

## Planning Commission Staff Report

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June 8, 2011  
Item 5.c.

<b>SUBJECT:</b>	<b>PCUP-298</b>
<b>APPLICANT:</b>	Irvin Jones / Faith Community Worship Center
<b>PROPERTY OWNER:</b>	Reynolds and Brown, Delta Pleasanton
<b>PURPOSE:</b>	Application for a Conditional use Permit to operate a religious facility within two tenant spaces.
<b>LOCATION:</b>	6642 and 6644 Owens Drive
<b>GENERAL PLAN:</b>	Business Park (Industrial/Commercial and Office)
<b>ZONING:</b>	PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office) District
<b>EXHIBITS:</b>	A. Draft Conditions of Approval B. Narrative, Site Plans, and Floor Plan dated “Received April 28, 2011” C. Location and Noticing Maps

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### **BACKGROUND**

Faith Community Worship Center (FCWC) is proposing to locate a religious facility at 6642 and 6644 Owens Drive. The subject site is located within a Planned Unit Development – Industrial/Commercial – Office (PUD-I/C-O) zoning district, which conditionally permits religious facilities. Therefore, the applicant has submitted the subject Conditional Use Permit application for the Planning Commission’s consideration.

### **SITE DESCRIPTION**

The subject site is located within the Pleasanton Park, an office and light industrial commercial development. The subject building is located in the southwest area of the Pleasanton Park development, south of Home Depot, east of the Dublin San Ramon Services District (DSRSD) treatment facility, north of the recently approved Clorox research facility, and west of Tommy T’s Comedy Steakhouse. Please refer to Figure 1 on page 2 for an aerial photo of the subject site.

**Figure 1: Aerial View**

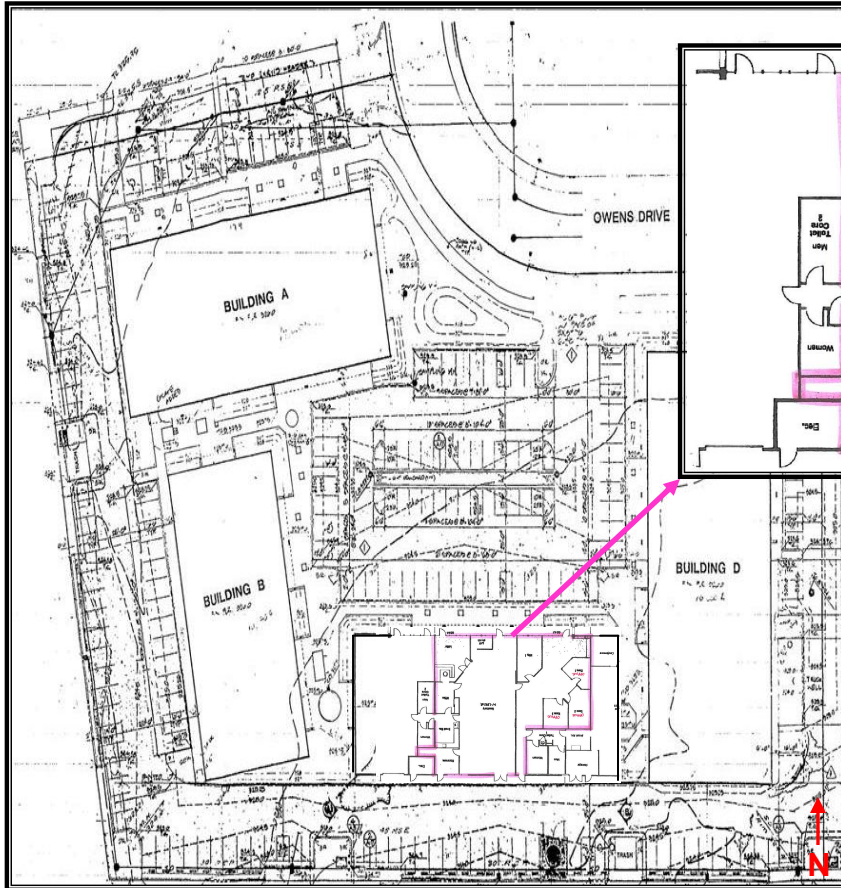


The subject site contains four buildings with 190 shared on-site parking spaces. The church is proposing to locate within Building C (refer to Figure 1 above), an approximately 9,762 square-foot, four unit single-story building. The church is proposing to occupy units 6642 and 6644, approximately 4,553 square-feet of total tenant space. Please refer to the site plan in Figure 2 on page 3. Pedestrian entrances to the building's units face Owens Drive, with vehicular access to the site being provided by the main driveway from Owens Drive at the northern portion of the site. Other businesses located within the building are office type uses: Data Trace Informational Services, located in the eastern unit (unit 6640), and Select Trade Sales and Marketing, located in the western unit (6646).

