



Planning Commission Agenda Report

June 27, 2018
Item 6.a.

- SUBJECT:** P16-0288 and P16-1883
- APPLICANT:** Chabad of the Tri-Valley
- PROPERTY OWNER:** Chabad of the Tri-Valley
- PURPOSE:** Applications for Conditional Use Permit and Design Review approvals to operate a religious institution with a childcare facility/preschool and for site modifications including a playground and outdoor terrace.
(Continued from April 25, 2018 Planning Commission Meeting)
- LOCATION:** 3370 Hopyard Road
- GENERAL PLAN:** Community Facilities - Other Public and Institutional
- ZONING:** RM-2,500 (Multi-Family Residential) District
- EXHIBITS:**
- A. [Draft Resolution](#) with [Conditions of Approval](#)
 - B. [Planning Commission Staff Report dated April 25, 2018](#), with the following attachments:
 - 1) [Written Narrative and Proposed Plans](#)
 - 2) [Shared Parking Agreement](#)
 - 3) [Health Risk Assessment Report](#)
 - 4) [Outdoor Play Area Noise Report](#)
 - 5) [UP-77-13 September 20, 2016, City Council Modified Conditions of Approval](#)
 - 6) [Public Comments](#)
 - 7) [Letter from Daniel Dalton/ Dalton & Tomich PLC](#)
 - 8) [Letters from Stuart Flashman, and James Schwartz \(without attachment\)](#)
 - 9) [Location and Notification Map](#)
 - C. [April 25, 2018, Planning Commission Meeting Minutes \(excerpt\)](#)
 - D. [Applicant Summary of Religious Holidays with an Outdoor Component](#)
 - E. [Public Comments](#)
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STAFF RECOMMENDATION

Staff recommends that the Planning Commission make the Conditional Use Permit findings and Design Review criteria within Exhibit A and adopt the attached Resolution approving Case Nos. P16-0288 and P16-1883, subject to the Conditions of Approval listed in Attachment 1 of Exhibit A.

EXECUTIVE SUMMARY

On April 25, 2018, the Planning Commission opened a public hearing to consider an application by Chabad of the Tri-Valley (“Chabad”) for a Conditional Use Permit approval to operate a religious institution as well as a childcare/preschool, and for Design Review approval for site modifications including the installation of a playground and a terrace used for outdoor activities. At the public hearing, many members of the public, including residents of the Valley Trails neighborhood, representatives of the applicant, and members of the Chabad spoke, with comments received both in support of and against the proposed application. At the conclusion of public comment, the Planning Commission requested additional information on some items to be provided, suggested the applicant conduct additional outreach to neighbors, including a neighborhood meeting, and continued the public hearing.

Consistent with staff’s prior recommendation, and as previously outlined in the April 25 agenda report, staff recommends the Planning Commission approve the subject applications. Staff continues to believe the proposed uses, subject to the draft Conditions of Approval, some of which have been modified slightly to address comments and concerns raised, will meet the intent of the zoning district, will be compatible with the surrounding uses, and that the proposed architectural changes are consistent with the criteria included in the Pleasanton Municipal Code (“PMC”).

PLANNING COMMISSION HEARING

On April 25, 2018, the Planning Commission held a public hearing to consider the subject applications. Testimony both for and against the project was provided by numerous members of the public in attendance.

Concerns expressed by the nearby residents were principally focused on potential noise and nuisance associated with outdoor activities including the number, size, and frequency of outdoor activities/events and use of the outdoor play area for the preschool.

The applicant’s representatives, while urging the Planning Commission to approve the project, submitted a letter from their legal counsel and verbally reiterated some requested modifications to several of the conditions that had been included in the draft resolution for approval. These requests and staff’s response to them are discussed in the analysis section below.

- Modification to Condition 11, to allow both windows and doors to be open during operation of the facility.
- Modification to Condition 5, with respect to prohibition of outdoor activities beyond the patio and playground, to allow for the northern (rear) portion of the project site to be used as a “biblical garden”

- Modification to Condition 7, to allow the proposed preschool playground to be located in the back (north) of the project site, rather than to the west side of the existing building
- Modification to Condition 8, to have less restricted hours for use of the playground so that it could be used by the preschool when needed
- Modification to Condition 52, to not specifically restrict the use of balloons
- Modification to Condition 19, to not require the proposed monitoring and reporting for parking at annual-permitted outdoor activities/events during the first year of operation

The Commission acknowledged the previous use and history of activities that had occurred on the project site as the basis of neighbors' concerns, and noted that there appears to have been limited consultation between the Chabad and neighbors to try and find solutions and agreement on the current proposal. There was consensus among the Commission that an additional effort should be made in this respect, before the Planning Commission took action on the application, and the item was continued to a date uncertain.

