



North Fair Oaks Community Council
San Mateo County Coordinated
Departmental Response



Date: August 18, 2016
NFOCC Meeting Date: August 25, 2016
Special Notice / Hearing: 10 days; within 300 feet
Vote Required: None

To: Members, North Fair Oaks Community Council

From: Summer Burlison, Project Planner
Planning and Building Department

Subject: Administrative Review Referral for SportsHouse (Indoor Sports and Café)
3151 Edison Way, North Fair Oaks
APN 060-041-100; County File Number: PLN 2011-00070

RECOMMENDATION:

Provide comments to Planning staff on the SportsHouse's operational performance relative to compliance with its Use Permit Conditions of Approval, particularly regarding traffic, security, and noise.

BACKGROUND:

SportsHouse is a multi-sports recreation facility that provides indoor space for a variety of youth to adult sports programs and leagues as well as health and fitness classes. The facility operates under a Use Permit that was approved in December 2011. The facility includes a sports café with a valid Type 41 Alcohol Beverage Control License for the on-site sale of beer and wine. The sporting facility's current hours of operation are weekdays, Monday through Friday, 10:00 a.m. to 10:00 p.m.; Saturdays, 9:00 a.m. to 5:00 p.m.; and Sundays, 9:00 a.m. to 10:00 p.m. The café's current hours of operation are weekdays, Monday through Friday, 5:00 p.m. to 10:30 p.m.; Saturdays, 9:00 a.m. to 7:00 p.m.; and Sundays, 9:00 a.m. to 9:00 p.m. The facility also provides office space for a San Mateo County Sheriff's Department substation. There are a total of 125 on-site parking spaces for the facility, and 24-hour video surveillance of the premises is maintained by SportsHouse.

The facility's Use Permit includes a condition of approval, see Attachment A, requiring an administrative review three years after building permit final to verify compliance with the conditions of approval. The administrative review requires a referral to the North Fair Oaks Community Council for comments on the operational performance of the facility, particularly, regarding traffic, security, and noise.

Chronology:

- December 2011 - Zoning Text Amendment and Use Permit PLN 2011-00070 approved by the Board of Supervisors to allow indoor exercise and leisure facilities in the M-1/Edison/NFO Zoning District subject to a Use Permit, and to allow conversion of a former beer distribution facility into an indoor multi-sports and recreational facility located at 3151 Edison Way (SportsHouse).
- November 2012 - Building Permit final approval, BLD 2012-00160, to convert existing warehouse into an indoor sports facility.
- June 2013 - North Fair Oaks Community Council six (6) month Use Permit Administrative Review referral.
- October 2013 - Six (6) month Use Permit Administrative Review completed.
- October 2014 - North Fair Oaks Community Council one (1) year Use Permit Administrative Review referral.
- February 2015 - One (1) year Use Permit Administrative Review completed.
- August 2016 - North Fair Oaks Community Council three (3) year Use Permit Administrative Review referral.

DISCUSSION:

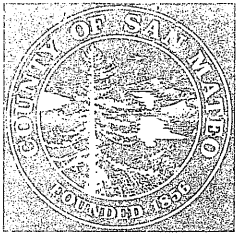
Planning staff has completed a compliance inspection of the subject facility and determined that the facility is in substantial compliance with its applicable conditions of approval. Staff has verified with the County Department of Public Works, Sheriff's Department, and County Code Compliance Section that there are no records of complaints on the facility within the past year.

The facility's Use Permit is valid until January 15, 2017, at which time the Use Permit must be renewed if continuation of the permitted use is desired by the applicant. The renewal process will require consideration by the North Fair Oaks Community Council and approval by the County of San Mateo Planning Commission.

ATTACHMENT:

- A. Use Permit Conditions of Approval, dated December 16, 2011

SSB;jlh – SSBA0427_WJO.DOCX



County of San Mateo

Planning & Building Department455 County Center, 2nd Floor
Redwood City, California 94063
650/363-4161 Fax: 650/363-4849Mail Drop PLN122
plngbldg@co.sanmateo.ca.us
www.co.sanmateo.ca.us/planning

December 16, 2011

Marcus Maita
3151 Edison Way
Redwood City, Ca 94063

Dear Mr. Maita:

PROJECT FILESubject: **DECISION LETTER**
File Number: PLN2011-00070
Location: 3151 Edison Way, North Fair Oaks
APN: 060-041-100

