

Planning Commission Staff Report

October 8, 2014
Item 5.a.

SUBJECT:	P14-1151
APPLICANT:	HKIT Architects
PROPERTY OWNER:	The Quarry Lane School
PURPOSE:	Application for Conditional Use Permit approval to operate a tutoring facility
LOCATION:	5959 W. Las Positas Blvd.
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, Site Plans, Floor Plans, and Schedule dated "Received August 14, 2014" C. Hacienda Owner's Association Approval Letter D. Location and Noticing Maps

BACKGROUND

The Quarry Lane School is a private school that currently operates two pre-school facilities in Pleasanton (3750 Boulder Street and 4444 Black Avenue) and a Kindergarten through 12th grade school in Dublin (6363 Tassajara Road). The Quarry Lane School, referred to hereafter as QLS, purchased the existing two-story building located at 5959 W. Las Positas Boulevard in 2012 with the intent of providing a training and skill development program, referred to as a tutoring center, to students in the Tri-Valley area.

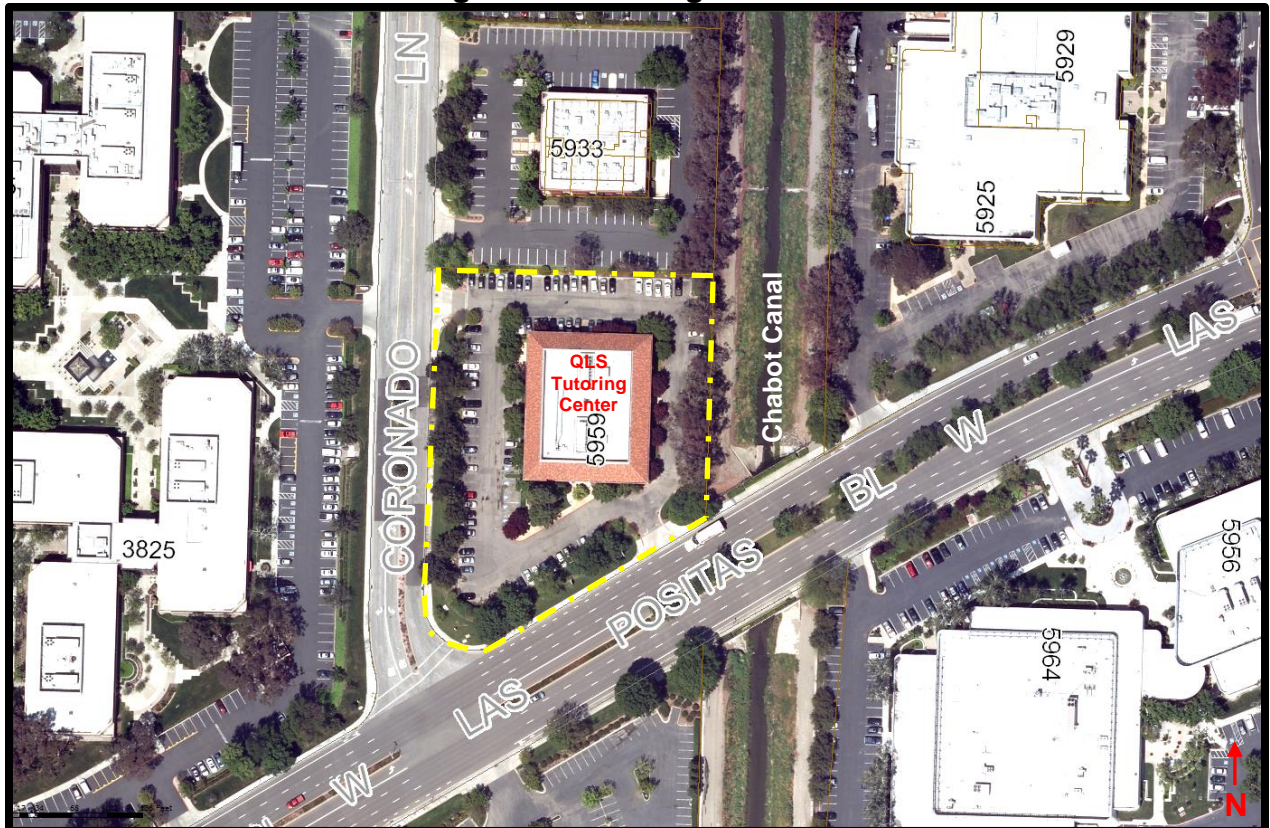
On behalf of QLS, HKIT Architects, the applicant, has submitted a Conditional Use Permit (CUP) application to operate a tutoring center on the ground floor of the two-story building for students as young as 10 years old. The proposed site is located within Hacienda Business Park and is zoned PUD-I/C-O (Planned Unit Development – Industrial Commercial – Office) District, which permits schools and tutoring facilities with more than 20 students at any given time with a CUP. The CUP application is subject to review and action by the Planning Commission.

