



**SUBJECT:** PCUP-278

**APPLICANT:** Thomas Peterson/TNT Fire Protection Inc.

**PROPERTY OWNER:** David Wensky

**PURPOSE:** Application for a Conditional Use Permit to operate a fire sprinkler contractor business at 1039 Serpentine Lane, Suite C, in the Valley Business Park.

**GENERAL PLAN:** General and Limited Industrial

**ZONING:** Planned Unit Development – Industrial (PUD–I) District

**LOCATION:** 1039 Serpentine Lane, Suite C

**ATTACHMENTS:** Exhibit A: Draft Conditions of Approval  
Exhibit B: Project Plans and Applicant Narrative  
Exhibit C: Location Map  
Exhibit D: Noticing Map

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## BACKGROUND

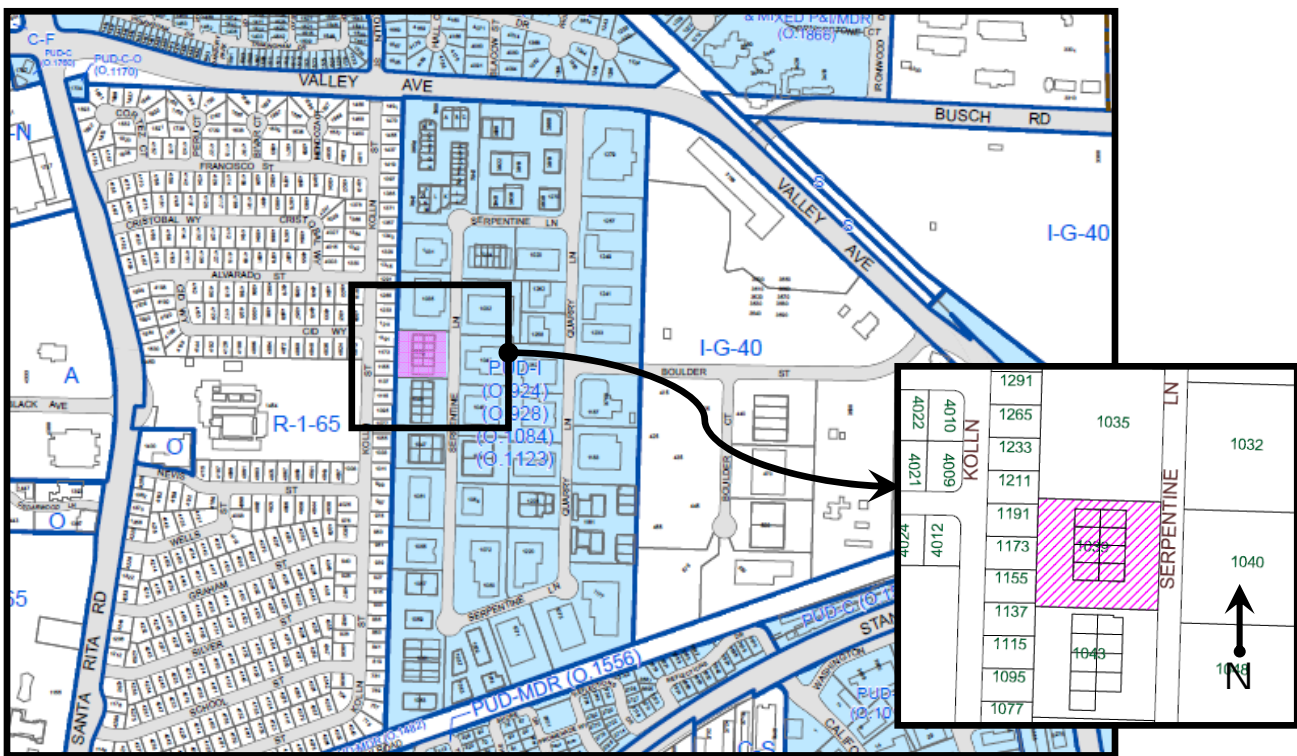
The applicant proposes to establish an office and warehouse for TNT Fire Protection Inc. in Suite C of the building located at 1039 Serpentine Lane in Valley Business Park. The zoning for Valley Business Park requires a conditional use permit (CUP) for businesses and industries engaged in construction and related building trades.

