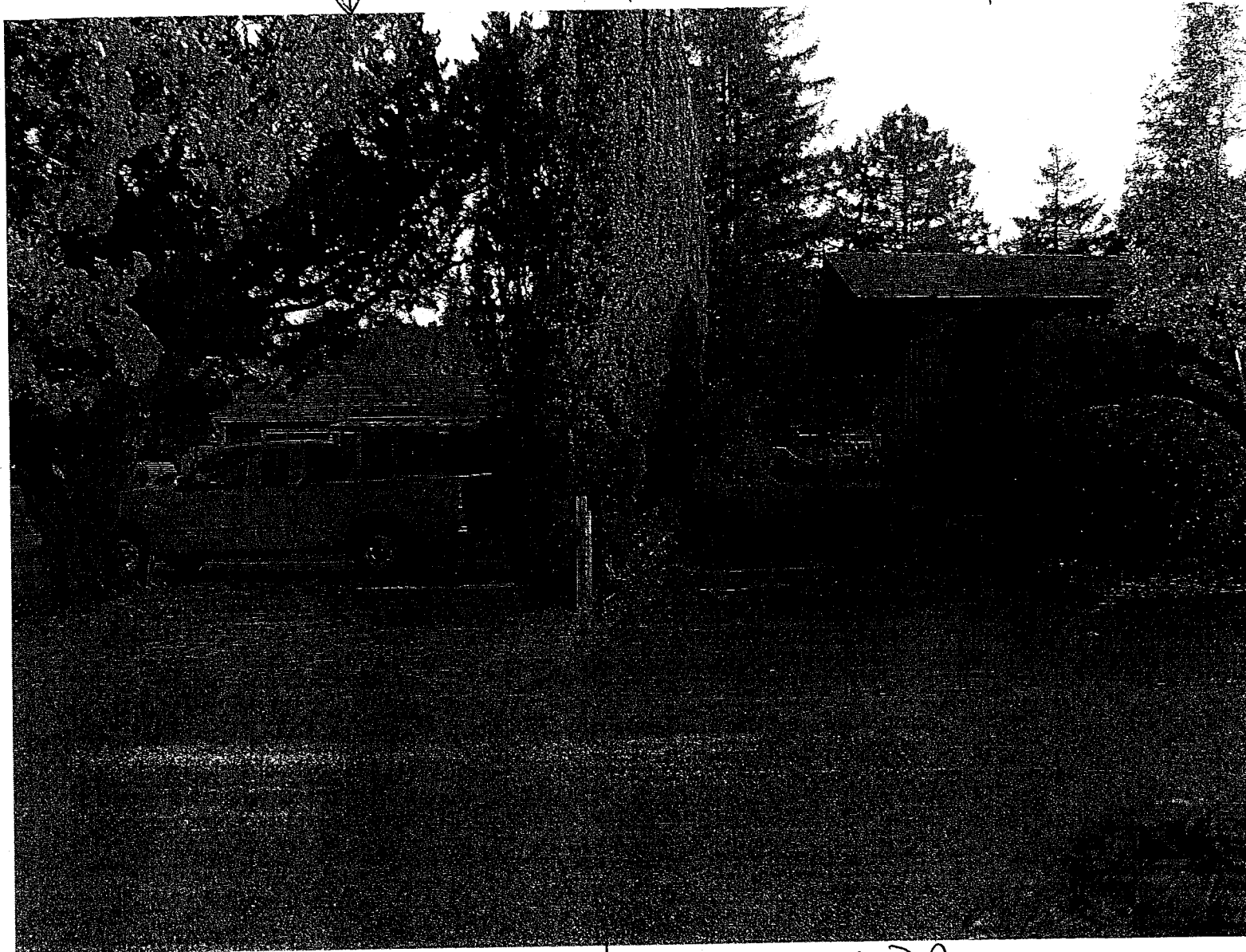
property 187 Laurel DR, Felton  
next to 159 Laurel, Felton  
Taken from Laurel - street

↗  
Driveway  
of  
187 Laurel

ATTACHMENT 1.

159 Laurel  
DR.  
Felton

187 Laurel DR.  
Felton



Taken from Laurel DR.

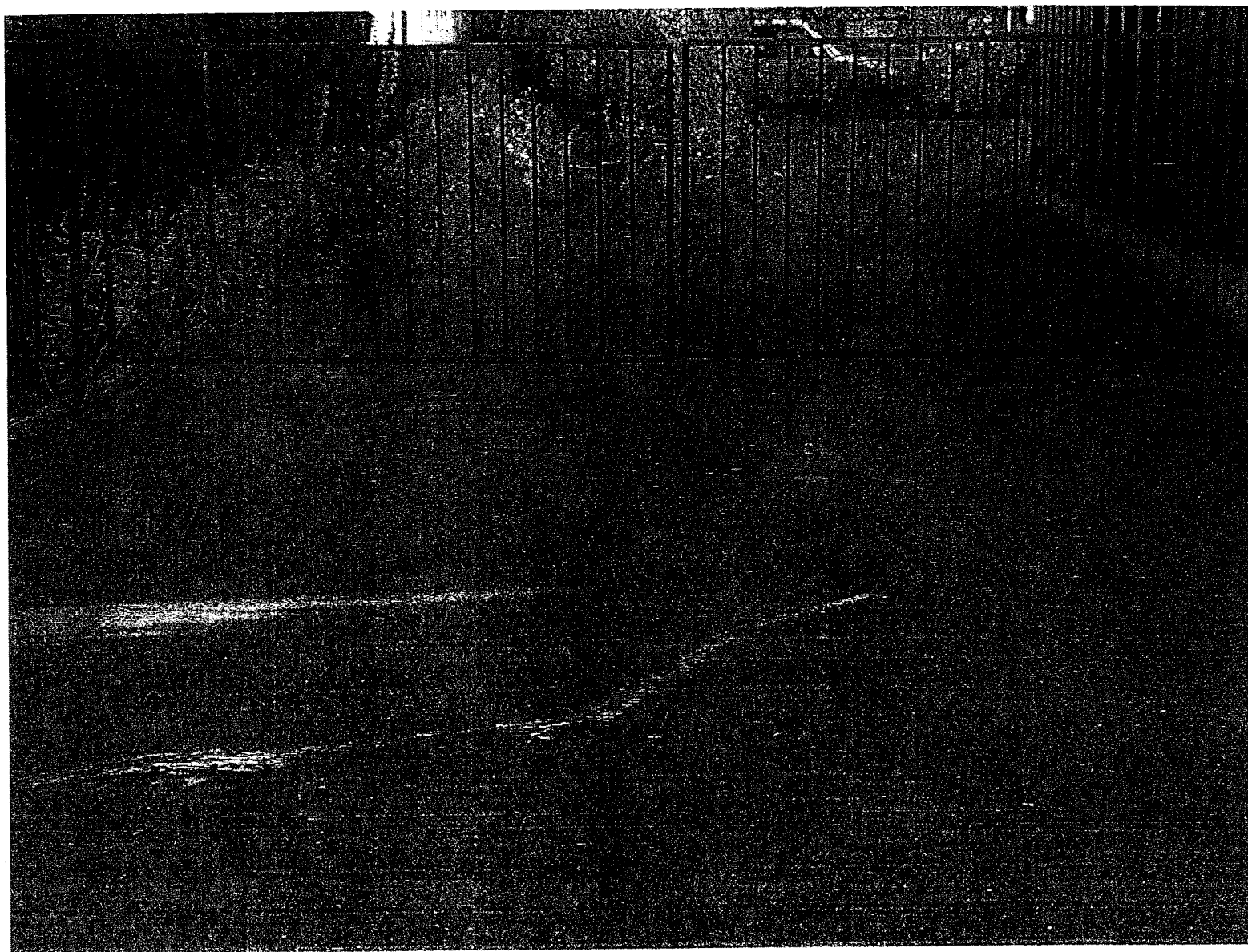
ATTACHMENT 1



Drive Way of  
187 Laurel DR, Felton  
photo taken from Laurel Street (DR)

ATTACHMENT 1-1





Driveway of 187 Laurel DR.  
Feltan  
Photo Taken from Laurel Drive, Feltan

ATTACHMENT 1



## Staff Report to the Zoning Administrator

Application Number: **07-0704**

**Applicant:** Melinda Gillen  
**Owner:** First Church of Christ, Felton  
**APN:** 065-171-32

**Agenda Date:** September 5, 2008  
**Agenda Item #:** 2  
**Time:** after 10:00 a.m.

**Project Description:** Proposal to convert an existing church building to a day care center for up to 66 children and to recognize an overheight fence (4 ft.) within the required front and street side yards.

