

## Planning Commission Staff Report

February 8, 2012  
Item 5.a.

**SUBJECT:** P11-0981

**APPLICANT:** Chinese Church in Christ

**PROPERTY OWNER:** Franklin Partners LLC

**PURPOSE:** Application for a Conditional Use Permit to operate a church at 5064 Franklin Drive.

**GENERAL PLAN:** Business Park (Industrial/Commercial and Office)

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

**LOCATION:** 5064 Franklin Drive

**EXHIBITS:**

- A. Draft Conditions of Approval
- B. Proposed Plans and Applicant Narrative
- C. PUD-Minor Modification Approval Letter
- D. Location Map
- E. Noticing Map

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### BACKGROUND

Chinese Church in Christ is proposing to locate a church within the existing building at 5064 Franklin Drive. The subject site is located within a Planned Unit Development (PUD) – Industrial/Office-Commercial zoning district. The applicant submitted for a Minor Modification to the PUD in order to establish religious facilities as a conditionally permitted use for concurrent processing with the Conditional Use Permit. This modification has been administratively approved by the Planning Manager and will become effective on February 14, 2012 unless appealed (the approval letter is attached to this report as Exhibit C).

### SITE DESCRIPTION

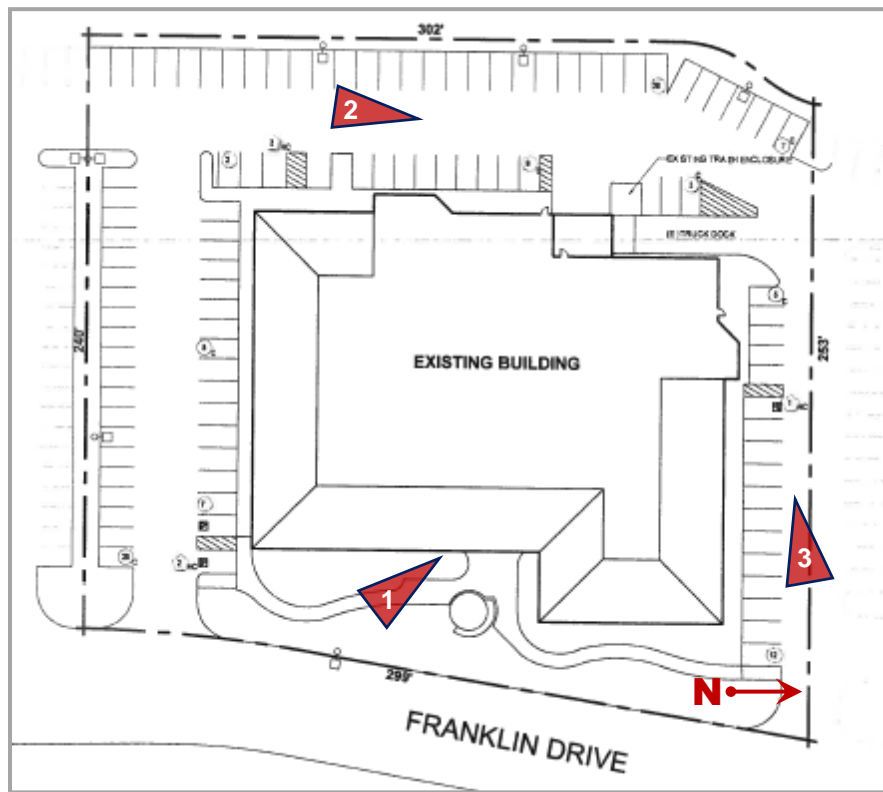
The church is proposed to be located within an office and light- industrial commercial development. The subject building is located in a seven-lot Planned-Unit-Development to the west of the Hopyard Road and Stoneridge Drive intersection. Surrounding land uses include Hitachi High Technologies America to the north, the Dublin San Ramon Services District biosolids treatment facility to the west, The Clorox Company across Franklin Drive to the east, and Chabot-Las Positas Community College District offices to the south. Residential uses are

located further to the south of the subject property, but Stoneridge Drive and other commercial buildings to the south provide substantial buffer between the subject site and these residential properties. The vicinity map and the aerial photos in Figure 1 provide spatial context of the subject site.