SITE DESCRIPTION

The subject site is an approximately 2-acre parcel at the northeast corner of the intersection of Coronado Lane and W. Las Positas Boulevard. The site contains an approximately 29,260 square-foot, two-story building with 117 on-site parking spaces (114 standard spaces and three American with Disability Acts (ADA) spaces). The existing building on the site is currently vacant.

The site is surrounded by a multi-tenant office building to the north, Chabot Canal to the east, a multi-tenant office building opposite W. Las Positas Boulevard to the south, and a multi-tenant office building opposite Coronado Lane to the west.

Figure 1: Building Location



PROJECT DESCRIPTION

Program Description:

QLS tutoring center would occupy the entire first floor of the existing building (approximately 14,630 square-feet in area) and the second floor, also 14,630 square-feet in area, would be leased to a separate party for office use. The tutoring center will offer sessions in english, mathematics, all science subjects, social studies, SAT and ACT preparation, and college

preparatory courses for those students aged 10 years old through high school. The center will also offer ELS (English as a second language) tutoring services to students of all ages who are preparing to take the Test of English as a Foreign Language (TOEFL).

QLS's tutoring program will be year-round with afternoon and evening sessions from 3:45 p.m. to 9:15 p.m. on weekdays and various sessions throughout the day from 9:00 a.m. to 5:00 p.m. on Saturdays and Sundays. The sessions will be small group sessions, with a maximum teacher to student ratio of 1:8, or individual sessions, depending on the demand. Each topic session (e.g., math, writing, and science) will occur once a week with several sessions being required in each topic in order to complete the curriculum. Each session would encompass a one to two hour period; however, there is one weekday session that will be two and a half hours long and one session that will be three hours long on Saturdays and Sundays (please refer to Appendix 5 in the attached Exhibit B). The tutoring center does not anticipate concurrent sessions and expects students to come to one session and then leave.

Enrollment Capacity and Staff:

QLS's tutoring center will have a maximum enrollment of 200 students with the center anticipating that the majority of the enrollees will be high school students. The schedule shown in the attached Exhibit B anticipates attendance of no more than 52 students at any one time during the weekday sessions and 79 students at any one time during the weekend sessions. Staff will consist of up to 10 instructors and one to two administrators during the weekday sessions and up to 16 instructors and one to two administrators during the weekend sessions, at any one time.

Transportation and Parking:

QLS anticipates the maximum number of car trips during the weekday session to be 52 before the first session at 3:45 p.m. and 69 car trips between the evening start times of 6:00 p.m. and 6:30 p.m. However, these numbers could be higher if students are driven to the facility by a parent/guardian who drops off and returns to pick up the student. On the weekends, the tutoring center anticipates 79 car trips near the end of the first session start time (noon).