The applicant, Mr. Thomas Peterson, is the president of TNT Fire Protection Inc., a company that specializes in the installation and inspection of fire sprinkler systems. The company is currently located in Brentwood and is proposing to locate an office location in the Valley Business Park in Pleasanton.

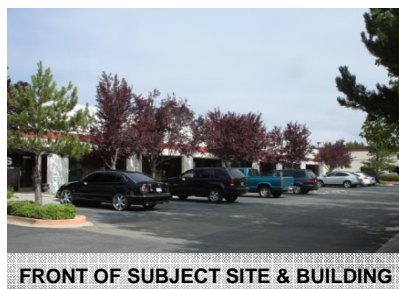
**SITE DESCRIPTION**

Valley Business Park is located south of Valley Avenue and east of Santa Rita Road. The subject site is located on the west side of Serpentine Lane and the proposed use will occupy a 1,840 square foot suite within the 16,357 square foot building. The existing building is situated near the center of the property and has parking to the front and the rear. Commercial buildings are located to the north, south, and across Serpentine Lane to the east of the site, and a residential neighborhood is located to the west of the subject property. Figure 1 below shows a vicinity map with an insert highlighting the subject property. Photos of the site and the subject building have also been included.

The building is comprised of eight suites which are occupied by a variety of business including: TS Electric, Altamount Roofing, Hereld and Ayres Architects, J&M Home Fashions, JRA Electrical Engineers, Unkar Systems, Inc., and Thomson Construction, Inc.



REAR OF SUBJECT BUILDING



FRONT OF SUBJECT SITE & BUILDING



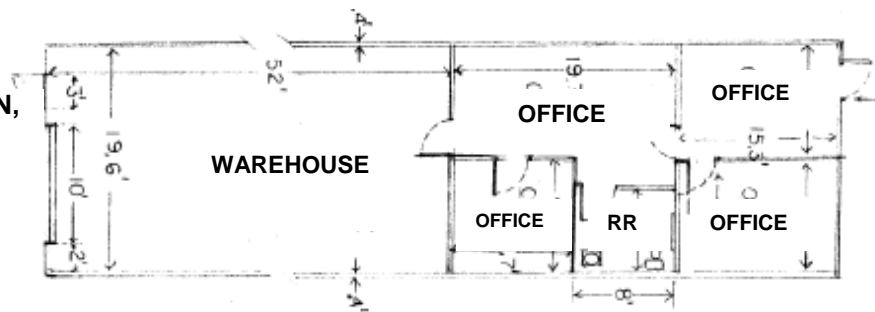
FRONT OF SUBJECT SUITE

**FIGURE 1: VICINITY MAP AND SITE PHOTOS**

The applicant proposes to locate a fire sprinkler contractor business in Suite C of the building located at 1039 Serpentine Lane. The applicant’s narrative and description of the business is attached to this staff report as Exhibit B and generally consists of office uses and assembly of fire sprinkler piping and associated materials. The applicant proposes office and warehouse uses at the proposed location.



**FIGURE 2: AERIAL MAP, SITE PLAN, AND FLOOR PLAN**



The tenant space is divided into both warehouse and office space. The entry door is located towards the eastern side of the tenant space and leads to four office spaces and a restroom. The warehouse space is located in the rear half of the tenant space and a roll-up door provides access at the west side of the suite. There is no common hallway in the middle of the building that would provide interior access between the tenant spaces in this building.

The applicant has indicated that most of the operation within the proposed suite will consist of office-related work. The field hours of operation are 7:00 a.m. to 3:30 p.m. Monday – Friday, the onsite warehouse hours are 7:00 a.m. to 4:00 p.m. Monday – Friday, and office hours of operation are 8:00 a.m. – 5:00 p.m. Monday – Friday,

which is compliant with the condition of approval for the Planned Unit Development that limits non-office activities to 7:00 a.m. to 7:00 p.m., Monday – Friday. The applicant has indicated that no deliveries are to be scheduled before 9:00 a.m. or after 4:00 p.m.