The church is proposed to occupy the entirety of the existing single-story, approximately 26,072-square-foot building. The site plan and photos showing partial views of the subject building are shown in Figure 2. The main pedestrian entrance to the building faces Franklin

Drive. Two driveways, one at the southern portion and another at the northern end of the site provide access to the site. Parking surrounds the building on the north, west, and south sides. The building is currently unoccupied.



Photograph 1



View of front of building

Photograph 2



View of rear of subject site and building

Photograph 3



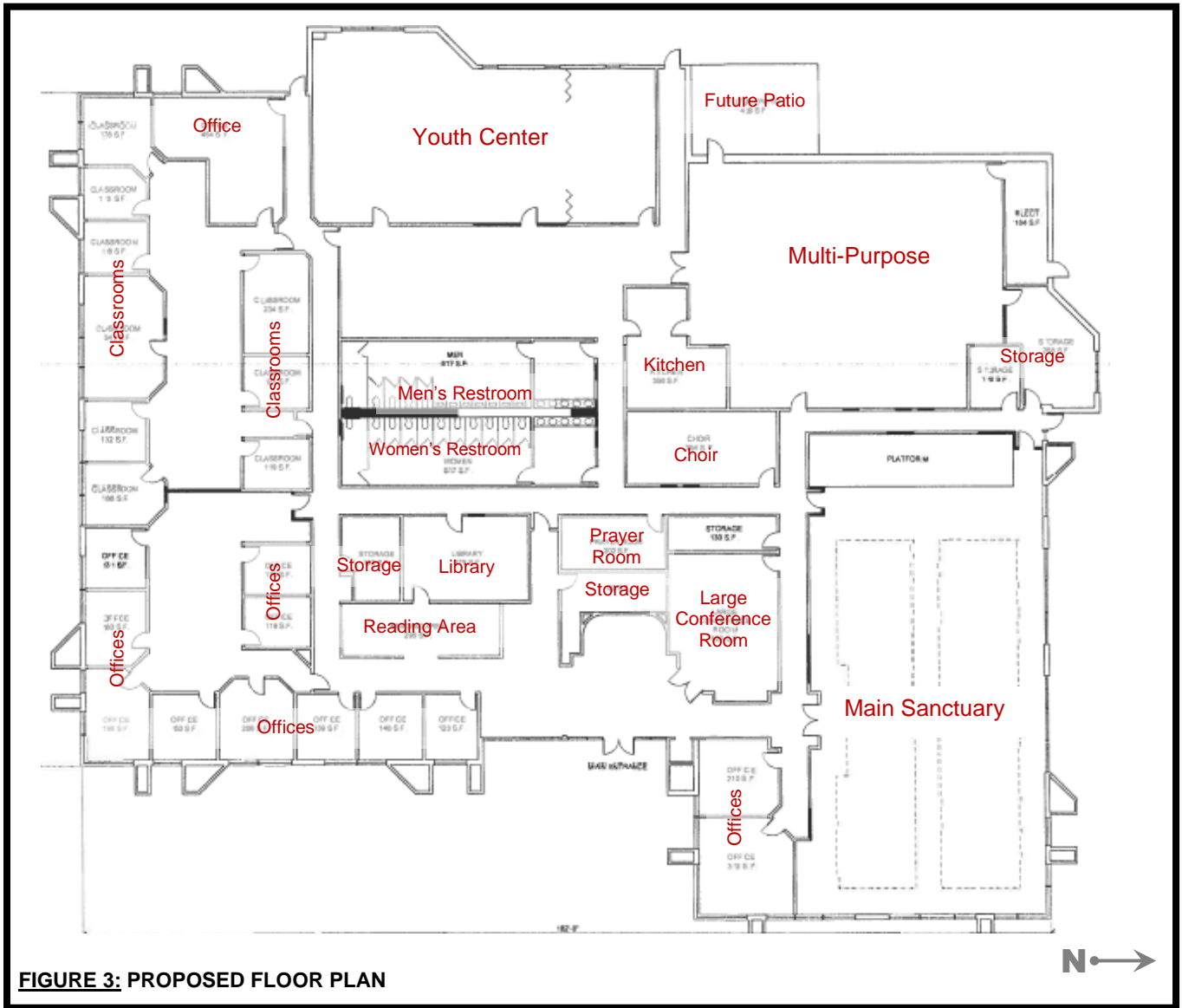
View of north side of building looking west

