

Planning Commission Staff Report

April 27, 2015
Item 5.a.

SUBJECT:	P16-0356 and P16-0357
APPLICANT:	Global Village Schools Inc. / Hem Korubilli
PROPERTY OWNER:	FFHS Associates – Gateway LP
PURPOSE:	Applications for a Conditional Use Permit and Design Review to establish a preschool facility with an outdoor play area.
LOCATION:	4807 Hopyard Road, Gateway Square Shopping Center
GENERAL PLAN:	Business Park (Industrial / Commercial and Office) / Mixed Use
ZONING:	PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office) District
EXHIBITS:	A. Draft Conditions of Approval B. Narrative and Plans dated “Received March 29, 2016” C. Hacienda Business Park Approval Letters D. Location and Noticing Map

BACKGROUND

On August 3, 2011, the City approved Hacienda Business Park’s request for a modification to its approved Planned Unit Development to allow both State-licensed childcare facilities and heritage schools as a conditionally allowed use on all Hacienda properties, with the exception of those designated solely for High Density Residential uses.

On behalf of Global Village Schools, Hem Korubilli, the applicant, has submitted a conditional use permit application to operate a preschool for children aged 2-6 within an existing tenant space at 4807 Hopyard Road, within Gateway Square Shopping Center. The proposed site is located within Hacienda Business Park and is zoned PUD-I/C-O (Planned Unit Development – Industrial Commercial – Office) District. With Hacienda’s approved PUD modification, a preschool requires approval of a Conditional Use Permit (CUP). The CUP application is subject to the review and action by the Planning Commission.

The applicant has also applied for a Design Review application to construct an outdoor play area at the side (south) and rear (west) of the subject building. Design Review applications of

this nature are typically processed at staff level; however, staff is requesting the Planning Commission to take action on the Design Review request with the CUP.

SITE DESCRIPTION

The subject site is an approximately 9.7-acre parcel, known as Gateway Square, located at the northeast corner of the intersection of Hopyard Road and Stoneridge Drive in Hacienda Business Park. There are six buildings in the shopping center and the proposed preschool would occupy an approximately 6,825-square-foot, one-story, freestanding building located at the southwest portion of the property. The front entry of the subject building faces east, towards Chabot Drive. A 432-space parking lot, accessible from the west side of Chabot Drive, the north side of Stoneridge Drive, and east side of Hopyard Road, serve the six buildings within Gateway Square.

Image 1: Building Location



Gateway Square Shopping Center contains a variety of tenants such as: Chili's, Eddie Papa's, Hacienda Park Optometry, Huntington Learning Center, Ume Sushi, The Organic Coup, and Pick 6 Sports Lounge and Mavericks Country Lounge. Other uses in the vicinity of the site

include offices, hotels, and other personal services uses (e.g., financial institutions) with the nearest residential uses being located to the southwest, across Hopyard Road.

PROJECT DESCRIPTION

Global Village Montessori (GVM) will provide a variety of programs for children aged 2-6 years old. The program uses the American Montessori Society (AMS) (<https://amshq.org/>) method and other learning practices. GVM will focus on reading, writing, math, science, and lecture while emphasizing on a child's physical, emotional, and creative development. The facility will also incorporate art, music, yoga, nutrition, Spanish, and Mandarin into the curriculum.

The facility would have 10 staff members and a maximum capacity of 120 children at any one time. GVM would operate year-round with the following schedule:

