

Planning Commission Staff Report

August 27, 2014
Item 5.a.

SUBJECT: P14-0833

APPLICANTS: Stephen Ng/Crosspoint Church of Silicon Valley

PROPERTY OWNER: W Group Holding III, LLC

PURPOSE: Application for a Conditional Use Permit to establish a religious facility within a portion of an existing building

LOCATION: 5627 W. Las Positas Boulevard, Suite 100

GENERAL PLAN: Business Park and Mixed Use

ZONING: PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office) District

EXHIBITS:

- A. [Draft Conditions of Approval](#)
- B. [Applicant's Written Narrative, Site Plan and Floor Plan](#)
- C. [Draft Shared Parking Agreement](#)
- D. [Approval Letter from Hacienda Owners Association](#)
- E. [Location Map and Noticing Map](#)

BACKGROUND

Crosspoint Church of Silicon Valley (Crosspoint) is based in Milpitas. In recent years, it has been providing worship services to the Tri-Valley community on Sundays in local hotels. The church desires a permanent location in the Tri-Valley to accommodate an increasing number of parishioners. Mr. Stephen Ng, on behalf of the church, filed an application to establish a church in an existing building in the Hacienda Business Park. Hacienda Business Park was approved as a Planned Unit Development and the project site is located in the Research and Development/Light Manufacturing Planning District (IPD District) of the business park. Religious institutions are a conditionally permitted use in the IPD District. Conditional Use Permit applications are subject to review and action by the Planning Commission.

SITE DESCRIPTION

The project site is an approximately 5.5-acre parcel located on the east side of Hacienda Drive, between Gibraltar Drive and W. Las Positas Boulevard. The site contains three multiple-tenant buildings and has a total of 435 shared on-site parking spaces. The subject building is one story and approximately 35,517 square-feet in area. It is currently occupied by Safari Kid, a heritage school, and Adept Technology Inc., a manufacturer of industrial robots. Crosspoint Church would occupy the space currently used by Adept Technology. Each of the two existing tenant suites has exterior doors that allow for direct access to the tenant spaces. There is a common hallway or internal access between suites on the north side of the building. It is anticipated that Adept Technology would vacate the tenant suite by the end of the year. Figure 1 depicts the site location.

Properties adjacent to the project site include office and light industrial/warehouse uses to the north, east, and south. Thomas Hart Middle School and a private heritage school/daycare facility are located to the west, across Hacienda Drive.

Figure 1: Site Location



PROJECT DESCRIPTION

Crosspoint is a non-profit organization. Established in 2000, the ministry has provided religious, educational, social, and recreational services, and has engaged in community services such as serving at food pantry and homeless shelters.

Proposed Programs

The objective of the proposal is to provide a permanent location for Crosspoint. The details of services and programs, as described by Crosspoint, are summarized in Table 1: Proposed Services and Programs.

