



## Planning Commission Staff Report

December 9, 2015  
Item No. 5.a.

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| <b>SUBJECT:</b>        | <b>P15-0577</b>  |
| <b>APPLICANT:</b>      | Inklings Coffee and Tea  |
| <b>PROPERTY OWNER:</b> | Green Valley Corporation   |
| <b>PURPOSE:</b>        | Application for a Conditional Use Permit (CUP) to operate a meeting hall for community events (concerts, lectures, art displays, and various meetings) in conjunction with a coffee house  |
| <b>LOCATION:</b>       | 530 Main Street  |
| <b>GENERAL PLAN:</b>   | Retail/Highway/Service Commercial, Business and Professional Offices   |
| <b>SPECIFIC PLAN:</b>  | Downtown Specific Plan, Downtown Commercial Land Use Designation   |
| <b>ZONING:</b>         | C-C (Central Commercial), Downtown Revitalization, Core Area Overlay, Downtown Hospitality Central Core Area District  |
| <b>EXHIBITS:</b>       | A. <a href="#">Draft Conditions of Approval</a><br>B. <a href="#">Narrative, Site Plan, and Floor Plan</a> dated "Received October 30, 2015" and "Received December 4, 2015"<br>C. <a href="#">Email from Bryan Bowers dated "Received December 1, 2015"</a><br>D. <a href="#">Location and Notification Map</a> |

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### BACKGROUND

Mark Lortz, sole proprietor of the proposed Inklings Coffee and Tea House, which is affiliated with Valley Community Church located at 4455 Del Valley Parkway in Pleasanton, is requesting to operate a meeting hall for community events (concerts, lectures, art displays, and various meetings) in conjunction with a coffee house within the existing building at 530 Main Street. The building, which is currently vacant, was originally constructed as a bank (Bank of America). The most recent tenant was Round Table Pizza.

The subject site is located within the Downtown and is zoned C-C District. Pursuant to the Pleasanton Municipal Code (PMC), meeting halls are conditionally allowed within the C-C District with the approval of a CUP. Accordingly, the CUP application is before the Planning Commission for review and action.

The applicant will be submitting a staff-level Design Review application to make minor exterior modifications (new American with Disabilities Act parking spaces, new signs, outdoor dining area, new windows on the Main Street elevation, etc.) to the existing site and building. That application will be reviewed by staff and the Planning Commission will be notified of staff's action on a future Zoning Administrator Action Report.

### SITE AND AREA DESCRIPTION

The subject site is an approximately 38,000-square-foot parcel located on the east side of Main Street (Figure 1). The existing two-story building, which is currently vacant, is approximately 6,944 square feet in size (Figure 2) and the interior has been reconfigured numerous times to accommodate various uses over the years.

**Figure 1: Aerial Site View**



**Figure 2: Street View of Subject Site and Existing Building**



The project site contains a parking lot with a total of 72 parking spaces, including two accessible spaces. The site plan (Exhibit B) depicts 71 spaces because the applicant will install an additional accessible space, which will result in the loss of one parking space. Other existing site improvements include several planters and a gazebo within the existing parking lot, a trash enclosure to the east of the existing building, two driveways off of Main Street, a driveway providing access to Railroad Avenue through a parcel to the east, and other related improvements.

Commercial uses (retail, personal services, and offices) surround the subject site.

## **PROPOSED PROJECT**

The applicant is proposing to occupy and utilize both floors of the existing building to operate a meeting hall for community events (concerts, lectures, art displays, small wedding ceremonies and receptions, movie nights, trivia nights, and various meetings) in conjunction with a coffee house. The first floor will include a coffee and tea shop with a coffee bar and table seating, an assembly area with a portable stage and unfixed seating, a green room which performers and lecturers can occupy when not using the stage, two meeting rooms, a small kitchen, multiple storage areas, and restrooms. The first floor would be accessible to patrons via five exterior doors. The second floor will include two meeting rooms, multiple storage areas, and restrooms. The second floor is accessible to patrons via stairs from the interior of the first floor and a door that leads to an exterior stairwell on the east side of the building.

