



Planning Commission Staff Report

January 27, 2010
Item 6.b.

SUBJECT: PCUP-262

APPLICANT: Gorman Roofing

PROPERTY OWNERS: Big Valley, LP

PURPOSE: Application for a Conditional Use Permit to operate a roof contractor business in Valley Business Park.

GENERAL PLAN: General Limited Industrial

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

LOCATION: 1040 Serpentine Lane, Suite 202

ATTACHMENTS:

Exhibit A:	Draft Conditions of Approval
Exhibit B:	Site Plan/Floor Plan, Project Narrative and Owner's Association Letter
Exhibit C:	Location Map
Exhibit D:	Noticing Map

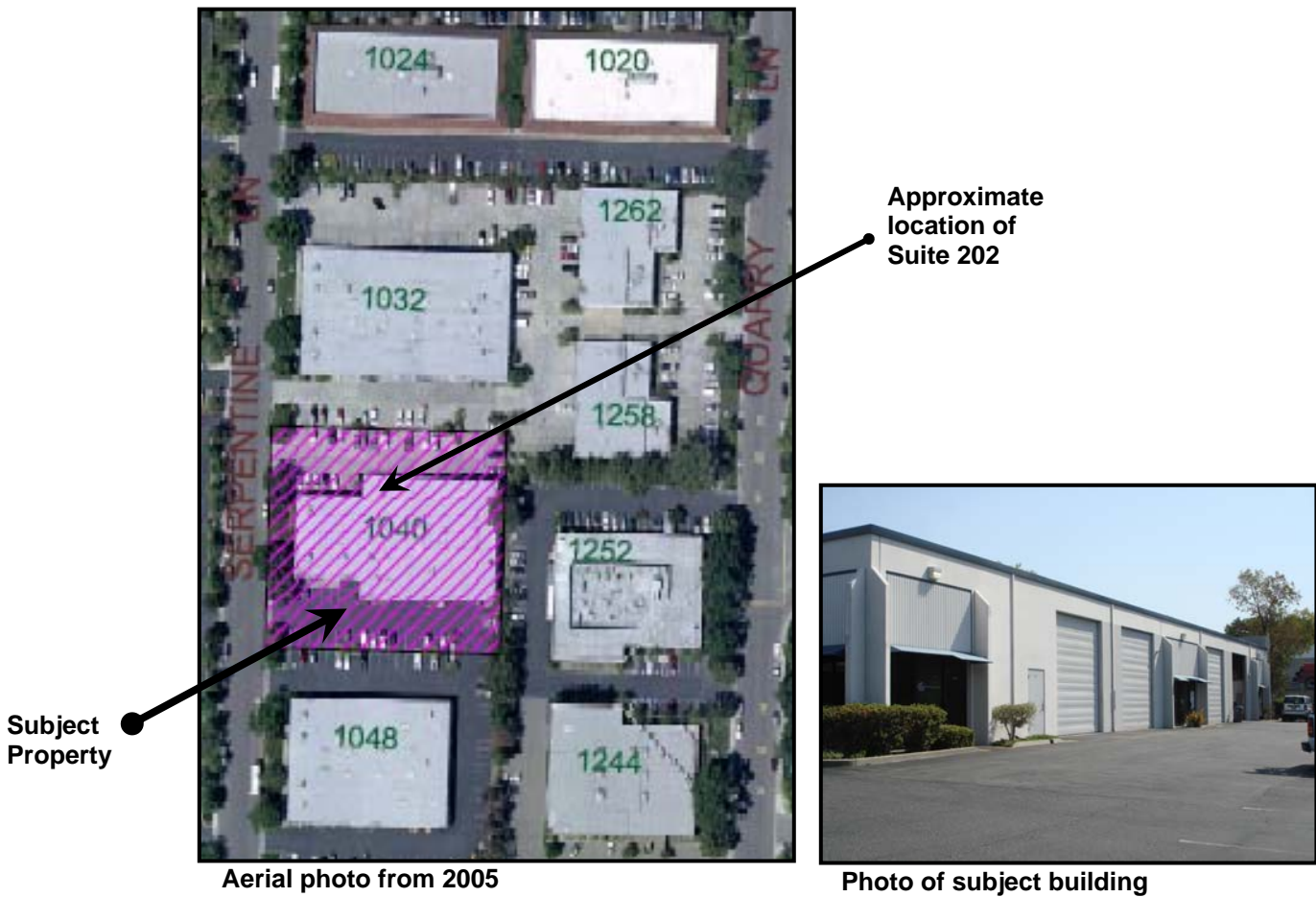
BACKGROUND

The applicant proposes to establish an office and warehouse for Gorman Roofing in Suite 202 of the building located at 1040 Serpentine Lane in Valley Business Park. The use, which is a construction related business, is conditionally permitted. The Planning Commission approved a conditional use permit approval for Gorman Roofing to locate in Suite 203 of the same building at the April 11, 2007 meeting. Since then, however, the needs of the business have grown and thus the applicant is requesting approval to locate the business in a larger suite. Thus, this request is to transfer the existing Conditional Use Permit (PCUP-189) for Gorman Roofing from Suite 203 of the subject building to Suite 202 of the subject building.

SITE DESCRIPTION

Valley Business Park is located south of Valley Avenue and east of Santa Rita Road. The subject site is located on the east side of Serpentine Lane and the proposed use will occupy a 2,728 square foot suite within the 22,308 square foot building.

The building is comprised of ten suites which are occupied by a variety of business including: California Youth Soccer Association, RMD Event Marketing Company, DK Building Mechanical and Construction, Gold Electric, and Decal Applications.



PROJECT DESCRIPTION

Gorman Roofing Services obtained a conditional use permit to operate the business in Suite 203 of the subject building in April of 2007. However, the applicant moved to Suite 202 since the operation of the business required additional space. Thus, the proposed conditional use permit is to transfer the use permit entitlement from Suite 203 to Suite 202 of the building at 1040 Serpentine Lane.

Operation of the business is detailed in the applicant's narrative (Exhibit E). Generally, the business entails office work and warehousing related to the reroofing of commercial buildings. The applicant has provided a letter from the Valley Business Park Owners Association granting approval of Gorman Roofing at the proposed location.

any complaints regarding the operation of Gorman Roofing at the previously approved location. The items stored at the location include those related to office and construction use (detailed in the applicant narrative). Additionally, a condition of approval prohibits outdoor storage of materials at the site. 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. Gorman Roofing will have 4 fulltime employees on the site and will operate between 7:00am and 4:00pm. As noted on the applicant narrative, between 2 and 4 vehicles will be stored on the site during business hours. The site has approximately 60 parking spaces and of those, 5 are allocated to Suite 202. There are several spaces on the site that are not allocated to a particular suite and are thus available on a first come, first serve basis. Thus, the allocated parking spaces are more than adequate to serve the needs of Gorman Roofing's business operations.