Individual Commissioners, at and since the meeting, requested staff provide some additional information on similar applications and uses (religious facilities with preschools and daycares), including playground operations, distances between playgrounds and nearby residential uses; the scope of outdoor activities permitted; as well as additional information on outdoor events to be held at the Chabad. This agenda report provides the requested information; and, as outlined below, suggests some minor modifications to previously recommended conditions of approval, for the Planning Commission's consideration.

The April 25, 2018, Planning Commission agenda report and attachments are attached as Exhibit B, and provide a detailed analysis of the project, which has not been modified since the previous hearing. Minutes of the April 25, 2018, Planning Commission Meeting (excerpt) is attached as Exhibit C.

ANALYSIS

As noted, this agenda report supplements the April 25, 2018 agenda report, and focuses on the following three items requested by the Planning Commission at the April 25 hearing:

- 1) Applicant's outreach to neighbors
- 2) Frequency of outdoor activities/events and use of the outdoor play area for the preschool at other religious facilities
- 3) Applicant's request to modify the staff-recommended conditions

1. Outreach to the Neighbors.

The Chabad has scheduled a neighborhood meeting for Wednesday, June 20, 2018, at 6:30 p.m. at the Chabad of the Tri Valley. Staff was informed that notice of the meeting was sent to residents on June 8, 2018. Staff will attend to observe the meeting, and since it will occur after this agenda report is finalized, will report on the meeting discussion and any outcomes to the Commission at the June 27 hearing.

2. Additional Information Requested by Planning Commission.

Comparison of Proposed Project to Other Similar Uses

Table 1 below summarizes data for various similar uses (religious institutions with licensed daycare or preschool facilities) compared to the proposed project. The table includes information on the distance between playgrounds and nearest residences; number of children attending; limitations on outdoor play hours, if any; and limitations on outdoor activities, if any.

As shown in the table, the Chabad preschool/daycare would have an enrollment similar to, and in several cases smaller than other permitted facilities. With respect to distance between playgrounds and nearest residences, there is wide variation, from 86 feet for the playground at St. Clare's to the nearest home, to approximately 250 feet for the playground at Beth Emek on Nevada Street. The Chabad's proposed playground is at a comparable distance (92 feet) to preschool's playground at nearby St. Clare's Episcopal Church. Only one of the other projects surveyed, Valley Community Church, had limitations on the number of students allowed to use the playground at any one time. This requirement was included based on the submitted preschool school schedules.

Table 1: Playgrounds at Religious Facilities and Outdoor Activity Comparison

Name	Location	Daycare/Preschool Capacity ¹	Approximate Distance between Playground and Residential Uses	Playground Hours	Outdoor Activities
Chabad	3370 Hopyard Road	Daycare/Preschool for 48 children	<i>Approximately 87 feet to the Miller residence (5903 Bryce Canyon court if located north of the existing building;</i> <i>Approximately 92 feet to the residence at 5906 Bryce Canyon if it is located to the west of the existing building</i>	10:30 a.m.- 12 noon 3-4 p.m. for 25 children at one time	15 per year
Trinity Lutheran	1225 Hopyard Road	Daycare Center since 1993 for up to 99 Children	190 feet to the house at 5053 Golden Road	Not Specified	Not Specified
Valley Community	4455 Del Valley Parkway	Daycare Center since 1998 for 76 children	180 feet to the house at 1147 Tiffany Lane	Outdoor recess for the preschool shall be limited to the existing tot lot on the site. A maximum of 30 students shall be able to use the lot at any one time.	Outdoor activities on or near the parking lots (which could be immediately adjacent to residential properties on Tiffany Lane) shall only be allowed during the months of June, July, and August. Outdoor activities shall end by 9:00 p.m.
St. Mary & St. John Coptic Orthodox Church	4300 Mirador Drive	Daycare Center since 2017 for 38 children	140 feet to the residence at 4260 Mirador Drive	Not Specified	Not Specified