Table 1: Proposed Services and Programs

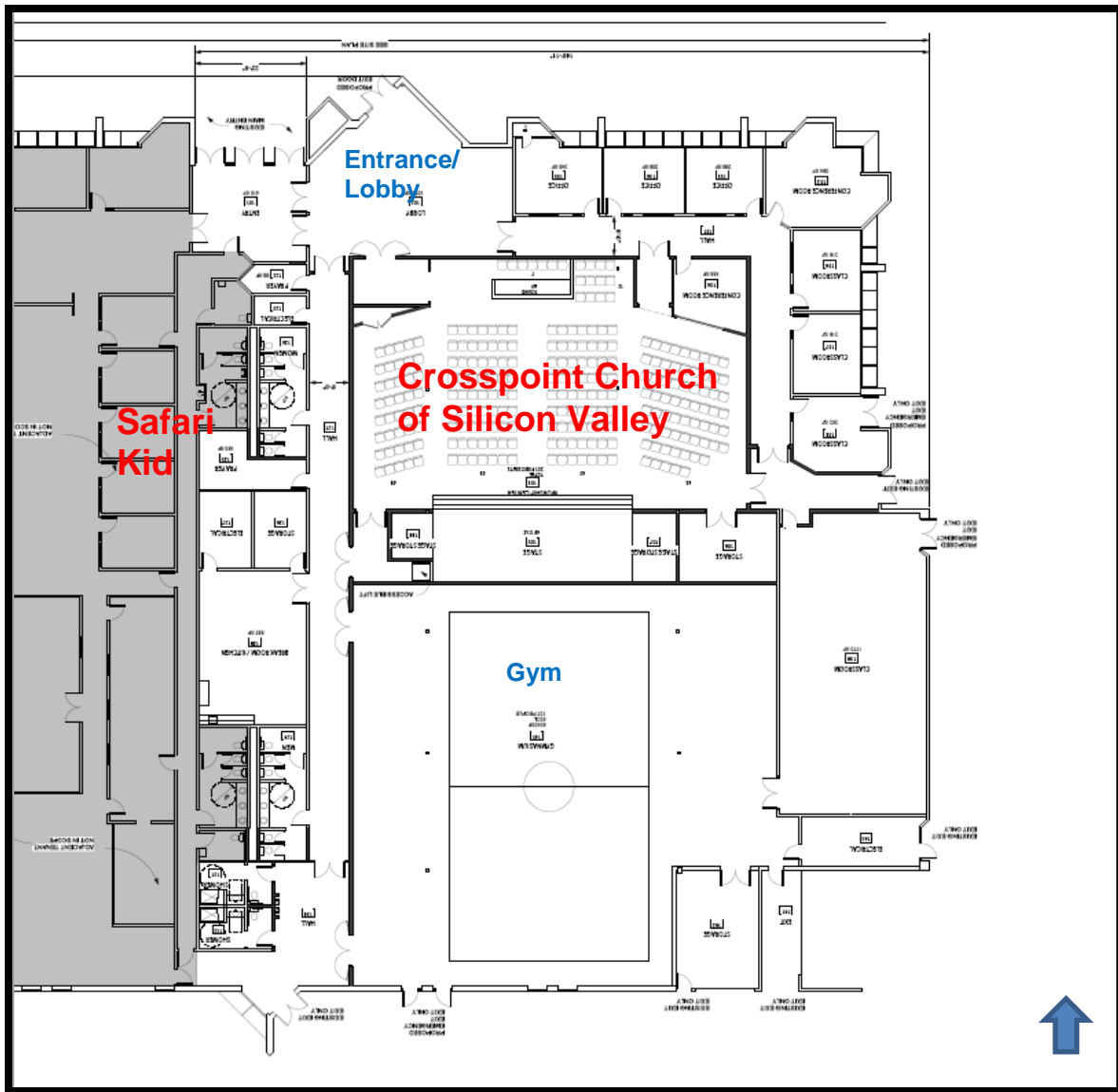
Day	Time	Activities (Attendance)	Notes
Monday – Friday	9:00 a.m. -5:00 p.m.	Office work (4)	
Monday – Thursday	8:00 p.m. – 10:00 p.m.	Bible Study Groups (75) Leadership Training (20) Ministry Meetings (30)	
Friday	8:00 p.m. – 11:00 p.m.	Small Group Meetings (100) Recreational Sports (30)	Recreational Sports include but are not limited to basketball and badminton.
Saturday	9:00 a.m. – 12:00 p.m.	Life Development Groups (30) Small Groups (50) Interest Groups (20) Recreational Sports (30)	Life Development Group meets once a week. Interest Groups, such as Mother’s Support Group, meets once a week.
	2:00 p.m. – 4:00 p.m.	Life Development Groups (30) Small Groups (50) Interest Groups (20) Recreational Sports (30)	
	5:00 pm. - 6:30 p.m.	Adult worship services (150) Children Programs (50)	During the service, children of the parishioners would be attended by Crosspoint staff/volunteers in classrooms.
	8:00 p.m. – 10:00 p.m.	Small groups (50) Recreational Sports (30)	
	Various	Baptismal Services (50) Weddings (250) Evangelistic Events (250) Seasonal Celebrations (250)	Occasional activities
Sunday	10:00 a.m. – 11:15 a.m.	Adult Worship (250) Youth Worship (50)	
	11:30 a.m. – 12:45 p.m.	Adult worship (250)	
	2:30 p.m.- 4:30 p.m.	Small Groups (100) Bible Study (40) Leadership Trainings (40) Choir Practice (20) Recreational Sports (50)	
	Various	Baptismal Services (50) Weddings (250) Evangelistic Events (250) Seasonal Celebrations (250)	Occasional activities; would not occur simultaneously with regular scheduled activities
Month of July	9:00 a.m. – 3:00 p.m.	Vacation Bible School/Camp (100)	One-week only for children between the ages four and 10.