**FIGURE 2: SITE PLAN AND PHOTOS OF SUBJECT SITE**

## PROJECT DESCRIPTION

The proposed conditional use permit is to locate a religious facility, a church, at the subject location. The applicant's narrative is attached to this report (Exhibit B) and describes the proposed church use. The Chinese Church in Christ currently has a congregation of approximately 130 people, but hopes to grow to approximately 500-600 people within the next five years (although not all congregation members are expected to attend functions at the same time). Thus, this conditional use permit covers the current congregation size and the future size. Services such as after-school day care or tutoring are not part of this proposal and parents will be on-site during children's events.

The interior of the building currently consists primarily of offices. Tenant improvements to the space will result in an approximately 4,020 square foot main sanctuary able to accommodate 310 seats, an approximately 2,598 square foot multi-purpose room, an approximately 2,104 square foot youth center, a library, prayer room, conference rooms, offices, and classrooms. The proposed floor plan is shown on sheet A-4 of the project plans (attached as Exhibit B to this report) and shown as Figure 3. Exterior modifications are limited to modifying the existing loading dock to a patio area.



The operation of the proposed church will consist of several meetings during the weekdays with a smaller group of people, such as bible study (about 15 people currently, projected to grow to approximately 50 people), prayer meeting (about 20 people currently, projected to grow to approximately 40 people), adult fellowship meeting (about 50 people currently, projected to grow to approximately 120 people), children *Approved Workmen Are Not Ashamed* (AWANA, which is a program some churches adopt to “help parents develop

spiritually strong children and youth” – about 60 people currently, projected to grow to 150 people), and youth meeting (about 30 people currently, projected to grow to 70 people).

The church’s activities between Monday and Friday during normal business hours are limited to office and bible study and entail no more than the number of people typically seen in an office building that is similar in size to the subject building. The times and days during which the church will have the greatest number of people are Friday evenings, Saturday, and Sunday. Between 8:00 and 10:00 p.m. on Friday evenings, an Adult Fellowship Meeting, Children AWANA, and Youth Meeting will take place, with 120, 150, and 70 people, respectively, for a total of 340 people. On Saturdays, a staff and prayer meeting consisting of 30 people will occur between 2:00 p.m. and 6:00 p.m. On occasions such as weddings, wedding receptions (with light refreshments but no banquet), memorials, holiday events, and bible conferences, up to 400 people (based on projected attendance) are expected to attend an event between 9:00 a.m. and 2:00 p.m. and 6:00 p.m. to 10:00 p.m. On Sunday mornings, Worship and Children Church will occur between 9:00 a.m. and 11:00 a.m., followed by a Bible School Program between 11:00 a.m. and 2:00 p.m. As listed in the project narrative, the church will operate with the following hours, functions, and number of people:

**TABLE 1: PROPOSED OPERATION OF CHURCH**

Day(s) of the Week	Activity	Time	Number of People (Currently)	Number of People (Future)
Monday	Office	9 am to 5 pm	1	8
Tuesday	Office	9 am to 5 pm	1	8
	Bible Study	9 am to 1 pm	0	50
Wednesday	Office	9 am to 5 pm	1	8
	Prayer Meeting	6 pm to 10 pm	20	40
Thursday	Office	9 am to 5 pm	1	8
	Bible Study	9 am to 1 pm	15	50
Friday	Office	9 am to 5 pm	1	8
	Adult Fellowship Meeting	8 pm to 10 pm	50	120
	Children AWANA	8 pm to 10 pm	60	150
	Youth Meeting	8 pm to 10 pm	30	70
	Staff and Prayer Meeting	2 pm to 6 pm	N/A	30
Saturday	Weddings, memorials, holiday events, bible conferences, and other similar programs	9 am to 2 pm 6 pm to 10 pm	N/A	400
	Worship	9 am to 11 am	100	310
Sunday	Children’s Church	9 am to 11 am	40	140
	Bible School Program	11 am to 2 pm	120	400

## **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. The following sections seek to provide analysis of the proposed use with respect to potential impacts to land use, parking, and noise.