The assembly area would host a variety of special events, which would primarily be held on Fridays and Saturdays between 5:00 p.m. and 10:00 p.m. Smaller events would be held on the other days, including small church gatherings primarily on Sundays. Events are expected to last two to three hours and there will be no more than one event per day. When the meeting hall is not being used for special events, it will be available as a study hall and community gathering place. The smaller meeting rooms on the first floor will be available for use by

various groups such as sports leagues, businesses, recovery groups, religious groups, and other community groups. The meeting rooms on the second floor will only be used for overflow, as needed, when the downstairs meeting rooms are full.

The proposed hours of operation are from 7:00 a.m. to 1:00 a.m. daily. The maximum proposed occupancy is 160 persons (120 in the assembly area and 40 in the coffee shop), six to eight of which will be employees. None of the smaller meeting rooms will be available during special events, but the coffee shop will be fully operational at all times during the hours of operation. In addition to selling coffee and tea drinks, the coffee shop will offer pastries and snacks. The coffee shop will also sell merchandise related to the nature of the business. Additionally, food service (e.g., outdoor grilling) will be provided in conjunction with special events approximately six times per year. The applicant has indicated that no alcohol will be sold or allowed at these events. Outdoor cooking equipment and designated areas for temporary food preparation will occupy three to five parking spaces.

The applicant is also proposing minor tenant improvements (reconfiguring of interior partitions, etc.). Please see the attached site plan, floor plan, and narrative (Exhibit B) for additional information on the proposed use.

## **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 use permits.

### Land Use

The subject site has a General Plan designation of Retail/Highway/Service Commercial, Business and Professional Offices and is zoned C-C District. Coffee shops are a permitted use and meeting halls are a conditionally permitted use in the C-C District. The applicant has applied for a CUP, as required for meeting halls in the C-C District. Therefore, if the CUP were granted, the meeting hall would be consistent with the applicable land use regulations.

One of the primary concerns in reviewing a conditional use permit application is the effect of a proposed use on surrounding uses. The proposed use is located in a commercially zoned area of the Downtown, containing mixed land uses including retail, office, hotel, and residential uses. Staff is sensitive to potential land use conflicts in the Downtown that may result from the juxtaposition of residential and commercial uses. Furthermore, commercial uses may have "spill-over" effects on those residents related to parking, hours of operations, noise, or similar issues. The closest residentially zoned property is located approximately 470 feet to the east of the rear (east) property line of the subject site, and is buffered by a one-story commercial building, Lions Wayside Park, Railroad Avenue, and First Street. The subject site is adequately buffered from the closest residentially zoned properties. Therefore, staff believes it is unlikely

the proposed use would adversely impact nearby residences. In addition, spillover effects on residential uses would be limited, as discussed in more detail below.

Should future problems arise, the City would have the ability to bring the application back to the Planning Commission for mitigation, or possible revocation, if necessary. In addition, staff has included conditions of approval that will ensure that the surrounding uses are not impacted due to noise, parking, traffic, or other objectionable influences. Therefore, from a land use perspective, staff finds the use to be acceptable on the subject site, as conditioned.

### Noise

Patrons' voices and amplified live indoor music during special events and small church gatherings would be the main noise sources at the subject site. The proposed hours of operation are 7:00 a.m. through 1:00 a.m. daily. The applicant is proposing amplified live indoor music for special events such as small concerts, which will primarily be held on Fridays and Saturdays between 5:00 p.m. and 10:00 p.m. but could be held anytime during the hours of operation. There will also occasionally be amplified live indoor music during the small church gatherings on Sundays. The applicant has also indicated that there will be lightly amplified recorded background music within the building during the proposed hours of operation.

