

Planning Commission Staff Report

September 24, 2008
Item 5.a.

- SUBJECT:** PCUP-230
- APPLICANT:** Keshore Vummarao/Ranch India
- PROPERTY OWNER:** Plaza Investors
- PROPOSAL:** Application for a conditional use permit to operate a specialty grocery store.
- GENERAL PLAN:** Retail/Highway/Service Commercial, Business and Professional Offices
- ZONING:** Central Commercial (C-C)
- LOCATION:** 1991 Santa Rita Road, Suite B (Mission Plaza)
- ATTACHMENTS:**
1. Exhibit A, Site Plan, Floor Plan, Product List, and Written Narrative, dated "Received July 22, 2008," and the Parking Plan, dated "Received September 9, 2008"
 2. Exhibit B, Proposed Conditions of Approval
 3. Exhibit C, Location Map

BACKGROUND

Mr. Vummarao requests the consideration of a conditional use permit to operate a family-owned specialty grocery store in the Mission Plaza Shopping Center. The Mission Plaza building is located in the C-C (Central Commercial) Zoning District. As such, a grocery store requires approval by the Planning Commission for a conditional use permit.

A Japanese market, Nakayama, was granted conditional use permit approval in 2003 to be located at 1989 Santa Rita Road, Suite D of this same shopping center. The Nakayama market is still in operation and has not experienced any issues with parking or impacts to surrounding uses.

SITE DESCRIPTION

The Mission Plaza Shopping Center is located on a 2.22-acre site on the west side of Santa Rita Road, north of Valley Avenue. The shopping center was constructed in 1977 and contains three commercial buildings totaling 35,520 square feet in floor area. The buildings are situated in a U-formation. The shopping center is currently occupied by Pho Minh Restaurant-a Vietnamese Noodle House (formerly by Swensen’s Ice Cream), Papa Murphy’s Pizza, UNCLE Credit Union, Mission Café, Nakayama- a Japanese Market, Fiesta Taco- a Mexican restaurant, and a variety of other commercial, personal service, and office uses. The proposed Indian market would be located in the building that is situated on the right side of the shopping center, perpendicular to Santa Rita Road, as entered from Santa Rita Road. The subject space was previously occupied by Medicab Pharmacy and is located between the Pho Minh Restaurant and Mission Expert Nail salon.

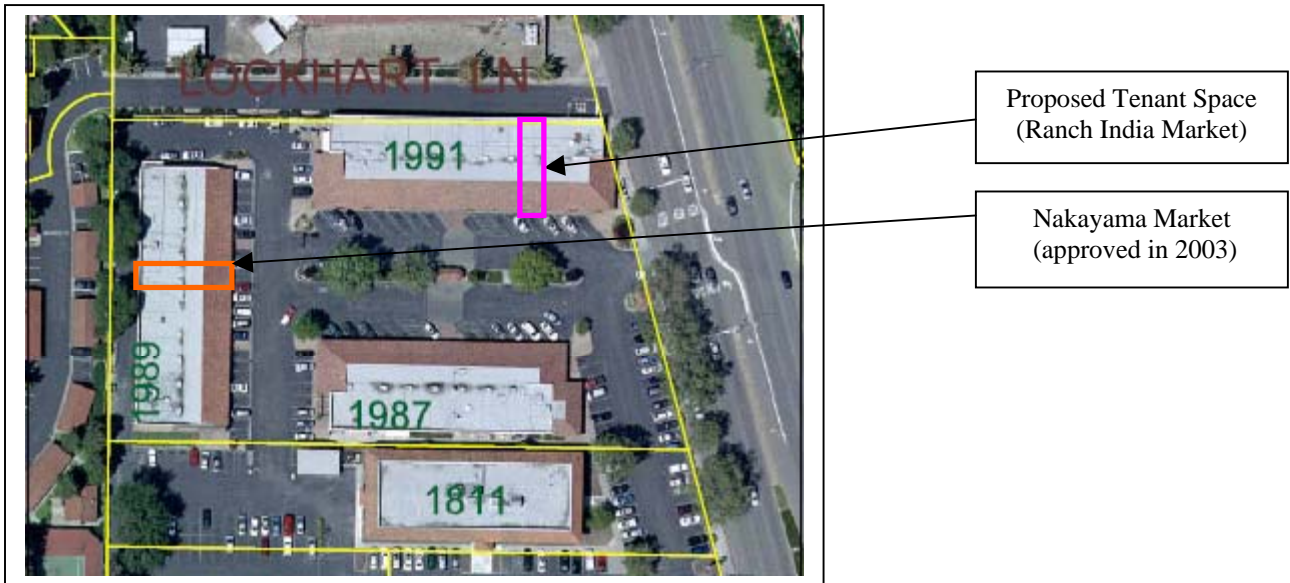


Figure 1.1: Mission Plaza Shopping Center

Properties adjacent to the shopping center include a two-story office building (1811 Santa Rita Road) and the Valley Plaza shopping center to the south, a motel to the north, multi-family residential buildings to the west, and single-family residential properties are located approximately 180 feet to the east, across Santa Rita Road.