Name	Location	Daycare/Preschool Capacity ¹	Approximate Distance between Playground and Residential Uses	Playground Hours	Outdoor Activities
Beth Emek	3400 Nevada Street	Daycare Center since 2004 for 30 children	250 feet to the nearest residential apartment building at Vintage Development on Nevada Court	Not Specified	Not Specified
St. Clare's	3550 Hopyard Road	Preschool since 1989 for 76 children	86 feet to the residence at 6010 Acadia Court	Not Specified	Not Specified
Harvest Valley	3200 Hopyard Road	Preschool since 1994 for 100 children	195 feet to the residence at 7293 Valley Trails	Not Specified	Not Specified
Ridgeview Hope Church/Lighthouse Baptist School	5959 W. Las Positas Blvd.	Private School since 2018 for 60 students	Not Applicable	Not Applicable	Not Specified

¹ Daycare/Preschool Capacity information is from State Department of Social Services' website.

Outdoor Activities/Events to be Held at Chabad.

As part of their application the applicant provided a list of religious festivals that involve an outdoor component (Exhibit D) - this was not included in the prior agenda report materials provided to the Commission. Because the Jewish calendar differs from the Gregorian calendar, Jewish holidays are not on a "fixed" date, and according to the applicant it is therefore difficult to set a maximum number of outdoor activities/events for each month. Table 2 lists the months of the proposed outdoor activities and the duration/days of the outdoor activity/event (based on the list in Exhibit D).

Table 2: Religious Holidays with Outdoor Component

Month	Holiday/Celebration	No. of Annual Outdoor Activities/Events	Duration (Days)
Jan.-Feb.	Tu B'shvat	1	1
Mar.-Apr.	Blessing on Blossoming Trees	1	1
	Ridding of Bread Ceremony	1	1
Apr. - May	Lag B'omer	1	1
May-June	<i>none</i>	0	0
July-Aug.	<i>none</i>	0	0
Sept.- Oct.	Tashlich	1	1
	Sukkot	1	8
Nov.-Dec.	<i>none</i>	0	0
Monthly	Sanctification of the Moon	12	1
Total	--	18	--

Exhibit D indicates a total of 18 days on which there could be a religious holiday with an outdoor component. With the exception of Sukkot, which lasts eight days, all of the outdoor activities/events occur on a single day. The applicant has emphasized that his request is for a maximum of 15 outdoor activities/events annually. As Sukkot is a multi-day religious celebration, the proposed Condition No. 3 has been revised (see underlined condition below) to clarify that multi-day religious festivals, such as Sukkot, would be considered a single event. Based on the calendar provided, staff does not believe that it is necessary to limit the total number of outdoor activities/events per month; however, the Planning Commission could consider doing so.

The revised condition reads as follows:

- ~~3. A maximum of 15 annual outdoor activities/events are allowed to take place in the outdoor terrace area. For the purposes of this Use Permit approval, an outdoor activity/event shall be defined as any outdoor activity involving 25 or more persons, whether scheduled or unscheduled.~~
3. A maximum of 15 annual outdoor activities/events are allowed to take place in the outdoor terrace area. For the purposes of this Use Permit approval, an outdoor activity/event shall be defined as any outdoor activity involving 25 or more persons, whether scheduled or unscheduled. Religious events that occur over several consecutive days, such as Sukkot, are considered a single event among the 15 permitted annually.

In its discussion, the Commission asked staff to provide information on whether similar uses had been conditioned to limit or define permitted outdoor activities. In addition to the approvals of religious institutions with preschools, listed in Table 1, staff reviewed several approvals for religious institutions alone, listed below. As shown, older conditional use permit applications for religious institutions, such as those for St. Clare’s Church (approved in 1977) and Valley Harvest Church (approved in 1976) did not include details of churches’ activities and operations. More recent CUP approvals (see below), such as for Crosspoint Church (2014), St. Innocent Church, Graceway Church (both in 2016), and Ridgeview Hope Church (2018) included detailed narratives of their worship schedules and attendance, church related activities, such as bible studies, youth programs, and other ancillary events and activities, but did not otherwise list or describe allowable outdoor activities, based on the location and site specific characteristics.

