

**From:** [Steven Buckley](#)  
**To:** [Henry Dong](#)  
**Subject:** FW: Councilmember's Call for Review (Notice of Appeal) of PLN24-0280 - Administrative Use Permit - 3100 Central Avenue  
**Date:** Tuesday, September 3, 2024 2:03:18 PM

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**From:** Trish Spencer <tspencer@alamedaca.gov>  
**Sent:** Tuesday, August 27, 2024 5:52 PM  
**To:** Steven Buckley <sbuckley@alamedaca.gov>; Jennifer Ott <jott@alamedaca.gov>; Lara Weisiger <lweisiger@alamedaca.gov>; Yibin Shen <yshen@alamedaca.gov>; Allen Tai <atai@alamedaca.gov>  
**Subject:** Councilmember's Call for Review (Notice of Appeal) of PLN24-0280 - Administrative Use Permit - 3100 Central Avenue

Dear Zoning Administrator, et al.,

I received community input on the final decision of the Zoning Administrator PLN24-0280 - Administrative Use Permit - 3100 Central Avenue. See attached community input document, which I'm attaching for review by the Planning Board. Under separate cover, I'll forward an email from the City Manager Jennifer Ott, dated August 27, 2024, to be attached to this Call for Review which provides "an overview of the proposal," and attachments Exhibit 1 from the Zoning Administrator Hearing, the Meeting Agenda for the Zoning Administrator Hearing of August 19, 2024, and the Administrative Use Permit with Findings and Conditions approved August 19, 2024, which I am also submitting for review by the Planning Board.

I am calling the Zoning Administrator's final decision PLN24-0280 – Administrative Use Permit – 3100 Central Avenue for review pursuant to Alameda Municipal Code Sections 30-21.4(c) and 30-25.1(b).

30-21.4 - Administrative Use Permit.

c. *Appeal.* The applicant, a member of the public or a member of the City Council or Planning Board may appeal the decision of the Zoning Administrator by filing a notice of appeal with the Zoning Administrator within ten (10) days after the decision of the Zoning Administrator or within three (3) days after the Zoning Administrator has reported to the Planning Board under subsection [30-21.11](#), whichever time is greater. Appeals shall be heard by the Planning Board pursuant to Section [30-25](#).

30-25.1 - Purpose and Authorization for Appeals and Calls for Review.

b. *Calls for Review.* As an additional safeguard to avoid results inconsistent with the purposes of this chapter as stated in subsection [30-1.2](#), final decisions of the Community Development Director or Zoning Administrator may be called up for review by a member of the Planning Board or by a member of the City Council for review by the Planning Board....

Just to be clear, I will continue to keep an open mind as I watch the public process with respect to the final decision.

Submitted August 27, 2024.

By Trish Herrera Spencer  
Councilmember

Exhibit 1  
Item 5-A, September 23, 2024  
Planning Board Meeting

# Appeal of PLN24-0280

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## Appellants Information

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## **Additional Support**

In addition to the appellants listed above, we have gathered over 100 signatures from concerned neighbors and members of the community who share our objections to the proposed project at 3100 Central Ave.

## **Background Information**

We are writing to formally appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA. As concerned residents of this community, we believe that the permit approval was based on an incomplete assessment of the project's potential impact on our neighborhood. Our objections are rooted in serious concerns about environmental, traffic, and safety issues that have not been adequately addressed. In this appeal, we will outline our concerns and present an alternative proposal that we believe is more in line with the best interests of our neighborhood and the community.

## **Grounds for Appeal**

### **IMPROPER SEQUENCING**

1. According to Alameda's municipal code 30-4.1.c.1., the **Zoning Administration did not have authority to approve this project**. Uses requiring use permits, such as schools and day care centers, must be reviewed by the Planning Board for their appropriateness in a specific location. **Especially considering the opposition to the project this decision should have been owned by the Planning Board, not the Zoning Administration**. The failure to follow this procedure raises questions about the legitimacy of the approval process and whether the project was adequately reviewed in line with the proper legal and procedural requirements.
2. Additionally, according to Alameda's municipal code 30-4.1.c.1., the **Planning Board must take into consideration factors such as safety, congestion, and noise**. The project was approved without proper studies

and evaluation, leaving gaps in the current assessment and posing potential dangers to our community.

3. **Neighbors were not given proper notification of the project.** The owners directly across the proposed playground addition at 1377 Fountain never received notification, nor did 1341 Fountain and 1337 Fountain. Saint Philip Neri Catholic School did not receive the notification until Saturday, 2 days before the hearing. None of the neighbors received letters with the full 10 days required before the hearing. And no required signage was posted about the hearing in a visible manner; instead, a small piece of paper was taped to a tree on the property, making it barely noticeable.
4. **The letter stated plans will be posted on the city website by Monday, but were not.** After a complaint by a neighbor to the city they finally appeared the next day on Tuesday. This late posting of plans affected the ability to be fully prepared for the hearing and compromised the integrity of the process.
5. **There was an unfair deviation from the established hearing process.** The letter outlined that attendees will use the raise hand feature on zoom for their turn to speak. Instead it was changed during the call by the administrator and secretary, who called upon people by name to speak in the order they arrived on the call. Many early arrivals on the call were attendees who had never had hearing experience and felt completely caught off guard when they were called to speak first. Additionally, the order of the agenda items was changed during the call; the hearing for 3100 Central was initially scheduled to be first, followed by two other cases, but it was moved to the end. This unexpected change caused confusion and likely disadvantaged participants who had limited time scheduled, reducing their opportunity to fully engage in the process.
6. **The permit application contradicts the proposed plans.** The "Use Permit Supplemental" form states that the property has 2 parking spaces and that "no outdoor space" would be affected, when the plans show the replacement of all current parking spots with a playground. [See Image](#)



Approving plans that contain such critical, community impacting discrepancies indicates a lack of thorough review and due diligence.

## CATEGORICALLY EXEMPT PURSUANT TO CEQA

There has been no study on the approved project to adequately assess its full impact on the surrounding neighborhood. The reasons given for not conducting an Environmental Impact Report (EIR) for the project were based on exemptions under the California Environmental Quality Act (CEQA):

*"CEQA Determination: Categorically exempt pursuant to CEQA Guidelines Section 15301 - Existing Facilities, and Section 15332 - Infill Development, including minor modifications and change of use."*

The project involves a significant change in use from a small preschool within a church to a much larger preschool with 100 students and 20 staff. This isn't just a minor alteration; it's a substantial increase in intensity and scale (a 833% increase in children compared to the previous use), which could have significant impacts on traffic, noise, and neighborhood character.

The project required an Administrative Use Permit, indicating it doesn't fully conform to the existing residential zoning, raising questions about whether it truly meets the criteria for this exemption. Additionally, the substantial increase in use intensity and removal of parking spaces could lead to significant environmental impacts, which might not have been adequately considered.

## DOES NOT FAVORABLY RELATE TO GENERAL PLAN

*"Action LU-2 g which states the City should "Permit childcare facilities and services in all residential and mixed-use zoning districts."*

While **LU-2.g** supports the inclusion of childcare facilities, LU-2 also emphasizes maintaining safe, healthy, and complete neighborhoods that support a mix of uses suitable for residents of all ages and abilities. **There is already an oversaturation of schools in the area with four schools within a three-block radius**, not including the proposed preschool. The traffic, noise, and the scale of the proposed preschool would add to the current oversaturation of schools, which **does not align with the goal of maintaining a balanced, mixed and safe neighborhood**.

*"The project also is consistent with General Plan Guiding Policy LU-17 encourages "reuse of existing structures to retain the structures embodied energy and reduce the generation of waste." The proposed preschool provides school and childcare services for the local community as part of the adaptive reuse of a vacant church building."*

**LU-17 is not applicable** because the property should not be considered "waste" nor "vacant" as it was never listed on the MLS or consumer websites, limiting its exposure to potential buyers who might be interested in restoring it as a residential home. We believe that the previous real

estate listing of the church property missed a significant opportunity for broader community engagement, potentially attracting residents committed to enhancing the residential character of our neighborhood, rather than converting it to a higher-intensity use.

