

Planning Commission Staff Report

May 22, 2013
Item 5.b.

SUBJECT: P13-0218

APPLICANT: Tri-Valley Chinese Bible Church

PROPERTY OWNER: Tri-Valley Chinese Bible Church

PURPOSE: Application for a modification to an approved Conditional Use Permit to operate a summer school program at the approved, State-registered Heritage School located within the existing building at the Tri-Valley Chinese Bible Church.

GENERAL PLAN: General and Limited Industrial

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

LOCATION: 1055 Serpentine Lane

EXHIBITS:

- A. Draft Conditions of Approval for P13-0218
- B. Written Narrative and Activities Schedule, and Floor Plan
- C. Conditions of Approval for P12-0841
- D. Location and Notification Map

BACKGROUND

Valley Business Park was approved under Ordinance No. 928 by the City Council on March 11, 1980. The Valley Business Park and is zoned PUD-I (Planned Unit Development-Industrial) District. The Business Park contains a variety of industrial uses including manufacturing, office and assembly as well as non-manufacturing uses including music lessons, tutoring and daycare.

The Tri-Valley Bible Church currently operates in the building located at 1055 Serpentine Lane in the Valley Business Park. A Conditional Use Permit was approved by the Planning Commission on June 23, 1993 to operate a church at this location (UP-93-25). The church operates seven days a week, with church services occurring on Sundays. Group meetings are held in the building at various times during the week.

On August 22, 2012, the Planning Commission reviewed a request for a PUD Modification to allow the operation of State-registered heritage schools in the Valley Business Park and recommended that the City Council approve the modification. The City Council approved the PUD Modification on September 18, 2012. On August 22, 2012, the Planning Commission approved a Conditional Use Permit request to operate a State-registered heritage school with up to 60 students at the Tri-Valley Chinese Bible Church. The approval became effective upon approval by the City Council of the PUD Modification.

Approved State-registered Heritage School

The Tri-Valley Chinese Bible Church recently began operation of a State-registered Heritage School at 1055 Serpentine Lane within the existing church building. The school has a maximum enrollment of up to 60 children and serves children in grades kindergarten through 5th grade. The school occupies 2,692 square feet inside the existing church building and includes five classrooms and the fellowship hall.

The Heritage School operates Monday through Friday. The hours of operation for each component of the program is listed below:

Table 1: School Hours of Operation

Program	Hours of Operation
Kindergarten	12:00 – 6:00pm
1 st -5 th Grade	3:00 – 6:00 pm

SITE DESCRIPTION

The Tri-Valley Chinese Bible Church is located at 1055 Serpentine Lane which is developed with one single story building, landscaping and a parking lot with 46 stalls. The Tri-Valley Chinese Bible Church currently owns and operates in the entire 12,920 square foot building.

