

SUBJECT: PCUP-177

APPLICANT: Yeong J. Choi, Seshimkwan Martial Art School

PROPERTY OWNER: Mansour Sepehr, SOMA Environmental

PURPOSE: Conditional Use Permit for a Martial Arts Studio

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

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

LOCATION: 6620 Owens Drive, Suite B (PUD-80-14)

ATTACHMENTS:

1. Location Map
2. Exhibit A, Narrative and Site Plan, dated “August 4, 2006”
3. Exhibit B, Draft Conditions of Approval dated September 13, 2006
4. Exhibit C, List of Permitted and Conditionally Permitted Uses for PUD-80-14

BACKGROUND

The applicant, Yeong J. Choi, owner of the Seshimkwan Martial Art School, submitted a conditional use permit application to the Planning Department to operate a martial arts studio at 6620 Owens Drive, Suite B in PUD-80-14. Conditional use permit applications are subject to review and approval by the Planning Commission.

SITE DESCRIPTION

The approximately 2,000 square-foot subject suite is located in an approximately 22,560 square-foot building located on the southern side of Owens Drive west of Johnson Drive. The subject property backs up to property fronting Franklin Drive, similarly zoned PUD-I/C-O. Access to the site is via a driveway off Owens Drive. The other tenant spaces in the building are SOMA Environmental Engineering, a consultant firm that occupies a 6,200 square-foot suite; Process Metrix, a firm specializing in innovative laser instrumentation that occupies a 5,200 square-foot suite; and Serrato Consulting, a computer software development firm that occupies a 11,160 square-foot suite.

PROJECT DESCRIPTION

The applicant requests to operate a Korean martial arts (aka Kum Do) studio at the subject site. The space will be used for a martial arts training studio and its related uses such as stretching, practicing breathing techniques, learning steps, meditating, and doing physical exercises using wooden sticks (bamboo swords). There will be no employees. Mr. Choi will be the only instructor. Students' ages range from 15 through 45 years. The hours of operation are from 4 pm to 10 pm, Monday through Saturday, the studio will be closed on Sundays. Classes will have anywhere from 7 to 10 students. Classes will begin at 5 pm. The younger students will start earlier and leave after about three hours of warm-up and training. The older students—21 years and older—will come in the later evening (around 7 pm) and train as long as they like, or until the studio closes at 10 pm.

ANALYSIS

Land Use:

Per PUD-80-14, indoor recreation-sports facilities, gymnasiums, and health clubs are conditionally permitted uses at the subject site. Given the scale of the proposed operation and the hours of the operation (which off set the standard business hours of the other tenants), staff believes that the intensity of the use is compatible with the surrounding uses. Staff has included a condition of approval stating that if land use conflicts arise in the future, the conditional use permit may be referred to the Planning Commission for subsequent review and a public hearing.

Parking:

The lease for 6620 Owens Drive, Suite B includes eight parking spaces (1 parking space for each 250 square feet of gross floor area). The Zoning Administrator has determined that a martial arts studio is similar in nature to those uses listed in section 18.88.030(E)(2) of the Pleasanton Municipal Code: business, professional trade, art, craft, music and dancing schools and colleges. As prescribed by Code, the parking ratio for such uses is one space for each employee, and one additional space for each two students sixteen years or older. With a maximum class size of 10 students, a total of 6 spaces are required for the studio's operations, or two less than the eight spaces allotted to the studio for use.

There are ample parking spaces (a total of 140) all around the building. Staff notes that on a recent site visit during the early afternoon, there were numerous available parking spaces within the parking lot, see photo below. Impacts to parking will be further reduced in that the studio's hours of operations are offset from the other businesses in the building. The martial art studio will therefore not increase or create an unmet parking need.



Parking Lot in front of Subject Site (6620 Owens Drive)



Parking Lot in rear of Subject Site (6620 Owens Drive)

Noise:

The noise generated by the martial arts studio is mainly from bare feet stomping on the raised hardwood floors underlain with mats, crossing against swords, and letting out short shouts while practicing. All doors will remain closed during business hours, further limiting noise impacts to surrounding tenants. Noise impacts to neighboring tenants are further reduced by the offset hours of operations held by the martial art studio; the studio's

first class begins at 5 pm. At no time would the noise generated by the studio be in excess of seventy-five (75) dBA at any point outside of the property plane as prescribed by code (P.M.C. §9.040.50).

PUBLIC NOTICE

Staff sent notices of the Planning Commission's public hearing on this item to all property owners, tenants and residents located within 1,000-feet of the subject property on September 1, 2006. As of the writing of this staff report, staff has received no public comment.

FINDINGS

The Planning Commission needs to make the following use permit findings prior to the granting of a use permit for the martial arts studio:

- 1. The location of the proposed conditional use is in accordance with the objectives of the zoning ordinance and the purpose of the district in which the site is located.***

The subject site is located in a Planned Unit Development Industrial, Commercial, and Office District (PUD-I/C-O) District, which is intended to provide sites for a variety of light industrial, office, research and development, and commercial uses including indoor sports and recreational activities. The proposed use is therefore compatible with surrounding uses. This finding can be made.

- 2. The proposed location of the conditional use and the conditions under which the conditional uses 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.***

The martial arts studio would be subject to the regulations of the City Building and Fire Codes. Mr. Choi, who has been involved in practicing, training, and competing in Kum Do since 1970, will supervise all class activities. Mr. Choi is a Kum Do Master with a 7th degree belt and has over ten years of experience in operating a martial arts school. No class activities would take place outside of the tenant suite. This finding can therefore be made.

- 3. The proposed conditional use will comply with each of the applicable provisions of Chapter 18.124 of the Pleasanton Municipal Code.***

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 feels that due to the nature of the operation, the proposed use with the recommended conditions of approval, will integrate well with the surrounding uses without detrimentally affecting the surrounding properties and the City in general. As with any use permit, this use

can be suspended or revoked if the conditions are not met. Therefore, this finding can be made.

ENVIRONMENTAL ASSESSMENT

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

CONCLUSION

The conditions of approval for PUD-80-14 require a conditional use permit for indoor recreation-sports facilities, gymnasiums, and health clubs. Approval should be granted provided the use is properly located with respect to its effects on surrounding properties and the required findings can be made. Due to the nature of the use, the small size of the proposed classes, and the offset hours from the other businesses within the building, the proposed use will be compatible with the surrounding uses and properties. Therefore the required conditional use permit findings can be made.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Make the required use permit findings for PCUP-177 in the staff report; and
2. Approve PCUP-177, subject to the conditions of approval listed in Exhibit B.

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