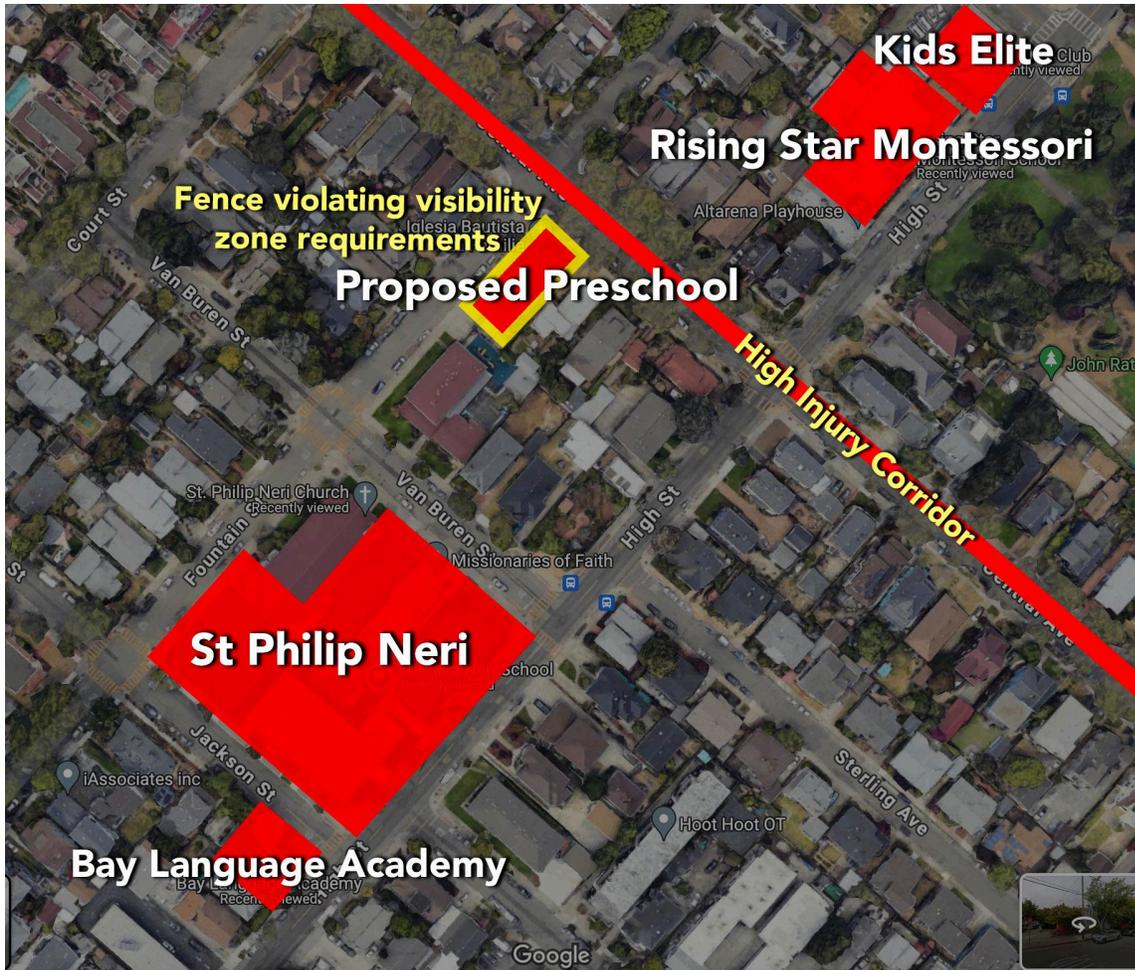
*"The proposed use relates favorably to the General Plan."*

**The proposed project does not align favorably with Vision Zero (VZ) efforts,** which aim for zero traffic-related deaths and severe injuries. This initiative has led to measures such as painting curbs red at intersections and, just this week, painting yellow crosswalks directly in front of the property, signaling a high-alert area. These actions highlight the city's recognition of the significant safety concerns associated with this location.

**However, the proposed plan directly contradicts VZ efforts with the approval of a 4-foot redwood fence topped with 1 foot of wire around the property, violating the city's visibility requirements, which mandate a maximum fence height of 3 feet in visibility zones. This presents serious safety risks for the hundreds of children at the surrounding schools around Central Avenue, which is a "Tier 1 High Injury Corridor," from Union Street past High Street, thus this the entire area. Per the City's High Injury Corridor Map, there are only six Tier 1 high injury corridors in Alameda. "Tier 1 has the greatest frequency and severity of crashes."**

<https://www.alamedaca.gov/Departments/Planning-Building-and-Transportation/Transportation/Vision-Zero#section-4>

Moreover, the significant increase in traffic that the preschool will generate contradicts Vision Zero's goals of managing speed and ensuring safe roadways, particularly in areas with vulnerable road users such as children. The heightened traffic around an intersection already flagged for safety concerns by the recent repainting does not align with VZ's systemic approach to preventing traffic deaths and severe injuries by minimizing risks wherever possible. Therefore, the project does not favorably relate to Vision Zero efforts and poses a substantial safety threat to the community.



**The proposed plan does not relate favorably to LU-4**, which focuses on ensuring sensitive transitions between neighborhoods and adjoining business districts to minimize nuisances. Introducing a large preschool in a predominantly residential area creates a stark transition that could lead to nuisances, such as increased traffic, noise and parking congestion, that are not well-aligned with the residential context.

**The proposed plan does not relate favorably to LU-15**, which addresses the need to provide land for residential purposes to meet the Regional Housing Needs Allocation. Given the regional housing shortage, the General Plan prioritizes residential development to accommodate Alameda's share of housing needs. Given that the church is already zoned R-1, converting the property to residential housing could be seen as more consistent with this policy, instead of a higher intensity use. As stated previously, It was never listed on the MLS or consumer websites, limiting its exposure to potential buyers who might be

interested in restoring it as a residential home. We believe that the previous real estate listing of the church property missed a significant opportunity for broader community engagement, potentially attracting residents committed to enhancing the residential character of our neighborhood, rather than converting it to a higher-intensity use.

## INADEQUATE FINDINGS

We have the following concerns about the "FINDINGS" from the PLN24-0280 Zoning Administrator Hearing:

*"The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development."*

The proposal for a **4 foot fence bordering the front of the property is not compatible with the neighborhood:**

- No properties along Central have fencing at this size ([see example](#)).



- St Philip Neri School no fencing along the front of the property. ([see image](#))



- Bay Language Academy does not have a fence. ([see image](#))
- Kids Elite does not have a fence. ([see image](#))
- Rising Star Montessori has 3 ft wood fencing with lattice, which is compatible with its surrounding commercial properties on High St. ([see image](#))