	<u>Date of Approval</u>	<u>Outdoor Activities</u>
Crosspoint Church 5627 Gibraltar Drive	August 27, 2014	Not Specified
St. Innocent Church 1047 Serpentine Lane	October 26, 2016	Not Specified
Graceway Church 1183 Quarry Lane	March 24, 2016	Not Specified
Ridgeview Hope Church 5959 W. Las Positas Boulevard	January 24, 2018	Not Specified

Construction Activities

A Planning Commissioner asked staff to research if there have been any unpermitted construction activities at Chabad or any complaints filed. There have been no open code enforcement cases on Chabad nor is the City aware of any construction activities that require a building permit having occurred.

4. Modifications to the Draft Conditions of Approval

As noted, James G. Schwartz, Attorney representing Chabad of the Tri Valley, wrote to staff citing several of the draft conditions impose undue and “draconian” restrictions on the Chabad. Rabbi Raleigh Resnick, the applicant, also raised some of these as similar concerns in his statements to the Planning Commission at the April 25 meeting. The conditions noted are listed below, with staff’s responses in *italics*:

5. Except for the playground and outdoor terrace areas, no outdoor activities or events of any size shall take place elsewhere on the project site. Maintenance of the site including landscaping is not considered an outdoor activity/event.

8. The outdoor playground shall only be used by the childcare/preschool. The playground shall not be used when childcare/preschool is not open for business. The outdoor playground shall be occupied by a maximum of 24 children at any one time and shall only be used from 10:30 a.m.-12 p.m. and from 3-4 p.m.

Staff's response: The applicant was concerned that the limitations of these conditions were too restrictive, because among other reasons, it would not allow the Chabad to use a third of its property. The applicant also suggested, during his verbal comments, the desire to use the northern (rear) portion of the project site as a “biblical garden.”

While the two conditions do restrict use of outdoor areas, they nonetheless aim to seek a balance between mitigating noise concerns expressed by the neighbors, and allowing for reasonable use of the outdoor terrace for the Chabad's events, and the playground component for the daycare/preschool.

As noted above, applications for similar uses reviewed by staff were generally silent on outdoor uses, making it difficult to provide a comparison between this project and other approvals. As also discussed, the total number of outdoor events has been tailored to correspond to information provided by the applicant on the number of outdoor religious events and holidays that occur annually. Condition No. 5, limiting outdoor activities within other portions of the site beyond the patio and playground also attempts to respect the noise concerns of neighbors, while allowing reasonable outdoor use of the patio and playground.

With respect to use of areas beyond the patio and playground, at one point the application narrative did include a “contemplation garden,” but this component was later removed by the applicant and is therefore not included in this approval. If the applicant wishes to include it as part of the application, details of design and use of the garden could be submitted for review and approval by the City (or at staff level approval) as a revision to this application and/or approval, if it is granted.

With respect to the playground, the City has approved a number of daycares/preschools with outdoor play areas near residential uses, although there is at least one exception to this. A 2014 conditional use permit application for a Heritage School with a playground at 5460 Sunol Boulevard, Suites 3 and 4 was not approved because of concerns about playground noise for nearby residents. This playground was located approximately 81 feet from the nearest residence. However, a 2015 conditional use permit application for a preschool with a playground at 3550 Bernal Avenue, Suite 100B was approved. In this case, the preschool's playground was located approximately 43 feet from the nearest residence.

As previously mentioned, the proposed playground would be located approximately 87 feet from the Millers residence at 5903 Bryce Canyon Court if were located north of the existing building; and approximately 92 feet to the residence at 5906 Bryce Canyon Court if it is located to the west of the existing building – staff recommended this latter location. The distance would be greater than the two applications discussed above, one of which was approved, and one which was denied, and similar to the nearby St. Clare's preschool playground.

Condition No. 8, limiting the times and number of students in the playground, is recommended by staff based on the preschool schedule provided by the applicant. Limiting playground times have been placed on other preschools' conditional use permits in the past. Specifically, a similar condition was imposed on a preschool located at 4807 Hopyard Road that limited outdoor playtime to twice a day between 11 a.m.-4 p.m. for no longer than 30 minutes with up to 30 children. Another preschool located 5698 Stoneridge Drive limited outdoor playtime from 10 a.m. to 12 noon and from 3-5 p.m. with up to 24 children. The Commission may retain, revise, or remove the condition proposed by staff.