### *Land Use*

The subject site has a General Plan designation of Business Park (Industrial, Commercial, and Office) and is zoned Planned Unit Development – Industrial/Commercial–Office (PUD-I/C-O) District. In order to allow religious facilities as a conditionally permitted use, the applicant filed for a minor modification to the PUD. The minor modification has been administratively approved and the applicant has thus filed the subject conditional use permit application.

One of the primary concerns in reviewing a conditional use permit application is the effect of a proposed use on surrounding uses. The buildings surrounding the building where the church is proposed consists mainly of office uses. Given that the other businesses operate during regular business hours (8:00 a.m. to 5:00 p.m.), the proposed church use would be compatible with these businesses in that its peak use would occur when the other businesses are not open. Religious facilities have become a common use in and around business parks and they are typically regarded as “good neighbors.” Also, the site is not close to residential uses and thus the church is not expected to cause negative impacts related to noise, parking, or other objectionable influences.

### *Parking*

A total of 104 parking stalls are located on the subject property, including 5 accessible parking spaces. Since the size of the building is 26,072, the building was constructed at a parking ratio of 1 space per 251 square feet.

The Pleasanton Municipal Code requires parking for church uses to be based on either the number of fixed seats or the square footage of the space. Churches, community centers, and other places of public assembly need to provide “one parking space for every six fixed seats or one space for each sixty square feet of floor area usable for seating if seats are not fixed in all facilities in which simultaneous use is probable.” The proposed church will not have fixed seating; however the main sanctuary will have approximately 310 seats and 80 seats for the youth area. This results in a parking requirement of 65 spaces if the seats would have been fixed and this requirement is met by the 104 spaces that are located on the property.

The applicant has indicated that the main sanctuary (4,020 square feet) and the youth center (2,104 square feet) will be used simultaneously. Based on this information, a requirement of 1 parking space required for each 60 square feet, and that the classrooms, offices spaces, storage, and other areas will not generate independent parking demand, a total of 102 parking spaces would be required for the proposed use.

A reciprocal parking agreement would allow the church attendees to park on the property located to the north of the subject property (5100 Franklin Drive). The property to the north

has approximately 244 spaces on the site and, therefore, these additional spaces are available to the church. In sum, a total of 348 parking spaces would be available for the church. Additionally, the 5100 Franklin Drive building is currently occupied by Hitachi High Technologies America, which operates during business hours (8:00 a.m. to 5:00 p.m.) and therefore the church's use of the parking spaces on this property should not pose a conflict with the parking needs of employees that work at Hitachi.

Members of church congregations usually attend church services and functions with family members and therefore a significant proportion of the attendees are expected to carpool. The applicant estimates that approximately 40% of attendees will arrive in groups of 4 or more, another 40% will arrive in groups of 3, and approximately 20% will arrive in groups of 2 or fewer. Based on the projected attendance of 400 people and applying these proportions, 40 parking spaces would be required for groups of 4 people, 53 spaces would be required for groups of 3 people, and 40 spaces would be required for groups of 2 people, for a total of 133 spaces. The site has 104 parking spaces and the 244 additional parking spaces that are available on the property to the north should be more than adequate to serve the demand required by this scenario.

Since the hours of operation of the church differ from the adjacent business to the north in that the times during which the church requires the greatest number of parking spaces are outside of regular business hours, and that some members of the church will carpool and children will arrive with their parents, staff does not expect parking to be an issue. However, should parking problems occur in the future, staff has included a condition of approval that allows the Director of Community Development to refer the use permit back to the Planning Commission for possible mitigation measures.

