

Planning Commission Staff Report

October 28, 2009
Item 5.b.

SUBJECT: PCUP-258

APPLICANTS: Goold Electric, Inc.

PROPERTY OWNER: Big Valley, LP.

PURPOSE: Application for conditional use permit approval to allow an electrical contracting company in the Valley Business Park.

GENERAL PLAN: General Limited Industrial

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

LOCATION: 1032 Serpentine Lane, Suite 109
and 1040 Serpentine Lane, Suite 207

ATTACHMENTS:

1. Exhibit A, Draft Conditions of Approval
2. Exhibit B, Floor Plan and Applicant’s Statement of Operation, dated “Received September 24, 2009”
3. Exhibit C, Location Map
4. Exhibit D, Noticing Map

I. BACKGROUND

The Valley Business Park PUD development plan – PUD-80-01 – requires a Conditional Use Permit for businesses and industries engaged in construction and related building trades. The applicant, Goold Electric, Inc. is a commercial electrical contractor that works both with general contractors and directly with clients. The business is already occupying these two locations without the benefit of this approval. The applicant was not aware that construction-related businesses were required to obtain a Conditional Use Permit (CUP) to locate in Valley Business Park (VBP) at the time they signed the lease agreements.

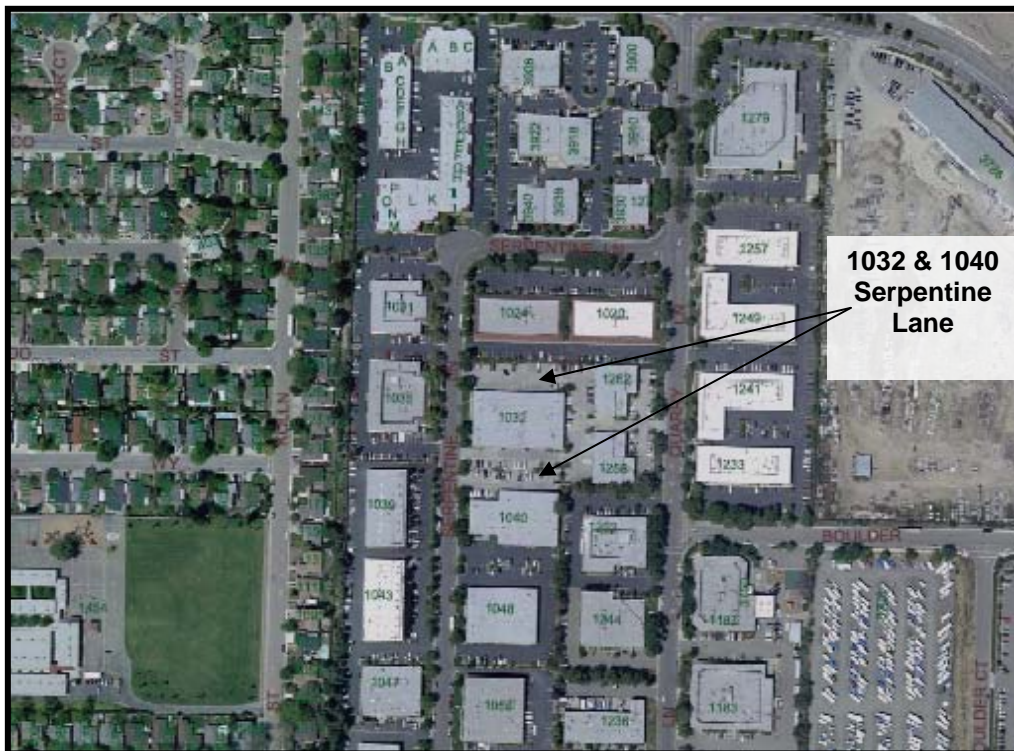
II. SITE DESCRIPTION

The VBP is located on the south side of Valley Avenue east of Kolln Street. Quarry Lane and Serpentine Lane provide internal circulation. Boulder Street provides a second public street connection due east to Valley Avenue. The VBP has a mix of uses that include, but are not limited to, professional offices, light manufacturing and industrial uses, and other uses, such as religious institutions, private schools, and cheerleading, gymnastic, and dance training facilities.

Properties adjacent to the business park include office, light industrial, and warehouse uses to the east, the Union Pacific Railroad mainline and single-family residential uses to the south, single-family residential uses to the west, and Valley Avenue and single-family residential uses to the north. Soundwalls separate the VBP from the residential neighborhoods to the south and west.

The subject properties are located on adjacent lots on the east side of Serpentine Lane and are surrounded on all sides by other VBP businesses and uses. See the aerial photograph below (Figure 1).

Figure 1: Aerial Photograph



Each parcel has a single, multi-tenant building (24,304 square feet at 1032 Serpentine Lane and 22,308 square feet at 1040 Serpentine Lane) (Figure 1.1), of which the applicant occupies a 1,792-square-foot suite at 1032 Serpentine Lane and a 2,728-square-foot suite at 1040 Serpentine Lane (See Figure 1.2).

The surrounding businesses include office uses such as Dive N Trips (1032 Serpentine Lane, Suite 108) and California Soccer Association (1040 Serpentine Lane, Suite 201) and light industrial uses such as T Bennett Services for signs and graphics (1032 Serpentine Lane, Suite 110) and Decal Applicators (1040 Serpentine Lane, Suite 210).