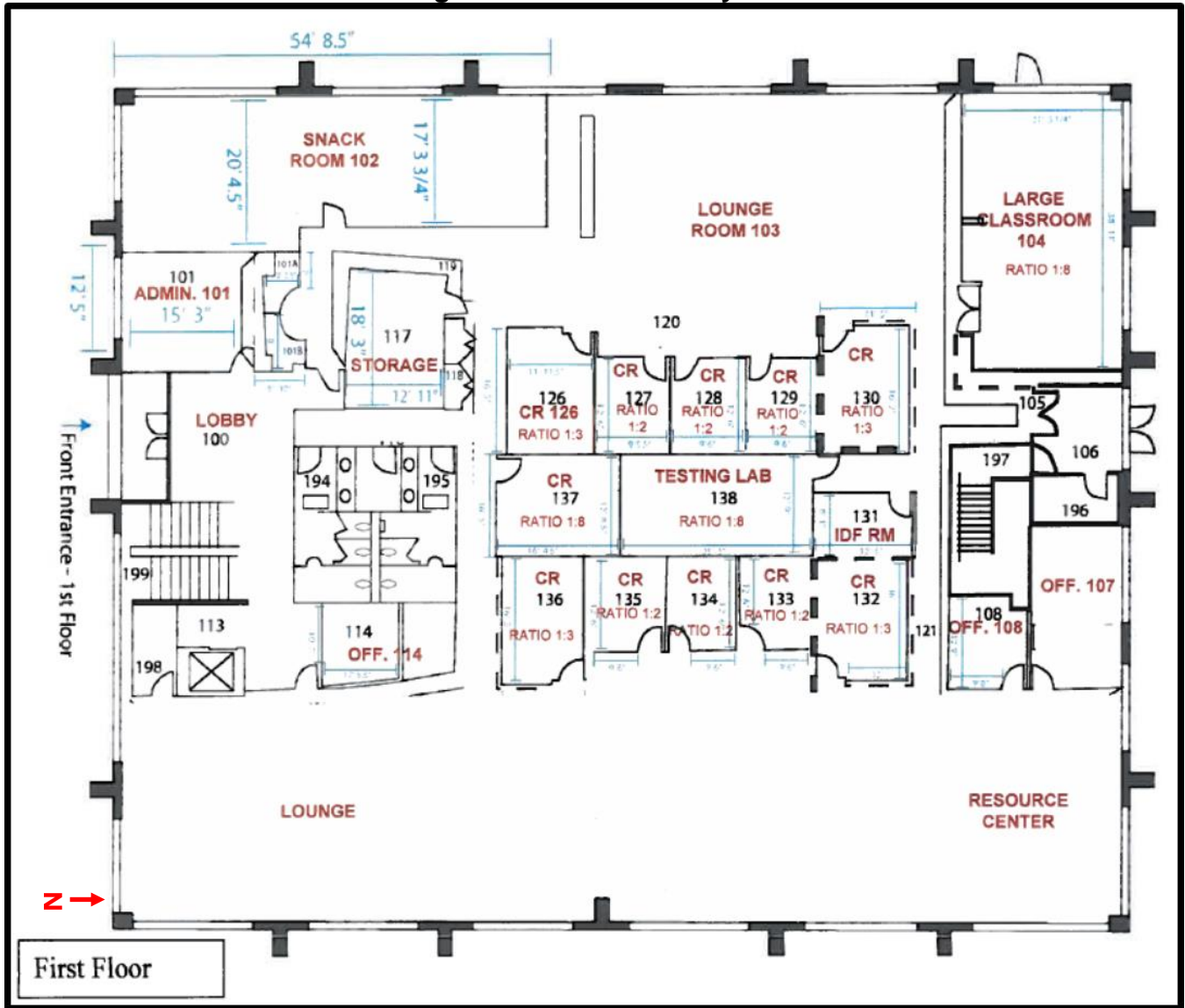
The subject site contains 117 parking spaces that the tutoring center will share with a future second-floor tenant. As proposed, 58 parking spaces will be exclusively allocated to the tutoring center. The tutoring center will assign parking permits to each of the 58 allocated parking spaces and require staff and each student who drives to the center to register their vehicle with the tutoring center in order to obtain an on-site parking permit.

Facility Layout:

The proposed tutoring center would require only minor changes in the layout of the first floor. As shown in Figure 2 on page 4 there will be 12 classrooms, one administrative office, three staff offices, two lounge areas, an intermediate distribution frame (IDF) room (also known as a data room), a resource center, snack room, storage room, and a shared entrance lobby area. The tutoring center will also have restrooms for the exclusive use of the students and faculty. The future second-floor space will have its own restroom facilities and will not have access to QLS's facilities (please refer to Appendix 4 of Exhibit B). The tutoring center and the future

second floor tenant would share a common lobby area for internal access only.

Figure 2: Floor Plan Layout



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

One of the primary concerns in reviewing a CUP application is the effect of the proposed use on surrounding uses. The Land Use Element of the General Plan designates the subject

property as “Business Park (Industrial / Commercial and Office) / Mixed Use.” The zoning for this site is PUD-I/C-O (Planned Unit Development – Industrial / Commercial – Office); the site is located in the Garden Office Planning District (OGPD) of Hacienda Park which permits uses such as offices and requires CUP approval for uses such as indoor recreational sports facilities, schools, child care facilities and tutoring centers with more than 20 students at any given time.

When the proposed use is educational, instructional, recreational, or daycare, staff evaluates whether that use is compatible with surrounding uses. The proposed tutoring center is located adjacent to other office uses. Given the office-like activities of the tutoring center, it is unlikely that the operation of the proposed use would adversely impact the surrounding businesses. Furthermore, the tutoring center does not anticipate students participating in back-to-back sessions; therefore, it is unlikely that students would congregate between sessions and impact the operation of a future tenant on the second-floor or other businesses on adjacent sites.

In staff’s evaluation, this use is compatible with the surrounding uses. In the past, the Planning Commission has granted CUPs for tutoring facilities in business parks (e.g., LIL Middle School tutoring, 4160 Hacienda Drive). The subject building is a freestanding building located on a site that has adequate on-site parking and the tutoring facility would be operated entirely indoors. Staff believes that the subject location is appropriate and does not expect that the proposed use would create adverse impacts on existing and future surrounding businesses.

