



REGULAR MEETING OF THE CITY OF CONCORD ZONING ADMINISTRATOR

9:00 a.m., Wednesday, January 13, 2016
CITY COUNCIL CHAMBERS
1950 Parkside Drive, Concord

AGENDA

PUBLIC COMMENT PERIOD

(The public may speak on any item within the jurisdiction of the Zoning Administrator not listed on this agenda. Approximately 15 minutes is allocated for the Public Comment Period, and each speaker will be allowed approximately 3 minutes.)

HEARINGS:

1. [Maggie's Large Family Day Care \(PL15439 – MP\)](#) – Application for a Minor Use Permit to operate a large family day care home at 1826 Las Ramblas Drive. A large family day care home is one that provides child care services for up to 14 children. The General Plan designation is Low Density Residential; Zoning classification is Planned Development; APN 118-140-004. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of 1970, as amended, the project is classified as Statutorily Exempt pursuant to Section 15274(a), "Family Day Care Homes", and therefore no further environmental review is required. **Project Planner: Joan Ryan @ (925) 671-3370**

ADJOURNMENT

Next Zoning Administrator's Meeting: January 27, 2016

In accordance with the Americans with Disabilities Act and California Law, it is the policy of the City of Concord to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the ADA Coordinator at (925) 671-3257, at least five (5) days in advance of the hearing. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

Correspondence and writings received within 72 hours of the scheduled Zoning Administrator meeting that constitute a public record under the Public Records Act concerning any matter on the agenda is available for inspection during normal business hours at the Permit Center located at 1950 Parkside Drive, Concord. For additional information contact the Planning Division at (925) 671-3152.

APPEALS

Decisions of the Zoning Administrator may be appealed to the Planning Commission. Appeals and the required filing fee must be filed with the City Clerk within ten (10) days of the decision.

If you challenge any of the foregoing described actions in court, an appeal first of said actions to the Zoning Administrator, Planning Commission, and/or City Council (as applicable) in the manner and within the time period established in Development Code Chapter 18.510 (Appeals and Calls for Review) is required, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Zoning Administrator and/or Planning Commission (as applicable) at, or prior to, said public hearing.



REPORT TO ZONING ADMINISTRATOR

DATE: January 13, 2016

SUBJECT: MAGGIE'S LARGE FAMILY DAYCARE (PL15439 – MP)

Recommendation: Adopt Zoning Order No. 15-17ZA (Exhibit A), approving a Minor Use Permit for Maggie's Large Family Daycare Home (PL15439 – MP).

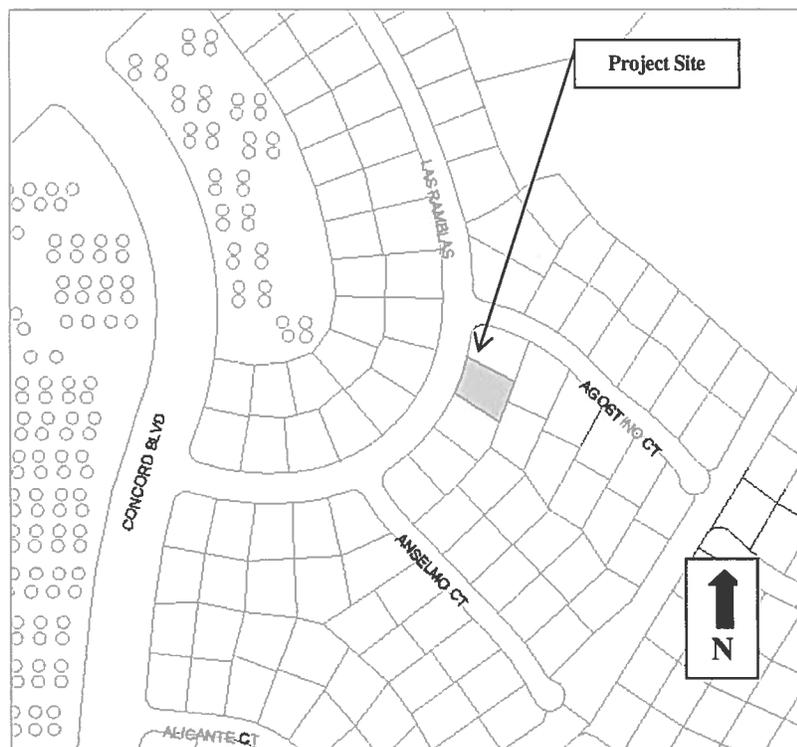
I. Introduction

A. Application Request

Application for a Minor Use Permit to operate a large family daycare home.

B. Location

The project site is located at 1826 Las Ramblas Drive; APN 118-140-004.



C. Applicant/Owner
Margarita Solis
1826 Las Ramblas Drive
Concord, CA 94521
(925) 672-4686

II. Background

On October 23, 2015, the applicant submitted a Minor Use Permit application (Exhibit B) to operate a large family day care home (also called family child care homes) to accommodate 14 children at 1826 Las Ramblas Drive. Her business activities and schedule were also provided (Exhibit C), along with the site plan of the property (Exhibit D). The applicant currently holds a valid childcare license to operate a family day care home with a total capacity of up to 14 children (Facility Number 073406441, effective March 2009), issued by the Community Care Licensing Division of the California Department of Social Services (Exhibit E), and was verified as current by Planning Staff through the website on December 8, 2015.

The Development Advisory Committee (DAC) reviewed the application and provided comments on November 12, 2015 and deemed the application incomplete until additional information regarding parking and number of employees could be provided. The additional information was provided on November 28, 2015 and the project was deemed complete on December 8, 2015. In addition, the applicant provided the clearance Fire Inspector Lisa Martinez from the Contra Costa County Fire Protection Department provided her on August 30, 2012 (Exhibit F), for the increase in capacity from 8 to 14 children.

The Planning Division sent a public notice on November 12, 2015 to the surrounding residents and property owners within 100 feet of the proposed family day care home regarding a neighborhood meeting to be held on December 1, 2015 for the proposed Minor Use Permit. Staff received a call from Michael Foster, a neighbor residing at 1824 Las Ramblas Drive prior to the meeting, citing concerns with traffic and noise generated by the proposed residential child care facility. On December 1, in addition to the applicants, Margarita Solis and her husband, four neighbors attended the neighborhood meeting, including: Mr. Foster and his wife, Ken Laverty (owner of a residence on Agostino Court), and Margulary Jamili a neighbor across the street from Maggie's day care on Las Ramblas Drive. Mr. Laverty submitted a letter of concern and brought letters from two other neighbors on Agostino Court, citing noise from the facility as a concern that impacts their outdoor use time. (Exhibit G). Mr. Foster also provided his written comments at the meeting regarding the noise levels of the children's activities. Ms. Jamili who has lived across the street from Maggie's for the last three years, spoke in favor of the daycare, indicating her son presently attends Maggie's, and that she was very satisfied with the care provided and that she has not experienced an excessive noise level. She and other patrons of Maggie's Daycare have submitted letters of support in favor of the large family daycare (Exhibit H)

Because one neighbor requested a public hearing on this item, a public hearing was scheduled. On December 21, 2015 notices advertising the hearing were forwarded to all property owners and persons residing within 100 feet of the proposed home day care facility providing notification of the

January 13, 2016 public hearing on the subject item. The neighbors who attended the neighborhood meeting were also notified of the public hearing by email on December 30, 2015.

Family child care homes are regulated by the State of California. The California State Legislature has found that there are an insufficient numbers of family child care homes in California, and so has enacted legislation which addresses licensing and operations. The Community Care Licensing Division of the California Department of Social Services handles licensing, and the City is not involved in the licensing process. Licensing regulations address, among other things, health and safety issues related to the care and supervision of children from infancy to 12 years of age. Family child care is provided in the licensee's home (owned or rented), and is considered a residential (not commercial) use of the property.

For a large family child care home, the maximum number of children allowed to be cared for when there is an assistant provider in the home (including children under age 10 who live in the home, and the assistant provider's children under age 10) is either:

- Twelve children, no more than four of whom may be infants, or
- Up to 14 children when one child is at least six years of age and one child is enrolled in and attending kindergarten or elementary school, and no more than three infants are in care.

State law limits a city's discretion in imposing land use restrictions on family child care homes. Large family child care homes must be classified as a permitted use of residential property for zoning purposes, but must pay a business tax/license as would any other business in the City of Concord. Although the City can require a Minor Use Permit, the City can only prescribe reasonable standards, restrictions, and requirements as they pertain to traffic, parking, noise, concentration, and certain State Fire Marshall regulations. The City of Concord's conditions¹ include providing an adequate off-street parking and loading area, minimizing noise impacts, providing an outdoor play area, maintaining a State license (requiring a Fire District clearance), and complying with applicable Building and Fire Codes. These conditions are fully described in the Development Code and are also identified in the "Analysis/Discussion" section of this staff report below. Per State law, if those conditions are met, then the City must grant the Minor Use Permit.

Before a decision is made on a large family day care home, notices must be sent to owners of record within a 100-foot radius of the property, and a hearing on the permit application is only held if requested by the applicant or another affected person. In this case, a public hearing was requested by Ken Laverty, as a result of the letter request he submitted at the neighborhood meeting.

III. General Information

A. General Plan

The General Plan land use designation is Low Density Residential (LDR).

¹ Because the Legislature has found that family day care homes are a matter of statewide concern, State law controls over any conflicting language in a city's municipal code. The City is in the process of conforming Concord Municipal Code Section 122 (referred to herein as the Development Code) to State law.

B. Zoning

The site is a residential single family home zoned Planned Development (PD). As per Section 18.25.040 of the Development Code, the closest applicable RS zoning district development standards apply. The parcel is 6,650 sq. ft. in size and thus, the closest applicable district is the RS-6 district, which denotes a 6,000 sq. ft. minimum lot size. Section 18.200.050 of the Development Code requires that a Minor Use Permit be obtained in order to operate a large family day care home at the project site.

C. CEQA Status

The proposed project is Statutorily Exempt pursuant to CEQA Section 15274, Family Day Care Homes, which states that CEQA does not apply to the establishment or operation of a large family day care home which provides in-home care for up to 14 children, as defined in Section 1596.78 of the Health and Safety Code. Therefore, no environmental review is required.

D. Site Description

Lot Size and Dimensions	6,650 sq. ft.	72 ft. x 94 (approx.)
Existing Improvements	Single-family residence, driveway, pool and landscaping	
Topography	The parcel has a gentle upward slope at the front.	
Existing Vegetation	The property has typical residential landscaping with small trees in the rear yard and grass and small shrubs in front yard.	

E. Surrounding Land Use

The site is part of the Kirkwood subdivision (TR 4338), recorded in 1975, and is surrounded by the following uses:

	Land Use	General Plan Designation	Zoning
North	Residential	Low Density Residential	PD
South	Residential	Low Density Residential	PD
East	Residential	Low Density Residential	PD
West	Residential	Low Density Residential	PD

IV. Detailed Project Description

A. Description of Business

The application came about as a result of a code enforcement complaint regarding noise. The applicant indicated she did not know she needed a special permit through the City in addition to the license through the State’s Community Care Licensing Division. Ms. Solis currently

provides care for 14 children ranging in age from 7 months to 4 years old. The applicant's hours of operation are from 7:00 a.m. to 6:00 p.m. Monday through Friday. Presently, among them, 9 children typically arrive in 6 cars between 7-7:30 a.m.; two of those attend four days per week, the rest are full-time. The other four children arrive in three cars between 8-8:30 a.m.; two of those children are part-time attending 1-3 days per week. Ms. Solis' own daughter is 8 years old, and leaves early morning (7:40 a.m.) for school and then returns to the house by 3 p.m.

The facility's description of business activities is provided in the applicant's business description (contract) and schedule of activities (Exhibit C). A non-resident employee assists the owner from 7 a.m. to noon. Ms. Solis' adult son assists as emergency back-up during nap time 12-3, and her spouse and 16-year old daughter assist during the afternoon 2:30 p.m. to 6 p.m. The property's rear and right side yard is fenced in and is used as an outdoor play area. Children will not be allowed in the left portion of the rear yard, which is fenced in and has a swimming pool also surrounded by a secondary fence as well. No signage or exterior improvements are proposed as part of the proposed project.

V. Analysis/Discussion

A. **General Plan Consistency**

The project site's General Plan land use designation of Low Density Residential is intended for residential development at densities from 2.5 to 10 units per net acre.

Discussion

General Plan Policy LU-1.1.3 states that the City shall ensure that the scale, operation, and other characteristics of community facilities, including parks, schools, childcare facilities, religious institutions, and other public and quasi-public facilities enhance the character and quality of neighborhoods. In addition, General Plan Policy LU-1.1.4 requires the mitigation of residential uses from impacts of more intensive land uses through good site planning and/or appropriate operational measures. As discussed in detail below, the proposed project provides the required off-street parking and loading area to mitigate potential traffic and circulation impacts which detract from the character and quality of the neighborhood. For this reason, staff finds the proposed project consistent with the Low Density Residential land use designation and the applicable policies within the General Plan.