Figure 1: Project Site and Surrounding Location



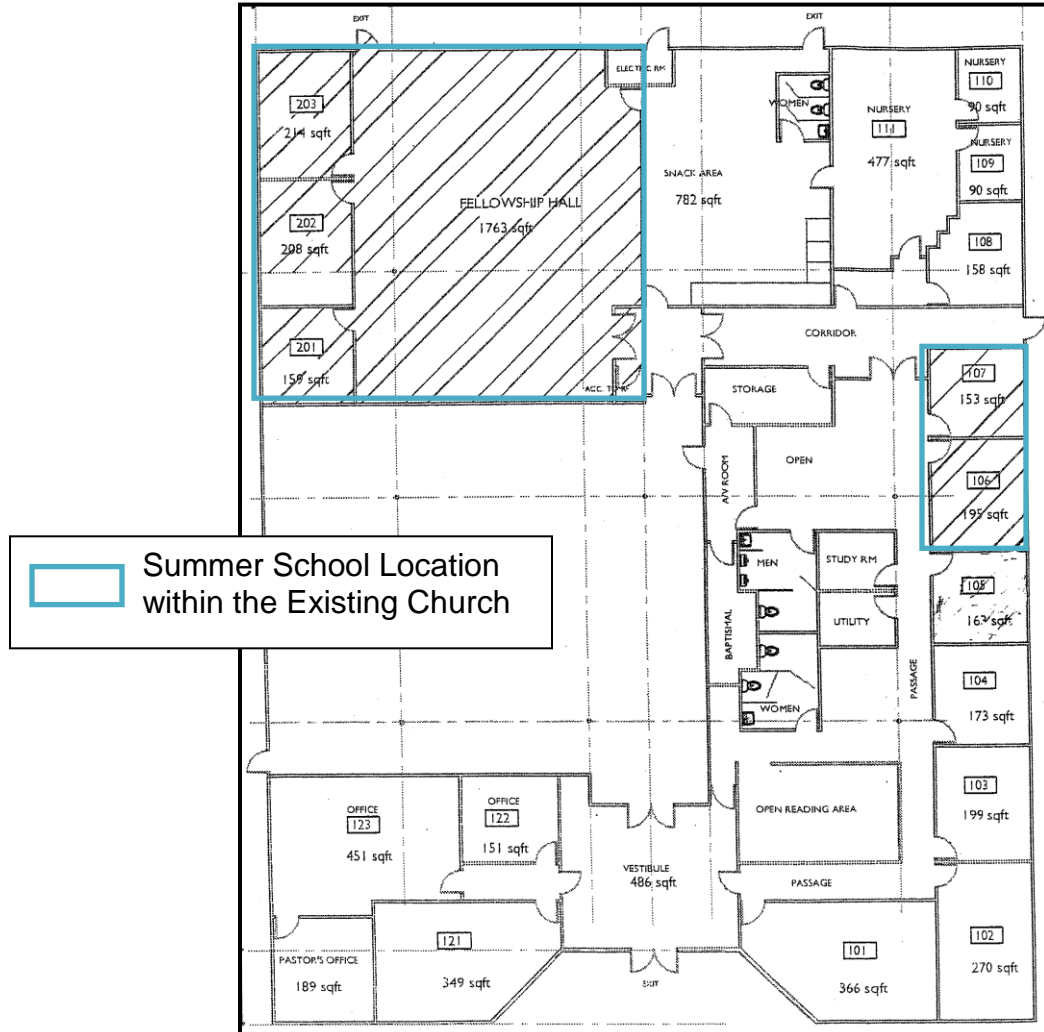
Valley Business Park has a mix of uses that include, but are not limited to; professional offices, light manufacturing and industrial uses, and other uses, such as religious facilities, private schools, and cheerleader training and other sports and recreational facilities.


As shown on Figure 1, above, the Tri-Valley Chinese Bible Church is surrounded by office and industrial uses to the north, east and south. A residential development is located to the west of the project site. This development is separated from the project site by a 30-foot wide landscaped easement and a 10 foot high concrete block wall.

PROJECT DESCRIPTION

The Tri-Valley Bible Church proposes to operate a summer school for the State-registered Heritage School within their existing church facility. The school will occupy 2,692 square feet, including five existing classrooms and the fellowship hall (same as the existing school). No exterior modifications are proposed. A Floor Plan indicating the location of the summer school within the church is shown below.

Figure 2: Floor Plan



 Summer School Location within the Existing Church

The Tri-Valley Chinese Bible Church will operate a State-registered summer school for Kindergarten – 5th grade students during the summer vacation for the Pleasanton Unified School District. The curriculum includes play time, off-site activities (such as gymnastics), art, reading, bible stories and skits and outdoor activities at the Alisal Elementary School playground.

Enrollment Capacity

Once fully operational, the Summer School will enroll a maximum of 60 students. Enrollment in each grade level will vary, with the total enrollment for the summer school limited to 60 students.

Hours of Operation

The summer school would operate Monday through Friday from 8:00 am – 6:30 pm. A schedule of the proposed activities for the program is included in Exhibit B (last page). Drop-off for children will occur between 8:00 am – 8:30 am with the first school activity occurring at 8:30 am.

Parents may pick-up their children at any time between 5:00 pm – 6:30 pm. Children must be picked up no later than 6:30 pm.

Parents may also enroll their children in a half-day program. The half-day program runs from 8:00 am – 12:00 pm or from 2:00 pm – 6:00 pm.

Outdoor Activities and Exercise

Monday through Thursday, students would walk to the Alisal Elementary School playground for an hour of activities/play. The applicant has obtained approval for this summer for use of the Alisal Elementary School playground from the Pleasanton Unified School District. Children would walk approximately 15 minutes to the playground and would be accompanied by school staff and parent volunteers. On hot days, mini vans (provided by parents or volunteers and not stored on the site) would shuttle the children to and from the playground.

On Tuesday and Wednesday, children may also attend a gymnastics lesson at West Coast Olympic Gymnastics Academy which is located across the street from the church.

On Fridays, children would participate in a group outing to a park, the Oakland Zoo or the Lawrence Hall of Science. Transportation will be provided via charter buses or private vehicles to these sites.