Crosspoint currently has a membership of 150 parishioners. It is anticipated that the congregation would grow to 250 members in five years.

Facility Layout

Crosspoint would have a worship center, two prayer rooms, four classrooms, three offices, two conference rooms, an entry and lobby area, break room, storage rooms, restrooms, and utility rooms. It would not have shared restrooms with the adjoining Safari Kid facility. For a detailed facility layout, please refer to Figure 2 below.

Figure 2: Floor Plan



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 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. The following sections provide analysis of the proposed use with respect to potential impacts related to land use, parking, noise, building and site modifications, and signage.

Land Use

One of the primary concerns in reviewing a Conditional Use Permit application is the effect of the proposed use on surrounding land uses. The Land Use Element of the General Plan designates the subject property as “Business Park (Industrial / Commercial and Office) / Mixed Use.” The zoning for this site is PUD-I/C-O (Planned Unit Development – Industrial / Commercial – Office), and is located in the Research and Development / Light Manufacturing Planning District (IPD) of Hacienda Business Park, which permits land uses such as office and light manufacturing uses and requires Conditional Use Permit approval for uses such as religious institutions, schools, and tutoring facilities.

Churches are located in various business parks in the City. Churches have become a common use in and around business parks and they are typically regarded as good neighbors because their peak activity periods typically do not coincide with those of business park/office uses. Staff believes that the location is appropriate and does not expect that the proposed use would create adverse impacts on the surrounding businesses.

Parking

There are 435 parking spaces that are shared among three buildings on the subject site. The combined building floor area of the three buildings is 120,112 square-feet. Therefore, the parking ratio at the subject site is one space for every 276 square-feet of floor area. With Crosspoint occupying approximately 22,766 square-feet of floor area, 82 parking spaces would, theoretically, be allocated to the proposed use.

For religious facilities, the Pleasanton Municipal Code requires one parking space per six fixed seats or one parking space per 60 square feet of floor area usable for seating if seats are not fixed, in all facilities in which simultaneous use is probable as determined by the zoning administrator.

The worship center would accommodate 251 fixed seats, requiring 42 parking spaces. As stated in the written narrative, the youth worship service would be held simultaneously with the adult worship service in a classroom of approximately 1,772-square-feet in floor area without fixed seating. Based on the parking ratio of one parking space for each 60 square feet usable for seating, the youth service would generate a parking demand of 30 parking spaces. Based on the municipal code, a total of 72 parking spaces would be required for the proposed use (42 spaces for adult worship and 30 for youth worship service). The “theoretically” allocated 82 parking spaces would meet the current parking needs at Crosspoint. Table 2 on the following page identifies parking demand by each activity.

Table 2: Parking Demand by the Proposed Use

Activity	Parking Demand
Adult Worship	42 spaces
Youth Worship	30 spaces
Total	72 spaces

Staff notes that the Municipal Code’s one parking space per six fixed seat requirement is based on the optimistic assumption that parishioners would travel in groups of six persons per vehicle to religious services. To ensure on-site parking would be adequate to support the proposed use, the applicant conducted a parking survey on Sunday, June 15, 2014, at the Milpitas facility and the Pleasanton facility¹ to assess parking demand during worship service. The survey showed 250 vehicles with a total of 554 people accessed the Milpitas facility, and 77 vehicles with a total of 173 people accessed the Pleasanton facility (see Table 3 below). The survey showed an average of 2.2 people per vehicle (see Table 3).