Staff believes that, with the limitations on hours of use and numbers of children at one time for the playground; and on the size, number and hours for outdoor events, all of which are consistent with the narrative provided in the application, that an appropriate balance is provided between the neighbors' noise concerns and the applicant's desire to have reasonable use of these outdoor areas. However, the Commission may retain, revise, or remove the conditions proposed by staff.

11. All exterior doors and windows remain closed but not locked when the building is in use.

Staff's response: The applicant also felt that this condition was overly restrictive. The intent of this condition is to contain noise within the building and it is a standard condition used in conditional use permits for churches, schools/tutoring facilities, and daycares. Examples of recent approvals with a similar condition¹ applied include:

¹ The condition for these conditional use permit approvals requires the exterior doors of the tenant space remain closed when not being used for ingress/egress purposes. It does not specify that windows be closed because, for each of these application, the building windows are not operable.

- Genius Kids located at 5698 Stoneridge Drive
- Genius Kids located 3550 Bernal Avenue, Suite 100B
- Ridgeview Hope Church located at 5959 W. Las Positas Boulevard
- Crosspoint Church located at 5627 Gibraltar Drive, Suite 100

In this particular application, the applicant proposes to have two new operable windows on the north elevation of the building (for the preschool classrooms). Therefore, the condition is worded to require the exterior doors and windows remain closed when the building is in use for the Chabad and preschool/daycare in order to contain noise within the building. However, in light of the fact that the principal noise concerns are for the neighbors to the north, staff recommends this condition be clarified to specify that the windows and doors on the north elevation be closed during the daycare's operating hours. Staff recommends the condition be revised as follows (underlined):

~~11. All exterior doors and windows remain closed but not locked when the building is in use.~~

All exterior doors and windows on the north side of the existing building remain closed during the daycare's operating hours.

13. Chabad of the Tri-Valley shall submit a full-sized scalable floor plan, prepared by a licensed professional, to the Building and Safety Division as part of the building permit plan check review and permitting process. Said plan shall provide all information determined necessary by the Building and Safety Division for review of the building permit including, but not limited to the use of each room, dimensions of rooms and hallways, proposed partition details, window sizes and types, etc. Said plans shall be subject to review and approval by the Director of Community Development and Chief Building Official prior to issuance of a building permit.

Staff's response: *The applicant objected to this condition as being overly restrictive. The condition was included by staff because the plans (site and floor plans) submitted with the application attached as Exhibit B1 are not scalable and are not consistent with one another. In addition, the floor plan does not have sufficient information to determine whether the existing building would meet all applicable Fire and Building Code requirements to be used as a daycare (e.g. adequate exiting/egress, width of corridors, etc.). Accurate and scalable plans are required for all projects that require a change of use and a building permit.*

19. During the first year of operation, the use of the shared parking lot shall be monitored by Chabad of the Tri-Valley for each of the (up to) 15 annually-permitted events. Monitoring shall also be performed by Chabad of the Tri-Valley during Hebrew classes on Sundays to ensure the existing parking lot is adequate to serve both Chabad of the Tri-Valley and St. Clare's Episcopal Church needs.

Chabad of the Tri-Valley shall take parking counts every hour on the hour for every

event during an event for a period of one year from the first event to document the number of parking spaces occupied and the number of parking space available.

Chabad of the Tri-Valley shall take parking counts every hour on the hour between 9:30 a.m.–1 p.m. when Hebrew classes are in session for a period of three months to document the number of parking spaces occupied and the number of parking space available.

At the end of the monitoring periods, Chabad of the Tri-Valley shall report to the Director of Community Development of their findings in writing including specific data documenting event date and time, number of event attendance, and number of parking spaces occupied and available. If the shared parking is determined to be insufficient by the Director of Community Development, additional conditions and/or restrictions may be imposed by the Director of Community Development, such as requiring Chabad of the Tri-Valley to revise its schedule and/or reduce the number of people attending the events so the demand for parking does not exceed the number of available parking spaces at St. Clare's parking lot.