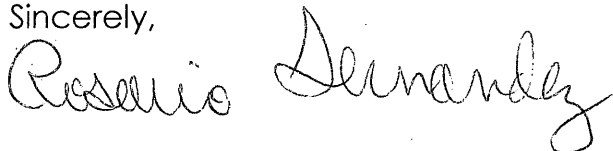
On December 13, 2011, the San Mateo County Board of Supervisor considered a Zoning Text Amendment and Use Permit, pursuant to Sections 6550 and 6500 of the San Mateo County Zoning Regulations, respectively, and certification of a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) to: (1) amend County Zoning Regulations Sections 6277.2 and 6277.3 of the Light Industrial/Edison/North Fair Oaks (M-1/Edison/NFO) Zoning District to allow indoor exercise and leisure facilities subject to a Use Permit, and (2) allow conversion of a former beer distribution facility into an indoor multi-sports and recreational facility located at 3151 Edison Way, in the unincorporated North Fair Oaks area of San Mateo County.

Based on information provided by staff and evidence presented at the hearing, the Board of Supervisors on a vote of 5-0, adopted the ordinance amending Chapter 17 of the County Zoning Regulations, certified the Mitigated Negative Declaration as complete and adequate in accordance with the California Environmental Quality Act (CEQA), and approved the Use Permit subject to the findings and conditions of approval in Attachment A, with a minor modification to condition of approval number 3.

Marcus Maita
December 16, 2011
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If you have questions regarding this matter, please contact Summer Burlison, Project Planner, at 650/363-1815 or by email: sburlison@smcgov.org.

Sincerely,



Rosario Fernandez
Planning Commission Secretary
Bosdec1213V_rf (Maita)

Enclosure: San Mateo County Survey - An online version of our Customer Survey is also available at: <http://www.co.sanmateo.ca.us/planning/survey>

cc: Department of Public Works
Building Inspection Section
Environmental Health Division
Menlo Park Fire District
California Water Service Company
Fair Oaks Sewer Maintenance District
North Fair Oaks Community Council
City of Redwood City Planning Department
County Assessor
Greg Munks, San Mateo County Sheriff's Department
Barbara Bonilla, Sheriff's Activities League Program Director
Adam Reininger, Sheriff's Department
Michael Otte, Sheriff's Department
Holly McFarland, Sheriff's Department
Jerry Justice, Sheriff's Department
Hugo Barrales
Gabriela Valencia

County of San Mateo
Planning and Building Department

FINDINGS AND CONDITIONS OF APPROVAL

Project File Number: PLN 2011-00070 Board Meeting Date: December 13, 2011

Prepared By: Summer Burlison,
Project Planner

Adopted By: Board of Supervisors

FINDINGS

Regarding the Environmental Review; Found:

1. That the Mitigated Negative Declaration is complete, correct and adequate, and prepared in accordance with the California Environmental Quality Act and applicable State and County Guidelines.
2. That, on the basis of the Initial Study, comments received hereto, and testimony presented and considered at the public hearing, there is no substantial evidence that the project will have a significant effect on the environment.
3. That the Mitigated Negative Declaration reflects the independent judgment of San Mateo County.
4. That the mitigation measures in the Mitigated Negative Declaration and agreed to by the owner and placed as conditions on the project have been incorporated into the Mitigation Monitoring and Reporting Plan in conformance with the California Public Resources Code Section 21081.6.

Regarding the Zoning Text Amendment; Found:

5. That the Board of Supervisors adopt, by ordinance, the proposed Zoning Text Amendment as indicated in Attachment C of the staff report. The Zoning Text Amendment would add a use that is considered compatible with the existing established land uses in the M-1/-Edison/NFO Zoning District. Future indoor exercise and leisure facilities proposed under the use would be subject to a use permit and would be considered separately on a

case-by-case basis to ensure there will be no significant impacts to the surrounding area. Additionally, based on public outreach associated with the proposed project during the pre-application public workshop and North Fair Oaks Community Council meetings, the Planning Commission and staff believe the community, in general, supports the Zoning Text Amendment.