Table 3: Average Passenger Load at Crosspoint Church Campuses on a Typical Sunday

CAMPUS	SUNDAY ATTENDANCE	VEHICLE COUNT	AVERAGE PASSENGER LOAD PER VEHICLE
Milpitas	554	250	2.216
Pleasanton	173	77	2.247

As stated in the written narrative, Crosspoint anticipates that its membership will grow from 150 to 250 persons in five years. Applying the 2.2-people-per-vehicle parking ratio to a 250-member congregation, Crosspoint would need a total of 114 parking spaces ($250/2.2=114$), exceeding the “theoretically” allocated 82 parking spaces to the tenant space.

To ensure that there would be sufficient parking to support church events, the subject building owner is working with the owners of the other two buildings that are located on the same site to develop a Shared Parking Agreement. A Shared Parking Agreement allows an existing parking supply to be efficiently shared among multiple tenants that generate different periods of peak parking demand. The agreement would allow the office tenants to use most of Crosspoint’s “theoretically allocated” parking spaces on weekdays (when the church’s demand for parking is low), and allow Crosspoint to use the office uses’ theoretically allocated parking on weekends (when the church’s demand for parking is higher). A draft copy of the Shared Parking Agreement is attached as Exhibit C of the staff report. It would be approved by all three building owners prior to Crosspoint taking over the tenant suite, and it would remain in effect for the lifetime of Crosspoint’s occupancy of the subject tenant suite. Staff has included a condition to address this item.

¹ Sunday worship service in Pleasanton was held in a hotel.

Noise

The project site is surrounded by offices, light industrial uses, schools, and a daycare facility, all of which operate primarily during weekdays. The nearest residential use is located more than 1,000 feet to the southeast. Therefore, it is unlikely that noise associated with the proposed use would adversely affect the surrounding commercial or residential uses.

During worship service, church choir group would perform. Live and recorded music would be played in the gym during special events. Crosspoint is aware of the City's Noise Ordinance and stated in the written narrative that sound levels would be controlled so that noise generated from worship services or special events would not exceed the City Noise Ordinance limits.

Group meetings would take place in the evenings. Meetings would be held in the classrooms and consist of readings, prayers, discussions, etc. at normal speech levels. Therefore, it is unlikely that group meetings would generate significant noise.

Recreational sports would take place on Fridays from 5:00 p.m. to 10:00 p.m. and on weekends in the gym. Noise from sports activities may be heard outside the building if the doors are left open. The gym would be located in the southern half of the tenant suite, facing a small parking area and the building located at 5775 W. Las Positas Boulevard. Per City Business License records, tenants located at 5775 W. Las Positas are office uses and most likely have standard Monday-Friday office hours. Therefore, activities at the church gym on Friday evenings and weekends would be unlikely to impact adjoining businesses because those businesses would be closed. Staff has included a condition requiring the doors at the gym be closed during recreational sports time.

In order to ensure that the proposed use and activities would not have any noise impacts on the surrounding area in the future, staff has included a condition requiring City approval prior to any changes in operation or activities.

Building and Site Modifications

As the use of the tenant suite would be changed from the current manufacturing use to the proposed religious use, improvements to the existing tenant suite would be performed so that the subject tenant suite would meet applicable Building and Fire Code requirements.

In response to comments from the Building and Safety Division and Livermore-Pleasanton Fire Department, Crosspoint would modify the entrances to the subject tenant suites in order to efficiently facilitate emergency ingress/egress. Specifically, new double doors, matching the existing doors, would be added on the north and east sides of the building. Two fixed windows on the south elevation (at the proposed gym) would be replaced with two doors. With the proposed doors, some shrubs at the building's perimeter would be removed for construction of pathways. Staff finds that these changes are necessary and that they are minor in project scope; therefore, they would be processed at the staff level.

Signage

All exterior signs will need to conform to the Hacienda Design Guidelines and be reviewed and approved by the Hacienda Owners Association prior to submitting to the City for approval and permit.

