

RESOLUTION NO. PC-2018-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLEASANTON APPROVING A CONDITIONAL USE PERMIT APPLICATION FOR WILLIAM DOUGLAS ON BEHALF OF THE MASONIC LODGE OF PLEASANTON LOCATED AT 1181 QUARRY LANE, SUITE 350, AS FILED UNDER CASE NO. P18-0032

WHEREAS, on February 12, 2018, William Douglas, on behalf of the Masonic Lodge of Pleasanton, applied for Conditional Use Permit approval to operate a private non-commercial lodge for Pleasanton Masonic Lodge located at 1181 Quarry Lane, Suite 350; and

WHEREAS, zoning for the property is PUD-I (Planned Unit Development - Industrial) District; and

WHEREAS, the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, (Existing Facilities), since the project would not result in the expansion of the exterior or the building and/or would be limited to interior alternations of the existing building. Therefore, no additional environmental review is required; and

WHEREAS, on June 13, 2018, the Planning Commission held a duly-noticed public hearing and considered relevant exhibits, recommendations of the City staff concerning this application, and received testimony from the applicant and interested parties; and

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pleasanton, based on the entire record of proceedings, including the oral and written agenda reports and all public comment and testimony:

Section 1: Findings for Conditional Use Permit Approval

With respect to the approval of P18-0032, the Planning Commission makes the following findings as required by Section 18.124.070 of the Pleasanton Municipal Code:

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

Some of the objectives of the zoning ordinance are to: foster a harmonious, convenient, workable relationship among land uses, protect existing land uses from inharmonious influences and harmful intrusions, and ensure 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 Planning Commission finds the proposed private non-commercial lodge would be consistent with these objectives and would create an appropriate meeting space for the Masonic Lodge members and their affiliated organizations. The proposed lodge would be operated so as to not impact or interfere with the surrounding uses in that the number of attendees at planned events and hours of operation would not generate substantial noise, parking demand, or traffic.

The subject site is zoned PUD-I (Planned Unit Development – Industrial) District, which generally has the characteristics of the City's I-P (Industrial Park) District. One purpose of the I-P District is to provide locations for uses that can operate in close proximity to commercial and residential uses with minimum mutual adverse impacts. As conditioned, the Planning Commission finds the proposed lodge would be consistent with the Zoning Ordinance objectives and zoning district purposes in that it would be operated so as to not impact or interfere with the adjacent/nearby uses or residences. The proposed lodge would be operated entirely indoors on a property with an adequate circulation system and parking supply to support the proposed use. The applicant would also be required to mitigate any future nuisances that may occur as a result of the proposed use.

- 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 conditioned, the Planning Commission finds the proposed lodge would make a good neighbor, since all of its proposed activities would occur indoors, would generally be scheduled outside of the operating hours of nearby commercial uses, and with the exception of occasional special events, would not involve large numbers of attendees. Additionally, the proposed lodge would not permit rentals of the facility to other groups, organizations, or individuals. Private non-commercial clubs and lodges generally do not subject surrounding uses to heavy truck traffic, hazardous odors, high noise levels, or other objectionable influences. If the recommended conditions of approval are followed, the Planning Commission finds the proposed lodge would not be detrimental to the adjacent/nearby uses or residences. All streets around the subject site are designed per City standards to provide safe ingress and egress into and out of the site. In addition, there is adequate off-street parking available to meet the project's demand. Conditions have also been included that would require the applicant to mitigate any future nuisances as a result of the proposed use.

- C. That the proposed conditional use will comply with each of the applicable provisions of the zoning ordinance.

The site's zoning conditionally permits the establishment of private non-commercial clubs and lodges. Granting a CUP for the proposed lodge would be consistent with the City's ability to regulate zoning as listed in Chapter 18.124 of the Municipal Code. In addition, the Planning Commission finds that, as conditioned, the proposed use will comply with all provisions and requirements of the City's zoning ordinance and the approved PUD for Valley Business Park.

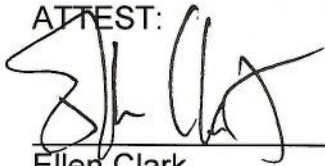
Section 2: The Planning Commission hereby approves Case P18-0032, the application of William Douglas, on behalf of the Masonic Lodge of Pleasanton, for Conditional Use Permit approval to operate a private non-commercial lodge for Pleasanton Masonic Lodge located at 1181 Quarry Lane, Suite 350, subject to the Conditions of Approval shown in Exhibit A, attached hereto and made part of this case by reference.