Regarding the Use Permit; Found:

6. That the establishment, maintenance and/or conducting of the use will not, under the circumstances of the particular case, be detrimental to the public welfare or injurious to property or improvements in said neighborhood. The County has reviewed the project and determined that as proposed and conditioned, the project will not have a significant adverse impact on the environment. In addition, the project has been reviewed by other applicable agencies, including the North Fair Oaks Community Council, who have all recommended approval with conditions, which have been included as conditions of approval. Future administrative reviews and renewals will also allow staff the opportunity to determine whether any modifications to the conditions, or any new conditions, are necessary to minimize any new or unforeseen adverse impacts.
7. That the proposed project is necessary for the public health, safety and convenience or welfare as the project will establish a place that offers year round sporting and recreational programs for people of all ages in a densely developed community that currently lacks adequate sports and recreational amenities. In recent studies of the North Fair Oaks community, conducted as part of the County updates to the Community Plan, it has been determined that the North Fair Oaks area overall largely lacks recreational and sports facilities, parks, and playgrounds when compared to the surrounding incorporated cities. In addition to offering a diverse range of year round activities, the business is expected to benefit the local economy and generate new job positions of various skill levels.

CONDITIONS OF APPROVAL

Current Planning Section

1. This approval applies only to the proposal, documents and plans described in the staff report and submitted for review and approval by the Planning Commission on November 16, 2011, and subsequently by the Board of

Supervisors on December 13, 2011. Any changes or revisions to the project may be approved by the Community Development Director if they are consistent with the intent of, and in substantial conformance with this approval.

2. The Use Permit shall be valid for five (5) years from the date of final approval, and shall expire on January 15, 2017. The applicant shall apply for renewal of the Use Permit, and pay applicable renewal fees six (6) months prior to expiration, if continuation of the use is desired. Any change in use shall be required to comply with applicable zoning regulations for this district.
3. There shall be three administrative reviews, six (6) months after final building permit inspection, in January 2013, and in January 2015, to verify compliance with the conditions of this Use Permit approval and to review the performance of the operation to determine whether any modifications to the conditions, or any new conditions, are necessary to minimize any new or unforeseen adverse impacts. The applicant shall be responsible for paying the applicable administrative review fee for each required administrative review, and each administrative review shall include a referral to the North Fair Oaks Community Council for comments, particularly regarding traffic, security and noise. If the County finds that the use is not in compliance with the conditions of approval, the applicant shall have thirty (30) days to comply with the terms of the approved Use Permit or apply for a use permit amendment, including payment of all applicable fees. Failure to do either action will result in the initiation of use permit revocation proceedings.
4. The hours of operation for visitors to the sports facility shall be no earlier than 6:00 a.m. and all visitors shall be vacated from the premises by 12:00 a.m. during weekdays (Monday through Friday) and shall open no earlier than 8:00 a.m. with all visitors vacated from the premises by 12:00 a.m. on Saturdays and Sundays. Use of the facility after 10:00 p.m. shall be limited to adult league games. San Mateo County Sheriff's staff may be on-site at any time.
5. The café shall stop serving alcohol one hour before closing time. Closing time shall be the time when the public is required to vacate the premises.

6. Gates shall be maintained at the access driveways to the site and shall be kept closed during non-business hours to deter unauthorized people from accessing and loitering on the property site.
7. Landscaping shall be installed and maintained throughout the life of the use along the public right-of-ways (i.e., Edison Way and 5th Avenue) to provide added buffering from surrounding neighbors. Landscaping shall include, but not be limited to, hedges or other appropriate native vegetation that will provide opaque screening a minimum of 3 ½ feet above grade along the Edison Way public right-of-way to minimize glare from vehicle lights on residences across Edison Way. Field verification of landscaping shall be completed by the Planning Department prior to final Planning approval of the issued building permit.
8. The applicant shall submit a landscape plan at the time of building permit application for review and approval by the Planning Department. The landscape plan shall include the location, size and species of any proposed landscaping, and shall include, but not be limited to, hedges or other appropriate native vegetation that will provide opaque screening a minimum of 3 ½ feet above grade along the Edison Way public right-of-way. In addition, all proposed landscaping shall be of native, non-invasive species. Prior to final Planning approval of the building permit for the project, a site inspection shall be required by the Planning Department to verify that all approved landscaping has been implemented. All perimeter landscaping shall serve to screen and soften the public's view of the site.
9. The applicant shall provide a wheel stopping device for any on-site parking spaces abutting a landscaped area to prevent vehicular overhang.
10. Loitering in and around the premises shall be prohibited. Facility staff shall regularly monitor all areas of the premise, particularly the outdoor parking lot areas, during hours of operation to ensure that visitors and/or unauthorized persons are not loitering in the parking lot and that no loud noises are generated from the premises at any time.
11. At any time during business operation there shall be an appointed, identified, responsible staff member designated as the "Community Point of Contact." The Community Point of Contact shall serve as the primary contact person for all public inquiries and/or complaints regarding noise and/or parking lot operations, including loitering, and shall respond immediately to address any concerns and/or complaints.