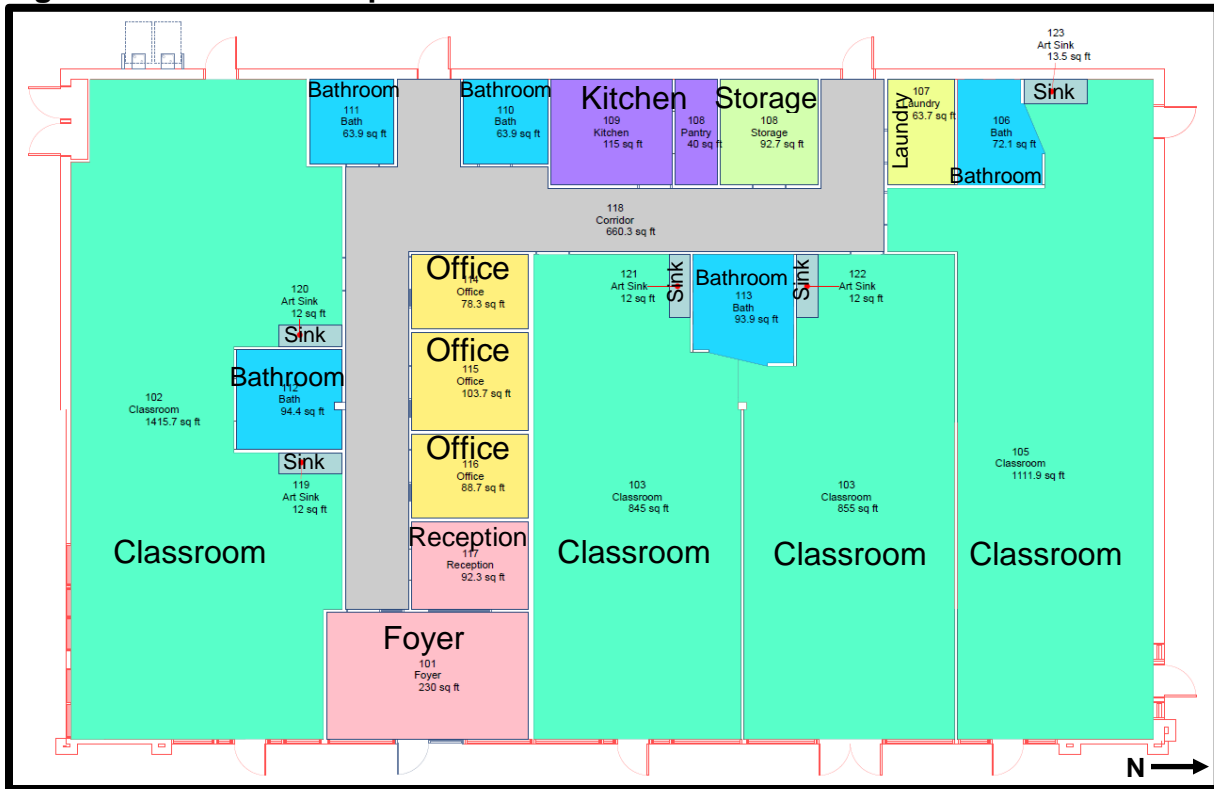
Session	Hours
Full Day	6:00 a.m. – 6:30 p.m.
Morning	9:00 a.m. – 1:00 p.m.
School Day	9:00 a.m. – 3:30 p.m.
Afternoon	Noon – 4:00 p.m.

A breakdown of GVM's tentative schedule for a full day session can be found in the applicant's narrative (Exhibit B). In addition to these sessions, GVM will offer educational field trip activities. Transportation for field trips would be provided by staff and/or parent volunteers who would assist in chaperoning and transportation.

Interior Tenant Improvements/Building Modifications

GVM is proposing to remove a demising wall between two existing tenant spaces to create one approximately 6,825-square-foot tenant space and to construct a new outdoor playground area on the west and south sides of the subject building. The proposed floor plan consists of foyer and reception areas, three offices, four classrooms, five bathrooms, a kitchen, storage area, and laundry room. The existing front (east) and side (north) exterior doors to the new classroom areas will remain locked to prevent direct exterior access and an additional exterior door will be added on the east elevation in the new foyer area that will serve as the main, single point entry to the facility. Three exterior doors will remain to provide access to the proposed outdoor play areas (see Figure 1 for more detailed design information on this area or the plans in Exhibit B).

Figure 1: New Tenant Space



Design Review – Outdoor Play Area

GVM would construct an outdoor, fenced-in play area behind (west) and on the side (south) of the subject building, totaling approximately 4,538 square-feet, as shown on the site plan in Figure 2 and in Exhibit B. Existing turf and landscaping would be removed to accommodate the improvements. The applicant would install new landscaping along the perimeter of the fence. The new play areas would include artificial turf and/or rubber padding and various play structures. Staff notes that examples of the location and type of playground equipment to be installed can be found in Exhibit B. A 6-foot-tall open-style black metal fence would be installed to enclose and connect the play area to the facility. The new landscaping would help to screen the play areas from public view. The play areas would be accessible from four doors from within the building and also include two exterior gates that would be locked at all times but would feature panic-hardware in the event of an emergency.

Staff notes that a new emergency vehicle access (EVA) drive aisle and gate is proposed on the north side of the play area. This EVA and gate were not requested by City staff and are not required.

Please see the attached narrative and project plans (Exhibit B) for additional information on the proposed use and improvements.

Figure 2: Outdoor Play Area



ANALYSIS

Conditional uses are 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 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.

Land Use

The Land Use Element of the General Plan designates the subject property as “Business Park (Industrial / Commercial and Office) / Mixed Use.” GVM is a preschool facility with an academic curriculum and, therefore, is consistent with the General Plan land use designation and with the following General Plan Program, Policies, and Goal:

- Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.
- Policy 7: Encourage and support high quality public and private educational facilities in Pleasanton and facilitate lifelong educational opportunities for all ages.
- 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.