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 uses and properties. In order to achieve these purposes, the Planning Commission is empowered to approve, conditionally approve, or deny applications for use permits.

Land Use

When the proposed use is educational, instructional, recreational, or daycare, staff evaluates how that use integrates into the surrounding uses. The proposed summer school is located within the Valley Business Park. The Valley Business Park contains a variety of uses including manufacturing, offices, tutoring and music studios. The Planning Commission has also approved several Conditional Use Permits within the Park to allow the operation of a church (Tri-Valley Chinese Bible Church), a theater

rehearsal studio, a private year-round school/daycare (Quarry Lane School) and a heritage school at the Tri-Valley Chinese Bible Church.

Single-family residential dwellings are located approximately 75 feet to the west of the building. The residences and the building are separated by a parking lot, a 10 foot tall soundwall, and a 30-foot wide landscaped buffer area. The subject property is adequately screened from the adjacent residential dwellings. All school activities would occur inside the building and the start and end times of the students are staggered. The proposed heritage school will only occupy a portion of the building and the hours of operation of the school are consistent with typical office hours of operation. Given these factors, staff believes that it would be unlikely that the proposed use would create adverse impacts on the adjacent residences.

The Tri-Valley Chinese Bible Church recently began operation of it's Heritage School. To staff's knowledge, the School has not created any safety concerns or impacts within the Business Park or to adjacent uses. As discussed above, in staff's evaluation, this use is compatible with the surrounding uses.

Noise

The subject site is in an industrial area, and a certain amount of noise is expected. For industrial properties, such as the subject property, the Pleasanton Municipal Code states:

No person shall produce or allow to be produced by any machine, animal, device, or combination of the same, on industrial property, a noise level in excess of seventy-five dBA at any point outside of the property plane.

The Pleasanton Municipal Code also states that a proposed conditional use must be in accord 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." The school will utilize some microphones during group assemblies and music will also occur on the site. The remainder of the time will be devoted to academic lessons. Noise generated from these activities will be consistent with other activities in the industrial area and should not generate more noise than is typical for an industrial area. Furthermore, the building does not contain any operable windows and the applicant has indicated that the exterior doors will not be opened during the day which will further reduce noise impacts on the surrounding area.

It is unlikely that the noise produced by the use will be in excess of 75 dBA at any point outside of the property plane as prescribed by code (P.M.C. §9.040.50). Therefore, staff does not believe that the proposed use would be disruptive to existing or future neighboring businesses/tenants.

To further ensure that noise would be contained indoors, a condition (No. 7) has been added requiring all doors to remain closed during business hours.

Parking

There are 46 parking spaces within the subject site. Section 18.88.030.E.1 of the Municipal Code requires schools to provide one parking space for each employee, including teachers and administrators and one space for each four students in grade 10 or above. The summer school will have up to 8 employees and there will be no students above the 5th grade. Therefore, a total of 8 parking spaces are required to support the proposed use based on Municipal Code requirements. However, parents dropping off their children will temporarily park in the parking lot and must walk inside the building. When picking up their children, parents will also be required to park inside the parking lot and go inside the building to pick-up their children. Enrollment is limited to 60 students and drop-off and pick-up times are staggered. Therefore, the number of parking spaces available on-site would be adequate to support the demand for the proposed summer school.

Most church uses will occur prior to or after the school's normal hours of operation. Most of the activities related to the church occur on Sundays and during the evening on weeknights (two small group meetings do occur during the week). During the week, two employees are located on site to support the church. The Church anticipates that this number will eventually grow to five employees.

During the summer, the school will operate at the same time that two groups meet at the church. The senior fellowship and the sisters' fellowship groups meet at 10:00 am on Thursdays which will occur during the hours of operation for a portion of the summer camp (the groups do not meet July – August). Based on the requirements in Section 18.88.030.D.1 of the Municipal Code, a total of 12 parking spaces are required to support these two group meetings. This requirement is calculated at one stall for every 60 square feet of floor area (no fixed seats) for the two rooms which total 715 square feet ($715/60 = 12$ parking spaces). The groups, however, will operate after students have been dropped off at the school (during the month of June) and when only employees of the school will be parked in the parking lot.

The Church has a Memorandum of Understanding (please refer to Attachment 8 of Exhibit B) which allows the adjacent business (Powermatic Associates located at 1057 Serpentine Lane) to use the parking spaces on the south side of the church property during weekdays (the Agreement does not indicate a maximum number of spaces that may be used). Based on information provided by the Applicant, approximately 3 – 5 parking spaces are occupied by the adjacent property during the week. Staff estimates that there are approximately 11 parking spaces located south of the building that can be used by Powermatic.