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.

Hazardous Materials

The Livermore–Pleasanton Fire Department oversees the storage of hazardous materials. While the applicant's narrative indicates that the business does not use hot asphalt roofing practices, a condition of approval prohibiting the use and/or storage of hot tar kettles is included in the Conditions of Approval. Thus, if in the future Gorman Roofing vacates the suite proposed with this conditional use permit application, another construction company with similar operations could occupy the space, and the restriction would remain in place

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 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.

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.

The subject business is proposed in Valley Business Park, which is zoned Planned Unit Development – Industrial (PUD-I) and is intended to provide locations for light industrial, neighborhood, commercial, and office uses. The proposed suite will provide Gorman Roofing a larger space to locate its office and warehouse. Further, the operation of the business is consistent with that of other similar uses within Valley Business Park and the conditions of approval imposed on the entitlement will ensure that the objectives of the zoning ordinance and the purpose of the district will be upheld. Therefore, staff feels 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 narrative is consistent and compatible with other businesses in Valley Business Park. The size and operation of the proposed use will not cause a parking impact since the suite has sufficient parking spaces allocated to it and several unallocated parking spaces are also located on the site. Further, the conditions of approval require the applicant to mitigate potential nuisances that may arise with the proposed use or possible future use. Staff feels 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.

The industrial zoning of Valley Business Park conditionally permits the establishment of businesses engaged in construction related activities. Granting a conditional use permit to Gorman Roofing 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 feels that this finding may be made.

ENVIRONMENTAL ASSESSMENT

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

CONCLUSION

The conditional use permit will allow Gorman Roofing a larger 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-262 by taking the following actions:

1. Make the required conditional use permit findings as listed in the staff report; and
2. Approve Case PCUP-262 subject to the conditions listed in “Exhibits A and B.”

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