



## Planning Commission Staff Report

December 8, 2010  
Item 5.a.

**SUBJECT:** PRZ-56

**APPLICANT:** Ed Churka

**PROPOSAL:** Application to amend the Pleasanton Municipal Code to allow basement self-storage for the public in commercial buildings as permitted uses within the Downtown, Central-Commercial Zoning District.

**ZONING:** C-C (Central Commercial) District

**SPECIFIC PLAN:** Downtown Specific Plan

**GENERAL PLAN:** Retail/Highway/Service Commercial, Business and Profession Offices

**EXHIBITS:**

- A. Narrative and Site Plan of 780 Main Street dated "Received July 30, 2010"
- B. Proposed redline changes to Chapter 18.08
- C. Proposed redline changes to Chapter 18.44.090
- D. Proposed redline changes to Chapter 18.88.030

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### BACKGROUND

Ed Churka, owner of 780 Main Street, requests that the City consider amending the Pleasanton Municipal Code (PMC) to allow limited public storage within commercial building basement space. Commercial buildings that have basement space are usually utilized by the owner or business occupying the building and are not available to the general public. Mr. Churka requests that the City amend the Code to allow public storage of non-hazardous material within the basement area of his building located at 780 Main Street (Exhibit A). Staff recommends this request be addressed by amending the Zoning Ordinance that applies to the Central Commercial (C-C) district in the Downtown Specific Plan area.

Code amendments require review and recommendation from the Planning Commission to the City Council and, therefore, the requested amendment is before the Planning Commission for consideration and recommendation.

## PROJECT DESCRIPTION

Staff has attached proposed redline amendments to the PMC which would modify Sections 18.08 *Definitions* (Exhibit B), 18.44.090 *Permitted and conditional uses* (Exhibit C), and 18.88.030 *Schedule of off-street parking space requirements* (Exhibit D). These proposed Code amendments would allow businesses and/or individuals, which are not associated with the building or its uses, to rent commercial basement space within buildings located within the Downtown, Central Commercial zoning district only.

Storage items would be limited to non-hazardous materials only, as classified by the Livermore-Pleasanton Fire Department (LPFD). Furthermore, prior to allowing public storage within a commercial basement space, the building owner would be required to demonstrate, to the satisfaction of the Community Development Department and the LPFD, that the basement space is adequately constructed to allow storage and that the space meets access and operational requirements, wall separation, sprinkler systems, etc. of the California Building and Fire Codes.

Staff proposes the following text amendments:

### **Definition** (18.08.**057** *Definitions*)

Those uses located within a building that have a basement space likely have access and/or “storage rights”. Accordingly, the following definition is intended to clarify commercial basement storage.

Basement Commercial Storage - public: “Basement” means any floor level below the first story in a building. “Commercial storage” means storage within the basement of a commercial building. “Public” means a business and/or member of the general public, not associated with the buildings’ primary use.

### **Proposed Standards**

Staff proposes the following standards be required to be met as a part of the amended Code (18.44.090 *Permitted and conditional uses* and 18.88.030 *Schedule of off-street parking space requirements*). Basement storage for the public in conformance with these standards would then be a permitted use in the Central Commercial (C-C) zoning district.

1. Basement storage shall be limited to the Central Commercial (C-C) zoning district within the Downtown Specific Plan area and limited to commercial buildings only.
2. Basement storage shall be limited to non-toxic, non-hazardous materials only. It is the responsibility of the storage space operator to prepare a list of prohibited storage items, to have the list approved by the Livermore Pleasanton Fire Department, and

to require all storage space users to agree in writing that no items on the list or other hazardous materials will be stored. The storage space shall be used for storage only and no other activities and/or uses are allowed.

3. Prior to allowing basement storage, the building owner shall contact the Building and Safety Division and Fire Department to ensure that the basement meets applicable building and fire codes. If required, the building owner and/or responsible party shall secure all applicable permits and/or make any required changes to the basement space to ensure the space meets current code standards for fire, safety, and accessibility.
4. The hours of access for basement storage use shall be: Monday thru Friday from 6:00 a.m. to 10:00 p.m. and Saturday and Sunday from 10:00 a.m. to 6:00 p.m. only.
5. One parking space per on-site storage employee on the maximum shift and a minimum of one parking space for storage customers. This parking requirement is in addition to the parking required for other uses on site (i.e., the building above.)
6. Prior to allowing and/or renting space for basement storage, the property owner and/or responsible party shall submit a zoning certificate and secure a business license. The zoning certificate shall be accompanied by a narrative that describes the type of storage proposed, where parking will be allowed, what the use(s) of the building is and include a site plan and basement storage floor plan that clearly defines, but is not limited to, the following:
  - a) the defined area(s) and square-footage in which storage will take place,
  - b) how the individual storage areas will be delineated (e.g., cages), and
  - c) access and ADA accessibility.

These performance standards would allow staff to ensure that 1) there is adequate parking, 2) the space meets all applicable Building, Fire, and Zoning Codes, and 3) allowing basement storage for public use would not be disruptive to adjacent uses.

### **Downtown Economic Vitality Committee (DEVC)**

The DEVC reviewed Mr. Churka's request at its July 22, 2010 meeting. The DEVC is in support of allowing building owners who have commercial building basement storage the ability to utilize "unused" space so long as the basement storage conforms to City standards and/or requirements.

### **PUBLIC NOTICE**

Notice of this application has been published in The Valley Times and was noted in the Pleasanton Weekly as an upcoming agenda item for the December 8, 2010 Planning Commission meeting. Courtesy notification cards were also sent to the Pleasanton Chamber of Commerce and the Pleasanton Downtown Association. At the time this report was prepared, staff had not received comments pertaining to these amendments.

## **ENVIRONMENTAL ASSESSMENT**

These proposed amendments are exempt from the California Environmental Quality Act (CEQA), per regulation 15061(b)(3). Therefore, no environmental documentation accompanies this report.

## **CONCLUSION**

Prior to allowing commercial basement storage for the public, review and approval from the City would be required to ensure that the basement storage would meet all Building, Fire, and Zoning Codes. As long as the performance standards, noted above, are adhered to, staff believes that the proposed Code amendments will have minimal impact on the operation of the buildings' primary use(s), parking, and/or of adjacent buildings or uses within the Downtown area, and will allow commercial utilization of currently under utilized space.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission recommend approval of PRZ-56 to the City Council with the proposed amendments shown in Exhibit B, C, and D.

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