#### *Noise*

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." Music with a piano which will occasionally be supplemented by a keyboard, guitar, flute, violin, and/or drums will be a part of Sunday Worship, Children Church, Adult Fellowship Meeting, Youth Meeting, and special events. The pastor will address the congregation with a public address system. During special events such as weddings, wedding receptions, or other celebrations, the applicant has clarified that there will be no disc jockey or live bands, but may include musical instruments listed previously in this paragraph.

Although the music and singing may be amplified, staff does not find that noise will be of concern to tenants in buildings on adjacent sites. A condition of approval requires all doors will remain closed unless being used for ingress and egress. Additionally, since the times during which music will be used do not coincide with the hours of operation for the adjacent tenants in separate buildings, singing and music is not expected to result in an impact to these businesses. Residential uses are not located close to the site and thus the noise from the church use is not expected to be a concern to residents. Further, if noise becomes an issue, a condition of approval requires that the applicant may be required to install sound attenuating materials subject to the review and approval of the Community Development Director.

## GENERAL PLAN CONSISTENCY

The Land Use Element of the General Plan states several goals, policies, and programs that support the proposed project.

- Goal 2: Achieve and maintain a complete well-rounded community of desirable neighborhoods, a strong employment base, and a variety of community facilities.
- Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.
- Policy 13: Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.

Staff finds that the intent of these policies is met by the proposed use in that the church will be occupying an existing building. The subject space is currently vacant and the church would be occupying a space that is currently not in use. Also, if approved, the church would provide a community facility and a service to the residents of the City. Overall, the use is compatible with other uses within the development and will not result in an impact to parking, noise, or land use.

## 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 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 this report was prepared, staff has not received any comments or concerns.

In response to the application for the PUD-minor modification, several residents who received the notice contacted staff for clarifications regarding the type of religious facility, the peak times when the greatest number of members would be at the facility, and whether or not a new building was proposed for construction. Staff provided clarifications in reply to these inquiries and the residents did not have any further comments or concerns. A representative from a nearby business, Thoratec Corporation (6035 Stoneridge Drive), also contacted staff requesting clarification of the church operation and wanting to verify there is adequate parking and minimal traffic impacts, particularly since some Thoratec Corporation employees work on weekends. With the understanding that some church attendees will carpool, and after reviewing the proposed hours for the church, and given that several other properties are located between the subject property and Thoratec Corporation, the staff person no longer has concerns.

## 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. The subject site is zoned PUD-I/C-O District and 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 close proximity to commercial and residential uses with minimum mutual adverse impact.

Staff believes the proposed use as conditioned would be consistent with the zoning ordinance objectives in that it would provide religious services to the community. In addition, the peak operations of the church would not coincide with the hours of operation of tenants on neighboring properties and thus the use would not result in an impact to parking, noise, or other objectionable influences. Other commercial and industrial uses provide a substantial buffer between the subject site and residential uses in the vicinity. Staff believes that this finding may 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.**

Religious facilities are a common use within or near residential and commercial/industrial areas in Pleasanton. The City's past experience shows that these uses make "good neighbors." The church will operate inside a fully enclosed building and will not impact tenants on neighboring properties or other businesses in terms of parking, noise, or other objectionable influences. The hours of operation of the church's peak activities differ from regular business hours and residential uses are not located in close vicinity of the proposed church. Further, the conditions of approval require the applicant to mitigate potential nuisances that may arise with the proposed use. 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.**

The PUD zoning of the subject site permits the establishment of religious facilities subject to conditional use permit approval. The proposed use, as conditioned, would comply with applicable provisions of the governing PUD and zoning ordinance. Granting a conditional use permit to the applicant would be consistent with the City's ability to regulate zoning as listed in the Municipal Code. Therefore, staff believes that this finding may be made.

## **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**

The conditional use permit will allow the Chinese Church in Christ to locate at the subject site. Conditions of approval have been recommended which will ensure that the safety and general welfare of the surrounding area is maintained. The proposed use, as conditioned, will be compatible with the surrounding uses and properties and will not result in an impact to nearby businesses.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve Case P11-0981 by taking the following actions:

1. Make the required conditional use permit findings as listed in the staff report; and
2. Approve Case P11-0981 subject to the conditions listed in "Exhibit A."

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