

## Planning Commission Staff Report

---

August 27, 2014  
Item 5.b.

- SUBJECT:** P14-1128
- APPLICANT:** Yani Rong for Shuang Chinese School
- PROPERTY OWNER:** Pleasanton Unified School District
- PURPOSE:** Application for a Conditional Use Permit to operate a Chinese language and culture school on Sunday afternoons for up to 90 students at Pleasanton Middle School located at 5001 Case Avenue
- LOCATION:** 5001 Case Avenue
- GENERAL PLAN:** Middle School
- ZONING:** P (Public and Institutional) District
- EXHIBITS:**
- A. [Draft Conditions of Approval](#)
  - B. [Narrative and Floor Plan dated "Received July 28, 2014"](#)
  - C. [Location and Notification Map](#)
- 

### BACKGROUND

Yani Rong for Shuang Chinese School is requesting to operate a Chinese language and culture school within three existing classrooms at Pleasanton Middle School at 5001 Case Avenue. The school would be in operation only on Sundays from 2:00 to 5:00 p.m. The subject site is zoned P District. Private schools, private nursery schools, tutorial schools, and colleges are conditionally permitted within the P District with the approval of a Conditional Use Permit (CUP). Accordingly, the CUP application is before the Planning Commission for review and action. The applicant wishes to initiate school operations on September 14 and requested staff to expedite the application, if possible.

## SITE AND AREA DESCRIPTION

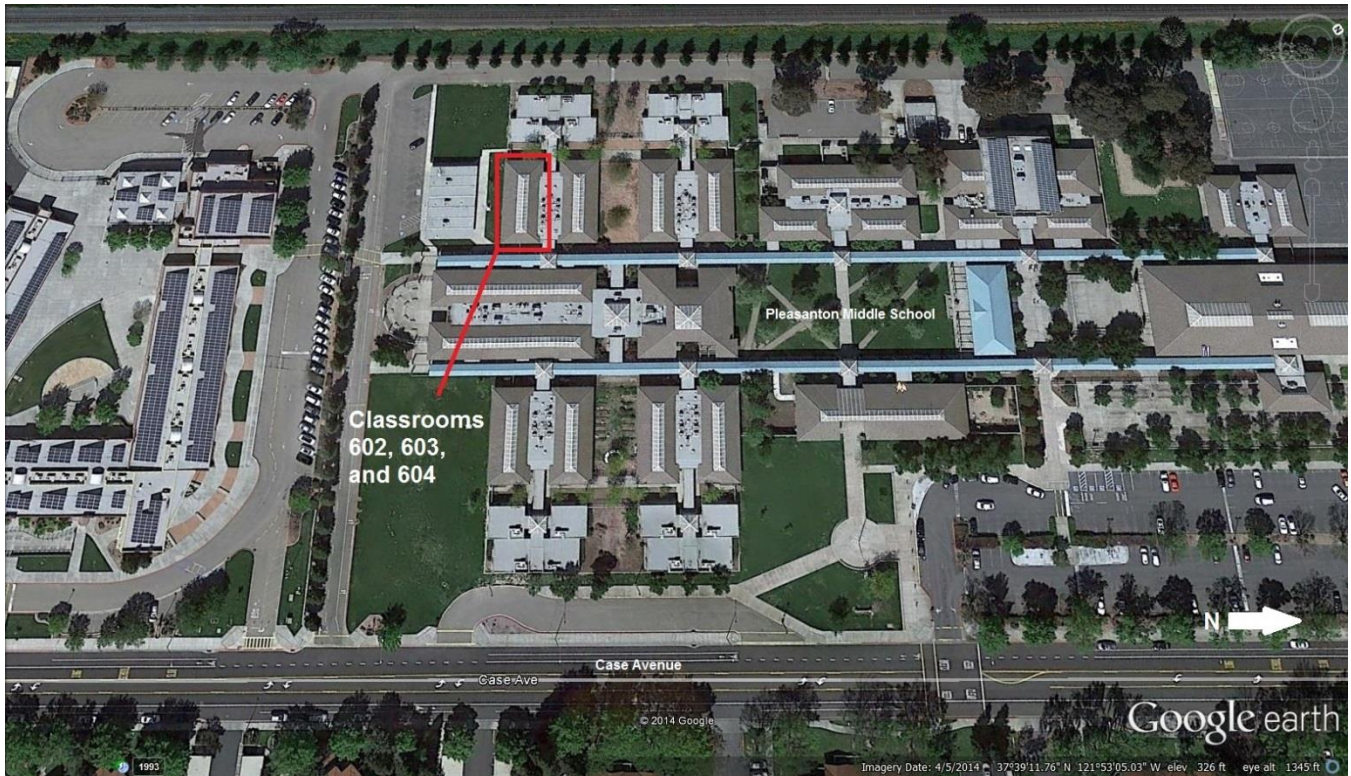
The school would be located within three existing classrooms (classrooms 602, 603, and 604) at the southwest corner of the Pleasanton Middle School campus at 5001 Case Avenue. The campus is located on an approximately 26.91-acre parcel on the west side of Case Avenue, north of Valley Avenue and south of Bernal Avenue (Figures 1 and 2). The three subject classrooms (each comprising approximately 960 square feet) are located within an existing single-story building. Pleasanton Middle School is fully developed, and in addition to several classroom buildings, also includes other buildings such as an administration building, library, and gym; the site also includes a parking lot and athletic fields.