PROJECT DESCRIPTION

The Ranch India market is a family-owned business specializing in Indian food commodities. The proposed grocery store would occupy an approximately 1,800-square-foot tenant space in the existing one-story building.

The proposed store layout provides rows of shelving for merchandise display, one freezer unit, and two refrigerators. A register counter would be placed by the store entrance, and a storage room would be located in the rear of the store. The open area at the front of the store would be for storage of a few small shopping carts and shopping baskets.

The proposed grocery store specializes in Indian groceries and miscellaneous grocery items. The applicant is not requesting approval for alcoholic beverages sales. The grocery store is owner-operated and would not have any additional employees. The store would be open seven days a week from 10:00 a.m. to 10:00 p.m.

The store layout, as shown in Figure 2.1, is typical to other markets providing merchandise-stocked shelves and a checkout stand located near the entrance. The store would also have a receiving/prep area, storage area, and a restroom (for use by both employees and patrons).

Given that it is a specialty grocery store, the applicant does not anticipate a high volume of pedestrian traffic in and out of the store.

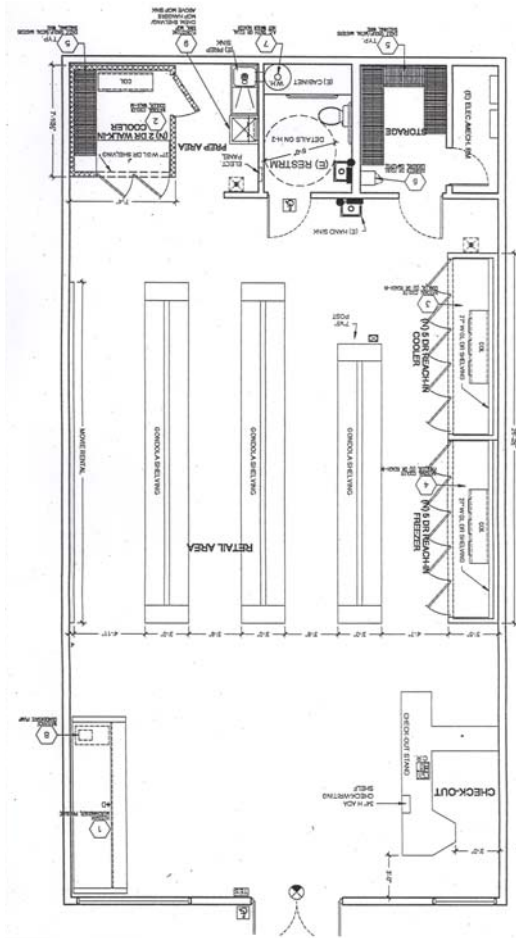


Figure 2.1: Proposed Floor Plan

ANALYSIS

Conditional uses are uses that, by their nature, require individual review to ensure that impacts associated with their use will be minimal. Conditional use permits may be subject to appropriate conditions to ensure that any potential adverse impacts associated with the use will be mitigated.

Land Use

One of the primary concerns in reviewing a conditional use permit application is the effect of a proposed use on surrounding uses. The proposed grocery store would be located in a shopping center that contains various commercial, personal service, and office uses. Staff believes that an Indian grocery would continue the ethnic specialties already offered in the shopping center (American, Mexican, Vietnamese, and Japanese food services).

The nearest residences are multiple-family units that are located approximately 400 feet west of the proposed tenant space. The residential units are separated from the site by a 25-foot wide loading and circulation area behind the subject building, a masonry wall on the westerly property line, and carport structures on the adjoining property. Additionally, all merchandise would be displayed inside the store and all sales would be conducted inside the store; thus, no outdoor activities would be generated as a result of the grocery store operations.

The proposed grocery store would be compatible with the other uses in the shopping center and would not produce any adverse impacts on the adjacent property owners or tenants. However, if problems do arise, staff has included conditions of approval which will ensure the surrounding uses are not impacted due to parking, noise, traffic, or other objectionable influences. Thus, from a land use perspective, staff believes that the proposed use is appropriate for the site.