All activities will occur inside the building and any noise generated from these activities inside the building will be similar to that generated by other uses in the Downtown with live bands. Noise levels should not exceed those that are typical for the Downtown. The proposed use would be subject to various conditions of approval intended to minimize noise impacts such as keeping windows and doors closed when not being used for ingress/egress and installing signs requesting exiting patrons to not loiter and keep quiet when leaving the premises. The proposed use would also need to comply with the City's noise regulations. In addition, staff is recommending that amplified indoor music within the meeting hall be limited to 8:00 a.m. to 11:00 p.m. daily, which is the same limit for amplified indoor music established by the Downtown Hospitality Guidelines for the Central Core Hospitality Zone. Therefore, staff believes that noise from the meeting hall would not significantly impact uses located adjacent to or near the subject site.

### Parking

For properties zoned C-C District and located within the Downtown Revitalization District, the PMC does not require additional parking for a change in use of buildings that are older than five years, even if the new use generates a higher parking demand. Thus the proposed use would not require the provision of additional parking. However, the Planning Commission may require parking mitigation for a use if deemed necessary through the review of a CUP.

In much of the Downtown, on-street parking is the primary parking source used by visitors while patronizing a restaurant, retail or personal service establishment, office, or other commercial use. However, the subject site has a large parking lot that provides 71 parking spaces, which is unique in Downtown. 46 spaces would be exclusively available to Inklings Coffee and Tea. The applicant's lease agreement with the landlord requires 25 spaces to be retained for use by nearby businesses owned by the landlord, which are primarily daytime businesses with business hours generally from 8:00 a.m. to 5:00 p.m. The shared parking is an

informal agreement between the landlord and these off-site businesses, and has not been recorded with the City.

As described above, the PMC would not require the provision of additional parking for the proposed use. However, the parking provisions of the PMC are helpful in ascertaining the actual parking demand of the proposed use. Section 18.88.30.F.1 of the PMC establishes a parking requirement of one space for each 300 square feet of floor area for all uses (except office uses on the ground floor of new buildings on sites with frontage on Main Street) zoned C-C and in the Downtown Revitalization District. If the proposed use involved the construction of a new building, this section of the PMC would require the provision of 23 parking spaces. However, the actual parking demand for the proposed use is expected to be higher than would be suggested by the parking requirements of the PMC. The total maximum proposed occupancy for the proposed use is 160 persons. This number is expected to be significantly lower when there are no special events occurring in the assembly area.

Staff believes there is enough off-street parking on the subject site to meet the parking demand during special events when the number of occupants approaches the total maximum proposed occupancy of 160 persons (120 for the assembly area and 40 for the coffee shop), six to eight of which will be employees. The applicant has stated that travel to many of the special events would likely comprise of groups of attendees, and that many attendees cannot or may not desire to drive (i.e., children, elderly, etc.). Special events such as movie nights, small concerts, art displays, and trivia nights will be specifically geared towards couples, families, church groups, business teams, and/or social groups. Therefore, the majority of attendees are expected to carpool, and the applicant expects that many attendees will carpool in groups of more than two. More specifically, based on carpooling information from the affiliated church, 25 percent of the attendees are expected to carpool with two people, 40 percent are expected to carpool with three or more people, and 25 percent are expected to drive individually. Additionally, approximately 10 percent of attendees are expected to travel by walking or bicycling. Inklings Coffee and Tea will also encourage bicycling by offering discounts for patrons arriving by bicycle. There is also an existing bicycle rack adjacent to the building.

**Table 1: Expected Parking Demand**

| Mode of Travel                        | % Breakdown | # of Attendees/Employees | # of Vehicles |
|---------------------------------------|-------------|--------------------------|---------------|
| Drive Individually                    | 25%         | 40                       | 40            |
| Carpool with 2 People                 | 25%         | 40                       | 20            |
| Carpool with 3+ People (average of 4) | 40%         | 64                       | 16            |
| Bike/Walk                             | 10%         | 16                       | 0             |
| Total                                 | 100%        | 160                      | 76            |

Based on this information, staff believes that the proposed use would generate an expected peak parking demand of 76 spaces, which would not unreasonably compromise the local parking supply (see Table 1). Inklings Coffee and Tea House will have reciprocal access to the 25 spaces used by other businesses during non-business hours (evenings) when the majority

of the special events will be held. Therefore, 71 parking spaces are expected to be available during special events when the parking demand will be at its highest.

