

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-2016-06

RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR
GRACEWAY CHURCH, AS FILED UNDER CASE P16-0174

WHEREAS, Graceway Church has applied for a Conditional Use Permit to operate a religious facility within an existing building located at 1183 Quarry Lane within Valley Business Park; and

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

WHEREAS, at its duly noticed public hearing of March 23, 2016, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and

WHEREAS, projects of this nature are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Existing Facilities, Class 1; and

WHEREAS, the Planning Commission made the following findings:

1. 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. The subject building is located in Valley Business Park which 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. As conditioned, staff believes the proposed GC is consistent with the zoning ordinance objectives and Industrial Park District purpose because it would provide religious services to the community and would be conducted so as to not impact or interfere with the surrounding uses. The proposed GC will be conducted indoors and on a property with adequate circulation and parking to support the use. The applicant will also be required to mitigate any future nuisances that may occur as a result of the proposed use. Therefore, this finding can be made.

2. 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 generally make "good neighbors" and are therefore not detrimental to public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity because religious facilities generally do not subject surrounding uses to heavy truck traffic, hazardous odors, or other objectionable influences. Further, if the recommended conditions of approval are met, staff believes the proposed use will not detrimentally impact surrounding uses because all streets around the site are designed per City standards to provide safe ingress and egress into and out of the site. In addition, staff believes the proposed use will have adequate off-street parking to meet project demand. Conditions have also been included that would require the applicant to mitigate any future nuisances as a result of the proposed use. Finally, the Valley Business Park Owners Association also reviewed the application and submitted a letter of support. Therefore, this finding can be made.

3. The proposed Conditional Use will comply with each of the applicable provisions of the Zoning Ordinance.

The site's PUD-I zoning conditionally permits the establishment of religious facilities within existing buildings. In addition, the proposed use complies with all relevant sections of the zoning ordinance. Granting a CUP to the GC would be consistent with the City's ability to regulate zoning as listed in the Municipal Code Chapter 18.124. Therefore, this finding can be made.

WHEREAS, the Planning Commission determined that the religious facility would not be detrimental to the existing uses in the area.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

- Section 1. Approves Case P16-0174, the application of Graceway Church for a Conditional Use Permit to operate a religious facility within an existing building located at 1183 Quarry Lane within Valley Business Park, subject to the Conditions of Approval shown in Exhibit A, attached hereto and made part of this case by reference.

Section 2. This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time.


THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 23rd DAY OF MARCH 2016 BY THE FOLLOWING VOTE:

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

ATTEST:




Adam Weinstein
Secretary, Planning Commission



Herb Ritter
Chair

APPROVED AS TO FORM:



Larissa Seto
Assistant City Attorney

**EXHIBIT A
CONDITIONS OF APPROVAL**

**P16-0174, Graceway Church
1183 Quarry Lane
March 23, 2016**

PROJECT SPECIFIC CONDITIONS OF APPROVAL

Planning Division

1. The proposed religious facility activities and operations approved by this Conditional Use Permit shall conform substantially to the narrative and project plans, Exhibit B, marked "Received February 23, 2016," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.
2. If additional hours of operation, number of members attending, or activities beyond that proposed in the applicant's narrative, Exhibit B, dated "Received February 23, 2016," on file with the Planning Division, are desired, prior City review and approval is required. The Community Development Director may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
3. Prior to final inspection, all existing storage containers and fencing shall be removed from the existing parking lot and the parking lot shall be restored to its original condition to the satisfaction of the Director of Community Development.
4. The exterior doors of the building shall remain closed when not being used for ingress/egress purposes. The doors shall be installed to be self-closing.
5. The applicant shall regularly inform congregation members during early morning/late night hours not to loiter outside of the building and to be courteous and quiet when entering/leaving the parking area.
6. The applicant shall inform all patrons that the facility is located in an industrial district and may be subject to noise, odors, etc.
7. If operation of this use results in conflicts pertaining to parking, interior or exterior noise, traffic/circulation, or other factors, at the discretion on the Community Development Director, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said conditional use permit. Possible mitigation measures can include, but are not limited to: modifying the hours of operation, reducing the number of persons inside the subject building, or other measures deemed necessary by the Planning Commission.

Traffic Engineering Division

8. Prior to implementing potential future additional worship services and activities as shown within the project narrative, Exhibit B, marked "Received February 23, 2016," on file with the Planning Division, the applicant shall ensure adequate time is provided between each additional worship service and activity to ensure on-site circulation and parking continue to function to the satisfaction of the City Traffic Engineer. Scheduling shall anticipate and afford attendees of each worship service and activity adequate time to arrive/leave the subject site and avoid conflicts with one another that would result in potential circulation and parking impacts.
9. Prior to implementing potential future weekday evening worship services as shown within the project narrative, Exhibit B, marked "Received February 23, 2016," on file with the Planning Division, the applicant shall consult with the City's Traffic Engineering Division to ensure all potential traffic impacts will be adequately mitigated to the satisfaction of the City's Traffic Engineer.
10. Should the approved use become inconsistent with the information as shown within the project narrative, Exhibit B, marked "Received February 23, 2016," on file with the Planning Division, the Traffic Engineering Division reserves the right to require a parking study and additional analysis. Costs associated with the implementation of this condition shall be paid by the applicant.

STANDARD CONDITIONS

Community Development Department

11. The applicant shall pay all fees to which the use may be subject prior to operation. The type and amount of the fees shall be those in effect at the time the permit is issued.

Planning Division

12. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorney's fees), action, or proceeding brought by a third party against the indemnified parties and 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 attorney's 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.
13. If the applicant wishes to relocate the use to a new address and/or suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.
14. This Conditional Use Permit approval will lapse and shall become void one year following the date on which the use permit became effective, unless prior to the expiration of one year, the applicant initiates the use, or the applicant or his or her

successor has filed a request for extension with the Zoning Administrator pursuant to the provisions of the Pleasanton Municipal Code Section 18.12.030.

15. The applicant and/or employees shall maintain the area surrounding the subject building in a clean and orderly manner at all times.
16. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
17. This approval does not include approval of any signage. If signs are desired, the applicant shall submit a sign proposal to the City for review and approval prior to sign installation.
18. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.
19. The building permit plan check package will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the approval letter, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that 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 15-day time-period.
20. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.
21. Campers, trailers, motor homes, or any other similar vehicles are not allowed on the construction site except when needed as sleeping quarters for a security guard.
22. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
23. Portable toilets used during construction shall be kept as far as possible from existing businesses and shall be emptied on a regular basis as necessary to prevent odor.

CODE REQUIREMENTS

(Applicants/Developers are responsible for complying with all applicable Federal, State, and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

Planning Division

24. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Zoning Ordinance for grand openings.

Building Division

25. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
26. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.

Fire Department

27. Prior to occupancy, the applicant shall contact the Building and Safety Division and Fire Marshal to ensure that the proposed use of the subject building/structures meet Building and Safety and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

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