**Location:** 187 Laurel Drive, Felton

**Supervisory District:** Fifth District (District Supervisor: Mark Stone)

**Permits Required:** Commercial Development Permit  
**Technical Reviews:** none

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0704, based on the attached findings and conditions.

### Exhibits

- |  |                                       |
|--|---------------------------------------|
| A. Project plans                                 | G. Zoning map                         |
| B. Findings                                      | H. Discretionary Application Comments |
| C. Conditions                                    | I. Accessibility Comments             |
| D. Categorical Exemption<br>(CEQA determination) | J. Letters from Applicant and Owner   |
| E. Location map                                  | K. Reduced plans                      |
| F. General Plan map                              |                                       |

### Parcel Information

Parcel Size: 22,500 sq. ft.  
Existing Land Use - Parcel: church  
Existing Land Use - Surrounding: residential  
Project Access: Laurel Drive



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 Owner: First Church of Christ, Felton

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Planning Area: Felton  
 Land Use Designation: PF (Public Facility)  
 Zone District: P (Public and Community Facilities)  
 Coastal Zone: ☐ Inside ☒ Outside  
 Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
 Soils: N/A  
 Fire Hazard: Not a mapped constraint  
 Slopes: N/A  
 Env. Sen. Habitat: Mapped biotic/no physical evidence on site  
 Grading: No grading proposed  
 Tree Removal: No trees proposed to be removed  
 Scenic: Not a mapped resource  
 Drainage: Existing drainage adequate  
 Archeology: Not mapped/no physical evidence on site

### Services Information

Rural Services Line: ☒ Inside ☐ Outside  
 Water Supply: California American Water District  
 Sewage Disposal: Private – on site septic  
 Fire District: Felton Fire Protection District  
 Drainage District: Zone 8

### Zoning & General Plan Consistency

The subject property is a 22,500 square foot lot, located in the PF (Public and Community Facilities) zone district, a designation that allows day care center uses. The proposed Montessori daycare is a permitted use within the zone district and the project is consistent with the site's P (Public Facility) General Plan designation.

SITE DEVELOPMENT STANDARDS TABLE

	PF Standards	Existing Structure	Proposed (Phase 2)
<b>Front yard setback:</b>	20 feet *	20'-10"	20'-0"
<b>Side yard setbacks:</b>	20 feet *	15'-0" East (non-conforming) 65'-0" West	15'-0" East (non-conforming) 53'-0" West
<b>Rear yard setback:</b>	20 feet*	72'-4"	72'-4"
<b>Building Height:</b>	35 feet maximum (three stories)	17'-4" (single story)	17'-4" (single story)

**Section 13.10.363**

- \* (b) Yards. Exceptions.  
(2) Adjacent to or Across the Street from an "R" District. On parcels adjacent to or across the street from any residential district, all minimum yards shall be twenty (20) feet.

While the structure is non-conforming as shown in the above table, there is no extension of non-conformity with the proposed remodel and addition as shown on the plans.

**Project Program**

The applicant is proposing to use the First Church of Christ, Felton as a Montessori Daycare. The applicant currently operates a early childhood education program in Scotts Valley and a preschool in Ben Lomand. The current church building at this site is proposed to be converted to a childcare center and the program in Ben Lomand would be relocated to this site.

The operation of the program would consist of two phases:

Phase One:                      44 children                      ages 2-6 years old  
    6 children                      under 2 years old  
    50 children, total

*no addition to building size*

Phase Two:                      66 children, total  
    10 teachers/administrators  
  
*456 sq. ft. building addition*

Hours of operation would be as follows:

Monday – Friday                      7:30 a.m. to 6:00 p.m.  
(no weekend or evening care)

Structured program                      9:00 a.m. to 4:00 p.m.

Approximately 50% of the children will attend half time and be picked up between 12:15 and 12:45. Additionally, 30% of the children will be picked up by 5:00 p.m.

**Traffic**

The Department of Public Works, Road Planning Division reviewed this application and had no issues. The additional traffic down Laurel Drive will have no significant impact on Highway 9. The staggered nature of pick-up and drop-off of a facility of this nature does not typically create a traffic issue. There are no Transportation Improvement fees for the Felton area (a Condition of Approval requiring payment of such fees has not been included).

ATTACHMENT 2

### Changes to Existing Building and Grounds

For the first phase of this project, there is no expansion of the existing building. The plans indicate interior remodeling and additional doors and windows (similar to existing in material and design). The overall design, roof and siding of the existing building will not change.

All outdoor play areas will be fenced. The existing perimeter fence is a 4'-0" high open design, wrought iron fence. Since the fence is over three feet in both the front and street side setbacks, this permit would recognize the over height fence. Because of the open design and need for child safety, staff supports the fence height as is.

New nylon panels will be attached to provide visual privacy and security. Staff is concerned that the fence will not meet DPW standards per County Design Criteria Fig. ST-3 (which requires a clear view for 30 ft. in both directions from a corner). The applicant will be required to not put any netting for the 30 ft. distance and will be required to trim all landscaping (except trees to a height of not more than 30 inches above the curb).



Fig. 1 View of fence at corner of Laurel and Valley

The parking area will be expanded to provide for 25 spaces. The following chart indicates that the required amount of parking will be provided to accommodate both phases.

	No. of Children	Parking Spaces Required	No. of Employees	Parking Spaces Required	Total Parking Required
<i>Phase One</i>	50	1 space per 5 children = 10	9	1 space for each = 9	19
<i>Phase Two</i>	66	1 space per 5 children = 14	10	1 space for each = 10	24
NOTE: 30% of the total number of spaces may be compact (25 x .3 = 7.5 or 7 max.) ( 6 PROVIDED )					

### Design Review

The proposal includes only minor changes to the existing building. The site is being transformed and a final landscape plan and grading plan are required as a Conditions of Approval.



Fig. 2. Front of building along Laurel showing mature planting

### Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water utilities and private septic system, and a permitted change of use is proposed.

## **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

## **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 07-0704, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

Report Prepared By: Lawrence Kasparowitz  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-2676  
E-mail: [pln795@co.santa-cruz.ca.us](mailto:pln795@co.santa-cruz.ca.us)

**ATTACHMENT 2**

## Commercial Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for public facility uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed day care center will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the existing structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the daycare and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the PF (Public and Community Facilities) zone district in that the primary use of the property will be one day care center that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed daycare use is consistent with the use and density requirements specified for the Public Facility (P) land use designation in the County General Plan.

The proposed daycare will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the building will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed daycare will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed daycare will comply with the site standards for the PF zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any

ATTACHMENT

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Owner: First Church of Christ, Felton

similarly sized lot, similarly zoned, in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed daycare is located on an existing developed lot. The expected level of traffic generated by the proposed project will not adversely impact existing roads and intersections in the surrounding area. Given the use and the applicable laws, having 24 parking spaces on site is justified

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the existing building is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed daycare will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

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## Conditions of Approval

Exhibit A: Architectural plans prepared by Boone/Low, Architects, dated 5/16/08.

- I. This permit authorizes the re-use of an existing church building for the operation of a Montessori daycare for up to 50 children. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
  - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
  - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. Grading (if required) and erosion control plans to be reviewed and approved by the Environmental Planning Section of the Planning Department.
    2. Final drainage plans to be reviewed and approved by the Stormwater Management Section of the Department of Public Works.
    3. Details showing compliance with fire department requirements.
    4. Additional information shall be added to the landscape plan to describe the new planting and submitted for review to the Urban Designer.

ATTACHMENT

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5. Meet all accessibility requirements of Title 24 of the State of California.
  - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal of Building Permit.
  - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
  - E. Meet all requirements and pay applicable Zone 8 drainage fees to the County Department of Public Works, Stormwater Management Section. Drainage fees will be assessed on the net increase in impervious area.
  - F. Meet all requirements and pay any applicable plan check fee of the Felton Fire Protection District.
  - G. Provide required off-street parking for 24 cars. Standard parking spaces must be 8.5 feet wide by 18 feet long and compact parking spaces must be 7.5 feet wide by 16 feet long. All parking must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
  - H. Provide 2 bicycle parking spaces.
  - I. Submit a written statement signed by an authorized representative of the daycare district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports, if required.
  - D. The applicant shall not add any netting to the existing fence for 30 ft. from each corner and will be required to trim all landscaping (except trees) to a height of not more than 30 inches above the curb.

**ATTACHMENT 2**

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- E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. This permit authorizes the daycare to operate with a maximum of 50 children. Any increase in the number of students shall not be permitted without an amendment to this use permit.
- C. The Zoning Administrator shall review the operation of the daycare one year after operation for compliance. A public hearing may be required.