Although a few attendees may need to utilize on-street parking when the parking demand is at its highest, on-street parking is the primary parking source for many businesses in the Downtown because much of the original development in the Downtown provided little to no off-street parking. Because the anticipated demand for on-street parking will be modest, staff believes that the proposed use would not result in any adverse parking-related impacts. However, should parking-related problems occur, staff has included a condition of approval which allows the Director of Community Development to refer the CUP back to the Planning Commission for possible mitigation measures.

#### Pleasanton Downtown Association

The Downtown Vitality Committee of the Pleasanton Downtown Association reviewed the subject application. The Committee unanimously voted in support of the project.

#### Public Correspondence

Byran Bowers expressed support for the application in an email submitted to staff dated "Received December 1, 2015" (Exhibit C). Mr. Bowers expressed that the vacant building has become a blight in the Downtown and that the proposed use would help revitalize the subject site and be a benefit to the community.

### **FINDINGS**

The Commission needs to make the following findings prior to the granting of a use permit:

- A. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purpose of the district in which the site is located.**

Objectives of the zoning ordinance include: fostering a harmonious, convenient, workable relationship among land uses; protecting existing land uses from inharmonious influences and harmful intrusions; and ensuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. As conditioned, staff feels the proposed meeting hall would be consistent with these objectives.

The subject site is zoned C-C and is located in the Downtown, which permits a variety of commercial, office, and residential uses. Coffee shops and meeting halls are in accordance with the purposes of the C-C District in that they offer commodities and services to the residents of Pleasanton and surrounding areas. The proposed operations would be consistent with the Downtown Specific Plan's goals of increasing the economic diversity of the area and encouraging businesses to remain open later at night. The proposed conditions of approval for the project provide the City the ability to ensure that the proposed use meets its conditions of approval. Staff believes the

proposal is consistent with the objectives of the Zoning Ordinance and the C-C District, and therefore, this finding can be made.

**B. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.**

With the recommended conditions, staff finds that the proposal will not have a detrimental impact to the public health, safety, or welfare, or be materially injurious to the properties or improvements in the vicinity. In particular, conditions require adherence to hours of operation to mitigate for possible impacts to adjacent uses and/or properties. The meeting hall is required to adhere to the City's Noise Ordinance, which was designed to protect the peace, health, safety, and welfare of the citizens of the City. Furthermore, if a conflict arises with the operation of the business, a condition of approval allows the Director of Community Development to determine if the proposal needs to return to the Planning Commission for further consideration or additional mitigation measures. Therefore, staff believes that this finding can be made.

**C. That the proposed conditional use will comply with each of the applicable provisions of the zoning ordinance.**

Staff finds that, as conditioned, the proposed use will comply with all provisions and requirements of the City's Zoning Ordinance. As with any CUP, this CUP may be revoked if the conditions are not met. Therefore, the proposed use will comply with the provisions of the Zoning Ordinance. Staff believes this finding can be made with the proposed conditions of approval.

## **PUBLIC NOTICE**

Notice of this application was sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and noticing maps as Exhibit D for reference. At the time this report was published, staff has only received the email from Bryan Bowers referenced in the previous section of this report.

## **ENVIRONMENTAL ASSESSMENT**

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

## **CONCLUSION**

Staff believes that the required CUP findings for the project can be met if the project is approved as conditioned. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area is maintained. Staff is of the opinion that



the proposed meeting hall would provide a service to the community and generate vitality in the Downtown, and that the proposed location is appropriate and would introduce an active use to a currently-vacant building.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve Case P15-0577 by taking the following actions:

- 1) Make the required CUP findings as listed in the staff report; and
- 2) Approve Case P15-0577 subject to the conditions listed in Exhibit A.

### **Primary Author:**

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### **Reviewed/Approved By:**

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