12. Video surveillance shall be provided for all exterior areas of the premise, 24 hours a day/7 days a week, and shall (at a minimum) include security surveillance camera coverage of all parking lot areas, the perimeters of the premise, and entrance and exit doors to the facility.
13. All weather signs shall be posted around the site notifying the public that the site is under 24-hour surveillance. The signs shall be designed and posted such that they are legible and visible to the general public, and shall be maintained and replaced as necessary. The minimum required posting locations should be at the west parking lot area, the west driveway (farthest from 5th Avenue), and the east driveway (closest to 5th Avenue).
14. A Site Security Plan shall be submitted to the Planning Department for review and approval prior to issuance of a building permit. At a minimum, the plan shall include details of the signs notifying the public that the site is under 24-hour surveillance, details of the proposed security equipment/cameras to be used for video surveillance of the premise, sign and camera locations, and coverage areas of the cameras. Verification by the Planning Department that the approved plan has been implemented and is in properly functioning order shall be required prior to Building Permit final.
15. Noise levels associated with the approved use shall not exceed the limitations set forth in the County Noise Ordinance and/or Performance Standards of the M-1/Edison/NFO Zoning District.
16. Noise sources associated with demolition, construction, repair, remodeling, or grading of any real property shall be limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays. Construction activities shall be prohibited on Sundays and any nationally observed holidays. Noise levels produced by construction activities shall not exceed the 80-dBA level at any one moment.
17. The roll-up doors along the west building elevation shall remain closed during business hours to limit interior noise from escaping the building.
18. The applicant is responsible for ensuring that all contractors are aware of all stormwater quality measures and implement such measures. Failure to comply with construction Best Management Practices (BMPs) will result in

the issuance of correction notices, citations or a project stop order. BMPs shall include, but not be limited to, the following:

- a. Storing, handling, and disposing of construction materials and wastes properly, so as to prevent their contact with stormwater.
 - b. Controlling and preventing the discharge of all potential pollutants, including pavement cutting wastes, paints, concrete, petroleum products, chemicals, wash water or sediments, and non-stormwater discharges to storm drains and watercourses.
 - c. Using sediment controls or filtration to remove sediment when dewatering the site and obtaining all necessary permits.
 - d. Avoiding cleaning, fueling, or maintaining vehicles on-site, except in a designated area where wash water is contained and treated.
 - e. Avoiding tracking dirt or other materials off-site; cleaning off-site paved areas and sidewalks using dry sweeping methods.
19. The applicant shall encourage visitors to carpool and/or use alternative modes of transportation to the project site. Information shall be made readily available on any facility website or to persons visiting the facility of options for alternative modes of transportation to the facility, including public transit services.
 20. Planning verification shall be required to ensure that all approved on-site parking, including striping and markings for compact parking spaces, has been completed prior to building permit final.
 21. All exterior lighting (including site and building) shall be designed and located so as to confine direct rays to the subject property and prevent glare in the surrounding area. The applicant shall submit a photometric plan and design manufacturer's "cut sheets" for all proposed exterior lighting as part of the building permit submittal for review and approval by the Planning Department. Field verification of exterior lighting shall be conducted by the Planning Department prior to final Planning approval of the issued building permit.
 22. All exterior lighting not necessary for security purposes, shall be turned off during non-business hours.