BAY LANGUAGE  
ACADEMY

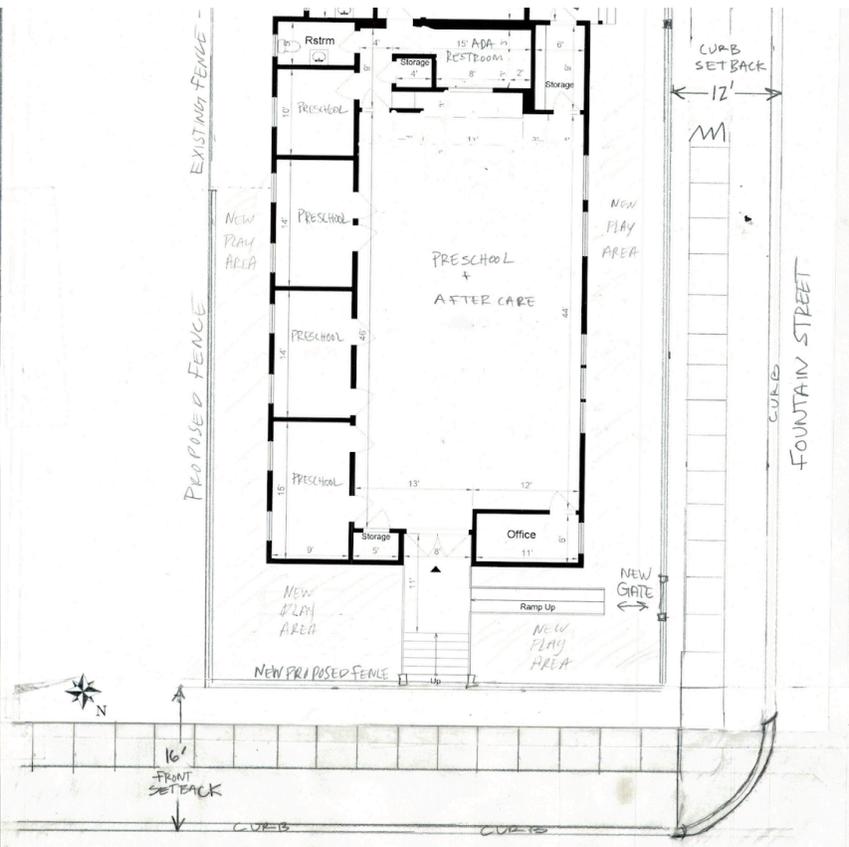
LANGUAGES FOR ALL

14325



Additionally, the **project design is not operationally harmonious with the community and surrounding development due to the noise exposure.** According to the Community Noise Exposure guidelines on page 61 of the General Plan, any school operating above 70 dB is considered normally unacceptable.

According to a PMC study [“Sound pressure level in a municipal preschool”](#) outdoor noise levels during free activities and games often exceeded 90 dB (A). The maximum SPL recorded was 105.8 dB (A). Even during quieter activities, the SPL often ranged between 70 and 80 dB (A). With the nearest property just 4 feet away from the proposed side play area ([see image](#)), the preschool will create a noise environment that is not compatible with the surrounding residential neighborhood.



Furthermore, **according to Alameda’s Code of Ordinance 3-107.801, prior to any zone change “the director shall review the noise impact of the proposed action by identifying existing and projected noise sources and the associated sound levels” and “recommend usage of adequate control measures.”** This was an oversight in the approval process as a noise review was not conducted.

*“The proposed preschool with outdoor play yard will provide local education, daycare, and afterschool services for the local community and is compatible with nearby schools in the surrounding area.”*

**The neighborhood is already saturated by schools**, carrying more burden from other Alameda neighborhoods that don't have any preschools. [See map](#)

*"The proposed use will also operate similarly to the existing schools located in the area."*

It is a concern that the school will operate similarly to the existing schools located in the area. The standard hours of 7am-6pm have not been the standard hours of this site. The peak hours for the church were on Sunday, which did not conflict with the peak hours of other schools. Therefore this finding should signal a concern that needs proper assessment.

*"The proposed preschool operation provides a low-intensity school use that transitions well between the existing residential uses and the existing school and church in the surrounding area."*

Due to the small footprint of the school and outdoor space, this should be considered a **high-intensity** preschool. The past owners operated a small school of 12 kids, a small playground with onsite parking spaces. **This is an 833% increase in children, with play areas around the entire parameter and all on-site parking removed.** [\(see image of on-site parking\)](#)



*"Additionally, the project provides a drop off area for students on Fountain Street to minimize impacts to Central Avenue which is the primary street in front of the property."*

The drop off plans are unclear in the proposal. Will the curb be painted white for drop-offs on Fountain, removing further parking for the neighborhood? How many parking spots will be removed? If not, where exactly is the drop off area? The plans only highlight an on-foot entrance for drop-off. We oppose a consistent white zone on these principles and necessitate a limit on restricted hours.

According to page 85 of the General Plans, the city must "work with...private and charter schools, day care centers and other institutions and businesses requiring drop off areas for children to ensure that drop off zones are well planned and ensure the safety of children and parents walking, bicycling, and driving their children to school." **The current drop-off zone plans are inadequate for this audience of "vulnerable users" and therefore not aligned with the General Plans.**

*"The use will also coordinate with teachers to walk students to the site from local schools in the area in order to reduce vehicle drop offs."*

The meaning of this is unclear. The nearest local school, Frank Otis Elementary, already has an afterschool program.

*"No new structures or changes to the exterior of the existing building are proposed as part of the project, except for a new perimeter fence."*

This is inaccurate. The plan also includes the removal of all on-site parking and converting the space into a play area. [\(see images\)](#)



*"The project is located near the corner of Central Avenue and High Street which is served by AC Transit bus routes O, W and OX....Therefore, the proposed use is served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities."*

There is no public transportation on Central or Fountain. And ACTC is proposing to cut bus routes, such as the bus route on High St. and reduce frequency, which should be taken into account in a traffic assessment.

*"The preschool anticipates approximately 100 students per day spread out among morning and afternoon sessions and*

*will not significantly generate additional traffic or service requirements."*

The approval of the proposal was not accompanied by a Traffic Management Demand Plan or a similar analysis. **The finding that the 100 student, 20 teacher school will not significantly generate additional traffic has not been properly evaluated.** The city may not have fully considered the increased traffic volumes, parking demand, all-school events, the potential for congestion at peak times especially given that the area already has multiple schools, and status as a Tier 1 High Injury Corridor. This omission could lead to significant issues in terms of safety and accessibility for the surrounding community, particularly during school drop-off and pick-up times when traffic is typically at its highest.

Additionally, parking is already a considerable concern for the area. Daylighting at intersections was recently added, removing 36 parking spots surrounding the property. A large portion of Fountain Avenue by St. Philip Neri Catholic School is restricted with white paint as drop off zones. There is also street cleaning that impacts parking 3 days a week, as well as trash collection that blocks parking. Lack of parking leads to chaotic and unsafe conditions during drop-off and pick-up times, even if they are staggered. The current proposal does not provide any viable solutions to these anticipated problems, which will be exacerbated by the lack of designated parking for regular community events for all 100 students and 20 teachers associated with the preschool. (see examples of parents from St. Philip Neri School parking at 3100 Central for drop-off [Example 1](#), [Example 2](#), [Example 3](#))



*Example 1*



*Example 2*



Example 3

*"Conditions of approval will require the facility to provide 2 short term and 2 long term bicycle parking spaces for customers and employees."*

The required bicycle parking was not noted in the plans and given the small footprint of the property there is concern that there will not be adequate space for bicycle parking.

*"The proposed preschool will provide local residents with accessible preschool and afterschool services and will not*

*have a significant impact on the properties in the surrounding area."*

**The proposed use will have a negative impact on the property values of neighboring homes** with the 833% increase in children, and therefore an increase in noise and congestion. Additionally the fence is not compatible with the aesthetic of the neighborhood, which would also negatively affect property value (a statement will be provided as evidence from a local realtor).

*"Additionally, the project provides a drop off area for students on Fountain Street to minimize impacts to Central Avenue which is the primary street in front of the property."*

There is no drop off area documented in the plans on Fountain Street, only the drop off building entrance.

*"The proposed use, as conditioned, will not have substantial deleterious effects on existing business districts or the local economy."*

The proposed use will absolutely have a negative impact on the local economy through its competition to the other 3 schools within 500 feet of the property.

## **INADEQUATE CONDITIONS LISTED IN APPROVAL**

*Fencing: The proposed fencing shall comply with the fencing height and visibility requirements pursuant to Alameda Municipal Code (AMC) section 30-5.14.*

The approval of a 4-foot redwood fence topped with 1 foot of wire around the property, is in **direct violation of the city's visibility requirements, which mandate a maximum fence height of 3 feet in visibility zones, as defined by the City Engineer.**

*Revocation. This Use Permit may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public*

*health, welfare or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.*

According to section 30-21.3.D, it is the Planning Board that has the authority to revoke the use permit, not the Zoning Administrator.