Although there will be some overlap between the summer school and the church, staff believes that there will be adequate parking to support the uses. During the summer program, the school will require a total of 8 parking stalls to support the use, the church will require up to 17 parking stalls for their employees and the group meetings and Powermatic can use up to 11 parking spaces on the site. This will result in a parking demand of 36 parking spaces which will result in a surplus of 10 parking spaces (there are 46 parking stalls on-site). The summer school will not have any vehicles or vans dedicated to the use and, therefore, does not require dedicated parking spaces for these vehicles. Pick-up and drop-off of the children will occur at staggered times in the morning and the evening. Additionally, no church activities will occur during pick-up and drop-off times. Therefore, staff believes there would be adequate parking available on-site to meet the needs of the summer school as well as the church and Powermatic.

Based on the above discussion, staff believes the site has adequate parking to support all users of the site as well as Powermatic. In order to ensure that the operation of the school does not have any parking impacts on the surrounding area in the future, staff has included Condition of Approval No.1 which requires City approval prior to any changes in the operation or number of children or staff of the school or changes to the schedule or number of church group meetings.

Staff has also included Condition of Approval No. 4 which states that should the Community Development Director determine that the school is negatively impacting parking or circulation on the property or in the surrounding neighborhood, the Community Development Director may require the applicant to revise the pick-up schedule to reduce negative impacts on the surrounding neighborhood.

Outdoor Activities and Exercise

Exercise and activities for children are an important component of their day. The proposed summer school program includes a minimum of one hour of outdoor play Monday through Thursday at the Alisal School playground. On most days, children will walk to the playground which will promote a healthy activity for the children. On Tuesdays and Thursdays, children may also participate in a gymnastics lesson for additional exercise. On Fridays, children will go off-site to a park or educational location.

A variety of activities will be provided at the summer school to engage the children. These activities include art time, tutoring, reading, board games, play time, home skills and bible lessons.

In the event that the Alisal Elementary School playground is no longer available for the summer school's use, Condition of Approval No. 7 has been included which requires the operator of the school to secure an alternative location, subject to the review and approval of the Director of Community Development.

Condition of Approval No. 6 has also been included which requires vans and cars to park in the parking lot when picking up and dropping off children for transport to the off-site locations. This condition allows charter buses to park on the street in front of the school. This condition will ensure that children can safely load and unload the vehicles and no traffic impacts will occur on City streets.

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.

Objectives of the zoning ordinance include: fostering a harmonious, convenient, workable relationship among land uses; protecting existing land use from inharmonious influences and harmful intrusions; and insuring 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 summer school would be consistent with these objectives. Tutoring facilities, a private school/day care center and music lessons currently operate in the Valley Business Park and have been found to be compatible with the surrounding businesses. The proposed summer school program for the approved Heritage School will be conducted indoors and on a property with adequate circulation and parking to support the use.

The subject business is proposed in Valley Business Park which is zoned Planned Unit Development – Industrial (PUD-I) and 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 close proximity to commercial and residential uses within minimum adverse impact. Staff believes the proposed use, as conditioned, will be compatible with the adjacent residential and industrial park uses. Other child-oriented uses currently operate within the Valley Business Park and staff has not received complaints regarding those uses. The applicant will also be required to mitigate any future nuisances which may occur as a result of the proposed use. In summary, 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.

Based on the proposal, the summer school would be a compatible use to the adjoining uses and Valley Business Park. The building that the school is proposed to occupy is freestanding with an on-site parking lot. The site has an

adequate number of parking spaces to support the use. Additionally, drop-off and pick-up times of the children will be staggered which will help alleviate circulation, parking and traffic impacts. The proposed conditions of approval will ensure that the center 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 may 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.

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. 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 1,000-feet of the site. At the time this staff report was written, no comments have been received regarding the proposed Conditional Use Permit modification. Staff has provided the location and noticing maps as Exhibit H for the Commission's reference.

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 document accompanies this report.

CONCLUSION

Staff believes that the required use permit findings for the use can be met if the use 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 summer school would provide a service to the community and that the proposed location is appropriate.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Case P13-0218 by taking the following actions:

1. Make the Conditional Use Permit findings as listed in the staff report; and
2. Approve Case P13-0218 subject to the draft Conditions of Approval listed in Exhibit A.

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