23. Any licensed alcohol sales and consumption during public business hours shall be limited to the sports café area only. Signs shall be posted in visible locations in the sports café area indicating to patrons that no alcohol shall be removed from the sports café area and this shall be strictly enforced by sports café staff.
24. The applicant shall obtain a building permit prior to the start of any tenant improvement work on-site.
25. The applicant shall ensure that all noise, light, dust, odors and other interferences with persons and property off the site be minimized.
26. The use of brilliant, deep, highly contrasting or reflective exterior building colors shall be prohibited. The applicant shall submit color paint samples to the Planning Department for review and approval prior to any repainting of exterior buildings or structures.
27. The applicant shall be responsible for ensuring that all garbage, debris, litter and/or solid waste generated from the proposed use is properly disposed of and picked up on a daily basis.
28. Any outdoor garbage dumpsters shall be screened from view by six (6) foot high fencing and/or landscaping materials to reduce visual impacts. Verification of compliance with this condition shall be completed prior to a building permit final inspection.
29. The applicant shall maintain a valid license from Alcohol Beverage Control (ABC) for alcohol sales/service in the café area, which shall be limited to beer and wine. A copy of the license shall be submitted to the Planning Department for record. If the license is ever revoked or suspended, the applicant shall notify the Planning Department within ten (10) days of any such revocation or suspension.
30. The Planning and Building Department shall be notified prior to any new tenant occupancy.
31. The applicant shall maintain all perimeter fencing in good condition. Any damage to perimeter fencing shall be promptly repaired. All repairs shall match the appearance, materials, and workmanship of the fence as originally constructed.

32. Dust, odors, or air pollutants generated from the project shall not be permitted beyond the boundaries of the M-1/Edison/NFO District.
33. All signage proposed for the site shall be indicated on a site plan and shall be submitted to the Planning and Building Department for review and approval prior to installation, including obtaining a building permit if necessary, and shall comply with the sign regulations of the M-1/Edison/NFO Zoning District.
34. Any new distribution lines shall be placed underground.
35. Vibration perceptible on adjoining property, except for temporary construction operations, shall be prohibited.
36. All uses, activities or operations associated with the proposed indoor sports and recreation facility shall be conducted entirely on the property.
37. The applicant shall submit a check in the amount of \$2,094.00, made payable to San Mateo County, to the project planner to file with the Notice of Determination within four (4) working days of final approval of the project. The fee includes an environmental filing fee of \$2,044.00 (effective January 1, 2011) as required under Fish and Game Code Section 711.4(d), plus a \$50.00 recording fee. The Fish and Game filing fee of \$2,044.00 is subject to change as of January 1, 2012. Please contact the project planner to confirm the current filing fee for payment after January 1, 2012.
38. Parking spaces on the east side of the parcel shall be limited to reserved parking for employees, sheriff staff, and/or assigned members. The spaces shall be visually designated (e.g. signs or pavement markings) to indicate the spaces are for limited authorized use only.

Building Inspection Section

39. An automatic fire sprinkler system will be required. In San Mateo County Building DIVISION VII Regulations this permit must be issued prior to or in conjunction with the building permit.
40. A site drainage plan will be required. This plan must demonstrate how roof drainage and site runoff will be directed to an approved disposal area.
41. Sediment and erosion control measures must be installed prior to beginning any site work and maintained throughout the term of the permit. Failure to

install or maintain these measures will result in stoppage of construction until the corrections have been made and fees paid for staff enforcement time.

42. This project must comply with the Green Building Ordinance.
43. A complete code summary shall be provided on the cover sheet of the proposed building plans and shall include type of construction, allowable area and calculations, group and/or use, type of automatic fire sprinkler system, current applicable building codes, and occupancy type and loads.
44. All drawings must be drawn to scale and clearly define the whole project and its scope in its entirety.

Department of Public Works

45. The south driveway, closest to 5th Avenue, shall be designated as an entrance only driveway, and the north driveway, farthest from 5th Avenue, shall be designated as an exit only driveway. Striping and signage at each driveway shall be completed to the satisfaction of the Department of Public Works prior to Building Permit final.

Menlo Park Fire Protection District

46. Any hazardous materials on the site, including empty, full, or partially full compressed gas containers shall be removed and disposed of in accordance with State and San Mateo County Environmental Laws.
47. The existing automatic fire sprinkler system will be required to be upgraded to accommodate the new use of the building.
48. The fire department connections to the fire sprinkler system(s) will require adjustment, to allow fire apparatus to supplement the fire sprinkler system from Edison Way.
49. Other life safety systems will also need to be added to the building, including a new fire alarm system in accordance with current Fire Codes for Group A (Assembly) Occupancies. Possible voice evacuation system required.
50. When final plans are drawn, additional exiting from the building may be needed.

51. Prior to building permit final, the applicant shall contact Menlo Park Fire Protection District to schedule a final fire inspection. PLEASE NOTE THAT A 48-HOUR NOTICE IS REQUIRED FOR ALL INSPECTIONS.

Environmental Health Division

52. The applicant shall submit detailed plans for the food service area prior to its operation. An annual Environmental Health permit shall be maintained for its operation.