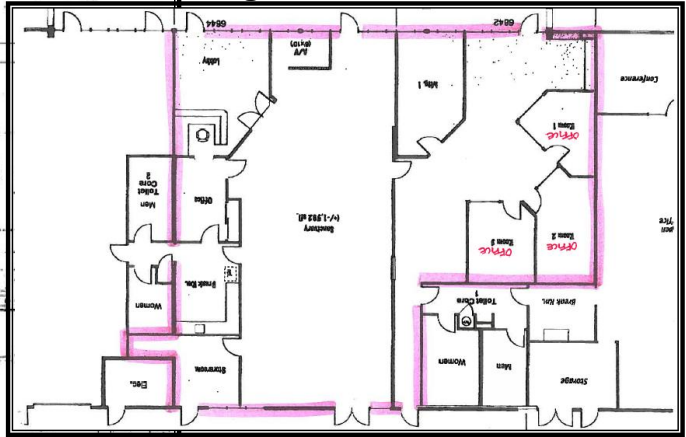
The proposed units, 6642 and 6644, are interior units that share restroom facilities with the adjacent units to the east and west (please refer to the floor plan in Figure 3 on page 3). The proposed floor plan and interior improvements are discussed in further detail in the "Project Description" and "Analysis" sections of this report.

**Please refer to page 3 for Figures 2 and 3**

**Figure 2: Site Plan**



**Figure 3: Floor Plan**



## PROJECT DESCRIPTION

The applicant's narrative is attached to this report and describes the proposed use. The operation of the proposed church will consist of office work during the week with up to 5 staff members on-site Monday-Friday from 9:00 a.m. to 4:00 p.m. with Saturday morning staff meetings occurring twice a month from 10:00 a.m. to 2:00 p.m. Wednesday and Friday evening bible study sessions will occur from 7:00 p.m. to 9:30 p.m. with up to 25 members, including staff, with Sunday worship being held from 8:00 a.m. to 3:00 p.m. with up to 75 members attending. The church's operating days and hours, functions, and number of people can be found in Table 1 on page 4.

FCWC also offers enrichment programs for youth (i.e., mentoring and tutorials) and outreach programs for the elderly. Staff notes that these types of programs do not occur on-site. Furthermore, FCWC is not proposing to have special events (e.g., weddings, celebrations, etc.).

**Table 1: Proposed Operation of FCWC**

<b>Day(s) of the Week</b>	<b>Time</b>	<b>Activity</b>	<b>Number of People</b>
Monday – Friday	9:00 a.m. – 4:00 p.m.	Office	4 – 5 Employees (3 full-time and 2 part-time)
Wednesday and Friday Evening	7:00 p.m. – 9:30 p.m.	Bible Study	20 – 25 People (Members and Staff)
Sunday	8:00 a.m. – 3:00 p.m.	Sunday Worship	50 – 75 People (Members and Staff)
Saturday (twice a month)	10:00 a.m. – 2:00 p.m.	Staff Meeting	5 Employees

Figure 3 shows the floor plan and overall layout of the proposed church. One unit (6642) will have three offices (i.e., room 1, 2, and 3) and a meeting room with the other unit (6644) containing the sanctuary space, lobby area, office, break room, storage room, and audio visual room. A door between the two units will be constructed in order to gain interior access between the two unit spaces. Staff notes that should children attend the bible study sessions and/or Sunday worship, a license from the California State Department of Social Services, Community Care Licensing Division (CCLD) would not be required.

Staff notes that exterior improvements and/or signage are not proposed with this application.

**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 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 use permits. The following sections provide staff’s analysis of the proposed use with respect to potential impacts to land use, parking, and noise.

Land Use

The subject property has a General Plan Land Use designation of Business Park (Industrial, Commercial, and Office) and is zoned Planned Unit Development – Industrial/Commercial – Office (PUD-I/C-O) District. The proposed church would be occupying two vacant units within an existing building and, therefore, the proposed church would be in keeping with Program 2.2 of the General Plans Land Use Element which states:

“Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.”

Furthermore, Policy 13 of the General Plans Land Use Element states:

“Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.”

If approved, the church would provide a community facility and a service to the residents of the City.

One of the primary concerns in reviewing a Conditional Use Permit application is the effect of the proposed use on surrounding uses. The building that the church is proposed to be located in consists of office uses with the subject site being surrounded by office, commercial, and light-industrial uses. Home Depot is located north with other commercial and light-industrial uses located east and south of the subject site. Given that the other businesses within the same building operate during “regular” business hours (Monday-Friday, 8:00 a.m. to 5:00 p.m.), the proposed church use would be compatible with these businesses in that its peak use would occur when the other businesses on-site and within the subject building are not operating. Furthermore, the Planning Commission conditionally approved a religious facility within Pleasanton Park at 6678 Owens Drive on October 27, 2010. The site is not close to residential uses and, therefore, the church is not expected to cause negative impacts related to noise, parking, or other objectionable influences. Overall, staff believes the proposed church would be compatible with other uses within the Park.

