



Planning Commission Staff Report

April 24, 2013 ~~April 10, 2013~~
Item 5.c.

SUBJECT: P13-0057

APPLICANT: Gymboree Play and Music

PROPERTY OWNER: Oak Hills Shopping Center

PURPOSE: Application for a Conditional Use Permit to relocate the existing Gymboree in the Oak Hills Shopping Center to a new 2,500 square foot tenant space within the same shopping center.

GENERAL PLAN: Commercial

ZONING: C-N (Neighborhood Commercial) District

LOCATION: 5480 Sunol Boulevard, Suite 2

EXHIBITS:

- A. Draft Conditions of Approval
- B. Written Narrative and Activities Schedule, Site Plan, and Floor Plan
- C. Location and Notification Map

BACKGROUND

Gymboree Play and Music is requesting approval of a Conditional Use Permit to allow Gymboree to move to a new tenant suite within the Oak Hills Shopping Center. The Planning Commission adopted Resolution PC-2001-37 on July 11, 2001 approving a Conditional Use Permit request to allow Gymboree to operate in the Oak Hills Shopping Center at 5460 Sunol Boulevard Suite 9 (PCUP-34). Prior to that, Gymboree was located in the Stoneridge Shopping Mall. Gymboree is requesting approval to move to a different tenant suite within the shopping center in order to reduce the size of their tenant space.

Although the Pleasanton Municipal Code does not specifically address a commercial use like Gymboree, the City (during its review of PCUP-34) determined that the proposed use has similar attributes to childcare and music and dance instruction which are conditionally permitted uses in the C-N District.

SITE DESCRIPTION

The Oak Hills Shipping Center is located on the east side of Sunol Boulevard between Mission Drive and Junipero Street. Businesses within this center include Raley's grocery store, Bank of the West, real estate and travel offices, personal services, medical office and several restaurants. The following map shows the location of the existing and proposed tenant suites for Gymboree and the surrounding area.

Figure 1: Project Site and Surrounding Area



PROJECT DESCRIPTION

Gymboree is requesting approval to allow the business to move from their existing, 2,800 square-foot, space to a new 2,500 square-foot space. A floor plan and pictures of their existing space (which is similar to how the new space will be set up) is included in Exhibit B.

Gymboree offers classes in Play, Music, Art, Sports and Schools Skills. Birthday parties will be held on Saturday and Sunday, in the afternoon. There is a 15 minute break between classes to reduce parking impacts on the center.

Gymboree operates Tuesday through Sunday, 9:00 am to 6:30 pm. The maximum number of children on site at one time is 20. No more than three instructors will be on-site at one time.

Most classes require parent participation. Parent participation is not required for the School Skills, Art 3, Sports 2 and Music 3 classes. Parents who drop off their children are required to bring the child into the space, sign the child in and stay for "circle time."

When picking the child up, the parent is required to come in to the space and sign out their child.

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

The Oak Hills Shopping Center contains a variety of retail stores, offices, restaurants and personal services. Gymboree classes involve up to 20 children and their parents. Gymboree has been operating within the center since 2001 and staff is not aware of any conflicts between this operator and other tenants in the Center.

The proposed use does include music and play activities. Staff has included Condition of Approval No. 3, which requires sound attenuation on each side of the tenant space. This condition was also imposed for the previous Gymboree space. In order to minimize impacts on the surrounding area, staff has included a Condition of Approval which requires Gymboree to keep the doors closed during the hours of operation. Staff believes that with the inclusion of these conditions, that Gymboree will not create any noise impacts on the surrounding area.

Parking

Based on a maximum parking requirement of one parking space per employee and one parking space per parent/child, a total of 23 parking spaces are required. This parking requirement is the same requirement for the existing Gymboree.

There is a total of 670 parking spaces available for use on the site. The overall parking ratio is one space per 178 sq.ft. of gross building floor area. Section 18.88.030.B requires uses in the C-N Zoning District to provide one parking space for every 180 square feet of gross floor area. The proposed Gymboree is located in the C-N Zoning District and therefore, the existing available parking spaces are adequate to support the use. Additionally, staff has observed the parking lot at several times during the day and evening and there is adequate parking spaces to support the existing uses, which includes a Gymboree.

Signage

No signage is proposed for Gymboree. If the applicant wishes to add signage, the proposed signage would be required to adhere to the Oak Hills Shopping Center sign guidelines and the Municipal Code.

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 Gymboree would be consistent with these objectives. Gymboree currently operates within the same shopping center and no conflicts with existing tenants have been observed.

The subject business is proposed in the Oak Hills Shopping Center which is zoned Neighborhood Commercial (C-N) District. One purpose of the Neighborhood Commercial District is to provide locations to offer services to the residents of Pleasanton. The proposed Gymboree provides services and activities that engage children and parents. Therefore, staff believes that the proposed Gymboree is consistent with the purpose of the zoning district in which it would be located.

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.

As proposed, Gymboree will not create an excessive demand for parking beyond what currently exists on the site. The proposed use will be conducted entirely within the building.

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 C-N District. 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 within 1,000-feet of the site and tenants in the Oak Hills Shopping Center. No comments have been received regarding this conditional use permit request.

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 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 Gymboree would provide a service to the community and that the proposed location is appropriate.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve P13-0057 by taking the following actions:

1. Make the Conditional Use Permit findings as listed in the staff report; and
2. Approve Case P13-0057 subject to the draft Conditions of Approval listed in Exhibit A.

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