A total of 4 employees will work at the subject location and an additional employee may be hired in the near future. The warehouse will be used to store materials related to the business and tools necessary to operate the business. The majority of the manufacturing is sub-contracted out to a different location, but some minor assembly of fire sprinkler piping and associated materials will take place on site, including pipe cutting, threading, and grooving. The applicant is not proposing any outdoor storage and a condition of approval requires that no outdoor storage be allowed as part of the business.

## **ANALYSIS**

Conditional uses are uses that, by their nature, require individual review to ensure that impacts associated with their use will be minimal. Conditional use permits may be subject to appropriate conditions to ensure that any potential adverse impacts associated with the use will be mitigated.

The subject site has a General Plan designation of General and Limited Industrial and is zoned Planned Unit Development – Industrial (PUD-I) District. The current PUD zoning for the Valley Business Park permits uses such as offices, light manufacturing, and printing shops and requires CUP approval for uses such as gymnasiums and health clubs, indoor recreational and sports facilities, schools/instructional businesses, and businesses engaged in construction and building trades. The proposed use as a business engaged in the fabrication, installation, and inspection of fire sprinkler systems is thus subject to conditional use permit approval.

### *Land Use*

One of the purposes in reviewing a conditional use permit application is to analyze the effect of the proposed use on surrounding land uses. Many businesses within Valley Business Park are office/warehousing related uses similar to that proposed by TNT Fire Protection Inc. Other businesses within the subject building also function as construction offices and warehouses. The items stored at the location include those related to office and construction use and include materials and parts related with fire sprinkler systems and the tools that are required for business. Additionally, a condition of approval prohibits outdoor storage of materials at the site. Several other construction related uses currently exist within the building and staff has not received any complaints regarding these businesses. Thus, the

proposed business and its operation are compatible with the existing businesses within Valley Business Park.

### *Parking*

The on-site parking is available to all businesses. TNT Fire Protection Inc. will have 4 fulltime employees on the site and will operate between 7:00 a.m. and 5:00 p.m. Monday – Friday. The square footage of the building is 16,357 square feet and the site has approximately 42 parking spaces, resulting in a parking ratio of one space for each 389 square feet. The subject tenant space is 1,840 square feet and thus theoretically, 5 spaces would be allocated to the proposed use. Pleasanton Municipal Code section 18.88.030(C) requires that warehousing, storage, and other industrial uses located within industrial districts require 1 parking space for each employee on the maximum shift, and that administrative offices require 1 parking space for each 300 square feet of gross floor area. If 3 out of the 4 employees (everyone except the office manager) are employed in the warehouse portion of the building, the space would be required 3 parking spaces. Since approximately half of the tenant space is office use, application of the requirements of the Municipal Code for the office portion (approximately 920 square feet) yields a parking requirement of 3 spaces. Thus, application of the Municipal Code yields a total parking requirement of 6 spaces. However, since there are only 4 employees, this method may “double-count” the number of parking spaces required for the subject business.

While some of the employees may spend the majority of the business day at the subject location, the applicant has indicated that many meet directly at the job site and some employees who spend some time at the office may also dedicate some of the time during their workday at job sites. Given that some of the staff members of the company spend part of their day in the field, staff does not find that the availability of parking will be significantly impacted by the proposed use. Also, clients and customers of the business will rarely visit the site, as the applicant has indicated that most of the sales take place over the internet or at the job site. Therefore, staff finds that the off-street parking to be adequate for the proposed use and does not expect it to be an issue.

### *Noise*

Since the proposed use primarily consists of office and warehousing, the operation of the business is not expected to generate noise audible beyond the boundaries of the suite. The applicant has indicated that while the majority of the fabrication is contracted out to a different company, some minor fabrication consisting of cutting, threading, and grooving will take place in the warehouse. The machine used for these functions has a similar noise level to that of drill and the manufacturer instructions for the machine indicates that ear protection is not required for the operator. A 10-foot tall masonry sound wall and landscape buffer currently exists



between the western perimeter of the subject property and the residential properties to the west of the subject site. The applicant has indicated that the roll-up door at the rear of the tenant space will remain closed most of the time the business is in operation. A condition of approval requires that this door remain closed for the operation of the business except when loading or unloading of materials. Thus, the potential impact to residences to the west and adjacent businesses regarding noise is expected to be minimal.

