



Planning Commission Agenda Report

November 28, 2018
Item 5.a.

SUBJECT: P18-0253

APPLICANT: Haranath Gnana for Sri Sai Temple

PURPOSE: Application for Conditional Use Permit to operate a religious facility within an existing building for Sri Sai Temple

LOCATION: 3940 Valley Avenue

GENERAL PLAN: General and Limited Industrial

ZONING: PUD-I (Planned Unit Development - Industrial) District

EXHIBITS:

- A. [Draft Resolution and Conditions of Approval](#)
- B. [Narrative/Project Plans dated "Received October 10, 2018"](#)
- C. [Location and Notification Map](#)

STAFF RECOMMENDATION

Staff recommends the Planning Commission approve Conditional Use Permit (CUP) Case No. P18-0253 based on the findings and subject to the draft conditions of approval in Exhibit A.

EXECUTIVE SUMMARY

The applicant requests CUP approval to operate a religious facility, Sri Sai Temple, within an existing building at 3940 Valley Avenue within the Valley Business Park. Religious facilities require Planning Commission approval of a CUP at this location. As proposed, staff recommends that the Planning Commission find that this use is consistent with the objectives of the zoning district and will be compatible with the surrounding uses. There are other similar religious facilities within Valley Business Park that have been approved by the Planning Commission and have been operating without any reported issues. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area, and the City in general, is maintained.

BACKGROUND

Valley Business Park planned unit development (PUD) was approved on March 11, 1980, by the City Council under Ordinance No. 928. The PUD was modified in 1984 (PUD-80-01-2M) to conditionally permit religious facilities. The applicant is requesting approval of a CUP to operate a religious facility, the Sri Sai Temple, within an existing building at 3940 Valley Avenue. The religious facility would provide a meeting place for the Sri Sai Temple congregants. The applicant currently operates its religious facility at 6644 Owens Drive and seeks to relocate to the proposed location. The subject site is zoned PUD-I District. As stated

above, religious facilities are conditionally permitted within the PUD-I District with the Planning Commission's approval of a CUP.

SITE AND AREA DESCRIPTION

The subject parcel is a flat and fully developed approximately 4.7-acre parcel at the north end of Valley Business Park, near the northern intersection of Quarry Lane and Serpentine Lane. There are six single-story, multi-tenant buildings constructed on the subject site. The subject building is at the southwest corner of the subject site and is currently leased as two tenant spaces (3938 and 3940 Valley Avenue). The applicant would occupy the entirety of 3940 Valley Avenue, which is approximately 5,248 square feet in area. There are 189 shared parking spaces on the subject site. The subject site and building are accessible from five driveways (two off Serpentine Lane, two off Quarry Lane and one off Valley Avenue). Figure 1 below shows an aerial photograph of the subject site and building and shows the site in the context of Valley Business Park. Valley Business Park includes a mix of uses such as professional offices, light manufacturing and industrial uses, religious facilities, private schools, music schools, and recreational facilities. Single-family homes are located approximately 500 feet to the north and 400 feet to the west of the subject building.

Figure 1: Aerial photograph of subject site



PROPOSED PROJECT

The proposed religious facility would provide a meeting place for the Sri Sai Temple congregants. The facility would generally operate weekly Wednesday through Sunday and be closed on Mondays and Tuesdays, with the largest congregant activities being held on Wednesday, Thursday and Friday evenings after 7 p.m. The proposed days and hours of operation, activities and anticipated number of congregants for each activity are summarized in Figure 2. The applicant is proposing a maximum of 90 congregants and staff on-site on Thursdays from 7 p.m.-9:30 p.m.; however, the majority of the time, the on-site occupancy would average between 15 and 20 congregants and staff.

Similar to the applicant's existing religious facility on Owens Drive, there would be no rentals of the proposed religious facility to other groups, organizations, or individuals. In addition, no special events such as weddings, receptions or outdoor events or activities are proposed, and no patios or similar outdoor gathering spaces are located on the subject property.

Figure 2: Days and Hours of Operation

Day(s) of the Week	Time	Activity	Number of People
Friday – Wednesday	8 a.m. – 9 a.m.	Prayers	5 - 10 People [members & staff]
Friday – Wednesday	12 p.m. – 1 p.m.	Prayers	5 - 10 People [members & staff]
Friday – Wednesday	7 p.m. – 8 p.m.	Prayers	20 - 30 People [members & staff]
Friday – Wednesday	8:30 p.m. – 9:30 p.m.	Prayers	20 - 30 People [members & staff]
Thursday	11:45 a.m. – 12 p.m.	Prayers	12 - 15 People [members & staff]*
Thursday	7 p.m. – 9:30 p.m.	Prayers	70 - 90 People [members & staff]
Saturday	8:30 a.m. – 1 p.m.	Prayers & Chanting	15 - 20 People [members & staff]
Saturday	1 p.m. – 9:30 p.m.	Prayers & Chanting	15 - 20 People [members & staff]
Sunday	8:30 a.m. – 1 p.m.	Prayers & Chanting	15 - 20 People [members & staff]
Sunday	6 p.m. – 9:30 p.m.	Prayers & Chanting	12 - 20 People [members & staff]

*This is a drop-in/open prayer period with a maximum of 12-15 congregants and staff at any one time that arrive in approximate 15 minute intervals between 11:45 a.m. and 1 p.m.