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Owner: First Church of Christ, Felton

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
  2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
-

Application #: 07-0704  
APN: 065-171-32  
Owner: First Church of Christ, Felton

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

**Please note:**

This permit expires two years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit.

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
Lawrence Kasparowitz  
Project Planner

---

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 07-0704  
Assessor Parcel Number: 065-171-32  
Project Location: 187 Laurel Drive, Felton

Project Description: Proposal to convert an existing church building to a day care center for up to 50 children and to recognize a 4 ft. high fence within the required front and street side yards.

Person Proposing Project: Melinda Gillen

Contact Phone Number: (831) 566-1178

- A. \_\_\_\_\_ The proposed activity is not a project under CEQA Guidelines Section 15378.  
B. \_\_\_\_\_ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).  
C. \_\_\_\_\_ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.  
D. \_\_\_\_\_ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E.  X  Categorical Exemption

Specify type: Class 1 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

improvements to an existing structure

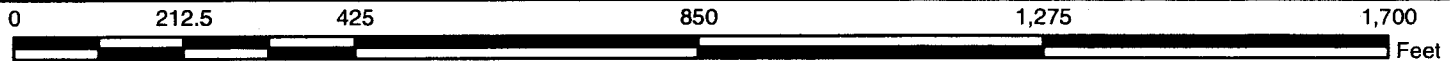
In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Lawrence Kasparowitz, Project Planner





Date: \_\_\_\_\_

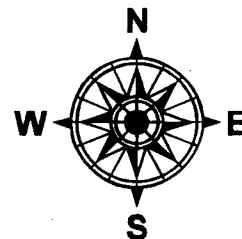


# Location Map



## LEGEND

-  APN: 065-171-32
-  Assessors Parcels
-  Streets
-  State Highways

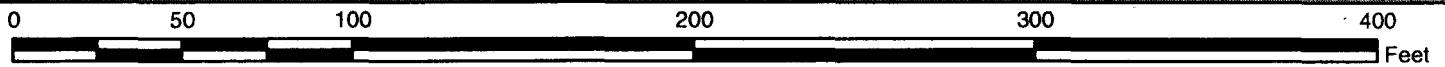
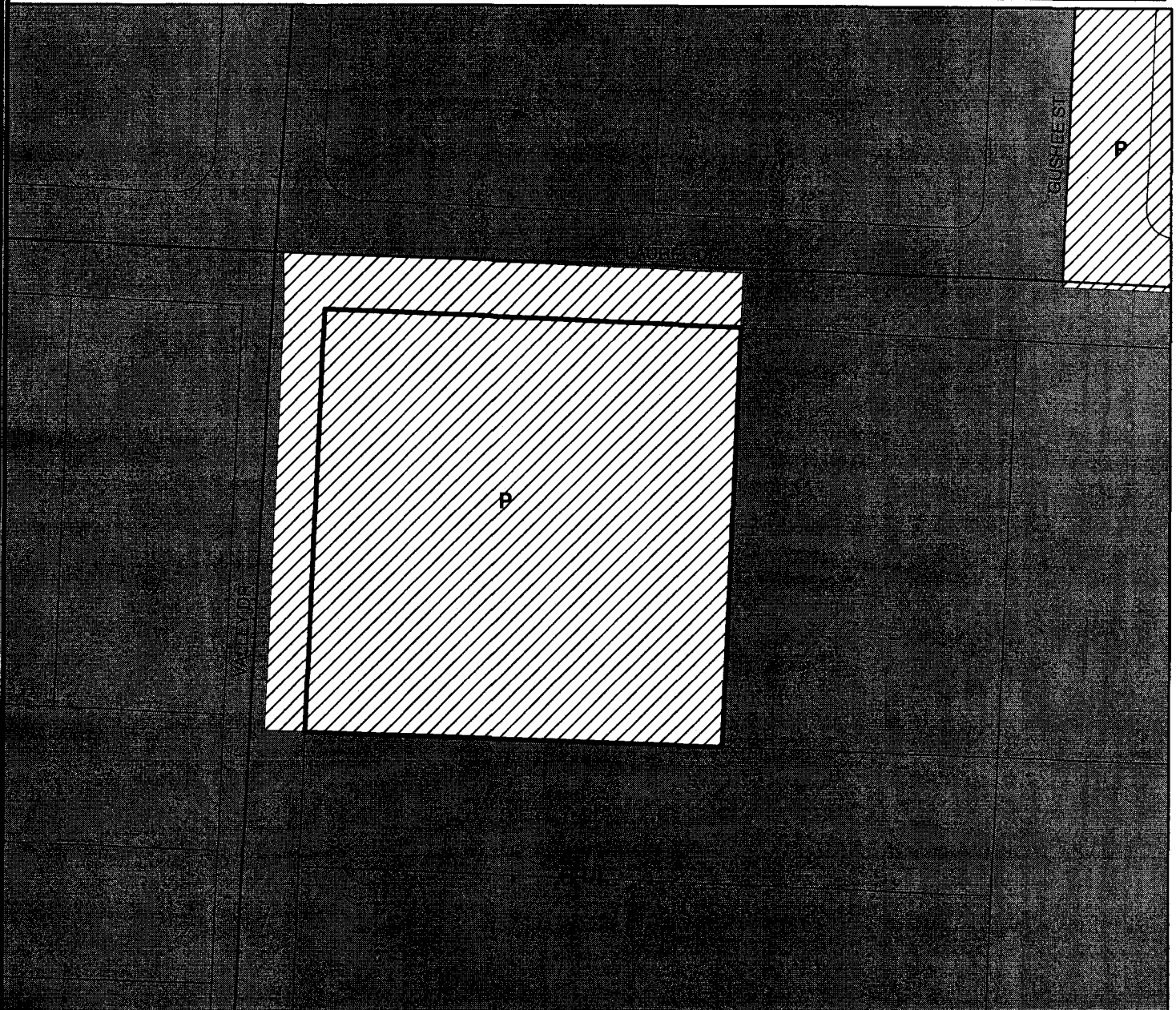


Map created by  
County of Santa Cruz  
Planning Department  
December 2007






ATTACHMENT 2  
EXHIBIT E

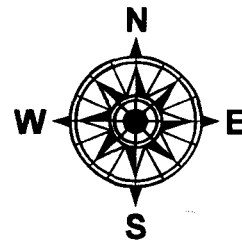


# General Plan Designation Map



## LEGEND

-  APN: 065-171-32
-  Assessors Parcels
-  Streets
-  Public Facilities
-  Residential - Urban Low Density



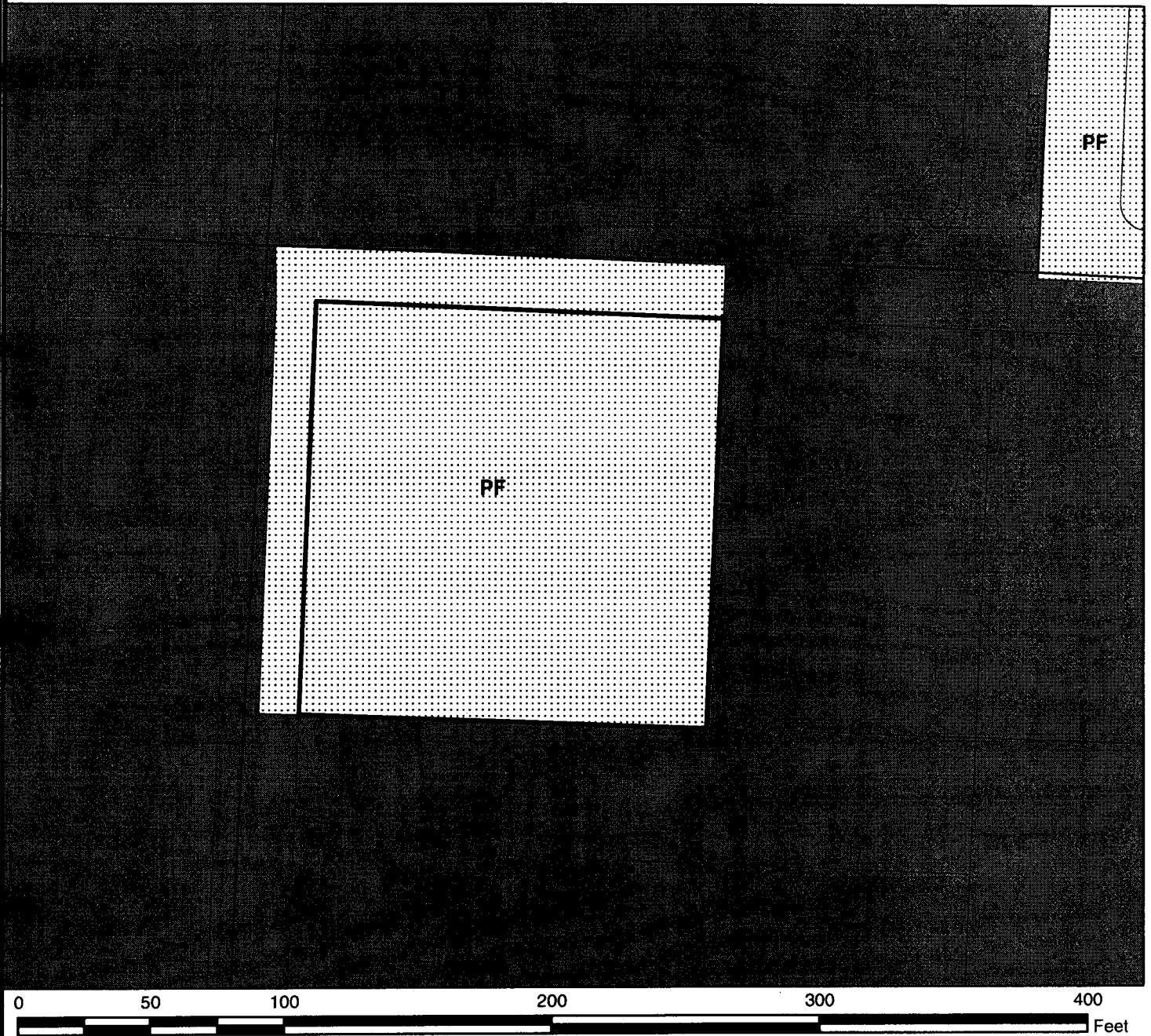
Map created by  
County of Santa Cruz  
Planning Department  
December 2007