B. **Zoning Consistency**

As noted above, the zoning classification for the project site is PD. Pursuant to Section 18.25.040 of the Development Code, the equivalent zoning category is Single Family Residential (RS-6). A Minor Use Permit is required for large family day care homes within all RS zoning districts. In order for a Minor Use Permit to be approved, the findings contained within Section 18.435.060 of the Development Code must be made by the reviewing authority. Additionally, the specific findings related to large family day care homes included within Section 18.200.050 must also be made prior to approval. An analysis of the proposal

relative to the required large family day care home general requirements and findings is provided below.

General Requirements. The following standards apply to all large family day care homes, child day care centers, pre-schools, and nurseries. Discussion of whether these standards are met is in *italics* after each standard.

(1) **Parking and Loading.** The following parking requirements shall be provided as per Section 18.200.050 (Parking and Loading):

a. A minimum of one off-street parking space per employee;

Two off-street parking spaces are available in the driveway in order to accommodate the one non-resident employee working at the proposed facility.

b. For large family day care homes, employee parking shall be in addition to the off-street parking required for the residential use. Driveways may be used for employee parking, provided the driveway is no less than 18 feet in length, measured from the property line or back of sidewalk whichever is less; and

The driveway length is approximately 33 feet long and approximately 16 feet wide.

c. A safe area for pick-up and delivery of children shall be provided. This area shall only be allowed in a driveway, in an off-street parking area, or other on-site area with direct access to the facility

Pick-up and delivery area is available in the driveway. Site access would be provided via Las Ramblas Drive. A minimum of three off-street parking spaces would be required for the proposed use which would include two parking spaces (in garage) for the residential use as well as one parking space to accommodate a non-resident employee. In addition, one on-site loading space would be required to serve as a safe drop-off area for pick-up and delivery of children. The applicant's proposed parking plan is illustrated on the site plan included as Exhibit D. As shown, the required off-street employee parking and pick-up/delivery area spaces would be provided in the home's driveway consistent with the requirements described above.

These requirements are in addition to the requirements of Development Code Section 18.160 (Parking, Loading, and Access). As noted above, two off-street covered parking spaces are required for the existing residential use pursuant to Section 8.160.040 of the Development Code. These spaces are provided in the existing garage.

(2) **Noise.** The location of the facility, including outdoor play areas, shall be sited to minimize noise impacts on neighboring properties. Noise levels shall comply with the standards identified in the General Plan.

The outdoor play area is located in the rear and right side yard of the home and is screened by an approximately six-foot tall wooden fence and 8-foot tall retaining wall/fence, as noted in the applicant's site plan (Exhibit D) and photos (Exhibit I). A smaller outdoor play enclosure is provided for toddlers (Exhibit I). As a result of the neighborhood meeting and noise concerns cited by neighbors at that time, the applicant has taken measures to reduce noise levels at the facility including replacement of toy vehicles with loud wheels to quieter tricycles and reducing the number of children outside at one time. (Exhibit J). The applicant has noted that most activities will take place inside the home, but with outdoor play hours of 9-10:30 am, 11-11:30 am, and 3:30-5 pm. for a total of 3.5-4 hours during the 11 hour day. In addition, she has implemented new procedures of taking the children outside in groups of no more than four (4) children at a time. As a result, staff has memorialized these outside hours within the conditions of approval. Pursuant to General Plan Policy S-2.1.3, the anticipated noise increase from the proposed use, as conditioned, would be three dBA or less and is therefore considered insignificant and no mitigation is needed.

(3) Outdoor Play Areas. Outdoor play areas shall be:

- a. Enclosed by a natural barrier, wall, solid fence, or other solid structure at least six feet in height; and

Enclosed by a six-foot tall wooden fence and 8-foot tall retaining wall/fence.

- b. Adequately separated from driveways, streets, and parking.

Separated by a 6-foot tall fence with a gate.

(4) Building and Fire Codes. All facilities shall comply with all applicable City, county, and state requirements including the Uniform Building Code and Fire Codes.

As part of the State licensing review process, the facility received a fire safety clearance from the Contra Costa Fire Protection District on August 30, 2012. Additionally, the Building Division inspected the site on December 16, 2015.

Findings. The following findings shall be made for approval of a Minor Use Permit for a large family day care home, child day care center, pre-school, or nursery school, in addition to the findings required in Section 18.435 (Minor Use Permits and Use Permits):

(1) The facility meets all of the standards specified in this Section.

Discussion

Based upon staff's review of the application materials, it was concluded that the proposed project is consistent with the standards specified in this section because an adequate on-site parking and loading area is provided, noise levels do not exceed the standards outlined within the General Plan, and an outdoor play area consistent with applicable standards is available.

Further, the proposed project complies with the applicable Uniform Building Code and Fire Codes.

(2) The facility meets applicable state licensing requirements.

Discussion

The existing large family day care home has been licensed by the California Department of Social Services since March 20, 2009.

(3) Drop-off facilities avoid interference with traffic and promote the safety of children.

Discussion

As shown on the site plan (Exhibit D) a drop-off area is provided within the site's driveway consistent with the standards identified in Section 18.200.050 (D) of the Development Code. The Transportation Division reviewed the site plan and circulation plan and expressed no concerns regarding traffic volume issues.

(4) The facility meets applicable fire and building codes.

Discussion

As discussed above, as part of the state licensing review process, the facility received a fire safety clearance from the Contra Costa Fire Protection District on August 30, 2012. Additionally, the Building Division has reviewed the proposed project and recommended a condition of approval to ensure compliance with the Uniform Building Code.

Additional findings for large family day care homes are analyzed below.

(5a) The primary use of the home is as a residence.

Discussion

Based upon statements from the property owner, a staff inspection on December 16, 2015, and a review of the available public information, staff concluded the primary use of the home is as a residence.

(5b) One off-street parking space is provided for each non-resident employee.

Discussion

The driveway length is approximately 33 feet which exceeds the minimum requirement that it be 18-foot length to be eligible for use as off-street employee parking. The property also has a second available parking space in the driveway, in addition to the 2-car garage. Sufficient off-street parking is available at the project site.

(5c) The facility avoids noise impacts to neighboring properties by design and layout of the site.

Discussion

As noted above, the outdoor play area is located behind a fence in the rear and side yard of the home and is screened by an approximately six-foot tall wooden fence (and 8 foot tall retaining fence). As noted in the applicant's statement and schedule (Exhibit C), most of the activities will take place inside the house. Outdoor play hours consist of approximately 3.5-4 hours of the 11 hours the large family day care facility operates daily. In addition, staff has conditioned the project with the same hours of outdoor use.

(5d) The facility is not within 300 feet of any other such licensed facility.

Discussion

The facility is not located within 300 feet of any other licensed facility.

The Review Authority may approve a Minor Use Permit application only after first making the following findings:

(1) The proposed use is allowed within the applicable Zoning District and complies with all other applicable provisions of the Development Code and CMC.

Discussion

The proposed large family day care use is allowed within the PD zoning district with an approved Minor Use Permit and complies with all other applicable provisions of the Development Code, including those discussed above, and the Concord Municipal Code.

(2) The proposed use is consistent with the General Plan and any applicable Specific Plan.

Discussion

As noted above, General Plan Policy LU-1.1.3 states that the City shall ensure that the scale, operation, and other characteristics of community facilities, including parks, schools, childcare facilities, religious institutions, and other public and quasi-public facilities enhance the character and quality of neighborhoods. In addition, General Plan Policy LU-1.1.4 requires the mitigation of residential uses from impacts of more intensive land uses through good site planning and/or appropriate operational measures. As discussed in detail above, the proposed project provides the required off-street parking and loading area to mitigate potential traffic and circulation impacts which detract from the character and quality of the neighborhood. Therefore, the proposed use is consistent with the site's low-density residential General Plan

land use designation and other applicable policies regarding land use compatibility. There is no Specific Plan applicable to the project site.

- (3) The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity.**

Discussion

The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity because, as discussed above, adequate off-street parking and a drop-off area is provided to avoid potential traffic, circulation, and pedestrian safety impacts. Operational measures have been implemented by the applicant and are being imposed by the Conditions of Approval to minimize noise impacts to the surrounding neighborhood.

- (4) The site is physically suitable for the type, density, and intensity of the proposed use, including access, utilities, and the absence of physical constraints.**

Discussion

The site is physically suitable for the type, density, and intensity of the proposed use, including access, utilities, and the absence of physical constraints because, as discussed above, sufficient on-site area is available for an outdoor play area, parking, and drop-off area. Further, the driveway exceeds the 18-foot minimum length required by the Development Code and therefore can be utilized for parking and delivery purposes.

- (5) Granting the permit would not be detrimental to the public health, safety, or welfare of the persons residing or working in the subject neighborhood or materially detrimental or injurious to property or improvements in the vicinity and Zoning District where the property is located.**

Discussion

Granting the minor use permit for the proposed use will not be detrimental to the health, safety and general welfare of persons residing or working in the subject neighborhood or materially injurious to property or improvements in the vicinity and the Zoning District where the property is located because the project has been designed in a manner to maintain land use compatibility with the surrounding residential land uses. Moreover, the Community Care Licensing Division of the California Department of Social Services retains oversight of licensing matters and the Conditions of Approval address continuing compliance with Development Code standards. Lastly, State law considers the proposed large family day care home to be a residential use. As a residential use, the proposed use would be compatible with the surrounding single-family residential uses.

- (6) If the Review Authority determines that it is not possible to make all of the required findings for approval of the project as submitted or as modified with conditions, the**

application shall be denied. The specific basis for denial shall be established for the record.

Discussion

In approving a Minor Use Permit, the Review Authority (here, the Zoning Administrator) may impose conditions including those that are deemed reasonable and necessary to ensure that the approval will comply with the findings required by Development Section 18.435.060(A) (Findings), and as such imposes the Conditions of Approval.

C. Neighborhood Comments

Staff received four letters opposing the proposed project as of the writing of this report (Exhibits G). The letters in opposition to the proposed project raised traffic, parking and noise concerns. One of those neighbors requested a public hearing (Exhibit G). One neighbor at the neighborhood meeting, who has lived across the street from Maggie's Daycare since December 2012, spoke in favor of the facility, noting that her son also attends the day care and that such facilities are difficult to find and she later submitted a letter of support. In addition, six (6) other letters of support were submitted (Exhibit H) from patrons of the daycare.

VI. Fiscal Impact

The proposed project would have a negligible fiscal impact on the City.

VII. Public Contact

Notification was mailed to all owners and occupants of property within one-hundred (100) feet of the subject parcel, and has been published in the Contra Costa Times, as required by the Concord Municipal Code. The resident requesting a hearing was provided notice of the hearing ten days prior to the date by both mail and email. This item was also posted at the Civic Center and at the subject site at least 10 days prior to the public hearing.

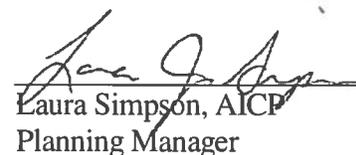
VIII. Summary and Recommendations

As discussed in detail above, staff believes the required findings for a Minor Use Permit as well as specific findings related to large family day care homes can be made because the proposed project complies with the relevant provisions of the Development Code. Further, the proposed project is consistent with the applicable General Plan policies regarding land use compatibility and noise levels, as conditioned. Therefore, staff recommends that the Zoning Administrator adopt Zoning Order No. 15-17ZA, approving Minor Use Permit PL15439 – MP, subject to the attached findings and Conditions of Approval.