Parking

There are 117 on-site parking spaces that are exclusive to the subject building. The building floor area is 29,260 square-feet in area. Therefore, the parking ratio at the subject site is one space for every 250 square-feet of floor area. With QLS occupying approximately 14,630 square-feet of floor area, 58 parking spaces would be allocated to the proposed use.

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. During weekday sessions with peak enrollment, there would be 17 staff members and up to 52 students on-site. If all of the students are in grade 10 or above, 30 parking spaces would be required for the proposed use during the weekday sessions. During weekend sessions with peak enrollment, there would be 17 staff members and up to 79 students on-site. If all of the students are in grade 10 or above, 37 parking spaces would be required for the proposed use during the weekend sessions.

The code-required parking demand for this use would be satisfied by the 58 of the 117 on-site parking spaces QLS is allocating to itself. Furthermore, staff finds that there will be sufficient parking for a future office use on the second-floor based on the Hacienda Business Park parking requirement for office uses on this site of one parking space for every 250 square-feet of gross floor area. At 14,630 square-feet, the future second-floor office tenant would require 59 parking spaces. With 59 parking spaces allocated to the future second-floor tenant, there would be sufficient parking for both on-site uses.

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 QLS students that wish to drive to the facility would have to register with QLS to qualify for a parking space and there would be 28 surplus parking spaces available during the peak weekday sessions and 21 surplus parking spaces available during the peak weekend sessions even with the second-floor being occupied by an office use. Furthermore, as conditioned, sessions will have a 10-15 minute break between each session in order to reduce the possibility of parking problems due to student overlap. Therefore, based on this parking analysis, staff believes that the parking should be sufficient to accommodate the proposed use. However, should parking problems occur, staff has included conditions of approval which allow the Director of Community Development to refer the use permit back to the Planning Commission for possible mitigation measures (Exhibit A, No.'s 2 and 13).

Traffic and Circulation

Located at the northeast corner of Coronado Lane and W. Las Positas Boulevard, the subject site has two entrances near the subject building, one from each adjacent street. The corner location provides convenient vehicle access to enter/exit the site.

The Traffic Engineering Division has reviewed the proposal and determined that the facility's operation hours are outside the AM and PM traffic peak periods; therefore, a traffic study is not required and the proposed use would not substantially contribute to existing traffic levels. However, should the tutoring center deviate from the hours listed in its 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 (No. 1 of 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 sessions would be held indoors with doors closed during business hours and staff does not expect the tutoring center to generate a substantial amount of noise or traffic. Condition of approval No. 13 of Exhibit A states that if noise problems arise in the future, the CUP may be amended or revoked.

Tenant Improvements

As noted in Exhibit B, QLS will require only minor interior changes and no exterior site and/or building changes. If QLS wishes to alter the interior or exterior of the building or site, QLS would be required to secure approval from the necessary City Divisions/Departments prior to making such changes.

Signage

No signage currently exists for the building. If QLS wishes to add signage, the proposed signage would be required to adhere to Hacienda Park's sign guidelines.

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 uses 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 feels the proposed tutoring center would be consistent with these objectives. There are other tutoring facilities (e.g., Little Ivy League) in Hacienda Business Park that have been found to be compatible with the surrounding businesses. Staff believes that the proposed tutoring center 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 Garden Office Planning District (OGPD) of Hacienda Park which generally has the characteristics of the City's Office (O) District. One purpose of the Office District is to protect offices from the noise, disturbance, traffic, hazards, and other objectionable influences incidental to certain commercial uses. As proposed, the tutoring center will not interfere with the ability of surrounding uses to operate. The City has allowed similar academic uses to be located in office areas throughout the City. Staff believes the proposed use, as conditioned, will be compatible with the adjacent Hacienda Business Park 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 vacant building that QLS's proposed tutoring center would occupy is owned by QLS and QLS anticipates leasing the second-floor tenant space to an office use. The number of parking spaces available on-site exceeds the parking demands for the proposed use and a future office use. The program schedules would stagger parking congestion during pick-up times, which will help alleviate parking and traffic impacts. In addition, the subject site is adequately buffered from surrounding uses such that those

uses would not be subject to impacts associated with the tutoring center. Further, 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 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 CUP, 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 and found that it is in substantial compliance with Hacienda's guidelines set forth in the covenants, conditions and restrictions (CC&R's) (please refer to Exhibit C). The Association believes that the use, parking, and traffic are compatible with currently approved uses within the subject area and, thereby, approved the proposed use.

PUBLIC NOTICE

Notice of this application was sent to surrounding property owners 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 tutoring center would provide a service to the community and that the proposed location is appropriate.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve P14-1151 by taking the following actions:

1. Make the required conditional use findings as described in the staff report; and
2. Approve P14-1151 subject to the conditions listed in Exhibit A.

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