ATTACHMENT  
EXHIBIT F






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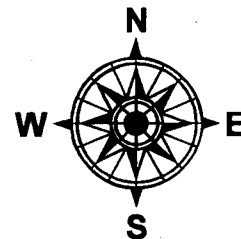


# Zoning Map



## LEGEND

-  APN: 065-171-32
-  Assessors Parcels
-  Streets
-  PUBLIC FACILITY
-  RESIDENTIAL-SINGLE FAMILY



Map created by  
County of Santa Clara  
Planning Department  
December 2007



**C O U N T Y   O F   S A N T A   C R U Z**  
**D I S C R E T I O N A R Y   A P P L I C A T I O N   C O M M E N T S**

**Project Planner:** Larry Kasparowitz  
**Application No.:** 07-0704  
**APN:** 065-171-32

**Date:** August 6, 2008  
**Time:** 08:29:34  
**Page:** 1

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**Environmental Planning Completeness Comments**

===== REVIEW ON JANUARY 2, 2008 BY JESSICA L DEGRASSI =====  
NO COMMENT

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON JANUARY 2, 2008 BY JESSICA L DEGRASSI =====  
NO COMMENT

**Dpw Driveway/Encroachment Completeness Comments**

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 19, 2007 BY DEBBIE F LOCATELLI =====  
Plans need to be revised to relocate gate (on Valley Drive) to provide a minimum 10 ft. setback from property line to prevent vehicles, entering onto site, from stopping in traffic to open gate. Also, note on plans that this driveway approach shall meet the County of Santa Cruz Design Criteria FIG DW-5. Please correct street name to Valley Drive instead of Valley Street. Thank you ===== UPDATED ON JUNE 9, 2008 BY DEBBIE F LOCATELLI =====  
Revisions requested, from previous entry, was completed. No further comments

**Dpw Driveway/Encroachment Miscellaneous Comments**

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 19, 2007 BY DEBBIE F LOCATELLI =====  
No comment.  
===== UPDATED ON JUNE 9, 2008 BY DEBBIE F LOCATELLI =====  
No comment.

**Dpw Road Engineering Completeness Comments**

===== REVIEW ON DECEMBER 20, 2007 BY GREG J MARTIN =====  
No Comment.

**Dpw Road Engineering Miscellaneous Comments**

===== REVIEW ON DECEMBER 20, 2007 BY GREG J MARTIN =====

**Environmental Health Completeness Comments**

===== REVIEW ON JANUARY 3, 2008 BY JIM G SAFRANEK ===== Applicant must provide evidence via a septic consultant's report that the existing septic system is capable of handling all estimated sewage flows based on the number of personnel and children. If not, an upgrade to the existing onsite sewage disposal system will be required. If the septic tank has not been pumped in the last 3 years, that will be required as well.  
===== UPDATED ON FEBRUARY 26, 2008 BY JIM G SAFRANEK ===== Larry: I just

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ATTACHMENT **2**  
**EXHIBIT H**

## Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No.: 07-0704  
APN: 065-171-32

Date: August 6, 2008  
Time: 08:29:34  
Page: 2

tried to return a call from Melinda (566-1178). No voice mail. Her question was whether or not a septic consultant's letter, which will state that the proposal requires an upgraded septic system, will suffice for EHS approval. I'll defer to the District REHS R. Sanchez since this area could be a high water table zone. An approved septic appl. may be needed, but if Sanchez thinks the permit can be linked to the building phase, then I can approve the project. I wanted this in the record just in case Melinda can't be easily contacted. J Safraneck Update: The District REHS R. Sanchez confirmed that any proposed septic upgrade required for this discr project must include an approved septic application now, rather than as part of the BP later. Furthermore, that septic application must be for an alternative treatment system due to the high groundwater levels that have been previously monitored on an adjacent lot. No winter water test will be required since ground water levels have been previously established by EHS. I left the applicant a phone message w/ this info this AM.

Jim Safraneck, REHS

===== UPDATED ON JUNE 5, 2008 BY JIM G SAFRANEK ===== The application for an alternative onsite septic system was approved in May, '08. 07-0704 is now approved by EHS.

### Environmental Health Miscellaneous Comments

===== REVIEW ON JANUARY 3, 2008 BY JIM G SAFRANEK =====  
NO COMMENT

ATTACHMENT 2

**Accessibility: Project Comments for Development Review**  
**County of Santa Cruz Planning Department**

Date: 06-04-08  
Planner: Larry Kasparowitz  
Project: Quail Hollow Montessori School

Application Number: **07-0704**  
APN: 065-171-32  
**Second Review Letter**

Dear Melinda Gillen

A preliminary review of the above project plans was conducted to determine accessibility issues. The following comments are to be applied to the project design.

**Note: Santa Cruz County will adopt a new California Building Code, with the effective date January 1, 2008.**

**Building Permit Applications made on or after January 1, 2008 will be subject to the new codes.**

Please refer to the attached brochure entitled Accessibility Requirements - Building Plan Check which can also be found at the County of Santa Cruz Planning Department website:

[http://www.sccoplanning.com/brochures/access\\_plancheck.htm](http://www.sccoplanning.com/brochures/access_plancheck.htm)

This document is an information source for the designer when preparing drawings for building plan check.

**Compliance Issues:**

- Equivalent access to the stage is a requirement of the CBC. This may be accomplished with one of the permitted methods in CBC 1120B. Please propose a permissible method at this time.
- The accessible path from the public right of way has been indicated to Valley Dr. In order to meet cross slope requirements where the sidewalk crosses the driveway apron curb cuts will need to be proposed at the level area of the driveway entrance. The proposed walkway in this area will need to be widened to allow for the curb cuts and detectable warning will be required. In addition, the path of travel on the other side of the driveway needs to be connected to the public sidewalk. CBC 1133B.7 & 1133B.

**Permit Conditions/Additional Information:**

- Occupancies are listed as I-4 and E. Please be advised that I-4 occupancies require automatic sprinkler systems. Also note the corridors in both occupancies require a minimum 1-hour rating. Please review CBC308.5.2 Exception regarding occupancy and Table 1017.1 for corridors.
- Sheet A-1 uses the term "handicapped" parking. Please change references to accessible or accessibility where applicable as a general plan check note.

Please contact me with any questions regarding these comments.

Jim Heaney  
Building Plans Examiner  
County of Santa Cruz Planning Department  
(831) 454-3166  
[pln645@co.santa-cruz.ca.us](mailto:pln645@co.santa-cruz.ca.us)

ATTACHMENT 2

EXHIBIT 1

## **Proposed Use for 187 Laurel Street**

My name is Melinda Gillen and I am the prospective buyer of the Church property on the corner of Laurel and Valley. I would like to introduce myself and tell you about my proposed plans for the property.

I am the owner and administrator for two high quality and well respected Montessori early childhood education programs, Scotts Valley Children's Center and Quail Hollow Montessori. Currently Quail Hollow Montessori is located in a rented facility in Ben Lomond, and offers a preschool program for children, 3 to 6 years old, only. I am excited about the opportunity to relocate the center to 187 Laurel Street and expand our program to include infant and toddler programs as well.