Section 3: This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time.

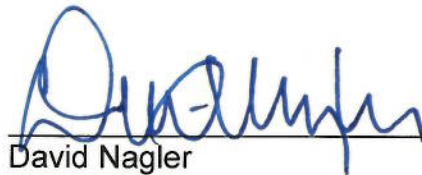
PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Pleasanton at a regular meeting held on June 13, 2018, by the following vote:

AYES: Commissioners Allen, Ritter, Brown, Nagler
NOES: None
ABSTAIN: None
RECUSED: Commissioner Balch
ABSENT: Commissioner O'Connor

ATTEST:



Ellen Clark
Secretary, Planning Commission



David Nagler
Chair

APPROVED AS TO FORM:



Julie Harryman
Assistant City Attorney

**EXHIBIT A
CONDITIONS OF APPROVAL**

**P18-0032, 1181 Quarry Lane, Suite 350
June 13, 2018**

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project whether or not specifically noted herein.

This approval is granted for Conditional Use Permit approval to operate a private non-commercial lodge for Pleasanton Masonic Lodge located on Assessor Parcel No. 946- 4547-133-00 at 1181 Quarry Lane, Suite 350. Development shall be substantially as shown on the project materials listed below:

- a. Narrative and Project plans, Exhibit B, prepared by IDArchitecture for William Douglas, dated "Received" on April 30, 2018, and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the "Approved Plans".

THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **APPROVAL AND REVISIONS:** The proposed use shall be in substantial conformance with the "Approved Plans," except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits.
2. **EXPIRATION – CONDITIONAL USE PERMIT:** This Conditional Use Permit (CUP) approval will lapse and shall become void 1 year following the date on which the CUP became effective, unless prior to the expiration of 1 year a building permit is issued and construction is commenced and diligently pursued toward completion on the site which was the subject of the CUP application; or a certificate of occupancy is issued for the structure which was the subject of the CUP application; or the site is occupied if no building permit or certificate of occupancy is required; or the applicant or his/her successor has filed a request for extension with the Zoning Administrator pursuant to the provisions of the Pleasanton Municipal Code.

3. **APPEAL PERIOD:** The building permit submittal will only be accepted after completion of the appeal period provided in the Municipal Code unless the applicant submits a signed statement acknowledging the plan check fees may be forfeited in the event the approval is overturned on appeal, or the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the appeal period.
4. **LIABILITY AND INDEMNIFICATION:** To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employee and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

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Conditional Use Permits

5. **FACILITY RENTAL:** The applicant shall not rent out the facility or kitchen to other groups, organizations, or individuals at any time, except to those specified within the "Approved Plans". **(project specific condition)**
6. **OUTDOOR ACTIVITIES:** The applicant shall not conduct any outdoor events or activities at any time. **(project specific condition)**
7. **NOISE:** The applicant shall:
 - a. Keep all exterior doors of the building closed when not being used for ingress/egress purposes.
 - b. Inform all lodge members/guests to not loiter outside of the building and to be courteous and quiet when entering or leaving the parking area. **(project specific condition)**
8. **MAINTENANCE:** The applicant shall maintain the subject property or if applicable, the area surrounding the tenant space, in a clean and orderly manner at all times.
9. **MODIFICATIONS:** If additional hours of operation or activities beyond what is stated in the "Approved Plans" are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.

10. **CONDITIONAL USE PERMIT REVIEW:** If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing. If necessary, the Planning Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit.
11. **OUTDOOR STORAGE:** There is to be no outdoor storage without prior approval by the City.
12. **SIGNAGE:** This approval does not include approval of any signage for the Pleasanton Masonic Lodge. If signs are desired, the Pleasanton Masonic Lodge shall submit a sign proposal to the Planning Division for review and approval prior to sign installation.
13. **EXTERIOR CHANGES:** Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
14. **RELOCATION:** If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant space.
15. **IMPACT FEES:** The applicant shall pay the required sewer fees, traffic impact fees, and all other fees the proposed use may be subject to prior to building permit issuance. The type and amount of the fees shall be those in effect at the time the building permit is issued.
16. **BUILDING PERMIT:** Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval prior to operation. The applicant shall obtain a building permit prior to commencement of any work.