## Alternative Proposals

In accordance with LU-2, we are agreeable to a preschool located at 3100 Central Ave, but only at the same degree and magnitude of the prior use. Our proposal is to keep property at no greater intensity than what its prior use has been, including a student maximum of 12 students, a small play area, on-site parking spaces and no fencing at the front of the school.

This alternative proposal supports the General Plan in accordance with LU-2 by supporting the inclusion of childcare facilities, while simultaneously maintaining safe, healthy, and complete neighborhoods that support a mix of uses suitable for all residents.

We are also agreeable to have it converted to residential housing as per original use.

## Conclusion

We do *not* question the quality of the applicant's programs nor the positive impact his existing preschools have on our community. But this specific property is unsuitable for the high-intensity use of the proposed preschool.

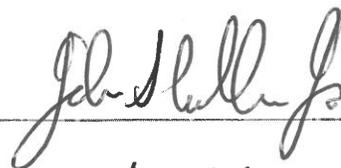
The evidence we have presented underscores the inadequacies in the current assessment and the potential dangers to our community. We strongly urge the Planning Board to reconsider the approval of the Administrative Use Permit.

Thank you for your attention to this important matter; we are prepared to provide further information and engage in dialogue to reach a resolution that benefits everyone involved.

FILED  
AUG 28 2024

CITY OF ALAMEDA  
CITY CLERK'S OFFICE

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

John Scott Cuellan Jr  8/24/24

Signature

Date

1329 Fountain St, Alameda, CA 94501

address

Heather Cuellan  8/24/24

Signature

Date

1329 Fountain St, Alameda, CA, 94501

address

Signature

Date

Marilyn Gallaghe  8/26/24

address

3108 Central Ave 94501

Signature

Date

Robert A. Yorba  8-26-24

address

1414 Fountain St 94501

Signature

Date

Ann Garcia  8-26-24

address

1414 Fountain St, 94501

Signature

Date

Sh Bertt 

address

3017 Santa Clara Ave

Signature

Date

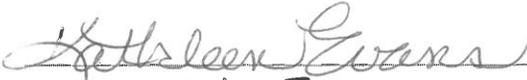
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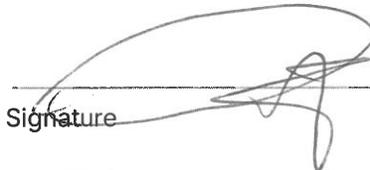
3001 Central Ave Alameda CA 94501

Kriste + Greg Falkner

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

  
Signature 1341 FOUNTAIN ST

August 27, 2024  
Date

  
Signature Joe Seifi  
3016 Central

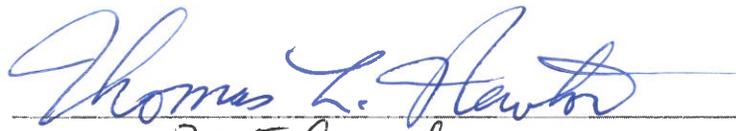
8/24/24  
Date

  
Signature Randall Power 3111 Central

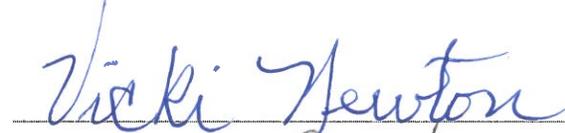
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Date

  
Signature Marnon Shields 3111 Central

8/24/2024  
Date

  
Signature Thomas L. Hawton  
3015 Central

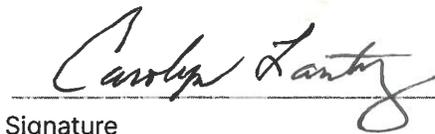
8/29/2024  
Date

  
Signature Vicki Newton  
3015 Central

8/24/2024  
Date

  
Signature Lindsay Seifi  
3016 Central

8/24/2024  
Date

  
Signature Carolyn Fantz  
3101 Central

8/27/24  
Date

  
Signature

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

*Anthony Mariani* ANTHONY MARIANI  
1318 Fountain St 8/24/2024

Signature

Date

*Nan Castillo* Nan Castillo  
1329 Fountain St

Signature

Date

Address

*Kathleen Kato* Kathleen Kato  
3006 Van Buren St.

Signature

Date

*Boris Kirola* BORIS KIROLA  
3004 VAN BUREN ST ALAMEDA

Signature

Date

*Will Streeter* Will 1411 Fountain  
Streeter St 8/25/2024

Signature

Date

*Julie R. Whitehead* Julie Whitehead  
1411 Fountain Street

Signature

Date

*[Signature]* 3107 Central Ave 8-25-24

Signature

Date

Collected by  
John S. Cuellar  
JOHN S. CUELLAR  
8/24/24

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

7 FRANK MILLER  
3006 JACKSON ST  
ALAMEDA, CA 94501

8/24/24

Signature



Date

Heather Harper  
1324 Fountain St  
Alameda, CA 94501

8/24/24

Signature



Date

Shannon Reese  
1324 Fountain St  
Alameda, CA 94501

8/24/24

Signature



Date

MARY-JO HARPER  
1372 Fountain St  
Alameda  
CA 94501

8/24/24

Signature



Date

Ansel Merino  
2863 Santa Clara Ave  
Alameda CA 94501

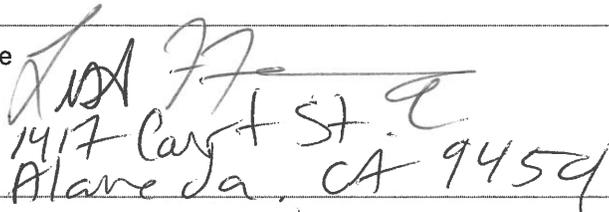
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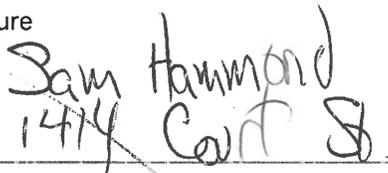


1417 Court St  
Alameda, CA 94501

Date

8/26/24

Signature



Sam Hammond  
1414 Court St.

Date

8/26/24



JOHN S. CUELLAR  
JOHN S Cuellar 8/24/24  
Signature 1333 FOUNTAIN ST Date

Marijo Cuellar Marijo Cuellar 8/24/24  
Signature 1333 FOUNTAIN ST Date

Dawn Caldwell DAWN CALDWELL 8/24/24  
Signature 1325 Fountain St Date

Paul Marsaglia PAUL MARSAGLIA 8/24/24  
Signature 1325 Fountain St Date

Alice Murphy Alice Murphy 1315 Fountain St 8/24/24  
Signature Date

Jon Prezala JON PREZALA 1311 FOUNTAIN ST 8/24/24  
Signature Date

Van Vo Ich Van 8/24/24  
Signature 1306\*A Fountain St Date

Stacy Cutler STACY CUTLER 8/24/24  
Signature 1308 Fountain #C Date

MARGARET MARIANI  
Margaret Mariani 8/24/24  
Signature 1318 Fountain St Date

Collected By 8/24/24  
Johns Cuellar  
John S Cuellar

# 140 Signatures of Faculty, Staff and Parents/Guardians of St. Philip Neri Catholic School and a few Parishioners of St. Philip Neri Church.