## **PUBLIC NOTICE**

Notices regarding the proposed Conditional Use Permit application and related public hearing were mailed to the surrounding property owners and tenants within a 1,000-foot radius of the project site. A map showing the noticing area is attached to this report. The public notice was also published in *The Valley Times*. At the time this report was prepared, staff has not received any comments or concerns.

## **GENERAL PLAN CONSISTENCY**

The Land Use Element of the General Plan states several programs that support the proposed project.

- Program 8.2: Use the City's development review procedures to minimize intrusions into existing neighborhoods.
  
- Program 15.2: Promote the location of business services in Pleasanton to support industrial, commercial, and office complexes.

Staff finds that the proposed business meets Program 15.2 in that it will provide a service that supports industrial, commercial, and office complexes. The zoning code conditionally permits uses such as the proposed construction office and warehouse use when its operation will not be detrimental to the surrounding properties. Several other construction offices are located within the subject building and have successfully operated from the subject location. Additionally, the proposed operation of the business will be consistent with Program 8.2 in that conditions of approval will ensure that the business will be a harmonious and non-intrusive use with the adjacent businesses and the residential uses to the west.

## **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 objectives of the Zoning Ordinance include fostering a harmonious, convenient, workable relationship among land uses, protecting land uses from inharmonious influences and harmful intrusions, promoting a safe, effective traffic circulation system, 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. Staff believes the proposed use, as conditioned, would be consistent with these objectives. The business would be conducted so as to not impact or interfere with the surrounding neighborhood. The anticipated number of employees and customers will not generate any unusual demands on existing parking for the building or generate a large number of vehicle trips.

The subject business is proposed in Valley Business Park which is zoned Planned Unit Development – Industrial (PUD-I) and has the characteristics of the City’s I-P (Industrial Park) District. One purpose of the industrial park district is to provide locations for uses that can operate in close proximity to commercial and residential uses within minimum adverse impact. Staff believes the proposed use, as conditioned, will be compatible with the adjacent residential and industrial park uses. Other construction related uses currently operate within the subject building and staff has not received complaints regarding these businesses. The applicants 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 business operation as described in the applicant’s narrative is compatible with other businesses in Valley Business Park. The size and operation of the proposed use will not cause a parking impact since the site has sufficient parking spaces. Further, the conditions of approval require the applicant to mitigate potential nuisances that may arise with the proposed use or possible future use. Given the proposed activities and hours of operation, staff believes the use will not impact surrounding uses, including the residences to the west. Staff does not believe the business would subject the surrounding uses to loud noises, heavy truck traffic, hazardous odors, or other objectionable impacts. In addition, staff believes the proposed use will have adequate off-street parking to meet project demand and all streets around the

site are designed per City standards to provide safe ingress and egress into and out of the site. Further, the conditions of approval require the applicant to mitigate potential nuisances that may arise from the proposed use. Therefore, staff believes that this finding can 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.**

The industrial zoning of Valley Business Park conditionally permits the establishment of businesses engaged in construction related activities. Granting a conditional use permit to TNT Fire Protection for the proposed use would be consistent with the City's ability to regulate land uses as prescribed by the zoning code. The proposed conditions of approval will ensure that the applicable provisions of the PUD-I zoning are met. Therefore, staff believes that this finding can be made.

## **ENVIRONMENTAL ASSESSMENT**

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

## **CONCLUSION**

The conditional use permit will allow TNT Fire Protection Inc. a space to manage its office and warehousing operations. Conditions of approval have been recommended which will ensure that the safety and general welfare of the surrounding area is maintained. The proposed use, as conditioned, will be compatible with the surrounding uses and properties and will not result in an impact to adjacent businesses.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve Case PCUP-278 by taking the following actions:

1. Make the required conditional use permit findings as listed in the staff report; and
2. Approve Case PCUP-278 subject to the conditions listed in "Exhibit A."

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