- Goal 2: Achieve and maintain a complete well-rounded community of desirable neighborhoods, a strong employment base, and a variety of community facilities.

The zoning for this site is PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office), and the site is located in the Retail/Commercial and Financial Planning District (CPD) of Hacienda, which permits land uses such as restaurants, financial institutions, and retail stores and requires CUP approval for preschools. If the CUP is approved, the proposed preschool facility would be consistent with the zoning district.

One of the primary concerns in reviewing a CUP application is the effect of the proposed use on surrounding uses. When the proposed use is educational, instructional, recreational, or involves daycare, staff evaluates how that use integrates with the surrounding uses. Staff believes this use is compatible with the surrounding uses. GVM will be located adjacent to existing commercial uses and not far from residential uses. GVM would be the only use in the subject building and, therefore, would not be disruptive to other tenants.

Staff also considers it unlikely that the operation of GVM would adversely impact the surrounding businesses within Gateway Square Shopping Center or, in turn, be impacted by these businesses. For example, given the ages of the children that would attend GVM, staff considers it unlikely that the children would congregate outside the facility and impact the operation of the other businesses in the shopping center. GVM children would be supervised by staff at all times and entrance doors are conditioned to be closed except when being used.

The outdoor play area would be located on the west and south sides of the facility and its use would be limited to twice a day (11:00 a.m. and 4:00 p.m.) for no longer than 30 minutes and all occupants would be supervised by GVM staff at all times with up to 30 children in each play area during outside play time.

In the past, the Planning Commission has granted CUPs for similar facilities in shopping centers (i.e., Little Flowers Montessori and Genius Kids in Vintage Hills Shopping Center). The subject building is on a site that has adequate on-site parking (as discussed below) and GVM would be operated predominantly indoors and the proposed outdoor play area would be adequately buffered from surrounding uses. Staff believes that the subject location is appropriate and does not expect that the proposed use would impact or be impacted by the existing and future surrounding businesses.

Parking

There are 432 on-site parking spaces that are shared amongst the tenants in Gateway Square Shopping Center. The overall parking ratio of the center is one parking space for every 205 square feet of floor area. Applying this parking ratio to the 6,828-square-foot tenant space, 27 parking spaces would theoretically be allocated to the tenant space. However, there are no assigned parking spaces in this shopping center.

Per section 18.88.030 (E) (*Schedule of off-street parking space requirements*) of the Pleasanton Municipal Code (PMC), this type of use would require one parking space for each employee, including teachers and administrators, and one space for each four students in grade 10 or above. The student parking requirement, one space for each four students, is not

applicable since the children are below grade 10. With 10 staff members, 10 parking spaces would be required for the proposed use. The PMC-required parking demand for this use would be satisfied by the 27 parking spaces “allocated” to this facility based on the total tenant square-footage.

Staff notes that section 18.88.030 of the PMC does not address parking demand during drop-off/pick-up times, which would be the most impacted time from a parking standpoint. Staff believes that there would be adequate parking for drop-off/pick-up given that parent/guardian arrival and departure times are staggered with parents/guardians only parked in the spaces for a short period of time. Each session will have a maximum of 30 students with the center being fully occupied during mid-day (noon-1:00 p.m.). Staff conducted several site visits during peak times (i.e., morning, lunch, and evening) over the last several weeks and found that there was sufficient parking available to accommodate the school. Therefore, based on the applicant’s parking analysis and staff’s site visits, staff believes that the parking should be sufficient to accommodate the proposed use. However, should parking problems occur, staff has included a condition of approval which allows the Director of Community Development to refer the use permit back to the Planning Commission for possible mitigation measures (Exhibit A). Possible mitigating conditions could include: reducing the number of children, modifying the arrival/departure times, etc.

Traffic and Circulation

The subject site is located at the northeast corner of the intersection of Hopyard Road and Stoneridge Drive. Access to the site is provided from the west side of Chabot Drive, the north side of Stoneridge Drive, and the east side of Hopyard Road. The corner location provides convenient vehicle access to enter/exit the site.

The Traffic Engineering Division has reviewed the proposal and determined that a traffic study is not required. However, should the facility deviate from the provided narrative (Exhibit B), review from the City’s Traffic Engineer would be required to assess whether fees and/or a traffic study would be required. A condition has been added to address this requirement (Exhibit A).