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Rod Mofrad 1419 Bay St. Alameda, CA 94501 Rod Mofrad 8/26/24  
Name Address Signature Date

Grace Barty 4035 Brown Ave Oakland CA 94619 Grace Barty 8/26/24  
Name Address Signature Date

Maria Romero 10920 Edes Ave. Oakland, CA 94603 Maria A. Romero 8/26/24  
Name Address Signature Date

Kristen Smeal 236 Inverness St. Alameda, CA 94502 Kristen Smeal 8.26.24  
Name Address Signature Date

JUDIEANN ANG 1528 MINTURN ST. J.A. 8/26/24  
Name Address Signature Date

Jeff Croft 1568 Pacific Ave J.C. 8/26/24  
Name Address Signature Date

NILVIE GARBHO 1570 LINCOLN AVE ALAMEDA 94501 Nilvie Garbho 8/26/24  
Name Address Signature Date

#8 Kaila Blake 2627th St Oakland CA 94603 Kaila Blake 8/26/24  
Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Jamere James 1024 Buena Vista Ave  
Alameda  
Signature  
8/26/24

Katherine Brennan 136 Capetown Dr.  
Alameda, CA 94502  
Signature  
8/26/24

Anthony D'Amico 136 Capetown Dr.  
Alameda, CA, 94502  
Signature  
8/26/24

Ringo Lu 33-Parodi Ct - Alameda  
Signature  
8/26/24

Monica Pelayo lock 5460 Wadean Pl  
Oakland, CA  
Signature  
8/26/24

Kyle Matarrese 3130 Gibbons Dr  
Alameda CA 94501  
Signature  
8/26/24

Mike Lane 1912 Buena Vista Ave.  
Alameda, CA 94501  
Signature  
8/26/24

#16

Sam Montes 125 Sable Pointe  
Signature  
8/26/24

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Hailey Castelan 1530 Eastshore Dr. alameda, CA [Signature] Aug 26  
Name Address Signature Date

Meghan Duck 3262 Central Ave Alameda Meghan Duck 8/26/24  
Name Address Signature Date

Branden Duck 4262 Central Ave Alameda [Signature] 8/24/24  
Name Address Signature Date

FRANCESCO MINI 3237 Briggs Ave, Alameda [Signature] 8/26/24  
Name Address Signature Date

LAURA ZANZ 3237 Brigg Ave, Alameda Laura Zanz 8/26/24  
Name Address Signature Date

Charlie Johnston 1417 Bennett St. Alameda [Signature] 8/26/2024  
Name Address Signature Date

Alameda  
Helin Way 1340 Fernside [Signature] 8/26/24  
Name Address Signature Date

Gina Foster 3009 Fernside Blvd. Gina Foster 8/26/24  
Name Address Signature Date

#24

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Fred Foster 3009 Fernside Blvd  8/26/24  
Name Address Signature Date

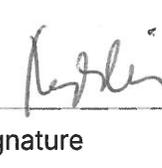
Aileen Saxton 1612 Via Escondido 94580  8/26/24  
Name Address Signature Date

Lellia Romero 1664 Gardner Blvd, 94577  8/26/24  
Name Address Signature Date

Alison Hillenbrand 921 Centennial  8-26-24  
Name Address Alameda 94501 Circle Signature Date

Bernadette M. Roco 107 Creedon  8/26/24  
Name Address Signature Date

Laurita Runk 1104 High St  8/26/24  
Name Address Signature Date

Mylene De Villa 1108 High St  8/26/24  
Name Address Signature Date

JoAnn Dora 2907 Santa Clara  8/26/24  
Name Address Signature Date

#32

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

ROGER DORN 2907 SANTA CLARA ALAMEDA, CA 94502  
Name Address Signature Date  
8/26/24

JAMES M. LEE 418 IRONWOOD RD. ALAMEDA, CA 94502  
Name Address Signature Date  
8/26/2024

VIRGINIA WEBER 2917 SAN JOSE  
Name Address Signature Date  
8/26/24

MARGARET DORRANCE 3298 WASHINGTON CT.  
Name Address Signature Date  
8/26/24

SANDIE MARGO ALAMEDA, CA SANDIE MARGO  
Name Address Signature Date  
8/26/24

#38 CORINNA DOMAGAS 1829 MORCLAND DR ALAMEDA, CA  
Name Address Signature Date  
8/26/24

Name Address Signature Date

Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

ALFRED CHENG 355 ANDERSON ROAD Alameda Signature Date 8/26/24

BEN ROMERO 404 SANDBEACH RD ALTAMERA CA 94501 Signature Date 8/26/24

Constantino Jijia 3269 Thompson Ave Constantino Jijia Signature Date 8-26-24

John Paul Walsh 1421 Bay St Signature Date 8/26/24

#43 Linda Halkias 1140 Tjepen Drive, Hayward, CA L. Halkias Signature Date 8/26/24

Name Address Signature Date

Name Address Signature Date

Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Juan Carlos Trujillo 1072 Park Ave. Alameda CA 94501 [Signature] 8.26.24

KEVIN SUER 8 BEAUFORT HARBOR ALAMEDA CA 94502 [Signature] 8-26-24

Frank Dignoni 3115 Fairview Ave [Signature] 8-26-24

Hang Nguyen 1145 Regent St Alameda [Signature] 8/26/24

Pam Watts 2044 Pacific Ave Alameda [Signature] 8/26/24

Alice Chung 138 Asby Bay, Alameda [Signature] 8/26/24

MARTHA DAVALOS 2150 SANTA CLARA AVE New Bern [Signature] [Date]

#51 Ena Perez 10825 Rockland St. Oakland [Signature] 8/26/24

Name Address Signature Date

From: Catherine Suer csuer@cndo.org  
Date: Aug 25, 2024 at 2:01:33 PM  
To: Catherine Suer csuer@cndo.org

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

CATHERINE SUER 8 BEAUFORT HARBOR Alameda Catherine Suer 8/25/24  
Name Address Signature Date

Rosaleen Sturlini 2829 Waterfront St Alameda Rosaleen Sturlini 8-26-24  
Name Address Signature Date

Kelly Russi 3268 Cape Cod Ct. Alameda Kelly Russi 8-26-24  
Name Address Signature Date

Elena Serles 1311 Grove St Elena Serles 8/26/24  
Name Address Signature Date

Andrew Shimabukuro 6615 Hagen Blvd El Cerrito Andrew Shimabukuro 8/26/24  
Name Address Signature Date

Need Lynn D'Alto 234 Emmons Ct Need Lynn D'Alto 8/26/24  
Name Address Signature Date

Stella Musler 2013 Alameda Ave Stella Musler 8/26/24  
Name Address Signature Date

#59

PIERCE LYNDIA 1011 Markon St. Pierce Lynda 8/26/24  
Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Shaila lobo 26 Lagorio Ct, Alameda CA 94502 Mail 8/25/24  
Name Address Signature Date

Sunil Ravichandran 26 Lagorio, alameda, ca 94502. Sunil R 8/25/24  
Name Address Signature Date

Brooke Turner 2145 Santa Clara Ave Brooke Turner 8/26/24  
Name Address Alameda CA Signature Date

Jessica Costy 3446 Laguna Ave Jessica Costy 8/26/24  
Name Address Oakland, CA Signature Date  
94602

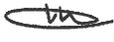
Roberta Ratto 27 Thurles Pl. Roberta Ratto 8-26-24  
Name Address Alameda, 94502 Signature Date

Michelle Yonka 3315 Brookdale Ave Michelle Yonka 26 Aug 24  
Name Address Oakland CA Signature Date  
94602

Maureen R Schopf 3 229 Thompson Ave [Signature] 8-26-24  
Name Address Signature Date

#67 Erina Schaffer 1072 Park Ave #A [Signature] 8/26/24  
Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Benjamin Yee                      328 Shell Gate Road Alameda                                            8/25/2024

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Name                                      Address                                      Signature                                      Date

Traci Chew                      328 Shell Gate Road Alameda                                            8/25/2024

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Name                                      Address                                      Signature                                      Date

Herlinda Calderon                      3315 Brookdale Ave.                                            26 AUG 24

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Name                                      Address                                      Signature                                      Date

Name                                      Address                                      Signature                                      Date

Olga Popova                      459 Buena Vista Ave #110                                            08/26/24

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Name                                      Address                                      Signature                                      Date

Shannon Urtz                      1011 Morton St                                            8/26/24

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Name                                      Address                                      Signature                                      Date

Elaine Mendes                      619 Santa Clara Ave Apt C                                            8/26/24