The subject site is bordered on the north by vacant land owned by the City and County of San Francisco Water Department on the opposite side of Bernal Avenue, on the south by Hearst Elementary School, on the east by multi-family housing, and on the west by Bernal Community Park on the opposite side of the Union Pacific Railroad.

**Figure 1: Aerial Site View (Overview)**



**Figure 2: Aerial Site View (Focused View)**



## PROPOSED PROJECT

The applicant is proposing to occupy three existing classrooms (classrooms 602, 603, and 604) at the southwest corner of the Pleasanton Middle School campus. Each classroom is approximately 960 square feet (32 feet by 30 feet) in size, and can accommodate up to 30 students at any given time (90 students total for all three classrooms). One teacher/employee will be present in each classroom; thus a maximum of three teachers/employees would be present on the site at any given time. No interior or exterior building modifications are proposed by the applicant.

The proposed school would offer Chinese language, geography, history, and philosophy classes to students in Grades 5 through 10 in a small group atmosphere (15 students per session initially).

The school would be operated on Sundays only between 2:00 p.m. and 5:00 p.m. All sessions are approximately 90 minutes.

Please see the attached narrative and floor plan (Exhibit B) for additional information on the proposed use.

## ANALYSIS

Conditional uses are those 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 with respect to their effects on surrounding properties. In order to achieve these purposes, the Planning Commission is empowered to approve, conditionally approve, or deny applications for CUP's.

### General Plan

The General Plan designation for the subject site is Middle School, which allows the development of any public or private educational facility. The subject site contains Pleasanton Middle School, consistent with the current General Plan designation. The proposed Chinese language and culture school is a private educational program at the middle school that would also be consistent with the current General Plan designation.

### Zoning and Uses

The subject property is zoned P District. Private and tutorial schools are conditionally permitted uses in the P District. The applicant has applied for a CUP as required for private and tutorial schools in the P District. Therefore, if the CUP were granted, the tutorial school would be consistent with the applicable land use regulations.

One of the primary concerns in reviewing a CUP application is the effect of a proposed use on surrounding uses. As stated earlier, the surrounding uses include vacant land owned by the City and County of San Francisco Water Department, to the north, Hearst Elementary School to the south, multi-family housing to the east, and Bernal Community Park to the west. Staff does not expect that the proposed use would create any adverse impacts on the surrounding uses. The proposed Chinese school would operate for a limited duration on Sundays, at a location that is currently used for school uses. The proposed enrollment (90 students) is modest and the school is currently equipped with the safety features, parking, and other facilities that could accommodate a much larger enrollment. The existing middle school has been operating without any apparent adverse impacts on the surrounding area and no complaints have been reported to the City.