### **The Programs**

I am planning to offer an infant class for 8 children from 6 months to 24 months old; a toddler program for 12 children from 2 to 3 years; and a preschool program for 30 children from 3 to 6 years old. Some time in the future we may expand the building a little to allow for two preschool classrooms with 24 children in each.

### **Hours of Operation**

Quail Hollow Montessori will be open from 7:30am to 6:00pm, Monday through Friday. We will not offer evening or weekend care, but may occasionally have family events in the evening or on the weekend. Our heaviest traffic times will be from 8:15am to 9:00am, from 12:15pm to 12:45pm and from 4:30pm to 5:30pm, when most children are dropped off or picked up. Our noisiest times will most likely be during those hours as well, when children are playing outside.

### **Traffic Flow**

We will be creating a one-way traffic flow through the school property with parents entering off of Valley Dr. and exiting onto Laurel where they can turn right and get quickly back to the main thoroughfare, Highway 9. The main building entrance will be moved to face the parking lot.

### **Construction Timeline**

The transformation of the church into a preschool environment will primarily require remodeling. No major construction is expected on the building. This remodeling work is expected to begin in August and take two to three months. We are required to put in an engineered septic system. This will require a few days of tractor work and will most likely take place in September. These are only estimates, as we do not have a final use permit from the County yet.

I have included a site plan and a program brochure for you. Please feel free to contact me with questions or concerns at 566-1168 or by email at [qhpreschool@comcast.net](mailto:qhpreschool@comcast.net).

Sincerely,

Melinda Gillen

ATTACHMENT 2

EXHIBIT J

# **187 Laurel St Child Care Project**

## **Explanation of Drop-off/Pick-up Traffic and Outdoor Play Time**

### **Drop-Off**

The proposed center will open at 7:30am. We expect about 15 children to be dropped off between 7:30 and 8:15am each day. We expect about 30 children to be dropped off between 8:15 and 9:00am. A few children will arrive after 9:00 each day. About 15% of our population are multi-children families. For safety and for state licensing regulations, we require parents to bring their children into the building and sign them in with the teacher. We plan on having all parents enter the parking lot from Valley Dr., park and walk their children into the building, then exit onto Laurel Dr heading to Highway 9. It takes an average of 10 minutes for each child to be dropped off or picked up. It is uncommon to have more than 5 families dropping off or picking up their children in the center at the same time.

### **Pick-Up**

About 60% of our students (about 25) get picked up between 12:00 and 12:30pm. The remaining students get picked up starting at 4:30 and continuing in a slow stream, with less than 12 students remaining by 5:15 and 6:00pm.

### **Outdoor Play Time**

Our plan is to allow children to play outdoors between 8:15am and 9:15am. There will be about 35 children outside at this time. From 10:30 to 11:30 up to 12 two year olds come out to play. From 11:30 to 12:30 up to 30 preschool children will come out to play. At 12:30 the full day three-year-olds come in to rest. From 12:30 to 1:00 the full day four and five years olds, about 12 of them, stay outside, then go in to rest. At 4:30 the children will come back outside to play. There are usually about 22 children, but the number of children begins to drop off quickly as parents begin to pick up at 4:30pm. The children usually go inside again at 5:30pm.

Sincerely,

Melinda Gillen  
Kinspiration, Inc.  
Quail Hollow Montessori

ATTACHMENT 2

## Lawrence Kasparowitz

---

**From:** Nan Singh Bowman [morningdove9@comcast.net]  
**Sent:** Thursday, August 21, 2008 9:19 AM  
**To:** Lawrence Kasparowitz  
**Cc:** maaret@teammadani.com  
**Subject:** Property at 187 Laurel Drive, Felton

Dear Mr. Kasparowitz,

In answer to the questions forwarded to me by Maaret Forst:

1. The church has been unused for services for approximately 1-1/2 years. Our last service was around Thanksgiving in 2006. For about 9 months after that people were there to dispose of the physical assets, clean the premises and store records.
2. When the church was in use we had services on Sundays and Wednesday evenings. After it was built it had a membership/attendance on average of about 30 people. This varied over the years and ended up being about 6 members who regularly attended and 2-3 visitors.

If you need additional information please let me know.

Thanks,

Nan Singh Bowman  
Christian Science Society-Felton

# PROJECT DATA

Zoning: PF - Public and Community Facilities  
Lot Area - 21,500 sf

## COVERAGE

22,500 sf x 30% = 6,750 sf allowed

Phase One = 3,009 sf of max. allowed

Phase Two = 3,465 sf of max. allowed

FLOOR AREA RATIO

22,500 sf x 50% = 11,250 sf max. allowed

Phase One = 3,009 sf of max. allowed

Phase Two = 3,465 sf of max. allowed

## LOADING

Required: 1 space per every 5 children, plus

per employee

Phase One

50 children/5 = 10 spaces required, plus

9 employees = 9 spaces required, plus

19 spaces

Provided: 25 spaces > 19 required

Phase Two

68 children/5 = 13.6 or 14 spaces req., plus

11 employees = 11 spaces required

Total required parking: 25 spaces

Provided: 25 spaces = 25 required

Compact Allowed: 30%

25 spaces x 30% = 7.5 or 7 spaces max.

1 handicapped space provided (8' x 19')

18 standard spaces provided (8' x 19')

6 compact spaces provided (7' x 16')

UTILITIES

Water: California American Water Company

Electricity: PG&E

Gas: PG&E

Septic: existing

PERVIOUS AREA

Existing: 3,009 sf (parking and walkways)

Proposed: 11,141 sf (total existing)

11,770 sf (total existing)

11,770 sf (total existing)

11,141 sf (parking and walkways)

14,150 sf (total proposed)

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# PROJECT TEAM

APPLICANT: County of Contra Costa  
2558 McAllister Blvd., Suite 100, San Francisco, CA 94612

ARCHITECT: Boonin Low Architects & Planners  
137 Valencia Street, Suite 200, San Francisco, CA 94103

ENGINEER: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

LANDSCAPE ARCHITECT: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

PLANNING: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

PERMITS: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

CONSTRUCTION: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

OPERATIONS: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

MAINTENANCE: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

REPAIRS: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

RENOVATIONS: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

DEMOLITION: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

FOUNDATION: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

STRUCTURE: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

MECHANICAL: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

ELECTRICAL: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

PLUMBING: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

HEATING: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Cooling: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Lighting: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Acoustics: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Vibration: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Smoke: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Fire: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Security: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Access: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Signage: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Landmarks: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Historic: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Cultural: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Art: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Recreation: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Education: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Health: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Social: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Religious: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Government: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Non-Profit: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Commercial: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Industrial: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Residential: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Public: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Private: J. Paul & Associates, Inc.  
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Government: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

Non-Profit: J. Paul & Associates, Inc.  
137 Valencia Street, Suite 200, San Francisco, CA 94103

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# PROJECT DATA

Zoning: PF - Public and Community Facilities  
Lot Area - 21,500 sf

## COVERAGE

22,500 sf x 30% = 6,750 sf allowed

Phase One = 3,009 sf of max. allowed

Phase Two = 3,465 sf of max. allowed

## FLOOR AREA RATIO

22,500 sf x 50% = 11,250 sf max. allowed

Phase One = 3,009 sf of max. allowed

Phase Two = 3,465 sf of max. allowed

## LOADING

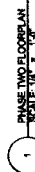
Required: 1 space per every 5 children, plus