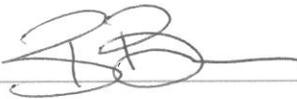
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Name                                      Address                                      Signature                                      Date

Jennifer Jeffers                      1334 Grove St                                            8/26/24

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Name                                      Address                                      Signature                                      Date

Brian Rosen                      22 Rutland Ct                                            8/26/24

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Name                                      Address                                      Signature                                      Date

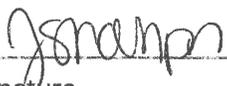
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~~#8~~

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

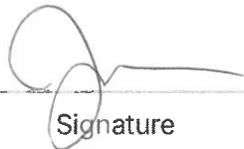
Angelique Downes 1401 B Versailles  8/25/24  
Name Address Signature Date

Justin Christohm 1401 B Versailles  8/25/24  
Name Address Signature Date

Sarah Grims 1725 Lafayette St  8/25/24  
Name Address Signature Date

Jessica Shahpar 1974 Kofman Parkway  8/25/24  
Name Address Signature Date

Jacques Corriveau 1451 Fernside Blvd  8/25/24  
Name Address Signature Date

JACKY NGUYEN 1610 LINCOLN AVE  8/26/24  
Name Address Signature Date

Colin Watters 2044 Pacific ave  8/26/24  
Name Address Signature Date

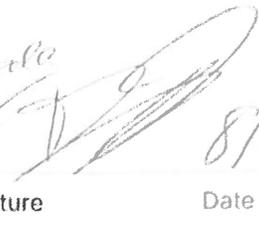
Manny Bernal 916 Bridge Rd  8/26/24  
Name Address Signature Date

Bonita Altamira 2026 Washington St  8/26/24  
Alameda

#85 Rowena Romero 404 Sand Beach Rd.  8/26/24  
Alameda

#10

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Zhen Peng <sup>alameda</sup> 1126 Hilleryway  8/25/24  
Name Address ~~DA~~ Signature Date

Mei Yang <sup>alameda</sup> 1120 W. Berryway  8/25/24  
Name Address ~~MTH~~ Signature Date

Victor Briggitt 1201 SAN ANTONIO AVE  8/26/24  
Name Address ALAMEDA, CA Signature Date

Kate McCaffrey 1421 Bay Alameda CA  8/26/24  
Name Address Signature Date

Kristina Demark 1009 Verdemar  8/26/24  
Name Address Signature Date

Jacquelynn Ramos 1809 E 15th St Oakland  8/26/24  
Name Address Signature Date

Heij Florde 1093 65th Street Oakland CA  8/26/24  
Name Address Signature Date

Remely Loguico <sup>Alameda</sup> 1825 Shoreline  8/26/24  
Name Address ALAMEDA Signature Date

over  
→

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

Sophia Niu	1010 Sherman St. Alameda CA 94501	<small>DocuSigned by:</small> Sophia Niu <small>D21C4C45AF6244D...</small>	8/26/2024
Name	Address	Signature	Date

Matthew Bettcher	1010 Sherman St. Alameda CA 94501	<small>DocuSigned by:</small> Matthew Bettcher <small>9EB1737C239D41A...</small>	8/26/2024
Name	Address	Signature	Date

Heli	1032 Central ave.	<i>[Signature]</i>	8/26/2024
Name	Address	Signature	Date

KENNETH GRATHAM	1825 ELM ST.	<i>[Signature]</i>	8/26/24
Name	Address ALAMEDA	Signature	Date

Adalberto Campos	3725 Briggs Ave	<i>[Signature]</i>	8/26
Name	Address	Signature	Date

Molly Kyle	1829 Fremont Drive	<i>[Signature]</i>	8/26/24
Name	Address	Signature	Date

PHILIP MATARRESE	3130 GIBBONS DR.	<i>[Signature]</i>	8/26/24
Name	Address	Signature	Date

#116 Risoberto	2990 MD RD	<i>[Signature]</i>	
Name	Address	Signature	Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

117 Michelle Hall      3116 Gibbons Dr.      Michelle Hall      8/26/24  
Name                      Address                      Signature                      Date

118 Patrick Hall      3116 Gibbons Drive      PKA      8.26.24  
Name                      Address                      Signature                      Date

\_\_\_\_\_  
Name                      Address                      Signature                      Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

119

Laura Chinnavaso	914 Chestnut St., Alameda, CA		8/26/2024
Name	Address	Signature	Date

120

Michael Chinnavaso	914 Chestnut St., Alameda, CA		8/26/2024
Name	Address	Signature	Date

Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

123  
Emily Libby 3738 Victor Ave. 8/26/24  
Name Address Oakland, CA 94619 Signature Date

124  
Mina Bravo 2220 Sonoma Way 8/26/24  
Name Address Oakland CA 94608 Signature Date

Name Address Signature Date

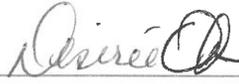
"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

125

Ted Condez 19997 Shadow Creek Cir, Castro Valley, CA 94552  08/26/2024

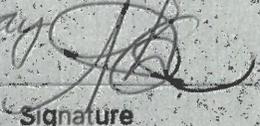
Name Address Signature Date

126

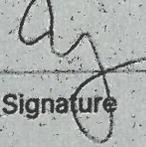
Desiree Olson 2715 Bayview Dr. Alameda CA 94501  08/26/24

Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

127 Aline Ryan 354 Victoria Bay 94502  8/26/24

Name	Address	Signature	Date
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128 Eric Ryan 354 Victoria Bay Alameda, CA 94502  8/26/24

Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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"I appeal the decision to grant an Administrative Use Permit for the proposed project at 3100 Central Ave in Alameda CA."

129

Name	Address	Signature
Sharlyn Bires, 1614 Gould Ct, Alameda 945		

Name	Address	Signature
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Name	Address	Signature
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Name	Address	Signature
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Name	Address	Signature
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Name	Address	Signature
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Name	Address	Signature
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"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

130

Phanette Lane 1912 Buena Vista Ave Alameda, CA



8/26/24

Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

131 James Castelaz 1530 Eastshore Dr., Alameda, CA *James Castelaz* 8/26/2024

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Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

130

Michael Kennedy 1335 High St  8/26/2024

Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Avenue in Alameda, CA."

133

Tahd Frentzel 3106 Washington St. Alameda



8-24-2024

Name

Address

Signature

Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

134

Brandon Paige

3152 Bali Lane; Alameda, CA 94502

*Brandon Paige*

8/26/2024

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Name

Address

Signature

Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

135

Arlene Paige 3152 Bali lane Arlene Paige 8/26/24  
Name Address Signature Date  
alameda, 94502

Name Address Signature Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

12/4  
Catherine  
Garcia  
1541-C Santa Clara  
Alameda, CA 94501  
  
8/25/24

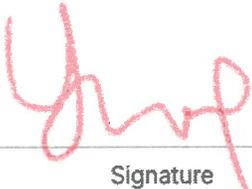
Name Address Signature Date

# < Appeal of PLN24-0... + ⋮

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

137

Laura Aermi. 2778 Shaner Drive, Alameda, CA 94502.



08.26.2024

Name	Address	Signature	Date

"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

138

Maile Le Boeuf, 1201 Central Ave, Alameda, CA 94501

*M. LeBoeuf*

08/26/2024

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Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

139

Aleix Underwood	916 Bridge Rd. San Leandro, CA 94577		08/26/2024
Name	Address	Signature	Date

Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Text	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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Name	Address	Signature	Date
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"I appeal the decision to grant an Administrative Use Permit for the proposed preschool project at 3100 Central Ave in Alameda CA."