Egress

The applicant has indicated that the occupancy will not exceed 49 occupants, thus exempting the use from needing to provide an additional exit. As conditioned, the applicant will work with the Building and Safety Division to comply with all building codes for occupancy posting and egress requirements.

Parking/Circulation

There are approximately 130 parking spaces (115 striped spaces and 15 additional un-striped spaces) within the Mission Plaza Shopping Center to support the 35,520 square feet of commercial area.

The overall parking ratio for the center is one parking space for every 273 square feet of floor area. Applying this parking ratio to the applicant's 1,800-square-foot tenant space, seven parking spaces would theoretically be allocated to the grocery store. Figure 2.2 indicates the locations of patron, merchant/tenant, and delivery truck parking.

The Municipal Code parking standards require a parking ratio of one parking space for every 150 square feet of floor area for grocery stores. Applying this parking ratio to the subject tenant space, a total of 12 parking spaces would be required for the proposed grocery store, which is more than the number of parking spaces theoretically allocated to this tenant space.

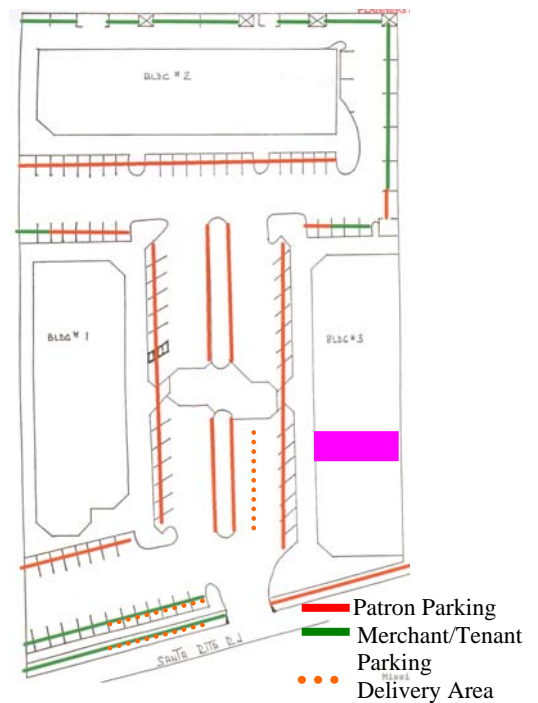


Figure 2.2: Parking Layout

The Mission Plaza Shopping Center has a reciprocal parking agreement with the adjoining office building at 1811 Santa Rita Road. The parking agreement allows the tenants and patrons of the Mission Plaza Shopping Center to use 37 of its 70 parking spaces. These parking spaces are located behind the office building and are accessible to and from the Mission Plaza Shopping Center via a contiguous driveway. With the reciprocal parking agreement in place, staff believes that the demand for an additional five parking spaces for the proposed grocery store could be easily supported by parking spaces that are provided on both the subject and adjoining sites.

Staff evaluated the current parking demand, as shown in the following table:

Table 1.1

Date and Time	On-Site Parking Spaces		Reciprocal Parking Spaces		Total Parking Sp. Available
	Occupied	<i>Available</i>	Occupied	<i>Available</i>	
7/29/08: 10:00 a.m.	96	34	19	18	52
7/30/08: 12:30 p.m.	102	28	22	15	43
7/31/08: 5:30 p.m.	94	36	24	13	49

The above data indicate that there was sufficient parking available in the shopping center when the counts were taken. Staff believes that the parking counts fairly represent the parking situation at the Mission Plaza Shopping Center. Furthermore, as a specialty food store, staff believes that the anticipated parking demands for the store would be comparable to that of a typical retail store in the shopping center.

Based upon the parking analysis, staff believes that the parking should be sufficient to accommodate the proposed use. In the future, should the proposed use expand or parking problems occur, and/or if the reciprocal parking agreement becomes null and void, staff has included conditions which would allow the Director of Planning and Community Development to refer the use permit back to the Planning Commission for possible changes to the conditions of approval.

Circulation within the shopping center is easy and convenient except for occasional stops for pedestrians crossing the drive isles. Given the absence of a rear loading dock for deliveries, staff has analyzed the impacts of deliveries occurring at the front of the building. Figure 2.2 of the previous page illustrates the delivery areas for this use. Through the parking survey that staff conducted, the area along the planter median at the front of the building is often used for temporary parking of delivery trucks. This area allows for vehicles parking in the striped spaces to adequately maneuver in and out of the spaces while a delivery truck is parked there. Additional areas for delivery truck parking are along Santa Rita Road and within the parking lot

stalls facing Santa Rita Road. Staff believes that allowing front door deliveries can be accommodated at this location without causing impacts to neighboring tenants or patron parking. Additionally, the applicant has indicated that deliveries are typically made in the morning in order to reduce circulation conflicts.