Prepared by:


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Reviewed by:


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Exhibits:

- A - Zoning Order No. 15-17ZA with Conditions of Approval
- B - Minor Use Permit Application dated October 23, 2015
- C - Applicant's statement of business practices and schedule dated October 23, 2015
- D - Applicant's site plan dated October 23, 2015
- E - Childcare license for family day care home (14 children), (Facility Number 073406441, effective March 2009), issued by the Community Care Licensing Division
- F - Contra Costa Fire Protection Department fire clearance granted Aug. 30, 2012.
- G - Comment letters in opposition to the daycare home.
- H - Comment letters in support of the daycare home.
- I - Photos of Maggie's Daycare.
- J - Statement date-stamped December 7, 2015- regarding Applicant's modifications to minimize noise during operation of Maggie's Daycare

ZA ORDER NO. 15-17 ZA

OFFICE OF THE ZONING ADMINISTRATOR
CITY OF CONCORD
APPROVING MINOR USE PERMIT (PL15-439 MP)

Applicant: Margarita Solis

Owner: Margarita Solis

Project Name: Maggie's Daycare Home

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6 **WHEREAS**, on October 23, 2015, Margarita Solis submitted an application for a Minor Use
7 Permit for a Large Family Daycare home to accommodate up to 14 children at 1826 Las Ramblas
8 Drive, APN 118-140-004; and

9 **WHEREAS**, on December 8, 2015 the application was deemed complete for processing; and

10 **WHEREAS**, pursuant to the provisions of the California Environmental Quality Act (CEQA)
11 of 1970, as amended, the project is classified as Statutorily Exempt pursuant to Section 15274,
12 "Family Day Care Homes," and therefore no environmental review is required; and

13 **WHEREAS**, the Zoning Administrator after giving all public notices required by State law
14 and the Concord Municipal Code (referred to herein as the Development Code), held a duly noticed
15 public hearing on January 13, 2016 regarding the subject proposal; and

16 **WHEREAS**, the Zoning Administrator considered testimony and information received at the
17 public hearing and the oral and written reports from City staff dated January 13, 2016, as well as other
18 documents contained in the record of proceedings relating to the project, which are maintained at the
19 offices of the City of Concord Planning Division located at 1950 Parkside Drive, Concord, CA 94519;
20 and

21 **WHEREAS**, on January 13, 2016 the Zoning Administrator, after consideration of all
22 pertinent plans, documents and testimony, declared his intent to approve the project subject to the
23 Draft Conditions of Approval (Maggie's Daycare, PL15-439MP, 1826 Las Ramblas Drive, APN 118-
24 140-004) attached hereto as Attachment A and incorporated by reference (Conditions of Approval).

25 **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:** that the Zoning Administrator
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1 does hereby approve Minor Use Permit PL15-439MP subject to the Conditions of Approval and
2 further makes the following findings:

3 CEQA

4 1. Pursuant to the provisions of the California Environmental Quality Act (CEQA) of
5 1970, as amended, the project is classified as Statutorily Exempt pursuant to Section 15274, "Family
6 Day Care Homes," and therefore no environmental review is required.

7 Minor Use Permit

8 2. The facility meets all of the standards specified in the Development Code as outlined
9 below.

10 (1) **Parking and Loading.** The following parking requirements shall be provided in
11 addition to the parking requirements in Section 18.200.050 (Parking, Loading, and
12 Access):

13 a. A minimum of one off-street parking space per employee;
14 *Two off-street parking spaces are available in the driveway in order to*
15 *accommodate the one non-resident employee working at the facility.*

16
17 b. For large family day care homes, employee parking shall be in addition to the
18 off-street parking required for the residential use. Driveways may be used for
19 employee parking, provided the driveway is no less than 18 feet in length,
20 measured from the property line or back of sidewalk whichever is less; and
21 *The driveway length is approximately 33 feet long and 16 feet wide, providing*
22 *space for two vehicles.*

23
24 c. A safe area for pick-up and delivery of children shall be provided. This area
25 shall only be allowed in a driveway, in an off-street parking area, or other on-
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1 site area with direct access to the facility.

2 *Pick-up and delivery area is available in the driveway. Site access is provided*
3 *via Las Ramblas Drive. A minimum of three off-street parking spaces would be*
4 *required for the proposed use which includes two parking spaces (in garage)*
5 *for the residential use as well as one parking space to accommodate a non-*
6 *resident employee.*

7 *In addition, one on-site loading space would be required to serve as a safe*
8 *drop-off area for pick-up and delivery of children. The applicant's proposed*
9 *parking plan is illustrated on the site plan included as shown in Exhibit D of the*
10 *staff report. As shown, the required off-street employee parking and pick-*
11 *up/delivery area spaces would be provided in the home's driveway consistent*
12 *with the requirements described above. These requirements are in addition to*
13 *the requirements of Development Code Section 18.160 (Parking, Loading, and*
14 *Access). As noted in (1b) above, two-off street covered parking spaces are*
15 *required for the existing residential use pursuant to Section 18.160.040 of the*
16 *Development Code. These spaces are provided in the existing garage.*

- 17 (2) **Noise.** The location of the facility, including outdoor play areas, shall be sited to
18 minimize noise impacts on neighboring properties. Noise levels shall comply with the
19 standards identified in the General Plan.

20 *The outdoor play area is located in the rear and right side yard of the home*
21 *and is screened by an approximately six-foot tall wooden fence, as noted in the*
22 *applicant's site plan and an approximately 8-foot tall retaining wall/fence as*
23 *shown in photos in project file. A smaller outdoor plan enclosure is provided*
24 *for toddlers. However, as a result of the neighborhood meeting and noise*
25 *concerns cited by neighbors at that time, the applicant has taken measures to*
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1 *reduce noise levels at the facility including the replacement of toy vehicles with*
2 *loud wheels and reducing the number of children outside at one time, as noted*
3 *in staff report. The applicant has noted in her written schedule that most*
4 *activities will take place inside the home, but has specified outdoor play hours*
5 *of 9-10:30 a.m., 11-11:30 a.m., and 3:30-5 p.m., for a total of 3.5 to 4 hours,*
6 *during the 11 hour day of operations. In addition, she has implemented new*
7 *procedures of taking the children outside in groups of no more than four (4)*
8 *children at a time. As a result, staff has memorialized these hours of outside*
9 *play within the conditions of approval. Pursuant to General Plan Policy S-*
10 *2.1.3, the anticipated noise increase from the proposed use, as conditioned,*
11 *would be three dBA or less and is therefore considered insignificant and no*
12 *mitigation is needed.*

13 (3) **Outdoor Play Areas.** Outdoor play areas shall be:

- 14 a. Enclosed by a natural barrier, wall, solid fence, or other solid structure at least
15 six feet in height; and

16 *Enclosed by a six-foot tall wooden fence and 8-foot tall retaining wall/fence.*

- 17 b. Adequately separated from driveways, streets, and parking.

18 *Separated by a 6-foot tall fence with a gate.*

19 (4) **Building and Fire Codes.** All facilities shall comply with all applicable City, county,
20 and state requirements including the Uniform Building Code and Fire Codes.

21 *As part of the state licensing review process, the facility received a fire safety*
22 *clearance from the Contra Costa Fire Protection District on August 30, 2012.*

23 *Additionally, the Building Division inspected the property on December 17,*
24 *2015.*

25 3. The facility meets applicable state licensing requirements as the applicant holds a valid
26
27
28

1 childcare license (issued March 20, 2009) to operate a family day care home with a total capacity of
2 14 children (Facility Number 073406441) issued by the Community Care Licensing Division of the
3 California Department of Social Services.

4 4. Drop-off facilities avoid interference with traffic and promote the safety of children
5 because a drop-off area is provided within the site's driveway consistent with the standards identified
6 in Section 18.200.050 (D) of the Development Code.

7 5. The facility meets applicable fire and building codes because a fire safety clearance
8 was obtained from the Contra Costa Fire Protection District on August 30, 2012.

9 6. The primary use of the home is as a residence, as evidenced by the statements of the
10 property owners and applicants, supported by a site inspection by City staff and the information
11 available to the City at the time of application.

12 7. One off-street parking space is available for the non-resident employee. The driveway
13 length (33 feet) exceeds the minimum 18-foot length requirement prescribed within the Development
14 Code.

15 8. The facility avoids noise impacts to neighboring properties by design and site layout.
16 The outdoor play area is located in the rear and right side yard of the home and is screened by an
17 approximately six-foot tall wooden fence and 8-foot tall rear retaining wall/fence. As noted in the
18 applicant's written statement, most activities will take place within the home. Since the neighborhood
19 meeting, the applicant has taken additional noise-reducing measures including the replacement of
20 equipment, procedures limiting the number of children outside at one time, and specifying the outdoor
21 play area times, as memorialized in conditions of approval, to be limited to 3.5-4 hours of the 11 hours
22 the large family daycare facility operates daily.

23 9. The facility is not within 300-feet of any other such licensed facility.

24 10. The proposed large family day care use is allowed within the PD zoning district with
25 an approved Minor Use Permit and complies with all other applicable provisions of the Development
26
27
28

1 Code, including those discussed above, and the Concord Municipal Code.

2 11. General Plan Policy LU-1.1.3 states that the City shall ensure that the scale, operation,
3 and other characteristics of community facilities, including parks, schools, childcare facilities,
4 religious institutions, and other public and quasi-public facilities enhance the character and quality of
5 neighborhoods. In addition, General Plan Policy LU-1.1.4 requires the mitigation of residential uses
6 from impacts of more intensive land uses through good site planning and/or appropriate operational
7 measures. As discussed in detail above, the proposed project provides the required off-street parking
8 and loading area to mitigate potential traffic and circulation impacts which detract from the character
9 and quality of the neighborhood. Therefore, the proposed use is consistent with the site's low-density
10 residential General Plan land use designation and other applicable policies regarding land use
11 compatibility. There is no Specific Plan applicable to the project site.

12 12. The design, location, size, and operating characteristics of the proposed use are
13 compatible with the existing and future land uses in the vicinity because, as discussed above, adequate
14 off-street parking and a drop-off area is provided to avoid potential traffic, circulation, and pedestrian
15 safety impacts. Operational measures have been implemented by the applicant and are being imposed
16 by the Conditions of Approval to minimize noise impacts to the surrounding neighborhood.

17 13. The site is physically suitable for the type, density, and intensity of the proposed use,
18 including access, utilities, and the absence of physical constraints because, as discussed above,
19 sufficient on-site area is available for an outdoor play area, parking, and drop-off area. Further, the
20 driveway exceeds the 18-foot minimum length required by the Development Code and therefore can
21 be utilized for parking and delivery purposes.

22 14. Granting the minor use permit for the proposed use will not be detrimental to the
23 health, safety and general welfare of persons residing or working in the subject neighborhood or
24 materially injurious to property or improvements in the vicinity and the Zoning District where the
25 property is located because the project has been designed in a manner to maintain land use
26
27
28

1 compatibility with the surrounding residential land uses, the Community Care Licensing Division of
2 the California Department of Social Services retains oversight of licensing matters, and the Conditions
3 of Approval address continuing compliance with Development Code standards. Lastly, State law
4 considers the proposed large family day care home to be a residential use. As a residential use, the
5 proposed use would be compatible with the surrounding single-family residential uses.

6 15. In approving a Minor Use Permit, the Review Authority (here, the Zoning
7 Administrator) may impose conditions including those that are deemed reasonable and necessary to
8 ensure that the approval will comply with the findings required by Development Section
9 18.435.060(A) (Findings), and as such imposes the Conditions of Approval.

10
11 Based on the above findings, on January 13, 2016, the Zoning Administrator approved said
12 application subject to the Conditions of Approval, referenced as Attachment A.

13
14
15 Frank Abejo
16 Zoning Administrator

17 Attachment:
18 A – Draft Conditions of Approval

19
20 cc: Robert Ovadia, PE, City Engineer
21 Robert Woods, Building Division
22 Lisa Martinez, Contra Costa County Fire Protection District
23
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ATTACHMENT A
DRAFT
CONDITIONS OF APPROVAL
MAGGIE'S DAYCARE HOME
PL15-439 MP
1826 Las Ramblas Drive
APN 118-140-004

9

PERMIT DESCRIPTION

- 10
- 11
- 12
- 13
1. These Conditions apply to and constitute the approval of a Minor Use Permit (PL15-439 MP) for a large family day care home for up to 14 children.
 2. Exhibits date-stamped received by the City of Concord on October 23, 2015 are approved and shall be incorporated as Conditions of Approval.

14

GENERAL CONDITIONS

- 15
- 16
- 17
- 18
- 19
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- 22
3. The applicant shall obtain and maintain all the necessary City and State licenses and permits for the operation of a family day care home. Compliance with these conditions is required for all permits and final inspections associated with this Zoning Order. *(PLNG, BLDG, ENGR)*
 4. The Conditions are the responsibility of the applicant and all contractors. If timing for compliance is not specified, it shall be determined by the Divisions listed after the Condition. *(PLNG, BLDG, ENGR)*
 5. The project shall comply with all applicable Federal and State laws and Concord Municipal Code (CMC) requirements. *(PLNG, BLDG, ENGR)*
 6. Minor modifications that are found to be in substantial conformance with the approved plans may be approved administratively. Major modifications shall be approved by the applicable decision making body. *(PLNG, ENGR)*

23

PARKING

- 24
- 25
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7. During business hours, the employee of Maggie's Daycare Home shall park on the left side of the driveway shown on the site plan, date stamp received October 23, 2015, as far left as possible, to accommodate the right side of driveway as a loading area *(PLNG)*.