per employee

Phase One



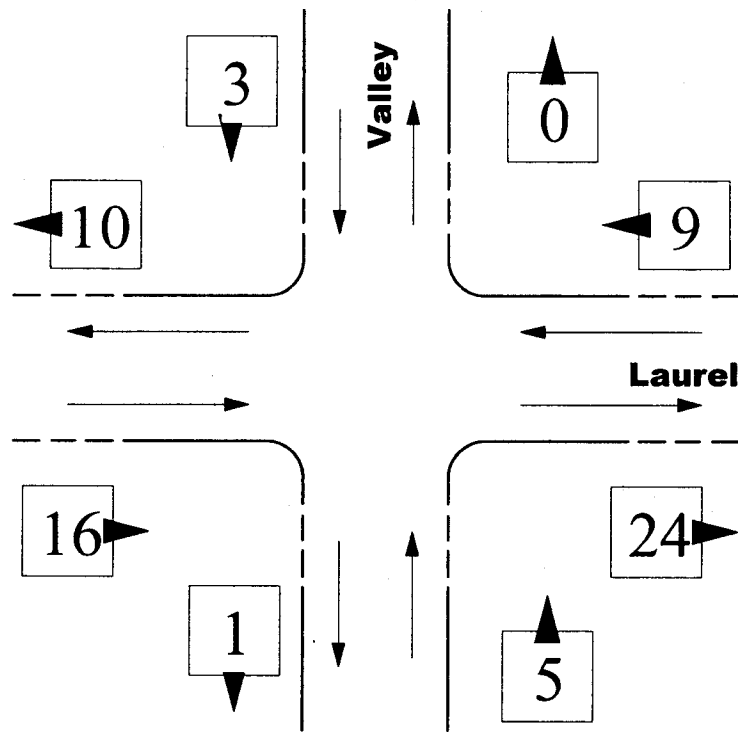




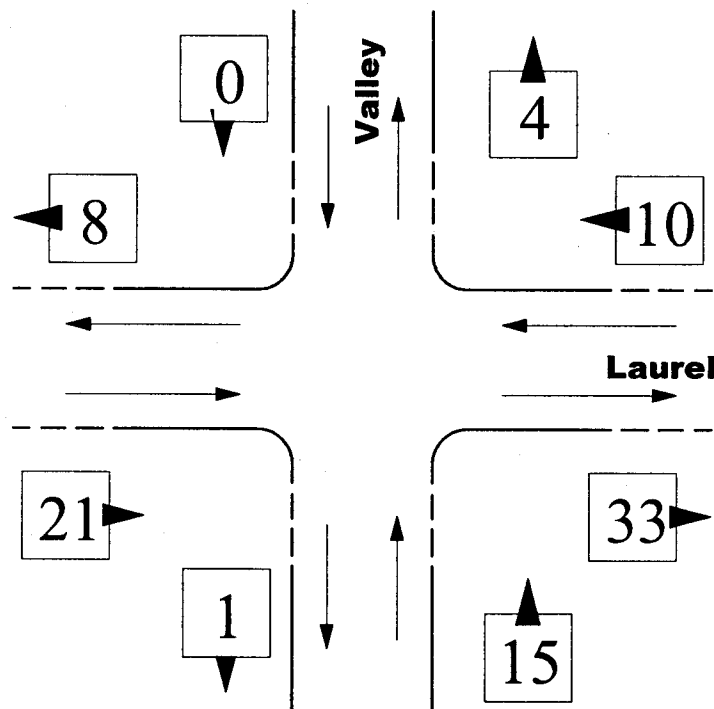


**FENCE DETAIL AT EXISTING FENCE**





**7:15 - 7:45 a.m.**



**7:45 - 8:15 a.m.**

**Traffic counts - 9/4/08**

ATTACHMENT 2

Additional Correspondence  
Received After  
Zoning Administrator  
Staff Report Preparation

ATTACHMENT 4

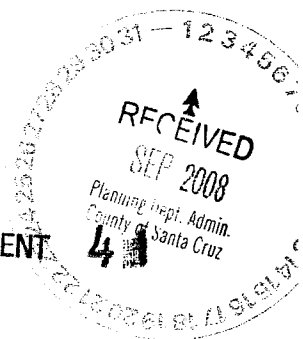
Waylon Sumb  
5858 Valley Dr.  
Felton, Ca. 95018

To: Zoning Administrator,

I approve of the day care center location at 187 Laurel Drive in Felton. It will be a pleasure to see & hear young children nearby. I trust you will make certain that the building & grounds are safe for them and that drop-offs & pick-ups will not interfere with the normal street traffic flow.

Sincerely  
Waylon Sumb  
8.21.08

ATTACHMENT



**Don Bussey**

---

**From:** Toni Jeffrey [tonijeff@netzero.net]  
**Sent:** Friday, September 05, 2008 2:25 PM  
**To:** Lawrence Kasparowitz; Don Bussey  
**Subject:** RE: Proposed Felton day care center--FOLLOWUP to today's meeting

Dear Messrs. Kasparowitz and Bussey--

Unfortunately, I had to leave the meeting a few minutes early to pick up my child. I have one more comment to add to Ms. Gillen's remarks today about the Laurel Dr. property having an "existing entrance on Valley Dr."

She is technically correct that there is indeed a gate facing Valley Dr. However, I have lived on this street for over twelve years, and can probably count the number of times that the entrance has been used for vehicle traffic--or even pedestrian traffic, for that matter--on the fingers of one hand. In my opinion, it is quite a stretch to characterize that as an existing entrance, when in practice it has rarely, if ever, been used in the entire time I have lived here.

I stand by my previous comments to you (see below) that there is absolutely no need to use the Valley Dr. entrance to the property when there are two perfectly usable entrances facing Laurel Dr.

Thank you--Toni Jeffrey

-- "Lawrence Kasparowitz" <PLN795@co.santa-cruz.ca.us> wrote:

She is...there is an existing gate at that location.

***Lawrence Kasparowitz***

Urban Designer  
County of Santa Cruz  
Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz, CA 95060  
831-454-2676

-----Original Message-----

**From:** Toni Jeffrey [mailto:tonijeff@netzero.net]  
**Sent:** Wednesday, September 03, 2008 10:43 AM  
**To:** Lawrence Kasparowitz; Don Bussey  
**Subject:** RE: Proposed Felton day care center

Thank you, Lawrence.

Can one of you please verify that Melinda Gillen is indeed seeking approval for a Valley Drive entrance to the proposed day care center? Several of my neighbors have told me this is the case, but I don't have any official information to corroborate it.

**ATTACHMENT 4**



As you may imagine, I would feel rather silly speaking against the creation of this entrance on Friday when it actually is not being sought!

Thanks--Toni Jeffrey

-- "Lawrence Kasparowitz" <PLN795@co.santa-cruz.ca.us> wrote:

I have already given him a copy...that is our requirement.

his email is [Don.Bussey@co.santa-cruz.ca.us](mailto:Don.Bussey@co.santa-cruz.ca.us)

***Lawrence Kasparowitz***

Urban Designer  
County of Santa Cruz  
Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz, CA 95060  
831-454-2676

-----Original Message-----

**From:** Toni Jeffrey [mailto:tonijeff@netzero.net]  
**Sent:** Tuesday, September 02, 2008 9:33 AM  
**To:** Lawrence Kasparowitz  
**Subject:** RE: Proposed Felton day care center

Oops, thank you for the pointing out my typo. Yes, I am aware that the meeting is this Friday; I just erred in stating September 8 rather than September 5.

From the written notice we received, I wasn't clear where/if I should send email comments. Your email address was the only one listed on the notice.

I have sent a snail mail copy of this correspondence to the zoning administrator; can you supply an email address for him/her? Thanks in advance if you can.

-- "Lawrence Kasparowitz" <PLN795@co.santa-cruz.ca.us> wrote:

The meeting is for the Zoning Administrator, on Friday September 5th.

***Lawrence Kasparowitz***

Urban Designer  
County of Santa Cruz  
Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz, CA 95060  
831-454-2676

-----Original Message-----

**From:** Toni Jeffrey [mailto:tonijeff@netzero.net]

ATTACHMENT 4

**Sent:** Monday, September 01, 2008 4:29 PM  
**To:** Lawrence Kasparowitz  
**Subject:** Proposed Felton day care center

Dear Mr. Kasparowitz--

As a resident of Valley Drive in Felton, I am writing to register my strong opposition to the establishment of a day care center at 187 Laurel Drive. I hope and expect to attend the September 8 Board of Supervisors meeting; however, I also want to deliver my comments in writing.

The following are my two primary concerns:

- **The use of this property in such a manner will result in a far greater impact to our residential area than did its previous use as a Christian Science church.**

My imperfect understanding is that the property is currently zoned for limited use. While the church was located there, the only impact to our neighborhood was a bit of a traffic increase on Sundays. If a day care center is permitted to operate, it will have a massive impact on an otherwise residential neighborhood five days a week, not only on the level of traffic but on the level of noise.

- **If the day care center itself is approved, it is quite unclear to me why another entrance to the property must be created on Valley Drive.**

By my count, there are currently twenty or so residences located on Valley Drive between Laurel and Redwood drives. Adding 132 round-trips per day (assuming 66 children at the center, with one drop-off and one pickup) would easily result in a doubling, possibly even a tripling, of local traffic.

This is a huge and unnecessary impact to Valley Drive! Why can't one of the existing Laurel Drive driveways be used for entrance to the property, and the other for exits? At the very least, this will result in little or no traffic impact to the residents of Valley Drive, with no reduction of convenience or safety for the the center's clients.

I urge you to strongly reconsider approval of this proposal. I believe that a day care center of this scale is highly inappropriate when it is directly adjacent to an entirely residential neighborhood, and I believe there is absolutely no need to create another entrance to the property.