HACIENDA OWNERS ASSOCIATION

The Hacienda Owners Association has authority to review and approve the proposed use before action is taken by the City. James Paxson, General Manager of Hacienda Owners Association, has reviewed the application for the proposed use and found that it is in substantial compliance with Hacienda's guidelines set forth in the Conditions, Covenants & Restrictions (CC&R's). The Association believes that the use and parking are compatible with currently approved uses within the subject area and approved the proposed use (please see Exhibit D for the approval letter).

PUBLIC NOTICE

Notices regarding the proposed Conditional Use Permit application and related public hearing were mailed to the surrounding property owners and tenants within a 1,000-foot radius of the project site. A map showing the noticing area is attached to this report. The public notice was also published in *The Valley Times*. At the time that the Planning Commission staff report was written, staff had not received any public comments on this application. Staff will forward to the Planning Commission any public comment received after publication of the staff report.

FINDINGS

The Planning Commission must make the following findings prior to granting the use permit:

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

The objectives of the Zoning Ordinance include fostering a harmonious, convenient, workable relationship among land uses, protecting land uses from inharmonious influences and harmful intrusions, promoting a safe, effective traffic circulation system, 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. Churches are located in various business parks in the City. Churches have become a common use in and around business parks and they are typically regarded as good neighbors because their peak activity periods typically do not coincide with those of business park/office uses. Staff believes that the location is appropriate and does not expect that the proposed use would create adverse impacts on the surrounding businesses.

The subject site is zoned Planned Unit Development – Industrial/Commercial - Office (PUD-I/C-O) District, and it is located in the Research and Development / Light Manufacturing Planning District (IPD) of Hacienda Park which generally has the

characteristics of the City's I-P (Industrial Park) District. One purpose of the Industrial Park District is to provide locations for uses that can operate in proximity to light manufacturing, commercial, and personal services uses with minimum adverse impact. Staff believes the proposed use, as conditioned, will be compatible with the adjacent industrial park uses. The applicant will also be required to mitigate any future nuisances which may occur as a result of the proposed use. Therefore, staff believes 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.

Staff believes that the use, as conditioned, would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The proposed use would be operated within the building. The proposed use would not generate high levels of activity that would adversely affect surrounding uses. Staff has included conditions of approval that will ensure that the subject use will not be operated in a manner that is detrimental to the public health, safety, or welfare or be materially injurious to the properties or improvements in the vicinity.

The proposed church would co-occupy the building with an existing heritage school. With the shared parking agreement in place, the number of parking spaces available on the site would be allocated efficiently among the existing tenants such that, at any given time, parking supply would exceed demand. The peak use period of the proposed church would be on weekends and in the evenings when the adjoining heritage school and businesses located in the other two buildings are closed. Thus, potential impacts from the proposed church to either the tenant in the same building or to tenants in the other buildings located on the same site would be minimal. Further, the proposed conditions of approval will ensure that the facility will not operate in a manner that is detrimental to the public health, safety, or welfare or be materially injurious to the properties or improvements in the vicinity. 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 Municipal Code which apply to Conditional Uses.

Chapter 18.124 of the Municipal Code states that, because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to their effects on surrounding properties. Staff finds that, as conditioned, the proposed use will comply with all provisions and requirements of the City's zoning ordinance and the approved PUD development. As with any Conditional Use Permit, the use permit may be reviewed and potentially modified if the conditions are not met. Therefore, the proposed use will comply with the provisions of the Zoning Ordinance. Therefore, staff believes that this finding can be made.

ENVIRONMENTAL ASSESSMENT

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

CONCLUSION

Staff believes that the proposed use, as conditioned, will be compatible with the surrounding uses and properties. Conditions of approval have been recommended which will ensure that the safety and general welfare of the surrounding area is maintained. Staff believes that the facility will fulfill a community need and that the proposed location is appropriate.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Case P14-0833 by taking the following actions:

1. Make the required Conditional Use Permit findings as listed in the staff report; and
2. Approve Case P14-0833 subject to the conditions listed in Exhibit A.

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