- 1 8. Pursuant to Development Code Section 18.200.050 (D), a safe area for pick-up and delivery of
2 children shall be provided in the driveway. Parents dropping off/picking up children shall
3 utilize the right side of the driveway space as a loading area which shall serve as the primary
4 arrival/drop-off area for the children. *(PLNG)*
- 5 9. Parking shall comply with all applicable provisions of Section 18.160, "Parking, Loading, and
6 Access" of the Development Code as well as those requirements identified in Development
7 Code Section 18.200.050 regarding large family day care homes, prior to occupancy approval.
8 *(ENGR, PLNG)*

9 **NOISE**

- 10 10. The location of outdoor play areas shall be sited to minimize noise impacts on neighboring
11 properties. Noise levels shall comply with the standards identified in the General Plan
12 throughout the operation of the facility under this Minor Use Permit. *(PLNG)*
- 13 11. The facility shall adhere to the following hours of operation to minimize any noise issues:
14 Monday through Friday 7:00 a.m. to 6:00 p.m. *(PLNG)*
- 15 12. **Outdoor play areas shall be limited as follows: 9-10:30 a.m., 11-11:30 a.m., and 3:30-5
16 p.m., as described on the applicant's statement submitted on December 7, 2015, to limit
17 outdoor noise. In addition, children shall be taken out in shifts not to exceed 4 children
18 at once, and children shall be monitored by an adult to minimize excessive noise while
19 outside. Adults shall also keep their voices to a minimum while supervising children.
20 Should the outdoor noise issue continue to be a problem, the Minor Use Permit may be
21 revised. See Condition No. 22, a revocation of the permit for the large family day care,
22 may be a possibility if noise levels are not controlled. *(PLNG)***

23 **AGREEMENTS, FEES, BONDS**

- 24 13. Pay a Document Imaging fee of \$24 to reimburse the City for implementation of the
25 Document Imaging/File Retention programs within 90 days of this approval. *(PLNG)*

26 **FIRE DISTRICT**

- 27 14. Applicant shall comply with Fire District requirements, as stipulated in their letter dated
28 December 2, 2015. *(CCCFPD)*

OTHER/MISCELLANEOUS

15. **The applicant shall prepare a revised written contract that outlines the expectations of
clients, their children, and employees with respect to the City's Child Day Care Facilities
Ordinance. The applicant shall be responsible for ensuring the clients' compliance. The**

1 contract shall be submitted to staff for review and approval by January 27, 2016 and
2 shall be distributed to all existing and new clients and employees and redistributed on an
3 annual basis. The contract shall inform clients and employees of the following but shall
4 not be limited to: 1) Obeying the speed limit; 2) Parking in the driveway shall be used as
5 a first priority when dropping off and picking up children; 3) To use caution when
backing out of the driveway; and 4) To always keep children within eyesight; 5) To keep
noise levels down during drop-off and pick-up and 6) to refrain from honking, except
during emergency situations. *(PLNG)*

6 16. The applicant shall schedule a re-inspection with the Building Division, prior to January 15,
7 2016 to inspect the premises for: 1) Self-closing pool gate; 2) Extension of pool fencing; and
3) installation of a door latch on door exiting garage to pool area. *(BLDG)*

8 17. The applicant shall defend, indemnify and hold harmless the City, its agents, officials, and
9 employees from any claim, action or proceeding brought by a third party to set aside, annul,
attack or otherwise void the permit. *(PLNG)*

10 18. The effective date of the permit and approval is January 13, 2016. *(PLNG)*

11 19. A request for a time extension to implement the **Large Family Day Care Facility** from the
12 expiration date of **January 13, 2017** can be considered if an application with required fee is
13 filed at least 10 days before the original expiration date, otherwise a new application is
14 required. A public hearing will be required for all extension applications, except those
15 involving only Design Review. Extensions are not automatically approved. Changes in
conditions, City policies, surrounding neighborhood, and other factors permitted to be
considered under the law, may require, or permit denial. *(PLNG)*

16 20. Applicant's failure to live in the home on the property shall be cause for revocation of the
17 Minor Use Permit. *(PLNG)*

18 21. Applicant shall maintain in good standing a license issued by the Community Care Licensing
19 Division of the California Department of Social Services for a large family day care home at
20 the property/project site. Failure to do so shall be cause for revocation of the Minor Use
Permit. *(PLNG)*

21 22. The City shall maintain the ability to modify this Minor Use Permit and set a new public
22 hearing date in order to impose additional conditions to correct problems that may arise such
23 as public nuisances and related Municipal Code violations, and excessive nuisance related
24 responses from Code Enforcement. Additional conditions, to correct problems, may include
but are not limited to modifications of hours of operation, limitations on the use and location
of outdoor play areas, safety requirements, and further noise control measures. *(PLNG)*

25 23. The applicant shall apply for a business license, immediately upon approval, and receive
26 approval prior to January 27, 2016. *(PLNG, BLDG, ENGR)*

CITY OF CONCORD
PLANNING DIVISION
 PHONE: (925) 671-3152
 FAX: (925) 671-3381



Community & Economic
 Development Department
 1950 Parkside Drive, M/S 53
 Concord, CA 94519-2578
 www.cityofconcord.org

APPLICATION FORM

Date Received by Planning
10/23/15

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Preliminary Application | <input type="checkbox"/> Development Code Amendment | <input type="checkbox"/> Major Subdivision/Vesting Tentative Map | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Administrative Permit | <input type="checkbox"/> Finding of Public Convenience | <input type="checkbox"/> Minor Exception | <input type="checkbox"/> Secondary Living Unit |
| <input type="checkbox"/> Animal Permit | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Sidewalk Café |
| <input type="checkbox"/> Building Move | <input type="checkbox"/> Heritage Tree Nomination | <input type="checkbox"/> Minor Use Permit | <input type="checkbox"/> Use Permit |
| <input type="checkbox"/> Certificate of Appropriateness | <input type="checkbox"/> Hillside Development Use Permit | <input type="checkbox"/> Planned Development Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Condominium Conversion Use Permit | <input type="checkbox"/> Landscape Project Application | <input type="checkbox"/> Protected Tree Removal | <input type="checkbox"/> Vacation/Abandonment of Property Rights |
| <input type="checkbox"/> Design & Site Development Review | | <input type="checkbox"/> Pumpkin & Christmas Tree Sales | <input type="checkbox"/> Vendor Permit |
| | | <input type="checkbox"/> Reasonable Accommodation | <input type="checkbox"/> Wireless Communication Facility |

PROJECT INFORMATION:

PROJECT NAME: Margarita Solis

PROJECT SITE ADDRESS/LOCATION: 1826 Las Ramblas Dr. Concord CA ASSESSOR'S PARCEL NUMBER: 118-140-004

PROJECT DESCRIPTION (Provide brief description and submit a more detailed description as an attachment.)
Need a permit for my large family daycare

NOTE: All applicants are encouraged to hold a neighborhood meeting with nearby property owners and tenants early in the development review process. Planning Division staff will work with applicants to schedule the neighborhood meeting.

APPLICANT'S CONTACT INFORMATION

PROPERTY OWNER'S CONTACT INFORMATION

NAME/COMPANY: <u>Margarita Solis</u>	NAME/COMPANY: <u>same</u>
ADDRESS: <u>1826 Las Ramblas Dr.</u>	ADDRESS: _____
CITY, STATE: <u>Concord</u> ZIP: <u>94521</u>	CITY, STATE: _____ ZIP: _____
BUSINESS PHONE: <u>672 4686</u> CELL: <u>457 3690</u>	BUSINESS PHONE: _____ CELL: _____
FAX: _____ EMAIL: <u>Maggisolis@sbxglobal.net</u>	FAX: _____ EMAIL: _____

Agent Authorization Note: If the Applicant is not the Property Owner, then the Property Owner must sign below to authorize the Applicant as his/her official representative.

I, _____, Owner, authorize _____ to act as the official representative on my behalf for this project and in all matters relating to this application. I have read and agree with all of the above (application must be signed by property owner).

M. Solis
 Property Owner's Signature

10-19-15
 Date

FOR PLANNING DIVISION USE ONLY:

FILE NAME: <u>HAGGIES DAYCARE</u>	13AC 6150	FEES	FIN. REV. CODE
FILE NUMBERS: <u>PL15006439</u>	APPLICATION RECEIVED BY: <u>J Ryan</u>		
ASSOCIATED FILES:	PLANNER: <u>J Ryan</u>		
	ENGINEER:		
	GP DESIGNATION: <u>LDR</u>		
	ZONING: <u>PD</u>		

MAGGIE'S DAYCARE CONTRACT

License # 073406441

This daycare is a State licensed daycare home. I meet all safety, health and nutritional standards. Taking care of children is my choice of profession. I enjoy caring for kids and watching them grow and become part of my family.

Days and Hours: Monday thru Friday, open at 7:00 am and close at 6:00pm. If something occurs, please contact me if you are not going to be here or if your child will be late. Please remember my day starts very early with the children. I will need to charge you an overtime fee of \$5.00 per 10 minutes after 6:00pm.

I provide breakfast, lunch and snacks at no extra charge to you. Breakfast is at 8:30 - 9:00, morning snack is from 10:00-10:15, lunch is at 11:00 and afternoon snack is from 4:00-4:15. If your child will not be here during those times please make sure they have had their meals. Please no gum or hard candy. They will be taken away.

Safety: My first concern is for the safety and well being of the children. I have locked cabinets, safety locks, safety covers, safety gates, smoke detectors/fire extinguishers and hold two fire/emergency drills a year with the children. The yard does have a pool that is fenced and locked at all times. Play yard is also gated and locked. Please do not have your child (ren) run outside (even to your car) without you. For their safety and the safety of the other children gum and hard candy is NOT allowed in my daycare.

Illness: The State Law states that you provide documentation of your child's immunization within 14 days of attendance. I am not to take sick or contagious children. Please keep them home if they have a fever or throwing up. If your child (ren) becomes sick during the day, you will be expected to pick them up.

Medication: No medication will be administered without consent. Medicine must be properly labeled with the child's name on it and the dosage and time s to be administered.

Supplies: I will provide all the daily supplies for your child's play and learning which include: activity coloring books, games, reading books, toys and outdoor play equipment. If your child brings a toy with him/her I am not responsible if it gets lost or broken. I do provide diapers and baby wipes.

Vacation and Time-Out: When parents take a vacation I ask that you give me 2 weeks notice prior to your vacation. I will require half rate to maintain your spot in daycare. I do take 2 week paid vacation a year. Payment for those weeks is due the week before.

I am closed all major holidays: NEW YEARS DAY, MARTIN LUTHER KING DAY, PRESIDENTS DAY, MEMORIAL DAY, INDEPENDENCE DAY (4TH OF JULY), LABOR DAY, COLUMBUS DAY, VETERANS DAY, THANKSGIVING WEEKEND (THUR & FRI), LAST TWO WEEKS OF DECEMBER. Vacations and holidays are included in my rates.

RECEIVED

OCT 23 2015

DIARRIAC



DAILY SCHEDULE

7:00 – 8:00 AM ~ ARRIVAL

8:00 - 8:30 AM ~ FREE PLAY CONTINUING ARRIVAL

8:30 – 9:00 AM ~ BREAKFAST

9:00 – 9:30 AM ~ GEARING UP TO OUTSIDE

9:30 – 9:50 AM~ CRAFT ACTIVITIE (painting, coloring, seasonal craft, doodling)

9:50 – 10:00 ~ MORNING SNACK

10:30 AM ~ FREE PLAY OUTSIDE (bikes, balls, slides, cars)

11:00 – 11:30 PM ~ LUNCH TIME

11:30 – 12:00 ~ FREE PLAY OUTSIDE

12:00- 12:30 PM ~ CLEAN UP AND NAP PREPARATIONS (hand washing , potty and diaper changes)

12:30 – 3:00 PM ~ NAP TIME

3:00 – 3:30 PM ~ QUITE TIME AS CHILDREN BEGIN TO WAKE UP

3:30 – 3:45 PM ~ AFTERNOON SNACK

3:45 – 4:00 PM ~ GEARING UP TO GO OUTSIDE (shoes, coats, potty time)

4:00 – 4:30 PM ~ FREE PLAY OUTSIDE (bikes, balls, slides, cars)