Thank you for your consideration.

Sincerely,

ATTACHMENT 4

Toni Jeffrey  
5838 Valley Dr.  
Felton, CA 95018  
831-334-1529

---

[Click to get a free auto insurance quotes from top companies.](#)

ATTACHMENT 4

# Quail Hollow



## Montessori

### Quail Hollow Montessori

255-B Mt. Hermon Road

Scotts Valley, CA 95066

Tel: (831) 336-8279, Fax: (831) 461-9325

# Fax

**To:** Larry Kasparowitz**From:** Mindy Gillen**Fax:****Pages:** 4**Phone:****Date:** 9/3/08**Subj:** App 07-0704 APN 065-171-32**CC:**☐ **Urgent**☐ **For Review**☐ **Please Comment**☐ **Please Reply**☐ **Please Recycle**

#### ● **Comments:**

Here are my petition sheets to date. I am still gathering names and may have an update by tomorrow afternoon, but wanted to get you these for now. In addition, I am including a copy of the childcare licensing regulation regarding fence height and type. As you can see, a four foot fence is acceptable.

**ATTACHMENT****4**

## Petition in Support of Development of Preschool at 187 Laurel Street

I have reviewed the plans for the proposed preschool at 187 Laurel Street, Felton. By signing below, I am showing my support of this use for the property being permitted.

Name	Signature	Address
Vicki Higwell	Vicki Higwell	P.O. Box 121 Mt. Herman
April LaFranco	April LaFranco	10901 Sequoia Ave Felton CA 95018
Kerri Berry	Kerri Berry	292 Anchor Ct. Boulder Creek
Sheree Ervin	Sheree L. Ervin	1161 Bay Sol Ct. Scotts Valley, CA 95066
Stacey Hendren	Stacey Hendren	215 E. Canyon View BL 95005
Morgan Koenig	Morgan Koenig	890 PARK DR BL 95005
Paula Queathem	Paula Queathem	200 OCEANVIEW FELTON CA 95018
Jessica Stark	Jessica Stark	11636 Lakeside Dr Felton 95018
Nick Bacon	Nick Bacon	205 E. Canyon View Pr. Ben Lomond 95005
JEFF EWEY	Jeff Ewey	1395 FELTON QUARRY RD FELTON 95018
Amanda Fargo	Amanda Fargo	509 MARION AVE BL 95005
Kate Strelmy	Kate Strelmy	6000 Plateau Dr Felton 95018
Ritaakkonem	Ritaakkonem	185 TEINH Dr Boulder Creek CA 95006
Mary Burkley	Mary Burkley	18050 Two Bar Rd BC 95006
Pastale Wowak	Pastale Wowak	PO Box 1372 Felton, CA 95018
Wendy Horke	Wendy Horke	205 Brackney rd Ben Lomond 95005
Kate Thompson	Kate Thompson	PO Box 101 Mt. Herman Ca 95041
PETER JACQUEROT	Peter Jacquerot	PO Box 1387, FELTON 95018
Shannon Reynolds	Shannon Reynolds	114 east terrace Dr Ben Lomond
Yvonne Wilson	Yvonne Wilson	630 Manzanita Ave Felton 95018
MATT STOELETING	Matt Stoeleting	6000 Plateau Dr Felton 95018
Andrea Webster	Andrea Webster	1395 Felton Quarry Rd, Felton 95018
April Castles	April Castles	2244 Capitola Rd. #D, Santa Cruz 95060
Marcella Viviani	Marcella Viviani	145 COWARTS VIEW RD, Watsonville, CA 95076
Darcy Buckman	Darcy Buckman	310 Keller Dr. Boulder Creek 95006
Gabe Blavin	Gabe Blavin	605 DeVore Dr Boulder Creek 95006
Lori Sullivan	Lori Sullivan	515 Noteware Ln Ben Lomond 95005
JESSE FARGO	Jesse Fargo	509 MARION AVE BL 95005
Don McKay	Don McKay	840 Fern Ridge Felton CA
Katie Dushman	Katie Dushman	570 Henry Cornell Dr. SC, CA

# Petition in Support of Development of Preschool at 187 Laurel Street

I have reviewed the plans for the proposed preschool at 187 Laurel Street, Felton. By signing below, I am showing my support of this use for the property being permitted.

[illegible]

# Petition in Support of Development of Preschool at 187 Laurel Street

I have reviewed the plans for the proposed preschool at 187 Laurel Street, Felton. By signing below, I am showing my support of this use for the property being permitted.

[illegible]

## Petition in Support of Development of Preschool at 187 Laurel Street

I have reviewed the plans for the proposed preschool at 187 Laurel Street, Felton. By signing below, I am showing my support of this use for the property being permitted.

[illegible]



101238.2 (Cont.)	CHILD CARE CENTER GENERAL LICENSING REQUIREMENTS	Regulations
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101238.2	OUTDOOR ACTIVITY SPACE (Continued)	101238.2
----------	---------------------------------------	----------

- |     |  |
|-----|--|
| (e) | As a condition of licensure, the areas around and under high climbing equipment, swings, slides and other similar equipment shall be cushioned with material that absorbs falls. |
| (1) | Sand, woodchips and peagravel, or rubber mats commercially produced for the purposes of (e) above, are permitted.  |
| (2) | The use of cushioning material other than that specified in (e)(1) above shall be approved by the Department prior to installation.  |
| (f) | Sandboxes shall be inspected daily and kept free of hazardous foreign materials.   |
| (g) | The playground shall be enclosed by a fence to protect children and to keep them in the outdoor activity area. The fence shall be at least four feet high.                       |

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**HANDBOOK BEGINS HERE**

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- |     |  |
|-----|--|
| (1) | The intent of this requirement is to have a fence that will keep children from leaving the outdoor activity area unnoticed but will not in and of itself present a hazard. For example, a split-rail fence wouldn't necessarily keep children from leaving the outdoor activity area and is therefore not appropriate. On the other hand, a barbed-wire fence is not appropriate because it presents a hazard. |
|-----|--|

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**HANDBOOK ENDS HERE**

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- |     |  |
|-----|--|
| (h) | Any construction or equipment that could pose a hazard in the outdoor activity area shall be made inaccessible to children in care. This shall include, but not be limited to, incinerators, air-conditioning equipment, water heaters and fuse boxes. |
|-----|--|

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, and 1597.05, Health and Safety Code.

**ATTACHMENT 4**

**Lawrence Kasparowitz**

---

**From:** Dan Jeffrey [stellarbee5@yahoo.com]  
**Sent:** Monday, September 01, 2008 4:46 PM  
**To:** Lawrence Kasparowitz  
**Subject:** Complaint About Daycare Center

Dear Mr. Kasparowitz,

My name is Dan Jeffrey and me and my friends are very disappointed about the daycare center. We always take our bikes and scooters there and we like having a safe place to play. Two of my friends are not allowed to ride in the street and their yards aren't very big at all. So that's the only place close to our house that's safe for them to ride in. My mom also received a letter saying that there will be more traffic on weekdays. That's also a problem. We live very very close to that lot and we do not want to have to deal with lots of traffic. My parents let me ride in the street but not when there's traffic. So if Valley Drive is crowded and so is the lot, we will have no safe place to ride. Please take this into consideration. 🙄

Sincerely,  
Dan Jeffrey

ATTACHMENT 4

**Lawrence Kasparowitz**

**From:** Toni Jeffrey [tonijeff@netzero.net]  
**Sent:** Monday, September 01, 2008 4:29 PM  
**To:** Lawrence Kasparowitz  
**Subject:** Proposed Felton day care center

Dear Mr. Kasparowitz--

As a resident of Valley Drive in Felton, I am writing to register my strong opposition to the establishment of a day care center at 187 Laurel Drive. I hope and expect to attend the September 8 Board of Supervisors meeting; however, I also want to deliver my comments in writing.

The following are my two primary concerns:

- **The use of this property in such a manner will result in a far greater impact to our residential area than did its previous use as a Christian Science church.**

My imperfect understanding is that the property is currently zoned for limited use. While the church was located there, the only impact to our neighborhood was a bit of a traffic increase on Sundays. If a day care center is permitted to operate, it will have a massive impact on an otherwise residential neighborhood five days a week, not only on the level of traffic but on the level of noise.

- **If the day care center itself is approved, it is quite unclear to me why another entrance to the property must be created on Valley Drive.**

By my count, there are currently twenty or so residences located on Valley Drive between Laurel and Redwood drives. Adding 132 round-trips per day (assuming 66 children at the center, with one drop-off and one pickup) would easily result in a doubling, possibly even a tripling, of local traffic.