40 Heather Gilk 2812 Windsor Drive Heather Gilk Aug 26, 2024

Name Address Signature Date

**From:** [Steven Buckley](#)  
**To:** [Henry Dong](#)  
**Subject:** FW: Proposed Daycare at 3100 Central Ave  
**Date:** Wednesday, September 4, 2024 10:22:25 AM  
**Attachments:** [Exhibit 1 PROJECT PLANS \(7\).pdf](#)  
[Agenda \(84\).pdf](#)  
[PLN24-0280 3100 Central Avenue Preschool Use Permit - SIGNED.pdf](#)  
[image001.png](#)

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**From:** Jennifer Ott <jott@alamedaca.gov>  
**Sent:** Tuesday, August 27, 2024 9:05 AM  
**To:** CityCouncil-List <CITYCOUNCIL-List@alamedaca.gov>  
**Cc:** Allen Tai <ATai@alamedaca.gov>; Steven Buckley <sbuckley@alamedaca.gov>  
**Subject:** Proposed Daycare at 3100 Central Ave

Mayor and City Council:

I've received a number of questions from Councilmembers about a recent proposed use at 3100 Central Avenue. As a result, I wanted to provide you with an overview of the proposal. On August 19, 2024 the Zoning Administrator held a public hearing to consider several projects, including a proposed daycare at a former church building at 3100 Central Avenue on the corner of Fountain Street. The project is proposed by an experienced operator of other daycare centers in Alameda.

The agenda and plans are attached. ZA meetings are recorded; however, a link is not yet available. The approved permit with conditions of approval modified as a result of the hearing is also attached.

There were 14 speakers in support and 8 opposed or expressed a specific concern. Those in support were generally current clients of the operator who spoke in favor of his general care for the children and cooperation with the neighbors of his existing facilities. Neighbors expressed concerns about traffic, parking, noise, and aesthetics, particularly in light of the general development in the areas as school, church and daycare facilities.

The Zoning Administrator modified the originally drafted conditions of approval to include aspects that the applicant clarified or agreed to, such as lessening the extent of fencing around the property, providing for streamlined drop-off and pick-up, and illustrating the landscaping and play equipment that would enhance the site.

In response to several questions from Councilmembers, we are providing the following summary:

Age levels of children: 0-6 years old.

Number of children: The actual number of children is regulated by the State based on age, staff ratio, and the amount of indoor/outdoor space. The daycare anticipates approximately 100 students total enrollment, spread out among morning and afternoon daycare and afterschool program sessions. However, the City did not impose explicit restrictions on the maximum number of

children allowed at any one time. Staff anticipates 50 students maximum.

**Parking:** There is an existing driveway along Fountain Street that is not legal parking because it does not comply with AMC dimensions for parking and because the parking overhangs the sidewalk. As part of the use permit the driveway will be removed and restored to curb and gutter and landscaping. The AMC does not require parking for the daycare center except bicycle parking which consists of 2 short-term and 2 long-term bicycle parking spaces. The property is a corner lot and the Fountain Ave curb, which is 120 feet in length, can be used for drop offs and pick up, as well as the 50 feet of frontage on Central, except for the 20 feet closest to the intersection where pedestrian crosswalks exist. The applicant also agreed to providing bus passes for employees.

**Drop-off / Pick-up Period:** The hours of operation are stated as 7:00 AM to 6:00 PM. The extended periods accommodate various work schedules and the different sessions (morning and afternoon) and to allow spreading out of drop off and pick up times.

**Drop-off / Pick-up Impacts:** The project provides a drop-off area on the project frontage along Fountain Street to minimize impacts on adjacent homes. The daycare will implement multiple drop-off and pick-up windows throughout the day to spread out arrival times. They also plan to coordinate with teachers to assist with curbside drop-off and pickup, minimizing the amount of cars that need to be parked at any given time. They must explore installing a white curb loading zone that would be free of permanently parked vehicles during daytime hours with the Public Works Department. (Other schools in the area have similar arrangements.)

**Fencing:** A new perimeter fence is proposed, and the use permit requires the applicant to submit a final landscaping and fence plan showing the final fence design and setback improvements for final staff approval. The fencing must comply with height and visibility requirements according to AMC section 30-5.14. In the front yard the fence will be limited to a 4' tall stepped back to the building line. Staff can require see-through style fencing to the extent it meets State requirements for daycare centers, and the applicant has agreed to be flexible in the final fence design.

Staff is continuing to assist neighbors in understanding their rights to appeal and to clarify aspects of the project.

Sincerely,  
Jen

Jennifer Ott  
City Manager  
City of Alameda  
[jott@alamedaca.gov](mailto:jott@alamedaca.gov)  
c: (510) 867-8237





# City of Alameda

## Meeting Agenda

### Zoning Administrator Hearing

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Monday, August 19, 2024

2:00 PM

Via Zoom

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When: August 19, 2024 02:00 PM

Topic: Zoning Administrator Hearing

Register in advance for this webinar:

[https://alamedaca.gov.zoom.us/webinar/register/WN\\_T2YHmCwnQ3O2E6srmQzrbw](https://alamedaca.gov.zoom.us/webinar/register/WN_T2YHmCwnQ3O2E6srmQzrbw)

Meeting ID 829 0060 5146

Or One tap mobile:

+16694449171,,82900605146# US

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After registering, you will receive a confirmation email containing information about joining the webinar.

Any requests for reasonable accommodations from individuals with disabilities should be made by contacting the Planning office ([planning@alamedaca.gov](mailto:planning@alamedaca.gov) or 510-747-6805).

**1 CALL TO ORDER**

**2 PUBLIC COMMENT**

**3 PUBLIC HEARING**

**3-A** [2024-4284](#) PLN24-0280 - Administrative Use Permit - 3100 Central Avenue - Applicant: Malyka Chop. A public hearing to consider an Administrative Use Permit to allow the establishment of an approximately 2,600-square-foot preschool located within a former church building pursuant to AMC 30-4.1.c.1.

**Attachments:** [Exhibit 1 PROJECT PLANS](#)

- 3-B**     [2024-4285](#)     PLN24-0339 - Administrative Use Permit - 1400 Webster Street - Applicant: Christine Pelayo. A public hearing to consider an Administrative Use Permit to allow the establishment of an approximately 239-square-foot beauty salon located on the third floor of an existing commercial building in the Webster Street Community Commercial District pursuant to AMC 30-4.9A.c.1.v.  
**Attachments:**     [Exhibit 1- PROJECT PLANS](#)
- 3-C**     [2024-4286](#)     PLN24-0238 - Administrative Use Permit - 2333 Clement Avenue - Applicant: Imelda Layug. A public hearing to consider an Administrative Use Permit to allow a retail consignment store within the North Park Street District - Workplace sub-district. Pursuant to Alameda Municipal Code Sec. 30-4.25(e)(i) retail uses may be permitted in the Workplace sub-district subject to use permit approval.  
**Attachments:**     [Exhibit 1 - PROJECT PLANS](#)

#### **4            ADJOURNMENT**

PLEASE NOTE:

- Appeals of Zoning Administrator decisions are considered by the Planning Board. Appeals must be filed in the Planning, Building and Transportation Department in writing stating the basis of appeal with the appeal fee within 10 days of the date of action.
- Translators or sign language interpreters will be available on request. Please contact the Planning, Building and Transportation Department, at (510) 747-6805 or (510) 522-7538 (TDD number) at least 72 hours before the meeting to request a translator or interpreter.
- Accessible seating for persons with disabilities (including those using wheelchairs) is available.
- Minutes of the meeting are available in enlarged print.
- Audiotapes of the meeting are available upon request. Please contact the Planning, Building and Transportation Department at (510) 747-6805 or (510) 522-7538 (TDD number) at least 48 hours before the meeting to request agenda materials in an alternative format, or any other reasonable accommodation that may be necessary to participate in and enjoy the benefits of the meeting.