4:30 PM – 6:00 PM ~ FINISHING UP ANY EARLIER CRAFTS & PICK –UP'S

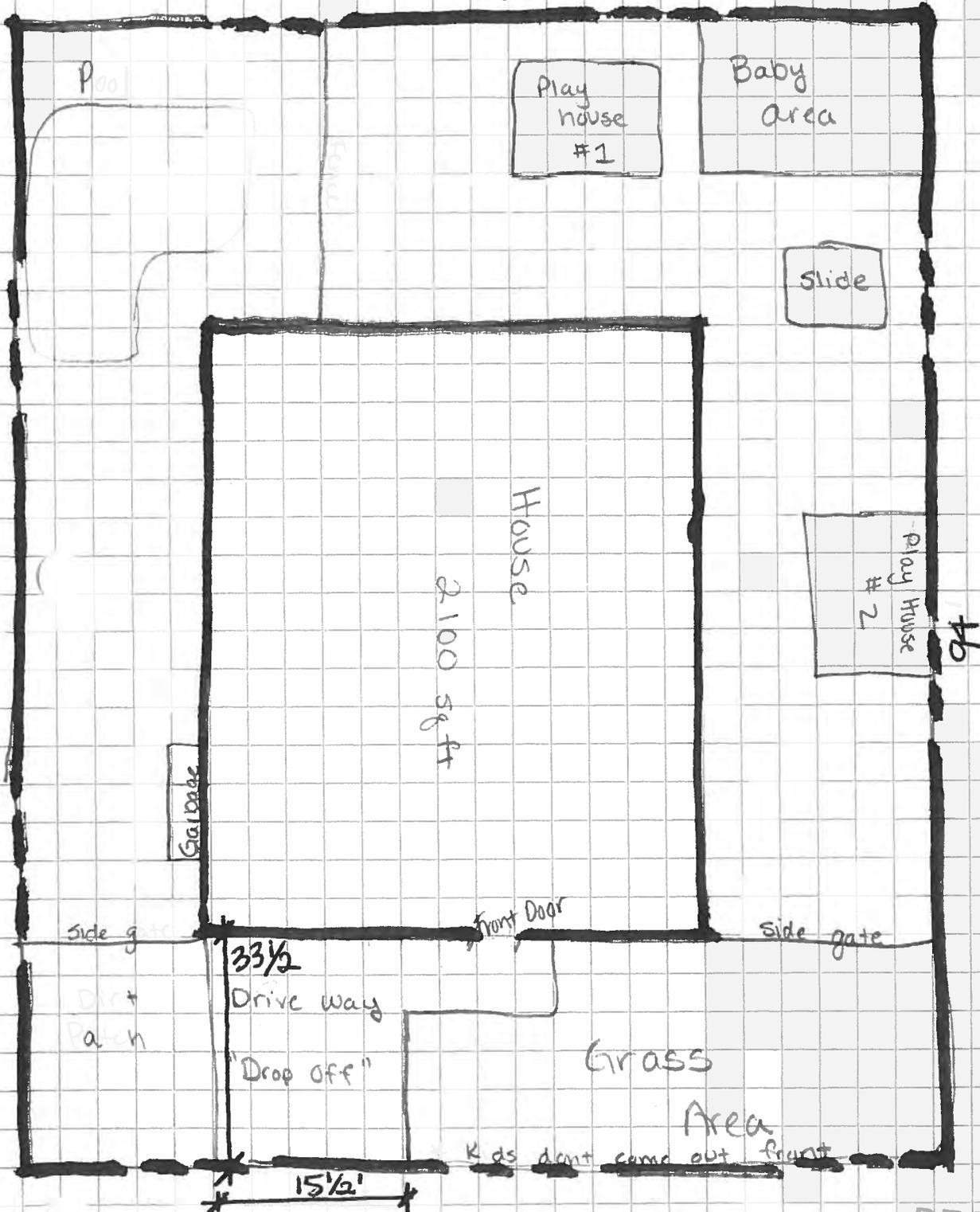
RECEIVED
OCT 23 2015
PLANNING

Outside Daycare Plan

EXHIBIT D

1826 as Ramblas Dr. Concord 94521

72'



AS RAMBLAS

RECEIVED
OCT 23 2011
PLANNING



State of California

Department of Social Services

Facility Number: 073406441

Effective Date: 03/20/2009

Total Capacity: 14

In accordance with applicable provisions of the Health and Safety Code of California, and its rules and regulations; the Department of Social Services hereby issues

this License to

SOLIS, MARGARITA

to operate and maintain a
FAMILY DAY CARE HOME

Name of Facility

SOLIS, MARGARITA
1826 LAS RAMBLAS DR
CONCORD, CA 94521

This License is not transferable and is granted solely upon the following:

MAX. CAP (WHEN THERE IS AN ASSISTANT PRESENT): 12 - NO MORE THAN 4 INFANTS.
CAP 14 - NO MORE THAN 3 INFANTS. 1 CHILD IN KINDERGARTEN OR ELEMENTARY
SCHOOL AND 1 CHILD AT LEAST AGE 6.

Client Groups Served:

CHILDREN / INFANT

Complaints regarding services provided in this facility should be directed to:

CCLD Regional Office

(510) 622-2602

Jeffrey Hiratsuka
Deputy Director,
Community Care Licensing Division


Authorized Representative of Licensing Agency

POST IN A PROMINENT PLACE

FIRE SAFETY INSPECTION REQUEST

See instructions on reverse.

STD. 850 (REV. 10-04)

AGENCY CONTACT'S NAME CDSS/CCL/BARO OAKLAND CHILD CARE	TELEPHONE NUMBER (510) 622-2602	REQUEST DATE 06/26/12	PROGRAM FDC
EVALUATOR'S NAME FERNANDO COLMENARES	REQUESTING AGENCY FACILITY NUMBER 073406441	REQUEST CODE A/3	
LICENSING AGENCY NAME AND ADDRESS DEPARTMENT OF SOCIAL SERVICE COMMUNITY CARE LICENSING 1515 CLAY STREET, SUITE 1102 OAKLAND, CA 94612			CODES 1. ORIGINAL A. FIRE CLEARANCE 2. RENEWAL B. LIFE SAFETY 3. CAPACITY CHANGE 4. OWNERSHIP CHANGE 5. ADDRESS CHANGE 6. NAME CHANGE 7. OTHER

AMBULATORY		NONAMBULATORY		BEDRIDDEN		TOTAL CAPACITY
CAPACITY	PREVIOUS CAPACITY	CAPACITY	PREVIOUS CAPACITY	CAPACITY	PREVIOUS CAPACITY	
14	8					14

FACILITY NAME MARGARITA SOLIS	LICENSE CATEGORY FDC
STREET ADDRESS (Actual Location) 1826 LAS RAMBLAS DRIVE	NUMBER OF BUILDINGS 1
CITY CONCORD, CA 94521	RESTRAINT 0
FACILITY CONTACT PERSON'S NAME MARGARITA SOLIS PH: 925-672-4686	HOURS -24

SPECIAL CONDITIONS
"RESPONSE REQUIRED"

TO BE COMPLETED BY INSPECTING AUTHORITY

FIRE AUTHORITY NAME AND ADDRESS CONTRA COSTA COUNTY FIRE PROTECTION DEPARTMENT 2010 GEARY ROAD PLEASANT HILL, CA 94523 FAX: (925) 941-3309	CLEARANCE/DENIAL CODE 1		
	CODES 1. FIRE CLEARANCE GRANTED 2. FIRE CLEARANCE DENIED A. EXITS B. CONSTRUCTION C. FIRE ALARM D. SPRINKLERS E. HOUSEKEEPING F. SPECIAL HAZARD G. OTHER		
INSPECTOR'S NAME (Typed or Printed) LISA MARTINEZ	TELEPHONE NUMBER (925) 941-3529	CFIRS NUMBER 07090	OCCUPANCY CLASS R-3
INSPECTION DATE 8/30/12	INSPECTOR'S SIGNATURE (Typed or Printed) <i>Lisa M. Martinez</i>		

EXPLAIN DENIAL OR LIST SPECIAL CONDITIONS

City of Concord
Planning Department
1950 Parkside Drive
Concord, CA

December 1, 2015

SUBJECT: MAGGIE'S DAY CARE MINOR USE PERMIT APPLICATION (PL 150439-MP)

Ms. Joan Ryan, Senior Planner:

My wife and I purchased a new house in 1973, located at 5440 Agostino Court. The Planned Development (Zoned PD, now RS: Residential Single Family) known as "Kirkwood". The only Day Care access is one main drive, Las Ramblas Drive, with no through outlets. The courts have cul-de-sacs branching off with usually 4 single family homes on each one and by design the backyards are small and homes are close together. Attached is map showing the general layout of our area, Las Ramblas Drive.

As shown on the map Maggie's Day Care, located at 1826 Las Ramblas Drive, is in a single family home; with its backyard adjoined by 4 other single family homes. The satellite maps clearly show how close the 4 neighbors' backyards and houses are to the outdoor play area of Maggie's. The close up view shows how little outdoor play area there is, since a major portion is fenced off because of the pool.

With the limited outdoor activity space the current number of children already make considerable and unwelcome noise. It seems to get worse each year as the children get older. The children are outside in their backyard for extended periods of time between 8:30 am to 5:30 pm. Since most of the adjoining neighbors are retired we like being outside having lunch, relaxing, and general leisure time. This quiet time ended about 4 years ago when without any notice or heads up there was a "Day Care" operating. Had we all have known that a child care was being proposed in a residential single family home development, we would certainly have been negative on the concept. At least it was small with only about 6 children. I would like to know how many children are currently attending.

As all of the adjoining neighbors have stated that we should not have any commercial day care in this area. However, it is here. We already have an ongoing noise nuisance problem with the loud adult and children voices; therefore, adding additional children is totally unacceptable. **The City should not approve a Minor Use Permit to expand Maggie's Day Care.**

I am stating some of my concerns, so that the City of Concord (City) and/or the California Department of Social Services (CDSS) will verify and re-approve that the current "Small Family Child Care Homes" requirements are all being met. Attached is a copy of a blank CDSS License Application and Instructions that had to be filled out and kept current by Maggie's Day Care for reference.

- 1) Must have a Family Child Care Home license (LIC 279)
- 2) Must pass a home inspection
- 3) Must have a Fire Marshall inspection
- 4) City requires a "business license" for a day care of 9 plus. How can a "business license" be issued to a residential single family home located in a zoning of PD (RS)?
- 5) California does have specific regulation for Child Care Centers, if nothing else some of these should be used as guidelines for any day care facility, such as: Reg. 101238.2 "Outdoor Activity Space" requiring at least 75 square feet per child.

We do not have any personal problems with the owners. They are good people.

However, we would prefer that the current day care be eliminated, and cannot support any increases. If Maggie's Day Care wants a bigger business, it needs a bigger non-residential property.

If this application will be approved, then I am requesting a formal Public Hearing prior to proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken F. Laverty". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ken F. Laverty
5440 Agostino Court
Concord, CA 94521

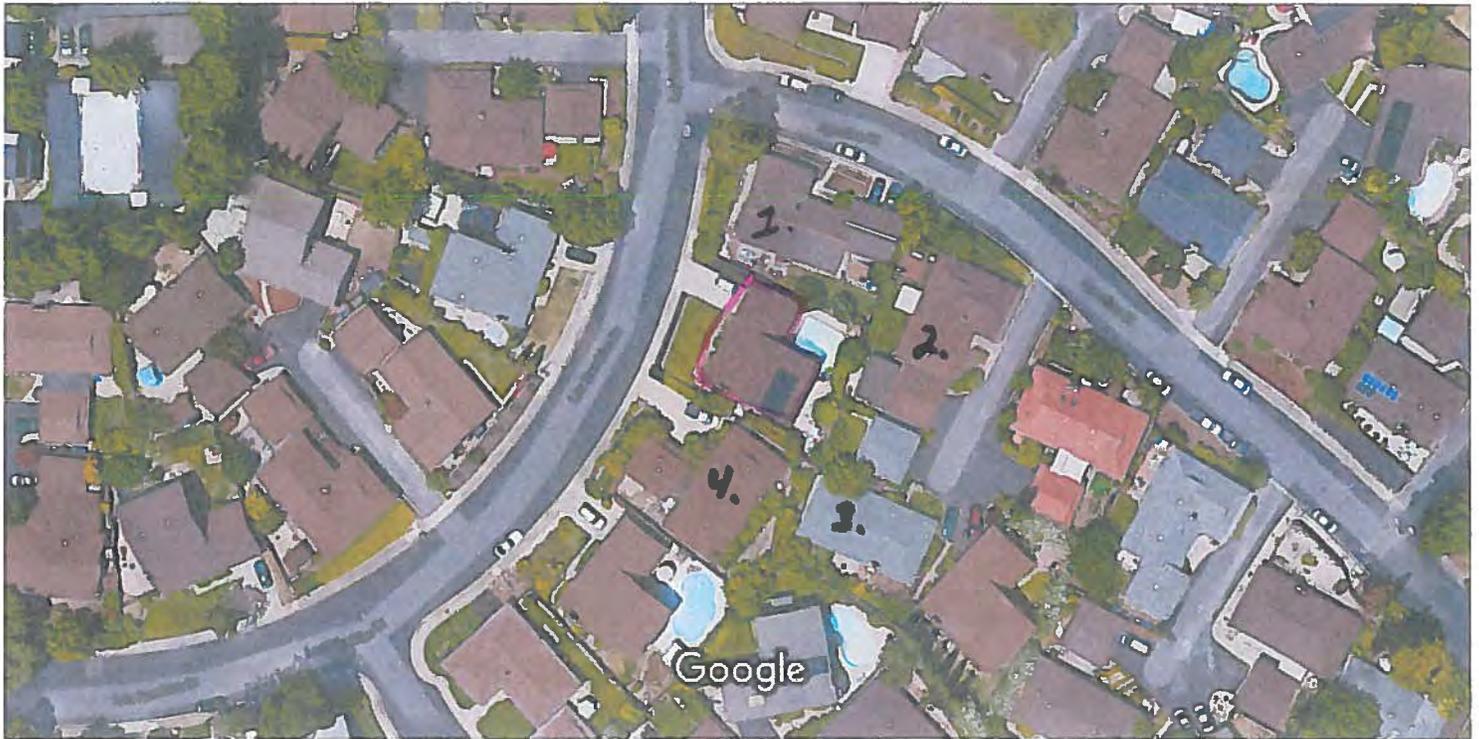
Attachments:

Google Maps



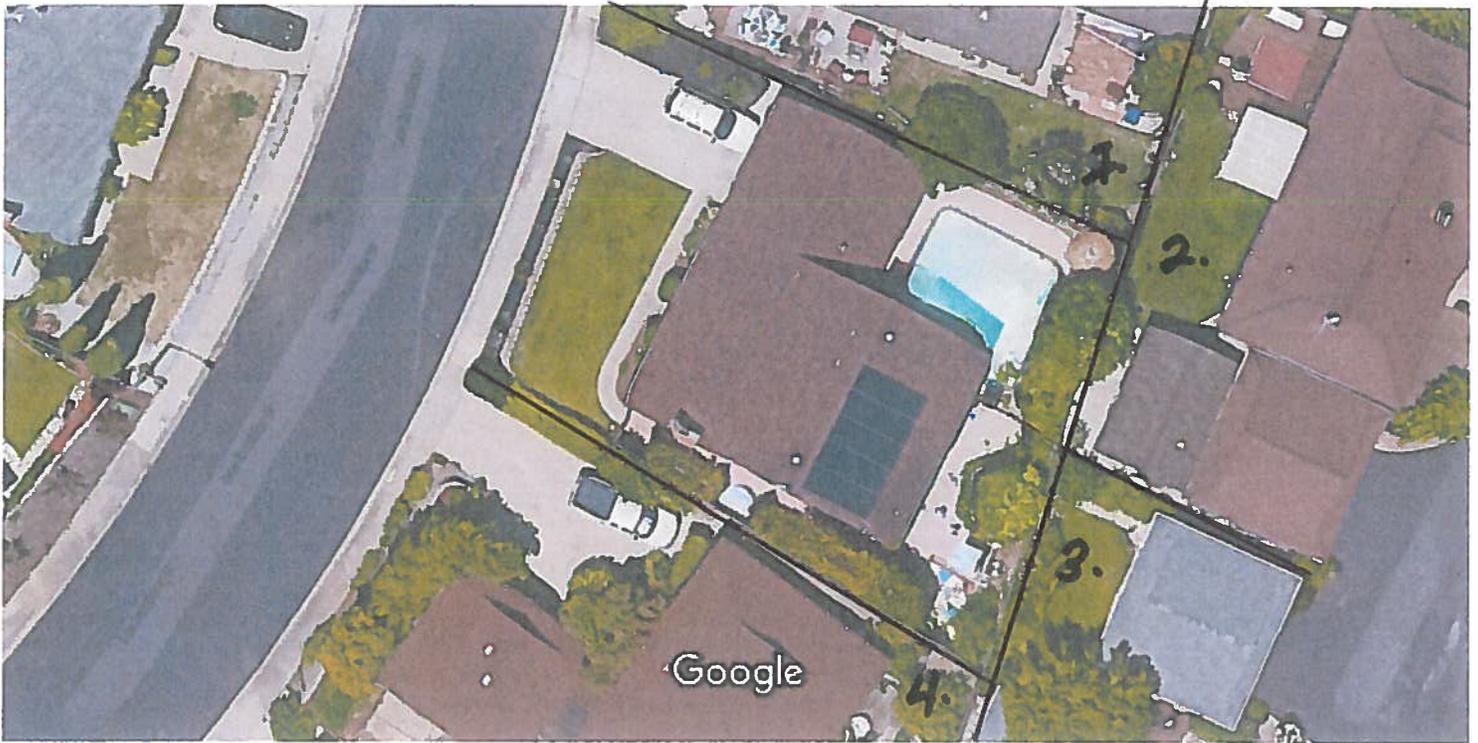
Map data ©2015 Google 50 ft

1. 5438 AGOSTINO COURT
2. 5440 AGOSTINO COURT
3. 5442 AGOSTINO COURT
4. 1824 LAS RAMBLAS DRIVE



Imagery ©2015 Google, Map data ©2015 Google 20 ft

- 1. 5438 AGOSTINO COURT
- 2. 5440 AGOSTINO COURT
- 3. 5442 AGOSTINO COURT
- 4. 1824 LAS RAMBLAS DRIVE



Imagery ©2015 Google, Map data ©2015 Google 10 ft

- 1. 5438 AGOSTINO COURT

- 2. 5440 AGOSTINO COURT

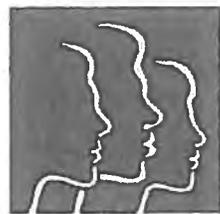
- 3. 5442 AGOSTINO COURT

- 4. 1824 LAS RAMBLAS DRIVE

LICENSE APPLICATION AND INSTRUCTIONS FOR FAMILY CHILD CARE HOMES

This contains instructions needed to file an application for a Family Child Care Home license, and to gain access to and print forms.

Family Child Care is non-medical care and supervision for children, in the provider's own home, for periods less than 24 hours. A license may be issued for a Small Family Child Care Home or a Large Family Child Care Home. A Small Family Child Care Home provides care for up to 6 children or for up to 8 children if certain requirements are met. A Large Family Child Care Home provides care for up to 12 children, or for up to 14 children if certain requirements are met.



CDSS

CALIFORNIA
DEPARTMENT OF
SOCIAL SERVICES

www.cdss.ca.gov

Application Forms For A Family Child Care Home License

These forms are required to be completed by an applicant for a Family Child Care Home license:

CLICK BELOW TO
ACCESS EACH FORM

[Application for a Family Child Care Home License \(LIC 279\)](#)

[Current Children In Your Home \(LIC 279B\)](#)

[Criminal Record Statement \(LIC 508\)](#)

[Emergency Care and Disaster Plan \(LIC 610A\)](#)

[Statement Acknowledging Requirement to Report Suspected Child Abuse \(LIC 9108\)](#)

[Facility Sketch -- Floor Plan and Yard \(LIC 999A\)](#)

[Pre-Licensing Readiness Guide -- Family Child Care Home \(LIC 9217\)](#)

NOTE: In addition to these forms, you will be required to submit supplementary information. Please refer to the information and instructions on the following pages and the Application Checklist at the end of this application booklet for a detailed explanation of what is required to be submitted with your application.

APPLICATION FOR A FAMILY CHILD CARE HOME LICENSE

Type or print clearly.

AGENCY USE ONLY

NUMBER:

TYPE:

ASSIGN:

1. TYPE OF APPLICATION
 New Application
 Capacity Change
 Location Change
 Update

2. APPLICANT(S) First	Middle	Last Name	Over 18 Years Old?
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

3a. YOUR HOME ADDRESS:	CITY	COUNTY	STATE	ZIP	PHONE:
------------------------	------	--------	-------	-----	--------

3b. IF YOU HAVE NOT LIVED IN THIS COUNTY FOR THE PAST TWO YEARS, LIST THE COUNTIES IN WHICH YOU HAVE RESIDED:

4. MAILING ADDRESS (if different):	CITY	STATE	ZIP	EMAIL ADDRESS (NOT REQUIRED)
------------------------------------	------	-------	-----	------------------------------

5. DIRECTION(S) TO HOME:

6. ARE YOU CURRENTLY, OR HAVE YOU EVER BEEN, LICENSED OR CERTIFIED FOR ANY TYPE OF FACILITY TO CARE FOR CHILDREN OR ADULTS?

DATE LICENSED/CERTIFIED:

 Yes
 No
 Pending

PHONE:

ADDRESS:	CITY	STATE	ZIP
----------	------	-------	-----

TYPE OF LICENSE:	LICENSE #:	LICENSING AGENCY:
------------------	------------	-------------------

7. OTHER ADULTS IN THE HOME (Not applicant(s)) Do not list the names of persons under 18 years of age

First Name	Middle	Last Name	Relationship to You

8. CURRENT CHILDREN IN YOUR HOME (LIC 279B) Click to access

9. TYPE OF LICENSE	AGES TO BE SERVED	DAYS & HOURS OPEN:
--------------------	-------------------	--------------------

 Small Home (up to 8)
 Large Home (up to 14)
10. APPLICANT/LICENSEE RESPONSIBILITY - I/We certify that:

- I/We live in the home to be licensed.
- I/We have money to maintain the level of service required by law in a Family Child Care Home.
- I/We have both a State Fire Marshal approved fire extinguisher (rated 2A, 10B: C) and a smoke detector in operating condition.
- I/We shall stay current and in compliance with the laws and regulations governing standards for Family Child Care Homes.
- I/We shall obtain approval from the licensing agency before making changes in our license capacity, or to our home.
- I/We shall notify the licensing agency when we want to discontinue our license.
- I/We have informed the property owner, if leased or rented, that we will be operating a Family Child Care Home on the premises. The owner/landlord has been sent the Property Owner/Landlord Notification (LIC 9151).
- I/We have written consent from the property owner, if leased or rented, when I plan to expand my Small Family Child Care Home capacity from 6 to 8 children, or to expand my Large Family Child Care Home capacity from 12 to 14 children. Property Owner/Landlord Consent Form (LIC 9149).
- I/We understand the requirements to report known or suspected child abuse (LIC 9108).

11. PERJURY STATEMENT - I/We declare under penalty of perjury that the statements on this application and accompanying attachments are correct to the best of my/our knowledge.

Applicant(s) Signatures

City and County where Signed

Date

Did you remember to: Sign and date all documents in ink and enclose the application/licensing fee?

PRE-LICENSING READINESS GUIDE - FAMILY CHILD CARE HOME

Before you receive a Family Child Care Home license, the licensing agency will visit your home to make sure that your home meets licensing requirements. Below is a checklist of requirements to help you get ready for our visit. As each requirement is completed, please put a check mark next to it. **When your home has met all of the requirements:**

- **SIGN AND DATE THE FORM AT THE BOTTOM.**
- **MAIL THIS FORM BACK TO THE LICENSING AGENCY (When the licensing agency receives this form, it will mean that your home meets all of the requirements and you are ready for your visit.)**
- **A LICENSING PROGRAM ANALYST WILL CALL YOU TO SET UP A DATE FOR OUR VISIT TO YOUR HOME.**

THE FOLLOWING ITEMS ARE REQUIRED BY REGULATION

- | |
|--|
| <input type="checkbox"/> All adults living in the home and assistant and/or substitute care providers have submitted fingerprints and child abuse index check forms to Department of Justice and received a California clearance or exemption. |
| <input type="checkbox"/> Home is neat and clean. |
| <input type="checkbox"/> All fireplaces, woodstoves, and/or heaters are screened to prevent access by children. |
| <input type="checkbox"/> Home has a fully charged fire extinguisher which is at least a 2A:10BC. |
| <input type="checkbox"/> Home has a working smoke alarm. |
| <input type="checkbox"/> Home has a working telephone. |
| <input type="checkbox"/> All poisons are locked. |
| <input type="checkbox"/> Hazardous materials are kept out of the reach of children (inaccessible): |
| <input type="checkbox"/> Kitchen: all sharp utensils and cutlery, cleaning supplies, medicines, drawers and cabinets with liquor, plastic bags, and sharp things or small things children can swallow, etc. |
| <input type="checkbox"/> Bathroom: shampoo, mouthwash, toothpaste, medicines, perfumes/lotions/cosmetics, solvents, etc. |
| <input type="checkbox"/> Garage and Outdoors: solvents, gasoline, oil, turpentine, paint, sharp tools, lawn mower, gardening tools, poisonous plants, abandoned machinery, old refrigerators/freezers, old vehicles, etc. |
| <input type="checkbox"/> All firearms and any other weapons are not loaded and are locked up. Ammunition is stored and locked away separately from firearms. |
| <input type="checkbox"/> Outdoor play area is free from defects or dangerous conditions. Play equipment is securely anchored according to manufacturer directions. |

Outdoor play area is fenced.
-or-

Outdoor play area is not fenced and the plan for supervision is:

If caring for children under 5 years old, home has a gate(s) blocking the stairs.

Home does not have a swimming pool, spa, hot tub, fishpond, or any other bodies of water.
-or-

Home does have a _____, covered or fenced.
(Write in type of body of water)

The fence is at least 5 feet feet high with a self-latching gate that opens away from the pool or body of water. If using a cover, it must support the weight of an adult and shall be locked when pool is not in use.

Toys and playthings are safe, clean, and appropriate for the age of the children.

Babywalkers, bouncers, jumpers, and similar items will not be used for children in care and are kept inaccessible.