The applicant is not proposing any exterior changes to the building. The interior changes would result in a floor plan (Exhibit B) comprised of a prayer room, event hall, Dwarakamai room (smaller prayer room), a kitchen (no cooking facilities), an entry hall, a reception room, storage rooms, and restrooms.

Please see the attached narrative and project plans (Exhibit B) for additional information on the proposed use.

STAFF REVIEW/ANALYSIS

Conditional uses are those uses which, by their nature, require special consideration so that they may be located properly with respect to the objectives of the Municipal Code and with respect to their effects on surrounding properties. In order to achieve these purposes, the Planning Commission is empowered to approve, conditionally approve, or deny applications for CUPs.

Land Use

The subject parcel has a General Plan land use designation of General and Limited Industrial and is zoned PUD-I (Planned Unit Development – Industrial) District. Religious facilities are conditionally permitted in Valley Business Park. If the CUP were granted, the proposed religious facility would have to be operated consistent with the applicable land use regulations.

One of the primary concerns in reviewing a CUP application is the effect of a proposed use on surrounding uses. The other uses on the subject site that surround the subject tenant space are varied, including a truck parts distributor, a dance studio, a laser welding service, a photo studio, a machining service, and a video production business. These uses generally operate Monday through Friday during normal business hours (anywhere from 8 a.m. to 6:30 p.m.). The proposed religious facility would be compatible with these existing businesses in that the less intensive activities (lower number of anticipated congregants – maximum of 20 people on-site at any one time including congregants and staff) would occur during normal business hours and peak uses would occur when the other existing businesses are not open (after 6:30 p.m. Wednesday through Friday and on weekends). In Pleasanton, religious facilities have become a common use in and around business parks and they are typically regarded as compatible uses. The Planning Commission has previously approved other religious facilities within Valley Business Park, such as the Tri-Valley Chinese Bible Church at 1035 and 1055 Serpentine Lane, the Islamic Center of Zahra at 1059 Serpentine Lane, the Graceway Church at 1183 Quarry Lane, and St. Innocent Church of Fremont at 1047 Serpentine Lane. These existing religious facilities have been operating for a number of years and staff is not aware of any reported issues related to these facilities. Furthermore, the applicant has been operating for the past five years at 6644 Owens Dr. without any apparent adverse impacts on the surrounding businesses or residents since no complaints have been reported to the City. Therefore, if the CUP were granted, staff believes the use would be compatible with the surrounding uses.

Should future problems arise with the proposed use, the City would have the ability to bring the application back to the Planning Commission for mitigation, or possible permit revocation, if necessary. Based on the discussion above, staff believes that such an action would be unlikely. In addition, staff has included conditions of approval that will ensure the proposed use would not generate noise, traffic, or parking shortages such that surrounding uses would be adversely affected. Therefore, from a land use perspective, staff finds the proposed use to be acceptable on the site, as conditioned.

Traffic and Circulation

The Traffic Engineering Division has reviewed the project narrative and plan that was prepared for the proposed religious facility and has determined that the proposed hours of operation, planned activities and the associated number of congregants and staff would not have a significant impact on existing traffic levels. Additionally, the activities for the proposed religious facility would not coincide with the AM/PM peak hour traffic levels for the other uses at the subject site and the surrounding area. However, should the applicant wish to increase the proposed congregant numbers for the planned activities and/or alter the hours stated in its narrative, review by the City's Traffic Engineer would be required to assess whether a traffic study would be required and whether payment of traffic fees and implementation of other mitigation measures would be warranted.

Parking

There are 189 shared parking spaces on the subject site. With a combined floor area of approximately 48,550 square feet, the parking ratio at the subject site is one space for every 257 square feet of floor area. With the proposed religious facility occupying approximately 5,250 square-feet of floor area, 20 parking spaces would, theoretically, be allocated to the proposed religious facility. However, there are no records of any City-approved parking allocation agreements; therefore, all on-site parking would be shared among all building tenants on the subject site.