- **KNOW YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE:** Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City of Alameda exist to conduct the citizen of Alameda's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.
- **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE SUNSHINE ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT COMMISSION:** the address is 2263 Santa Clara Avenue, Room 380, Alameda, CA, 94501; phone number is 510-747-4800; fax number is 510-865-4048, e-mail address is [lweisiger@alamedaca.gov](mailto:lweisiger@alamedaca.gov) and contact is Lara Weisiger, City Clerk.
- In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

## ADMINISTRATIVE USE PERMIT

**PLN24-0280 – Administrative Use Permit – 3100 Central Avenue – Applicant: Malyka Chop.** Administrative Use Permit to allow the establishment of an approximately 2,600-square-foot preschool located within a former church building pursuant to AMC 30-4.1.c.1.

**APPLICANT:** Malyka Chop

**GENERAL PLAN:** Low Density Residential

**ZONING:** R-1, Residential District

### FINDINGS:

- 1. The location of the proposed use is compatible with other land uses in the general neighborhood area, and the project design and size is architecturally, aesthetically, and operationally harmonious with the community and surrounding development.**

The building is located within the R-1, Residential zoning district, which permits preschools with a Use Permit. The proposed preschool with outdoor play yard will provide local education, daycare, and afterschool services for the local community and is compatible with nearby schools in the surrounding area. The surrounding properties to the west and east are within the R-1 District and include residential uses. The properties to the north include residential uses and the Rising Star Montessori School located on High Street. The properties to the south are within the R-1 District and includes residential homes, an existing St. Philip Neri Kindergarten school and the St. Philip Neri Church and school across the street. As conditioned, the proposed use will replace the existing church and daycare use in the building and is compatible with the R-1 zoning of the property. The proposed use will also operate similarly to the existing schools located in the area. The proposed preschool operation provides a low-intensity school use that transitions well between the existing residential uses and the existing school and church in the surrounding area. Additionally, the project provides a drop off area for students on Fountain Street to minimize impacts to Central Avenue which is the primary street in front of the property. The school provides multiple drop off and pick up windows throughout the day to spread out the times when parents arrive to the facility. The use will also coordinate with teachers to walk students to the site from local schools in the area in order to reduce vehicle drop offs. No new structures or changes to the exterior of the existing building are proposed as part of the project, except for a new perimeter fence. Therefore, the project is architecturally, aesthetically, and operationally harmonious with the community and the surrounding development.

- 2. The proposed use will be served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.**

The facility is located at the corner of Central Avenue and Fountain Street with readily available pedestrian access by existing sidewalks and crosswalks. The property is already served by adequate transportation and service facilities. The preschool anticipates approximately 100 students per day spread out among morning and afternoon sessions and will not significantly generate additional traffic or service requirements. The project is located near the corner of Central Avenue and High Street which is served by AC Transit bus routes O, W and OX. Conditions of approval will require the facility to provide 2 short term and 2 long term bicycle parking spaces for customers and employees. Therefore, the proposed use is served by adequate transportation and service facilities, including pedestrian, bicycle and transit facilities.

**3. The proposed use, if it complies with all conditions upon which approval is made contingent, will not adversely affect other property in the vicinity and will not have substantial deleterious effects on existing business districts or the local economy.**

The proposed preschool will provide local residents with accessible preschool and afterschool services and will not have a significant impact on the properties in the surrounding area. The proposed preschool operation replaces an existing church and daycare use and provides a low-intensity school use that transitions well between the existing residential uses and the existing school and church in the surrounding area. Additionally, the project provides a drop off area for students on Fountain Street to minimize impacts to Central Avenue which is the primary street in front of the property. The school also provides multiple drop off and pick up windows throughout the day to spread out the times when parents arrive to the facility and coordinates student pick up groups that walk to the site to reduce vehicle drop offs. Furthermore, the hours of operation are during standard business hours from 7:00 AM to 6:00 PM. The proposed use, as conditioned, will not have substantial deleterious effects on existing business districts or the local economy.

**4. The proposed use relates favorably to the General Plan.**

The site is located within an area designated by the General Plan as Low Density Residential which permits single family detached homes with some multi-family residential buildings, accessory dwelling units, as well as childcare, schools, and religious institutions. The project is consistent with General Plan Policy Action LU-2 g which states the City should "Permit childcare facilities and services in all residential and mixed-use zoning districts." The proposal is also consistent with General Plan Policy LU-9 which encourages "the development of a broad range of commercial businesses and services in Alameda to provide for the diverse needs of the Alameda community and reduce the need to travel off-island to acquire goods and services. The project also is consistent with General Plan Guiding Policy LU-17 encourages "reuse of existing structures to retain the structures embodied energy and reduce the generation of waste." The proposed preschool provides school and childcare services for the local community as part of the adaptive reuse of a vacant church building. Therefore, the project relates favorably to the General Plan.

## CONDITIONS:

1. Approved Uses: The Use Permit approves, with conditions, a preschool use with afterschool program and an outdoor play area surrounded by perimeter fencing.
2. Compliance with Regulations: The approved use is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies.
3. Compliance with Conditions. The applicant/property owner shall ensure compliance with all the conditions contained in this Use Permit approval. Failure to comply with any condition may result in issuance of citation, and/or modification or revocation of the Use Permit approval.
4. Changes to Approved Plans. This approval is limited to the scope of the project defined in the project description and as depicted in Exhibit 1 and does not represent a recognition and/or approval of any work completed without required City permits. Any changes to the approved scope of the project shall be submitted to the Planning, Building and Transportation Department for review and approval.
5. Final Landscaping and Fence Design: Prior to Certificate of Occupancy, the applicant shall submit a final landscaping and fence plan showing the final fence design and setback for Planning Director approval. The proposed fencing shall comply with the fencing height and visibility requirements pursuant to Alameda Municipal Code (AMC) section 30-5.14.
6. Customer Drop Offs: The applicant shall implement a valet customer drop off procedure and explore installing a white curb with the Public Works Department if the facility receives multiple complaints from the residential neighborhood regarding traffic congestion.
7. Transit Passes: The applicant shall make available regional transit bus passes for employees of the preschool facility to utilize for their work commute.
8. Bicycle Parking: Applicant shall provide a minimum of two (2) short term and two (2) long term bicycle parking spaces. Bicycle rack location(s) and types shall comply with Alameda Municipal Code (AMC) 30-7.6 and City of Alameda Bicycle Facility Design Standards and final bicycle parking plan shall be approved by the Planning Director.
9. Removal of Driveway: Prior to Certificate of Occupancy, the applicant shall restore the existing driveway to curb and gutter that meets the City's requirements.
10. Vesting. The Use Permit approval shall expire two (2) years after the date of approval (August 19, 2026) unless authorized construction or use of the property

has commenced. The applicant may apply for a time extension, not to exceed two (2) years. An extension request shall be subject to ministerial approval by the Planning Director and must be filed prior to the date of expiration.

11. Revocation. This Use Permit may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the Use Permit.

12. Indemnification. To the maximum extent permitted by law, the applicant (or its successor in interest) shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City of Alameda, its City Council, City Planning Board, officials, employees, agents and volunteers (collectively, "Indemnitees") from and against any and all claims, actions, or proceedings against Indemnitees to attack, set aside, void or annul an approval by Indemnitees relating to this project. This indemnification shall include, but is not limited to, all damages, losses, and expenses (including, without limitation, legal costs and attorney's fees) that may be awarded to the prevailing party arising out of or in connection with an approval by the Indemnitees relating to this project. The City shall promptly notify the applicant of any claim, action or proceeding and the City shall cooperate in the defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding and the applicant (or its successor in interest) shall reimburse the City for its reasonable legal costs and attorneys' fees.

**DECISION:**

Environmental Determination: The project is categorically exempt pursuant to CEQA Guidelines Section 15301 – Existing Facilities, and Section 15332 – Infill Development, including minor modifications and change of use. There are no unusual circumstances that would preclude the use of these exemptions.

Use Permit: The Zoning Administrator hereby approves the Use Permit with conditions.

Effective Date: The decision of the Zoning Administrator shall be final unless appealed to the Planning Board in writing and within ten (10) days of the decision.

Signed by:  
Approved by: Steven Buckley  
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Steve Buckley, Zoning Administrator

Date: August 19, 2024