Traffic

From a traffic perspective, the proposed specialty market is a comparable use to the existing uses in the shopping center. As such, the staff did not require a traffic study to be prepared.

No safety issues were identified by the City’s Traffic Engineer regarding on- or off-site vehicular traffic. Therefore, staff did not require a traffic safety analysis for this project.

Noise

The subject tenant space does not contain soundproofing within the ceiling and walls of the space, and the applicant has not proposed any for the business. The proposed grocery store would have a freezer unit placed against the northwestern wall and a refrigerator placed against the eastern wall. Both units are similar to those that are seen 7-Eleven stores or drug stores.

Staff is familiar with the type of freezer and refrigerator units that are seen in convenience and drug stores. They are self-contained units with cooling motors. The noise generated by the motor is at a low volume, so it does not annoy or disturb store patrons. Staff does not think that similar refrigeration units placed inside the proposed grocery store would impact either the store patrons or adjacent tenants. Staff has not recommended a condition requiring soundproofing of the tenant space; however, a condition is included that if there are any future complaints regarding noise generated by the cooling system, the project can be reviewed again to add mitigating conditions of approval.

Signage

As shown in Figure 2.3, an internal illuminated cabinet sign has been installed. This sign matches the surrounded sign styles.



Figure 2.3: Signage

Trash Enclosure

Two trash enclosures located on-site. The upgrades for the trash enclosures were handled by the conditions of approval for the Japanese market in 2003.

Public Comment

Notices of the Planning Commission's public hearing on this item were sent to property owners, business tenants, and homeowners within 1,000 feet of the subject property. Staff has not received any verbal or written comments pertaining to the proposed project.

FINDINGS

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

A. That the proposed locations of the conditional uses are in accordance with the objectives of the zoning ordinance and the purpose of the district in which the sites are located.

Objectives of the zoning ordinance include: protecting existing land use from inharmonious influences and harmful intrusions; fostering harmonious, convenient, workable relationships among land uses; 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, the proposed grocery store would be consistent with these objectives.

The site of the proposed use is located in the Mission Plaza Shopping Center, which permits a variety of retail, personal service, and restaurant uses. The site of the proposed use is located in the Mission Plaza Shopping Center, which permits a variety of retail, personal service, and office uses. Staff believes that operating a grocery store in this shopping center would be in accordance with the purposes of the Central Commercial (C-C) zoning district to provide locations to offer commodities and services to residents of Pleasanton and the surrounding residential neighborhood. The proposed conditions of approval for the project would give the City the appropriate controls to ensure that the use does not have any negative impacts on the surrounding businesses and properties. The use permit for the grocery store would be in accordance with the objectives of the zoning district. Staff believes that this finding can be made.

B. That the proposed location of the conditional uses and the conditions under which they 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.

Given that a reciprocal parking agreement for allowing 37 parking spaces on the adjoining site to be used by the tenants and patrons of the Mission Plaza Shopping Center is in effect, and that the proposed grocery store would occupy an existing tenant space of 1,800 square feet of floor area (which is considerably smaller than other grocery stores in

the city), staff believes that the proposed use would have adequate off-street parking to meet the demand and would not adversely impact the adjacent tenants. The proposed use is to be operated entirely indoors, and its operation should not interfere with adjacent uses. The streets leading to the site are designed per City standards and are signalized to provide safe access into and out of the site. Staff feels that any areas of possible concern have been conditioned so that the proposed use would meet all applicable Municipal Code requirements and would be operated in a non-nuisance manner. Furthermore, the applicant can be required to mitigate any future nuisances or problems. Therefore, if all the conditions of approval are complied with, staff feels the proposed use would not detrimentally impact the surrounding properties, and staff believes that this finding can be made.

C. That the proposed conditional uses will comply with each of the applicable provisions of the zoning ordinances.

The site's zoning regulations conditionally permit the operation of a grocery store. In staff's opinion, the proposed use complies with all relevant sections of the zoning ordinance. Granting a conditional use permit to the applicant for a grocery store would be consistent with the City's ability to regulate zoning as listed in the Municipal Code. Therefore, staff believes that the third finding can 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.

CONCLUSION

As proposed, staff believes the grocery store would offer a service to residents of the City, would be compatible with the surrounding businesses, and would not detrimentally affect the surrounding uses or properties. Conditions of approval have been included which would ensure that the safety and general welfare of the surrounding area would be maintained.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission make the required findings and approve Case No. PCUP-230, subject to the proposed conditions of approval listed Exhibit B.

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