Should future problems arise, the City would have the ability to bring the application back to the Planning Commission for mitigation, or possible permit revocation, if necessary. Based on past experience with similar uses and the current existing middle school use, staff feels that such an action would be unlikely. In addition, staff has included conditions of approval that will ensure the project would not generate noise, traffic, or parking shortages such that surrounding uses would be adversely affected. Therefore, from a land use perspective, staff finds the use to be acceptable on the subject property, as conditioned.

### Noise

Pleasanton Middle School is located across Case Avenue from multi-family residences to the east. The subject classrooms are located at the far southwest corner of the middle school campus, well over 450 feet from both Case Avenue and 500 feet from the multi-family residences across Case Avenue.

The proposed use would be operated entirely indoors; therefore noise levels would be minimal. The applicant would also advise parents to drop-off and pick-up students within the existing drop-off/pick-up/loop area adjacent to Case Avenue, which is approximately 100 feet from the

multi-family residences across Case Avenue. Noise associated with pick-up and drop-off activities is expected to be minimal.

Because the school would be operated within interior classrooms at a distance from nearby residential uses, staff believes that it is unlikely that the noise generated during class instruction would impact the nearby residences or tenants. Recommended conditions of approval require that the exterior doors remain closed when not being used for ingress/egress purposes and that the applicant inform all students not to loiter or make loud noises outside the building before or after classes. Staff has also included a standard condition of approval on the project that allows the City to review the project again to add mitigating conditions should any future complaints regarding noise levels occur. Such conditions could include modifying the hours of operation or reducing the number of students.

### Parking

The proposed use would utilize the existing middle school drop-off/pick-up/loop area and the adjacent parking lot, which has approximately 150 parking spaces, which is adequate to serve all employees associated with the use, as well as for each parent to park during drop-off and pick-up if necessary. Given that only three existing classrooms will be utilized on Sundays, and the fact that most students would not drive themselves to the site because they are not of driving age, it is anticipated that adequate parking exists on the site. There are no other school-sponsored or private activities regularly held on the site that would conflict with the proposed use; and therefore, no additional parking is required.

## **FINDINGS**

The Commission needs to make the following findings prior to the granting of a use permit:

**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 key 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 to 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, staff feels the proposed school would be consistent with these objectives because it would be operating within an existing public middle school. The anticipated number of employees and students will not generate substantial parking demand.

The P District provides a procedure for the orderly establishment of public facilities and the expansion of their operations. The establishment of the proposed use is consistent with that purpose in that a language and culture school provides similar learning opportunities to that of the existing middle school.

Staff believes the granting of the CUP is consistent with the objectives of the P District. 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.**

Private and tutorial schools are a common use in Pleasanton and have generally been good neighbors to surrounding occupants. Sufficient parking, adequate separation from the residential neighborhoods, maintenance of noise levels, and safety and security within the premises have been provided or conditioned. The existing middle school is an appropriate place for a private school and the proposal would not be detrimental to public health, safety, or welfare, or injurious to the existing middle school. Parking and other school facilities are adequate to accommodate the proposed use. In addition, conditions have been included that would require the applicant to mitigate any future nuisances as a result of the proposed use. Therefore, staff feels this finding can be made.

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

Staff finds that, as conditioned, the proposed use will comply with all provisions and requirements of the City's Zoning Ordinance. As with any CUP, this CUP 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.

## **PUBLIC NOTICE**

Notices of this application were sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and noticing maps as Exhibit C for reference. At the time this report was published, staff had not received public comments regarding this application.

## **ENVIRONMENTAL ASSESSMENT**

This project is categorically exempt (Section 15301, Existing Facilities, Class 1) from the requirements of the California Environmental Quality Act (CEQA). Therefore, no environmental document accompanies this report.

## **CONCLUSION**

Staff believes that the required CUP 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 school would provide a service to the community and that the proposed location is appropriate.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve Case P14-1128 by taking the following actions:

- 1) Make the required CUP findings as listed in the staff report; and
- 2) Approve Case P14-1128 subject to the conditions listed in Exhibit A.

**Staff Planner: Eric Luchini, Associate Planner, 925-931-5612 or [eluchini@cityofpleasantonca.gov](mailto:eluchini@cityofpleasantonca.gov)**