### Parking

There are a total of 190 parking spaces located on the subject property, including four accessible parking stalls. With a building area of approximately 9,762 square-feet, the parking ratio would be 1 space per 263 square-feet. The total square-footage of tenant space is approximately 4,553 square-feet, which would theoretically allocate 17 parking spaces to the church.

The Pleasanton Municipal Code (PMC) requires churches, community centers, and other places of public assembly to provide one parking space for every six fixed seats or one space for each sixty square-feet of floor area usable for seating if seats are not fixed, in all facilities in which simultaneous use is probable. The proposed church will not have fixed seating and, therefore, the square-footage parking ratio would apply. The sanctuary space is approximately 1,592 square-feet and, therefore, would require 27 parking spaces. Staff notes that the offices will not generate additional parking requirements or demands because office use is a permitted use within Pleasanton Park and, therefore, is already allocated. Although the church has a higher parking demand than the theoretical allocation (17), the hours of operation of the church differ from the other businesses in the building in that the times the church requires the greatest number of parking spaces is outside of regular business hours. Therefore, there will be a sufficient amount of parking (37 allocated building parking spaces) available to accommodate the church use. Staff does not expect parking to be an issue.

### Noise

A 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 to the General Plan and to protect them from inharmonious influences and harmful intrusions. With the exception of Sunday worship, the church will operate similar to an office use. The types of activities occurring within the two tenant spaces during and after working hours (i.e., bible study), are at



low volume. Furthermore, the number of people there during business hours is typically less than average for most offices of this square-footage. The bible study days/times, monthly staff meetings, and Sunday worship days/times do not coincide with the hours of operation for the adjacent tenants or buildings, thus further limiting potential noise effects on adjacent uses. Therefore, it is unlikely that noise will be an issue.

The Building and Safety Division has reviewed the proposed floor plan and, based on occupancy, the unit spaces comply with the American's with Disabilities Act and Building Code exiting requirements. However, the applicant will need to work with the Livermore-Pleasanton Fire Department (LPFD) regarding access to the shared bathrooms. Specifically, the LPFD is concerned that someone could get locked in the hallways of the restroom areas since all of building's units will likely have "special entry" to prevent interior access to adjacent units. Staff has added a condition of approval to address the LPFD concerns (Exhibit A, No. 5).

## **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.**

The zoning ordinance endeavors to foster a harmonious, convenient, workable relationship among land uses, protect land uses from inharmonious influences and harmful intrusions, promote a safe, effective traffic circulation system, 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. The subject site is zoned PUD-I/C-O District and generally has the characteristics of the City's Industrial Park (I-P) District. 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 impact.

Staff finds that the operation of the church is consistent with these objectives. The proposed operation will not generate a substantial amount of traffic or noise. The operation of the church would not coincide with the hours of operation of neighboring tenants and, therefore, would not result in an impact to parking, noise, or other objectionable influences. In the past, the City has approved similar uses which have been operating in similar zoning districts without any land use conflict with other businesses in the surrounding area. Staff believes that the proposed church would be consistent with the above-cited objectives and, therefore, 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.**

Based on the proposal, the church would be a compatible use to the adjoining uses and the nearby office uses. The bible study sessions and Sunday worship will occur during non-business times and will not impact neighboring tenants or other businesses within the Pleasanton Park development in terms of noise or parking. Furthermore, the proposed conditions of approval will ensure that the church 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. Granting the Conditional Use Permit to the applicant would be consistent with the City's ability to regulate zoning as listed in the Municipal Code. Staff believes this finding can be made with the proposed conditions of approval.

## **PUBLIC NOTICE**

Notices of this Conditional Use Permit application and related public hearing were mailed to the surrounding property owners and tenants within 1,000-feet of the site. At the time this report was published, staff had not received public comments. Staff has provided the location and noticing maps as Exhibit C for the Commission's reference.

## **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**

Based on the analysis of this staff report, staff believes that the required findings for the proposal can be met. Additionally, staff believes that the proposed use, as conditioned, will be compatible with the surrounding uses and properties and will not result in an impact to neighboring tenants and nearby businesses. Conditions of approval have been recommended which will ensure that the safety and general welfare of the surrounding area is maintained.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve PCUP-298 by taking the following actions:

1. Make the required conditional use findings as described in the staff report; and
2. Approve PCUP-298 subject to the conditions listed in Exhibit A.

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