Pursuant to Section 18.88.030 (D)(1) of the Pleasanton Municipal Code (PMC), *Schedule of off-street parking space requirements*, religious facilities require one parking space for every six fixed seats or one space for every 60 square feet of floor area usable for seating if seats are not fixed. Since fixed seating is not proposed, the parking is analyzed based on the square footage of floor area usable for seating. Based on the combined size of the proposed prayer room and Dwarakamai Room of 2,479 square feet, the minimum number of parking spaces required by the PMC would be 41 spaces ($2,479 \text{ sq. ft.} / 60 = 41 \text{ spaces}$), which would exceed the theoretical parking allocation to this tenant space. However, because the religious facility's peak parking demand activities would occur after 7 p.m. on Thursday evenings and/or after the normal business hours of the other existing on-site businesses that share the existing 189-space parking lot, staff believes there would be adequate parking available on-site for all existing uses and the proposed religious facility. Furthermore, the applicant has indicated that their prayer style differs from some other religions in that their members spend five to ten minutes praying and then leave. The applicant has also noted that the prayers occurring on Thursdays around noon, when the adjacent businesses are open, are mostly individuals coming from their workplaces and tend to carpool. Both of these factors would help reduce the religious facility's parking demand.

Based on the above parking analysis and recommended conditions of approval, staff believes that the proposed religious facility would not adversely affect parking supply at the subject site or surrounding properties and that adequate parking exists on-site to accommodate all existing and proposed uses. However, should parking problems occur, staff has included a condition of approval which allows the Director of Community Development to refer the use permit back to the Planning Commission for possible additional mitigation measures to be applied (Exhibit A). Possible mitigating conditions could include reducing the number of congregants and/or modifying the planned activities schedule to reduce conflicts with other on-site uses and parking demand.

Noise

The PMC states that a proposed conditional use must be in accordance with the objectives of the Zoning Ordinance. One of those objectives is to "promote the stability of existing land uses that conform with the General Plan and to protect them from inharmonious influences and harmful intrusions." For the most part, staff anticipates that the proposed religious facility would generate interior noise levels comparable to and no different from those of an office or light industrial use. All planned activities would be held indoors, with the exterior doors closed during operating hours. According to the applicant, there would be some amplified speech/music that would be kept under 70 decibels, but this would be utilized in a limited fashion, generally during the peak activity times on weekday evenings and on weekends when the other on-site businesses are closed. Furthermore, the subject building does not contain any operable windows, which will further reduce potential noise impacts on the surrounding

area. To further minimize any potential noise impacts, staff is recommending the following conditions of approval:

- All exterior doors must remain closed at all times during operating hours;
- Congregants shall not loiter outside of the building and shall be courteous and quiet when entering or leaving the parking area; and
- The City shall have the right to review the project again to add mitigating conditions should any future complaints regarding noise levels occur. Such conditions could include modifying the hours of operation, reducing the number of persons allowed in the tenant space, and/or requiring sound/noise attenuation to be installed within the subject tenant space.

The PMC establishes a noise limit of 75 dBA for the Industrial District. Since the peak uses of the facility would operate after the normal business hours (8 a.m. to 6:30 p.m.) of all other on-site businesses, and with the inclusion of the recommended conditions above, staff believes that it is unlikely that the noise produced by the proposed religious facility would adversely affect existing or future adjacent/nearby uses or residences, or exceed the noise threshold.

ALTERNATIVES

As articulated above, staff believes the religious facility, as proposed and conditioned, is consistent with the objectives of the zoning district. However, alternatives to the proposal that could be considered by the Planning Commission include:

1. Denial of the application. Such an action would preclude the applicant from occupying the subject site and conducting the specified activities; or
2. Approval of the CUP with modifications. The Planning Commission could approve the CUP, but with fewer congregants and/or planned activities, with modified hours of operation, or other changes to the proposal.

Since staff is able to support the findings to approve the project, as proposed, and believes the project will not adversely impact any existing on-site uses or the surrounding area, staff suggests that neither of the two project alternatives above should be pursued.

SUMMARY OF PROS/CONS OF PROJECT

PROS	CONS
Allows for the relocation of an existing religious facility within Pleasanton	Increases traffic and parking demand at this project site (however, traffic/circulation and parking impacts would not be adverse)
Consistent with zoning regulations	

PUBLIC NOTICE AND COMMENTS

Notices of this application were sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and noticing map as Exhibit C for reference. At the time this report was published, staff had not received any public comments about the project.

VALLEY BUSINESS PARK OWNERS ASSOCIATION

While the City does not require the approval of the Valley Business Park Owners' Association prior to Planning Commission consideration, the Association has reviewed the application for the proposed use and found that it is in substantial compliance with the Valley Business Park guidelines set forth in its Covenants, Codes & Restrictions (CC&Rs).

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt (Section 15301, Class 1, Existing Facilities) from the requirements of the California Environmental Quality Act (CEQA). Therefore, no environmental document accompanies this report.

SUMMARY/CONCLUSION

As proposed and conditioned, staff believes that the proposed religious facility will be compatible with and will not detrimentally affect the existing or future on-site and adjacent/nearby uses or residences. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area, and the City in general, is maintained. Staff believes that the proposed use will fulfill a community need and that the proposed location is appropriate.

Primary Author:

Eric Luchini, Associate Planner, 925-931-5612 or eluchini@cityofpleasantonca.gov

Reviewed/Approved By:

Steve Otto, Senior Planner

Ellen Clark, Planning Manager

Gerry Beaudin, Director of Community Development