Noise

The Pleasanton Municipal Code states that 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.” As proposed, the programs would be held indoors with doors closed during business hours. Most of the noise generated by the preschool will be associated with outdoor recreational time the children spend in the play area. The time outside would be limited and staggered amongst the age groups. The closest tenant is located in the adjacent building to the east of the subject building and the nearest residence is located across Hopyard Road. Therefore, it is unlikely that noise will be an issue. Furthermore, a condition of approval requires that if noise problems arise in the future, the Conditional Use Permit may be amended or revoked should noise become an issue.

Design Review

The PMC requires childcare facilities, such as the one proposed, to provide outdoor play areas that: face new or existing landscaping sufficient to buffer the outdoor play area from view, are separated from customer parking areas by a heavy wood fence or comparable barrier, are isolated from loading docks and associated delivery truck circulation areas, and contain landscaping for outdoor children's activities.

As previously described, GVM would construct outdoor, fenced-in play areas totaling approximately 6,830 square-feet in area. No parking will be removed as part of these proposed improvements and the turf and landscaping removed to accommodate the play areas would be replaced along the perimeter of the fencing to provide screening.

Staff finds that the proposed outdoor play area is appropriately sized and designed such that the proposed site modifications would not adversely affect the subject shopping center, the existing uses, or the surrounding areas. Furthermore, the visibility of the outdoor play area would be limited by the proposed vegetation.

Since the EVA and gate are not required, staff recommends they be removed from the plans and the existing landscaping be retained. A condition of approval addresses this item.

Health Risk Assessment

Given that the proposed play area and school is adjacent to Stoneridge Drive and Hopyard Road, both of which have average daily traffic of more than 10,000 vehicles, a health risk assessment report was required and prepared. The report estimates the health risks that children would be exposed to from nearby sources of air pollution to determine if the health risks would be below the thresholds established by the Bay Area Air Quality Management District (BAAQMD). The results of the report found that the preschool and play areas would not be exposed to significant health risks from existing sources of air pollution and the health risk would be below BAAQMD thresholds. A copy of the report is on file with the Planning Division.

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.**

Objectives of the zoning ordinance include: fostering a harmonious, convenient, workable relationship among land uses; protecting existing land use from inharmonious influences and harmful intrusions; 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. As conditioned, staff finds that the proposed preschool would be consistent with these objectives. There other schools (Little Ivy League and Safari Kids) in Hacienda that have been found to be compatible with the surrounding businesses. Staff believes that the proposed facility would also be compatible.

The subject site is zoned Planned Unit Development – Industrial/Commercial - Office (PUD-I/C-O) District, and it is located in the Retail/Commercial and Financial Planning District (CPD) of Hacienda Business Park, which permits land uses such as restaurants, financial institutions, and retail stores and requires CUP approval for preschools. Staff finds that the proposed use, as conditioned, will be compatible with the adjacent shopping center uses. The applicant will also be required to mitigate any future nuisances which may occur as a result of the proposed use. In summary, staff believes this finding can 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.

The preschool will be the only tenant in the freestanding building and staff believes that parking would be adequate for the proposed use and existing businesses. The staggered morning and afternoon program schedules would off-set parking congestion during drop-off and pick-up times which will help alleviate parking and traffic problems. Furthermore, the proposed conditions of approval will ensure that the facility will not operate in a manner that is detrimental to the public health, safety, or welfare or be materially injurious to the properties or improvements in the vicinity. Therefore, 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.

Staff finds that, as conditioned, the proposed use will comply with all provisions and requirements of the City's zoning ordinance and the approved PUD development. As with any conditional use permit, the use permit may be revoked if the conditions are not met. Therefore, the proposed use will comply with the provisions of the Zoning Ordinance. Staff believes this finding can be made with the proposed conditions of approval.

HACIENDA OWNERS ASSOCIATION

James Paxson, General Manager of Hacienda Owners Association, has reviewed the application for the proposed use with play area and found that it is in substantial compliance with Hacienda's guidelines set forth in the CC&R's (Covenants, Conditions & Restrictions), please refer to Exhibit C. The Association believes that the use, parking, traffic, and play area are compatible with currently approved uses within the subject area and, thereby, approved the proposed use and site changes.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners and tenants within 1,000 feet of the site. Staff has provided the location and noticing maps as Exhibit D for the Commission's reference. At the time this report was published, staff had not received any public comments.

ENVIRONMENTAL ASSESSMENT

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

CONCLUSION

Staff believes that the required use permit findings for the project can be met if the project is approved as conditioned. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area is maintained. Staff is of the opinion that the proposed preschool would provide a service to the community and that the proposed location is appropriate.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve P16-0356 and P16-0357 by taking the following actions:

1. Make the required conditional use findings as described in the staff report; and,
2. Approve P16-0356 and P16-0357 subject to the conditions listed in Exhibit A.

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