A copy of the deed or property tax statement, or if renting or leasing, a copy of the lease or rental agreement is available at the home.

THERE ARE MANY OTHER THINGS YOU CAN DO TO MAKE YOUR HOME SAFE THAT MAY NOT BE IN REGULATIONS. IF YOU HAVE ANY QUESTIONS, CALL YOUR LICENSING PROGRAM ANALYST.

ADDITIONAL NOTES:

My home meets all of the above requirements and I am ready for a pre-licensing inspection.

SIGNATURE	DATE
PRINT YOUR FULL NAME	

Keep a copy of this form and use the area below to note the date and time we will visit your home and the name and telephone number of your Licensing Program Analyst.

DATE FOR MY HOME VISIT:	TIME OF HOME VISIT:
NAME OF MY LICENSING PROGRAM ANALYST:	TELEPHONE #

MARJORIE K. CORDOVA
5438 Agostino Court
Concord, CA 94521
(925) 672- 8238

November 29, 2015

To Whom It May Concern:

Re: Maggie's Day Care (PL150439-MP)

I am unable to attend the Neighborhood Meeting on December 1, 2015 due to a prior commitment. However, I would like to go on record as opposed to the expansion of Maggie's Day Care to serve more children for the following reasons:

1. I live next door to 1826 Las Ramblas Drive and my bedroom is in line with their driveway. Early in the morning I can hear cars arriving and departing and at times honking of car horns. I am retired and do not need to get up at the crack of dawn any longer and this has disrupted my sleep.
2. During nice weather, children are in the back yard and very noisy. Our yards are small by design and the closeness exaggerates the noise level. Adding more children will increase the noise level significantly. This neighborhood was not designed for a day care business, but for single family dwellings with small back yards. One of the reasons I bought my house was because it was a quiet neighborhood with a small back yard that I could manage and enjoy in my retirement.
3. Part of our shared fence needed replacement and my neighbors approached me about fixing it. We both got estimates and theirs was for just the specified section of fencing and was substantially lower than the estimate I received. My estimate was much higher because the fence needs to be replaced from the initial small section to the end of the fence because it is leaning into their property. I have not heard anything from them about repairing the fence. This is a safety issue for the children and me since we have a dog that could get out. She is a good dog, but one never knows what could happen under these circumstances.
4. Lastly, having a day care next door will substantially affect the property value of my house should I choose to sell. As I am sure it would the other neighbors houses around the day care.

Thank you for your consideration to deny the expansion of Maggie's Day Care.

Sincerely,



Marjorie K. Cordova

To Whom it May Concern,

Our home was in a quiet, residential neighborhood until the house next to our patio became a very noisy all day day care. All day, we hear screaming and crying children with loud voices of adults trying to discipline them. We no longer enjoy sitting on our patio. We don't believe businesses should be allowed in a residential area. Adding more kids would make matters worse and more uncomfortable for the neighbors.

Sincerely,
Azra Rahimi-Saved
5442 Agostino Court
Concord, CA 94521

Foster, Michael E. (GE Contractor)

From: Michael Foster <mike182421@yahoo.com>
Sent: Saturday, November 21, 2015 1:21 PM
To: Foster, Michael E. (GE Contractor)
Subject: Fw: Emailing: mike182421 - Yahoo Mail.htm
Attachments: MAGGIES DAY CARE.docx

THE number of kids in this business is, loud enough that both me and my wife half to ware hearing protection, and that doubling the number of kids in this business, would be doubling the noise that we have now. Because Maggie, knows that we do not like the noise she intentionally eggs the kids on to make the maximum noise possible. This is not fare to us and other neighbors in the neighborhood.

- *HAD WE KNOWN, THAT THE COUNTY WAS GOING TO LICENSE.*
We would not have bought our house next to a high volume daycare facility.
- This is a small house and is not an appropriate location for this type of business; especially because she has a swimming pool in the same space the kids are playing, *this would be an accident waiting to happen.*
A DAY CARE BUSINESS,
- It is not fare that we pay a lot of money in property taxes, and *HAVE* ~~has~~ to live with the noise that this business makes.
- This business has created a public nuisance in our neighborhood.
- If we have to sell our house for less than market value is the county going the pay us for our financial 'losses'?
- Please let us know what your decision is on this matter, and why Maggie has the right to make life impossible for others in the neighborhood.
- *WHY WERE WE NOT INFORMED WHEN YOU LICENSED THIS DAY CARE BUSINESS WITH YELLOW @ NOTICES LIKE THIS ONE*

Ryan, Joan

Subject: FW: Maggie's Day Care

Joan,

We moved in to our home at 1827 Las Ramblas Drive in Concord in December of 2012. At that time our twin girls were three months old and our son was almost two. As a stay at home mom, I spent (as I do until this day) most of my time at home.

As I started to look into pre-schools or daycare for my son, my husband's coworker gave us a referral for a daycare provider that she used and it turned out it was in our neighborhood, just a few houses down the street. I couldn't believe that my neighbor across the way ran a daycare and I did not even know! I made an appointment to meet with her, tour her home and observe her amongst the kids. As a first time mother who practiced attachment parenting, the idea of dropping my son off to someone I did not know was difficult for me. When I went over to Maggie's I instantly felt at home. Her set up, her warmth, her organization and structure made me feel very comfortable with HER. And who could ever beat that commute? It was a miracle for me.

I would like to give a bit of context to the noise level that comes from Maggie's home during the day: my husband works the graveyard shift. He comes home around 4:00-5:00am and sleeps in until late morning or early afternoon. As a neighbor who spends most of her time at home, whose husband sleeps during the morning/day, we had no idea her business was there.

As a parent whose son attends Maggie's daycare, I now keep an ear out because my child is there! I notice there are children playing and learning and being loved over there. I have been fortunate enough to get my twins in there one day a week. I have all three of my children on her structure/schedule to make it easy for them. Maggie is not just someone who takes care of my children she is someone I get advice from. She has helped me learn so much as a parent. I have referred my friends and relatives there. Most of us parents have multiple children who attend before they go to grade school. If the daycare has to down size, not only would we as parents have the struggle to entrust our children in someone else's care but it would be traumatic for our children. I know my son would be devastated. He doesn't like me to leave him with his grandparents but goes running into Maggie's home with excitement.

Ultimately, what it comes down to, is that Maggie is providing a service that not just beneficial for our individual homes but our community. She instills values, discipline and provides a sense of community for our kids – kids that will eventually become members of the larger community. I am grateful that she has offered a home away from home for my children. When I speak on behalf of my family, I know I also speak for the others that have been touched by Maggie's cares, the big picture of what she is doing for the kids is invaluable. She is helping them learn and become good people. Should I be in this situation, years from now when my children are grown, I would be happy to have someone providing love and goodness to the youth of our future. The noise would be an afterthought.

A lot of little lives would be affected in a really big way.

A concerned parent AND neighbor,

Margulary Jamili

SAN LEANDRO HIGH SCHOOL

2200 Bancroft Avenue - San Leandro, CA, 94577

To Whom It May Concern,

My name is Dr. Ronald Richardson and I am currently a Principal at San Leandro High School. My wife Zohra Richardson is an Academic Counselor at Berkeley High School. We currently have three children, a 3 years old son and twin 11 month old daughters, who attend Maggie's Day Care full time. The programming and high standard of care for all the children who attend Maggie's Day Care is remarkable.

Before discovering Maggie's Day Care my wife and I searched high and low to find a high quality Day Care for our children. As working parents, my wife and I have been very fortunate to have an extraordinary place to send our children, where we know our children will be safe, well fed, loved and provided with the opportunities to play, learn and develop into good citizens in our community and world.

Mrs. Margarita Solis is one of the best Early Childhood Educators I have ever met. I have had the pleasure of observing Mrs. Maggie in action on many occasions and I was very impressed with her organization, professionalism, compassion, senses of humor, and passion for learning and unconditional love for all the children who attend her Day Care.

I would like to emphasize that Mrs. Margarita Solis consistently demonstrates the ability to create and maintain a safe and effective learning environment for all children and her staff. Mrs. Solis is highly respected and loved by the families and the children who attend the Day Care. Mrs. Solis Day Care is a phenomenal establishment that contributes to making Concord a great city and place to raise a family. We truly hope that you will grant Maggie the license to operate as a large daycare. We stand by Maggie she has our full support. The daycare is so important and definitely deserves to continue to operate not only for the benefit of our family, but because this is how she is able to take care of her family as well. Maggie and her family are hardworking, honest, and respectful up right citizens, they are truly role model neighbors.

We thank you for your consideration; please feel free to contact us if you have any questions. (925) 399-2102 or (925) 639-9164

Sincerely,

Ronald Richardson, Ed.D.
Zohra Richardson

January 4, 2016

City of Concord
Attn: Joan Ryan, Senior Planner
1950 Parkside Drive
Concord, CA 94519

Dear Ms. Ryan,

Our son, Corey, has attended Maggie's Daycare since October 2012, when he was just six weeks old. Our plans to have a family member care for our son at home fell through, and we were forced to find quality care on short notice before Adrienne's maternity leave ended. After researching and interviewing nearly 20 daycare providers in the area, we decided to enroll Corey at Maggie's, although it was the farthest away from our home and places of work. She came with high recommendations, but her warm and friendly demeanor, excellent experience with babies and children of all ages, and strong communication skills made her the obvious first choice, despite the travel inconvenience.

That said, we initially considered Corey's placement to be temporary, as it added a 30 minute commute each day. We thought we would continue to look for a daycare that was closer to our home. However, we quickly realized that Maggie's was to be the permanent "home away from home" for Corey, and that the commute was well worth it. Maggie treats each child as if he or she is her own, and clearly takes great pride in her business. Corey has not only thrived at Maggie's, but he has become a part of her family, and we are forever grateful to them.

As difficult as it is to leave your child in the care of someone else, seeing how warm and loving Maggie is to Corey is incredibly reassuring. On top of the caring atmosphere, Corey is exposed to educational opportunities comparable to those at a traditional preschool. We're constantly amazed at how much he has learned while at Maggie's, including his alphabet, colors, numbers, and even a little Spanish. We are confident that he will be prepared for school when that time comes.

We have two older children, and in our experience we've found that good daycare providers are not necessarily the best communicators with parents, but Maggie is both an excellent provider and communicator. She updates us daily on Corey's progress, sends monthly newsletters, and her family has an annual barbeque for all current and past families. She is incredibly responsive to requests, alerts us immediately if there is an illness at daycare, and is always clear about policies and procedures.

We always recommend Maggie's Daycare without reservation. We find it enviable that Maggie has excelled in a business that supports her family while also helping so many others. We hope that you will be able to see the value in her ability to operate a large family daycare, not just for Corey, but for many local children for years to come.

Sincerely,

Adrienne Barnes Marcus Barnes

Adrienne and Marcus Barnes

Cell: (510) 499-0939 or (510) 499-0961

December 22, 2015

RE: Maggie Solis
Owner, Maggie's Day Care

To Whom It May Concern:

Ms. Maggie Solis requested that I write a letter of recommendation on her behalf regarding her operation of Maggie's Day Care in Concord, California. It is my distinct pleasure to do so.

My two granddaughters have been enjoying day care at Maggie's for over two years. The nurturing that they receive from Maggie, her family members and her assistants has been excellent in every way. The girls are happy when they are greeted by Maggie in the morning, and full of stories, with snacks in hand when I pick them up in the afternoon. Maggie's home is exceptionally clean and neat, all the time. If a child becomes ill, Maggie promptly notifies the parent and arranges for an early pick-up. She also notifies the other parents so that they can anticipate a possible illness in their own child. The meals and snacks that Maggie prepares and provides are healthy and nourishing. Her toys are safe and well-maintained. Her yard is fully fenced, and free of hazards. Noise from the children is minimal and occasional, and always "happy noise." I have never experienced difficulty parking at Maggie's in the morning or the afternoon.

In short, the day care experience that Maggie provides is outstanding, and has exceeded all expectations. Please contact me directly if I can provide further clarification regarding Maggie's Day Care.

Yours truly,

Gregg S. Sorensen, MD
sorensenga@gmail.com

January 4, 2016

To Whom It May Concern:

My name is Christine Khuu and I am writing this letter in support of Margarita Solis and her large family daycare. Our daughter Emma Khuu has been attending Maggie's Daycare since February 2015 and she loves it.

I had been a stay at home mom until I decided to return to work when Emma was two and a half. We were recommended to Maggie by a family member who grew up with Maggie and her siblings. I went to daycare with her for the first couple of days to see how the environment was and to get comfortable leaving my daughter in someone else's care. From the moment we walked into her home we could tell that Maggie was very committed to her work and the children she cares for, whom she affectionately calls her "kids". Her home is well organized for children with lots of toys, educational posters and wall art. She has taken the time to install the proper safety features as well. Maggie provides nutritious meals and snacks and has a very structured day, which is wonderful for my daughter. Maggie is very loving toward all of her kids as are her helpers, Yanet and Maricela. I was pleasantly surprised at how much support Maggie had for taking care of the kids. When researching daycares, I had read that 1 adult was needed for every 7 children and Maggie has 3 adults for her group of kids.