This is a huge and unnecessary impact to Valley Drive! Why can't one of the existing Laurel Drive driveways be used for entrance to the property, and the other for exits? At the very least, this will result in little or no traffic impact to the residents of Valley Drive, with no reduction of convenience or safety for the the center's clients.

I urge you to strongly reconsider approval of this proposal. I believe that a day care center of this scale is highly inappropriate when it is directly adjacent to an entirely residential neighborhood, and I believe there is absolutely no need to create another entrance to the property.

Thank you for your consideration.

Sincerely,

Toni Jeffrey  
 5838 Valley Dr.  
 Felton, CA 95018  
 831-334-1529

ATTACHMENT 4

**Lawrence Kasparowitz**

**From:** john bachan [sevenuptang@sbcglobal.net]

**Sent:** Friday, August 29, 2008 2:23 PM

**To:** Lawrence Kasparowitz

**Subject:** Commercial Development Permit and Variance allowing parking in access of the requirements of County Code. 07-0704 187 Laurel Dr. Felton, Apn (S): 065-171-32

Mr Larry Kasparowitz, project planner for 187 Laurel Drive, Felton

Mr. Kasparowitz,

My name is John Bachan, trustee of the property located at 143 Laurel Dr., Felton . My concerns are as follows.

1. Noise. The noise generated by 66 children might be a bit excessive. Having young grandchildren who are in pre-school I am well aware of the noise that can be produced by little critters. I have been at their pre-school, which has approximately half of the amount of children attending, and they are quite loud to say the least. And most day care centers open at 7am and close at 6pm so the noise could possibly start early and end late.
2. Parking. Not being sure of what the county requirements are for parking I am going to assume the variance is being applied for allowing more parking on the street. If this is the case, then I am completely opposed to the granting of the variance. At times during the day there is too much traffic on Laurel Dr. as well as Gushee. I believe that granting the variance would be increasing the danger level for people who are walking on these streets. This is really a true residential area.
3. Traffic. Being a truly residential area, and the streets being as narrow as they are, more traffic would increase the likelihood of more close calls if not outright collisions. People already tend to drive centered in the streets because of their narrowness so additional traffic would be unacceptable. We have all experienced the hurriedness involved when taking our children to school or picking them up from school so this would create a more dangerous environment.

My concerns having been disclosed in the three items above I want to say that I am against any variances or commercial development permits being applied for. I am sorry that I will not be able to attend the public hearing on this item.

Respectfully, John M. Bachan, Trustee

**ATTACHMENT 4**

*add to  
day care  
material*

**From:** PLN AgendaMail  
**Sent:** Friday, September 05, 2008 8:39 AM  
**To:** PLN AgendaMail  
**Subject:** Agenda Comments

---

**Meeting Type : Zoning**

**Meeting Date : 9/5/2008**

**Item Number : 2.00**

**Name : Andrea Woolfolk**

**Email : woolfolk@baymoon.com**

**Address : 272 Laurel Drive  
Felton, CA 95018**

**Phone : 831 335 3831**

**Comments :**

I am sorry I could not attend the meeting today, but my husband and I would like to express our strong support for the proposed day care center on Laurel Drive. Our children have attended Mindy Gillen's centers for over 6 years now, and we have always been impressed by the quality of care. There is a critical shortage of good child care for young children in the county, which this project would help ease. This is a commercial location, and other child day care centers have been sited within a few blocks since we've lived here, on Plateau and Valley drives. The location provides easy access to Highway 9. It is a block from the weekly Farmer's Market, which has not been a big traffic problem, so it is hard to imagine that it would worsen traffic.

ATTACHMENT 4

September 5, 2008

ZONING ADMINISTRATOR  
COUNTY OF SANTA CRUZ

RE: PROPOSAL TO CONVERT CHURCH BUILDING TO MONTESSORI SCHOOL

As the owner of the property directly adjacent to the church at 159 Laurel Drive, I read the proposal and report with great interest. The first thing that I noted was the statement that the traffic flow onto Hiway 9 would not be affected. Wow, did someone actually come down and look at the road. I realize that at first this looks like a short piece of road and you might think that this affects only the road from Hiway 9 to Valley. This is not true. First you have to realize something that is not clear from the report and proposal.

That is: 187 LAUREL DRIVE IS IN A RESIDENTIAL NEIGHBORHOOD.

The report states that the proposed school is designated as a "Public and Community Facilities Zone" and that there are other facilities close by. What it fails to say is that the other facilities are on Gushee and on Hiway 9 and have no impact on Laurel because they do not bring large amounts of traffic into the area ever, much less every single day. The other facilities are located in the downtown area, NOT the residential area.

Make no mistake, this is a RESIDENTIAL neighborhood. What is directly near the proposed school? On one side is my property, on the other is Mrs. Bowen's. There are single family homes on the other sides on Valley and Laurel. There are residential neighborhoods on Plateau, Valley, Redwood, and all the streets nearby. Except for the Jehovah Witness Church, name me other business in this area.

The Church used the property in a very limited way, holding services only twice a week. Apparently, it had been willed to the Church for limited use in a residential neighborhood. This property is zoned incorrectly for the neighborhood it is in.

The impact on Laurel Drive and Valley Drive would increase to a level not appropriate for the neighborhood. Laurel is the main hub for people leaving the side streets and exiting the neighborhood. The corner of Laurel and Valley has a bus stop and my niece uses it in the morning. The traffic using these streets are the people who live here. It is rural in nature. There are no sidewalks. People, especially kids, walk in the street. Having a busy school nearby with the increase in traffic would be a SAFETY ISSUE. The streets are not wide and there are no lines painted down the center. If your traffic person had looked, he would have seen cars driving down the middle of the street unless another car shows up. Having traffic backed up on Laurel trying to get on Hiway 9 would send cars down all the other streets in the neighborhood. Having a busy school would adversely affect the whole neighborhood, not just the few of us who live on the first block of Laurel Drive.

ATTACHMENT 4

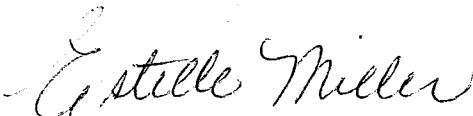
Our property at 159 Laurel will be detrimentally affected by the large number of cars and people in close proximity to the side of our house. Our house was built directly on the property line with literally no setback.

The number of car trips per day by the clients of the school could exceed 100, passing directly under our kitchen, bathroom and bedroom windows. Currently, we have a renter who works at night and sleeps during the day. Renting the house will be more difficult with all the noise. It is not going to be quiet with car doors opening and closing, engines being turned off and on and people talking. The air quality will suffer when 100 cars pass so near our house which could result, long term in health issues. This will happen 5 days a week, rain or shine, all day long. It will be like living next to Safeway. There is a reason other day care centers are located away from residential neighborhoods. For one thing, there is too much noise associated with them. Having this school here would ruin the residential feel of the neighborhood and the quiet rural feeling would be gone forever.

Property values for my house will decrease being next to a busy, established school. 66 CHILDREN ARE A LOT OF CHILDREN. You are not talking about a mom-run, in home day care center. This is a thriving business that is looking to expand.

To paraphrase the report, it says that the development should not be detrimental to the health, safety or welfare of persons residing in the neighborhood and should not be materially injurious to properties.

This is not the case with this proposed conversion. The zoning for the church property should revert back to it's original designation of residential or at the least be a business with limited use as it historically has been. This proposed conversion will be bad for the neighborhood and will hurt me specifically.



Estelle Miller, Owner  
159 Laurel Drive  
Felton, CA.

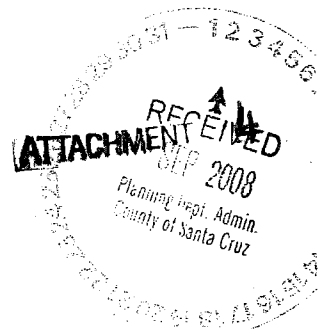
ATTACHMENT 4

Waylon Saurb  
5828 Valley Dr.  
Fulton, Ca. 95018

To: Zoning Administrator,

I approve of the day care center location at 187 Saurb Drive in Fulton. It will be a pleasure to see & hear young children nearby. I trust you will make certain that the building & grounds are safe for them and that drop-offs & pick-ups will not interfere with the normal street traffic flow.

Sincerely  
Waylon Saurb  
8.2.08










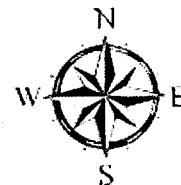
**APN: 065-171-32**  
**07-0704**



0 65 130 260 390 520 Feet

**LEGEND**

-  APN: 065-171-32
-  Assessors Parcels
-  Streets



Map Created by  
County of Santa Cruz  
Planning Department  
September 2008 **ATTACHMENT**

6