Staff's response: The applicant objected to this condition as being overly restrictive. The intent of this condition is to ensure the shared parking between Chabad and St. Clare's would adequately serve both parties and that the surrounding residential neighborhood would not be significantly impacted by parking when there is an event taking place at Chabad, by defining a reasonable schedule for monitoring that would need to be conducted during the initial months of operation of the facility. The Commission may retain, revise, or remove the condition proposed by staff.

28. Representatives of Chabad of the Tri-Valley shall regularly inform all users of the site/building, including synagogue members, childcare facility/preschool patrons, and the public attending any events/gatherings not to loiter outside of the building, and to be respectful of neighbors and to be quiet when entering or leaving the parking area.

Staff's response: Similar to Condition No.11, this condition intends to minimize noise impacts on the surrounding neighbors. This condition is commonly applied to churches, daycares, tutoring facilities, etc. where patrons may congregate outside of the building. The Commission may retain, revise, or remove the condition proposed by staff.

43. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorney's fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney's fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Staff's response: *The applicant objected to this condition as being overly restrictive. However, this is a standard condition, defending the City from liability associated with project approval, and it is applied to all projects that require discretionary review.*

44. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this Conditional Use Permit may be submitted to the Planning Commission for their subsequent review at a public hearing.

Staff's response: *The applicant objected to this condition as being overly restrictive. The Pleasanton Municipal Code Section 18.124.130 - Suspension and revocation states upon violation of any applicable provision of this chapter or upon failure to comply with conditions, a use permit shall be subject to suspension or revocation. This is a standard condition applied to all conditional use permit approvals. If the operation of a conditionally permitted use results in significant impacts relating to parking, noise, traffic/circulation, or other factors after it receives approval, the Commission has the authority to review the use permit at a public hearing and determine whether the conditional use permit should be suspended or revoked.*

52. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Pleasanton Municipal Code for a grand opening.

Staff's response: *The applicant opposed this condition because of concern that it would prevent children from having or playing with small balloons on site (or, presumably for situations such as being used for decorations at a permitted event). The inclusion of "balloons" in this condition is intended to prevent use of large, attention getting balloons used as advertising or publicity by businesses, and is a standard condition, reflecting requirements of the PMC, applied to new businesses and organizations that require discretionary approvals. It does not include the type of balloons referenced by the applicant. The Commission may choose to retain, revise or remove this condition, although, if removed, the PMC requirements prohibiting banners and attention-getting devices would continue to apply.*

ALTERNATIVES

As noted, it is staff's recommendation that the Planning Commission approve the CUP and Design Review, subject to the draft Conditions of Approval. However, should the Planning Commission determine that the Findings or Design Criteria cannot be made, the Commission can pursue one of the following alternatives:

1. Direct further modifications to the project or to conditions or approval to address potential operations issues, and/or issues raised by the applicant. If modifications or new conditions are extensive, they may need to be brought back to the Planning Commission for review at a continued public hearing; or
2. Deny the Use Permit and Design Review applications. If the Planning Commission pursues this alternative, the applicant would be required to submit new applications,

reflecting a substantially modified project design, or could appeal the decision to the City Council. Since a resolution for denial has not been prepared, if the Planning Commission selects this alternative, staff would recommend that the item be brought back to the Commission at a future date with a resolution that includes findings for denial.

PUBLIC NOTICE

Staff received a letter (Exhibit E) from a Pleasanton resident after the April 25, 2018 hearing, urging the Commission to make a decision.

Notices regarding this continued hearing were mailed to the surrounding property owners and tenants within a 1,000-foot radius of the subject site. A map showing the noticing area is attached to this report. The public notice was also published in *The Valley Times*. At time this report was published, staff has not received any comments. As noted, the Chabad has organized a June 20 meeting with notice provided to neighbors in the vicinity; staff will report on the outcomes of this meeting at the June 27 hearing.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15301, Existing Facilities, Class 1. Therefore, no environmental document accompanies this report.

CONCLUSION

Staff believes that the required CUP findings and DR criteria for the project can be met if the project is approved as conditioned, with some conditions of approval modified based on the public comments from the April 25, 2018 hearing as discussed in this agenda report. Adherence to these conditions will ensure that the safety and general welfare of the surrounding area is maintained. Staff believes that the proposed uses and site modifications would provide a service to the community and that the proposed location is appropriate, and therefore recommends the Planning Commission approve the project.

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