Emma has adjusted to attending daycare very well. She is learning new things all of the time at Maggie's and surprises me with her new knowledge daily. She's picking up on Spanish very quickly and I hope she will be able to keep that knowledge throughout her life. We are very lucky to have found Maggie; she genuinely cares for our daughter and provides her with a safe, healthy and nurturing environment while my husband and I are at work. I don't know what we would do without her!

Sincerely,



Christine Khuu

(925) 708-9077

City of Concord
Zoning Department
1950 Parkside Drive
Concord, CA

To Whom It May Concern,

I am writing this letter in support of Maggie's Daycare operated by Margarita Solis. My oldest son has been attending Maggie's since early 2013 when he was 8 months old and now my second son attends as well.

She provides outstanding care for my sons as well as the all other children in her care. I know that when I send my boys to her they are safe and very well taken care of. Before choosing Maggie, I had called 30+ daycares and felt completely uneasy. For a working mom knowing that I trust the person taking care of my children is so valuable.

It is my understanding that noise, traffic, and home value are a concern for the neighbors. As I am on my way to work, I spend as little time as possible dropping off both boys. I would estimate that I am parked for no more than 5 minutes. She makes it a point to leave her driveway accessible for pick up and drop off to help with any potential parking issues. Maggie does ensure that the kids get an opportunity to explore outside and have fun which children should be allowed to do. At times, children can be loud with laughing or even fighting over a toy, however Maggie is conscientious about the noise and keeps it to minimum. Maggie does a routine that she follows and does not allow the kids outside first thing in the morning where it could potentially cause any disruption to the neighbors.

Maggie is like family to my children, but she also takes pride in her business. Her yard and home are always well manicured and in my opinion would only increase the surrounding homes value.

Maggie's Daycare is a great asset to the community as she helps shape the lives of our little ones and helps build the individuals they will become. I have nothing but amazing things to say about Maggie's Daycare and will support Maggie and her business in any way possible. I would be happy to provide any additional information to help support her.

Sincerely,



Christine Shunn
94 Standley Ct
Pittsburg, CA 9465
ChristineS@heffins.com
(925) 457-4531 (M)

Ryan, Joan

Subject: FW: Maggie's Daycare

From: Katie Naso Onofrio [<mailto:claytonpizzamama3@gmail.com>]

Sent: Monday, January 04, 2016 10:41 AM

To: Ryan, Joan; maggisolis@sbcglobal.net

Subject: Maggie's Daycare

Hello Joan,

Happy New Year! Hope you are doing well.

I am writing on behalf of Maggie's Daycare and the hearing that will take place next week. I have never had to write a letter like this before so I don't really know what you are looking for.

Maggie has been providing daycare for my three children on and off full-time and part-time (as my schedule has needed) since 2011. She is an absolutely amazing caregiver. My children adore her! My youngest is only 2, but is always SO excited to go to "her school" after we drop off her older sisters at their schools in the mornings. Maggie has always provided all documents needed (contract, tax info, scheduled holiday closings, monthly menu, etc) many times before I would even think to ask for any of it. The children love spending time there. When I was working full-time and my oldest two attended Maggie's full-time, there were very few (if any) days when I would get there to pick them up and they'd be "ready" to go- they would love playing outside and with the dress-up. Sometimes my oldest would say "Mommy, could you come back later? I'm not done."

I have always been secure in dropping my children off with Maggie because I know she provides a safe, fun environment for them, where they are learning and growing. I asked my children this week to write their favorite things are about going to Maggie's. The responses are as follows:

"Der Mage, I lic to go atsid" - This roughly translates to "Dear Maggie, I like to go outside" from my 5yr old. My 6yr old wrote: I like makeing freins, and playing awtside. Lilly likes it to. I do not like to take naps. Love, Delilah"

Every morning Maggie, as well as all of her helpers, always greet us with smiles and an eagerness to take on the day. I don't know how they do it. I know Maggie LOVES her job and all children that she takes care of. This business is more than just a job to her. It's a lifestyle and all the kids have really become a family. Over the years, Maggie and Luis have become our friends. We look forward to the annual summer BBQ that the Solis family hosts every July. It gives all the parents a chance to get together and sit down and talk instead of a rushed "hi" as we are dropping our kids off and running off to work.

I can't say enough positive about Maggie's Daycare. Again, I know my children are safe and happy there, and that's all that counts.

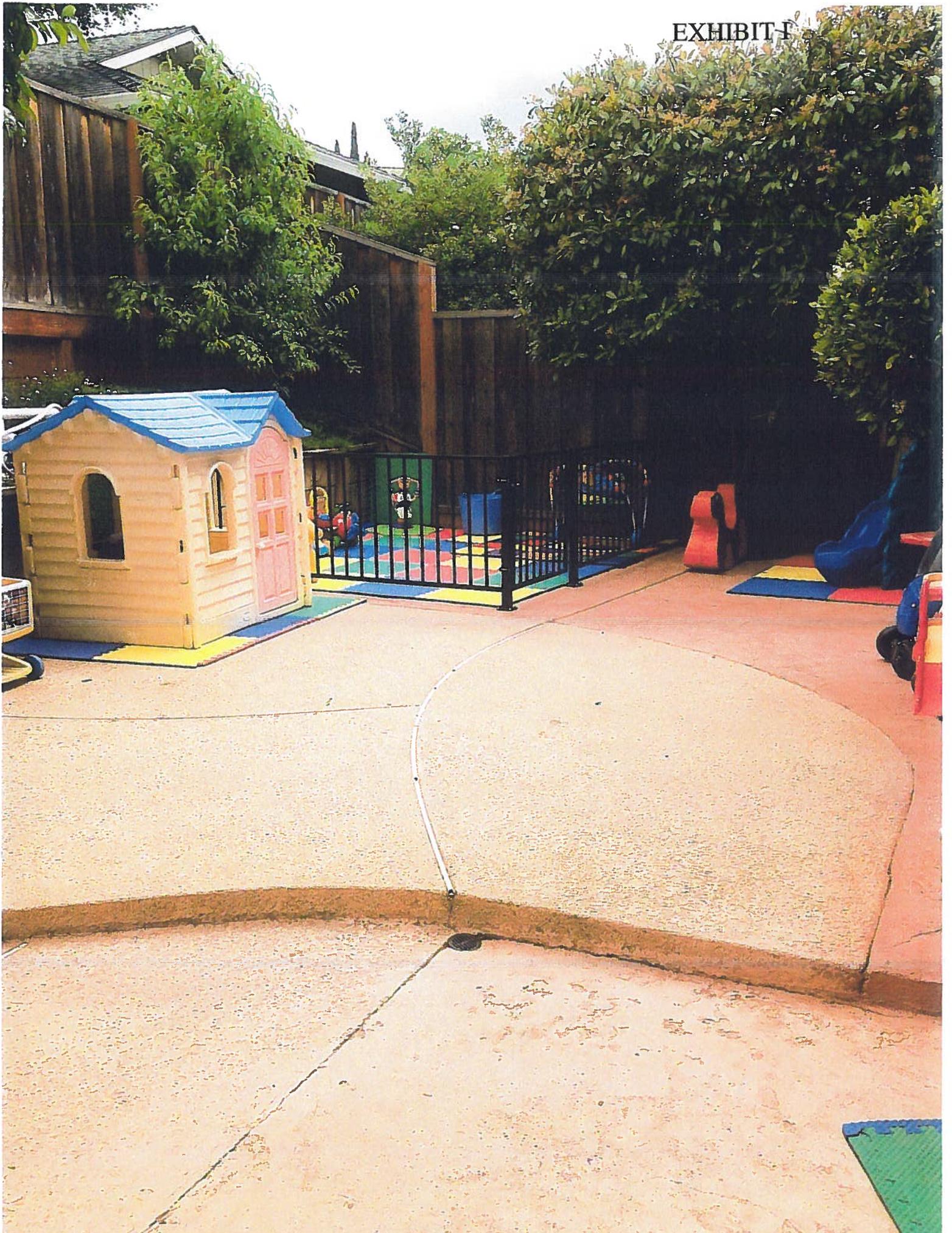
If you need anything else from me, please don't hesitate to contact me.

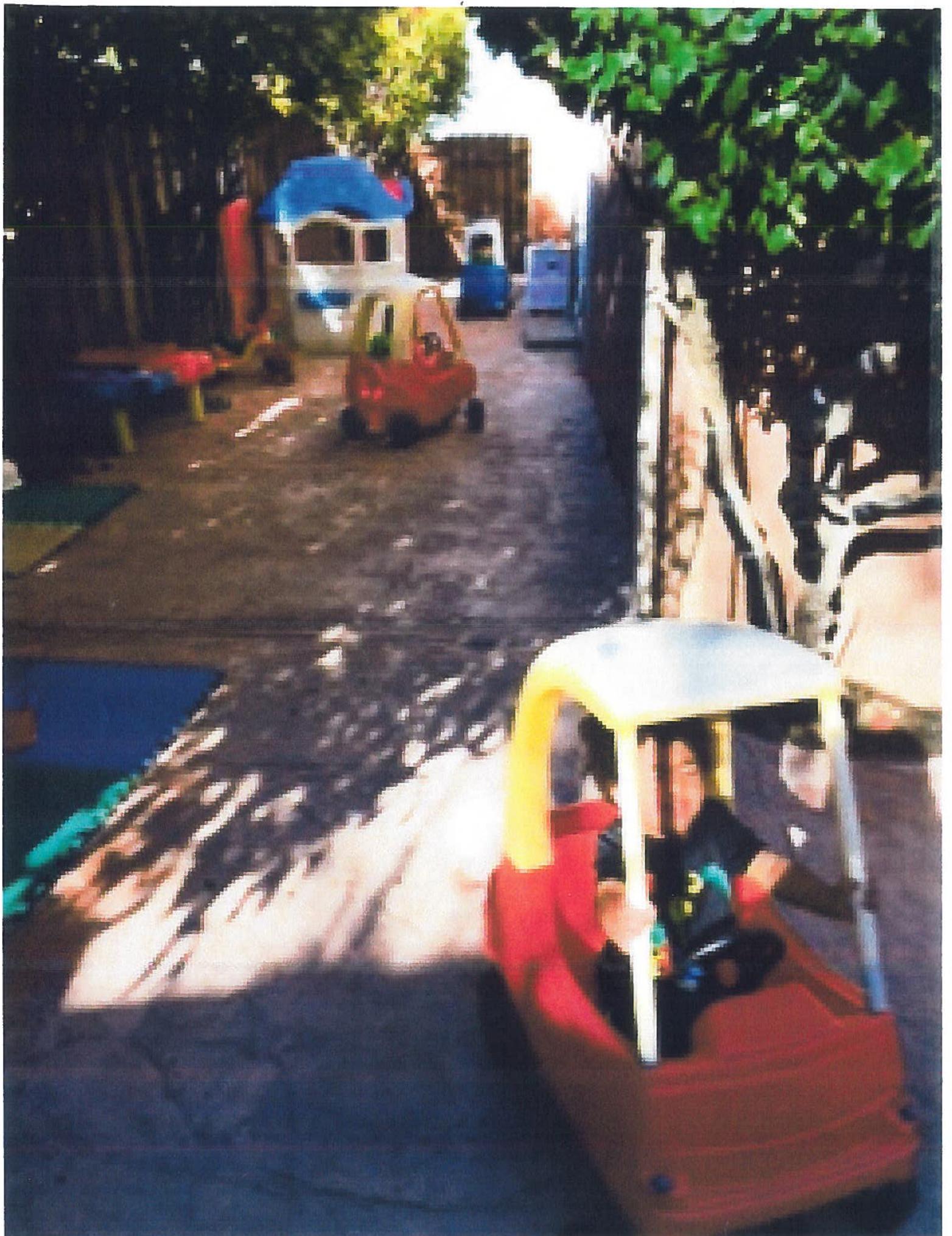
Happy new year and I look forward to meeting you next week at the hearing.

Warmly,
Katie

Katie Naso Onofrio
925-890-6305

EXHIBIT F









Minimizing Outside Noise

Measures I have taken to minimize outside noise.

I have gotten rid of the old ride on cars that made a lot of noise due to the older hard plastic wheels and replaced them with tricycles and scooters that don't make as much noise.

We are taking the kids out in smaller batches at a time to have better control over them while outside. We are outside from 9:00 – 10:30am with no more than 4 kids out at a time and then again after lunch from 11 to 11:30. We bring them in from 11:30 until 3:30 or 4pm (after nap) and weather permitting we're out there until about 5. So really in an 11 hr day the kids are only outside a total of 3-4 hours.

RECEIVED
DEC 7 2015
PLANNING