Figure 1.1: Building and parking lot layouts

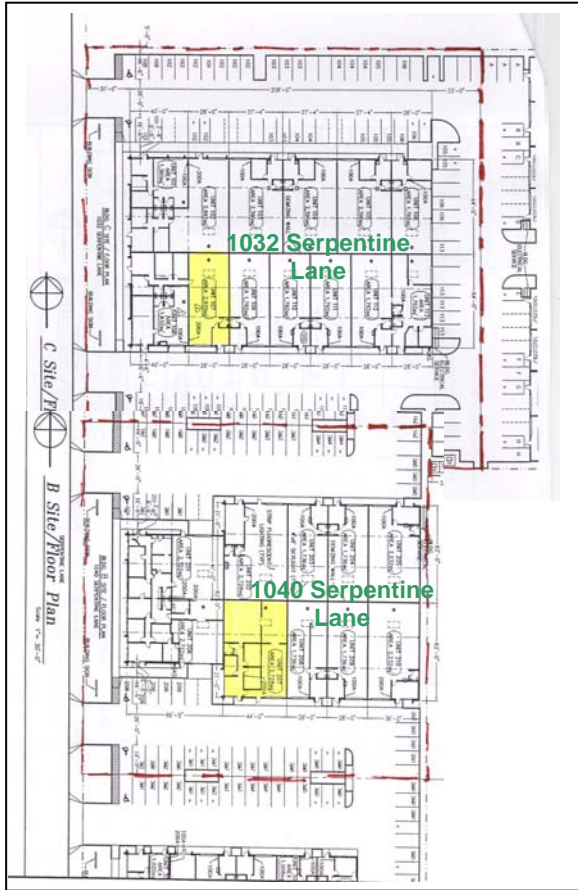
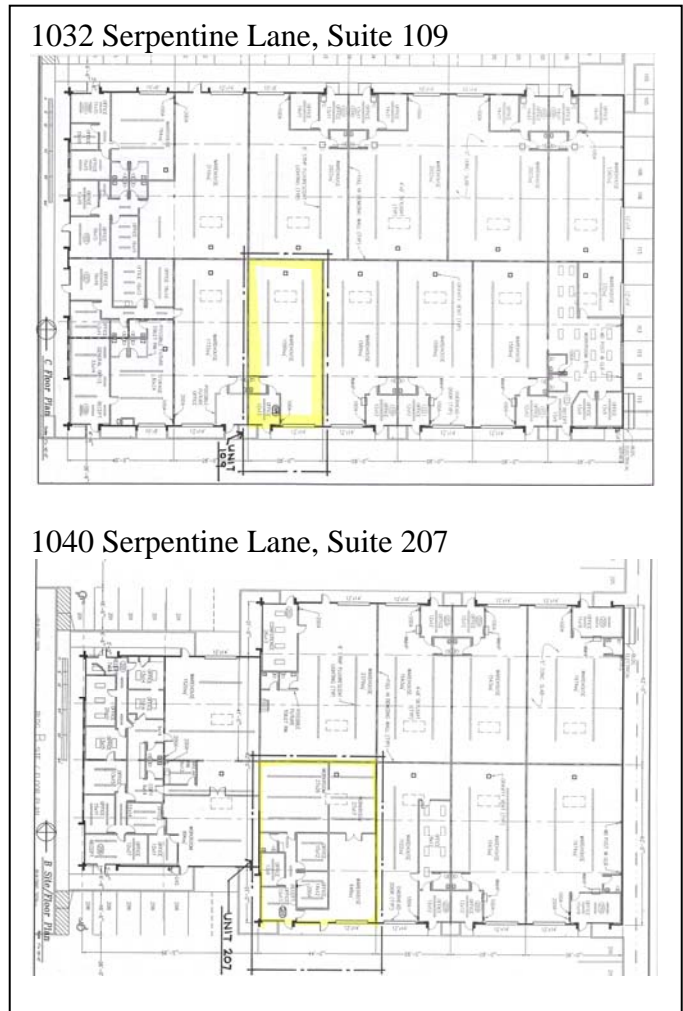


Figure 1.2: Floor Plans



There are four driveways, all on Serpentine Lane, which lead to the parking lots for both buildings/parcels. There are approximately 142 parking spaces that are available for use by the tenants of both buildings.

The proposed tenant suites each include a small office area, bathroom, and multi-purpose work/storage area with a roll-up door. In addition to the roll-up door, the 1032 Serpentine Lane has one main entrance from the parking area, and the 1040 Serpentine Lane tenant space has two entrances from the parking area.

The office services of the businesses would be conducted at the 1040 Serpentine Lane, Suite 207 location. The 1032 Serpentine Lane, Suite 109 location would be used for warehousing the job materials (switches, conduit, breakers, and wiring). No hazardous materials would be kept at either of the locations.

There is no direct pedestrian access between the suites. Given the difference in the uses for each of the spaces, staff does not have a concern with the separation of the units without connection.

III. PROJECT DESCRIPTION

The applicant is requesting a Conditional Use Permit (CUP) to allow the operation of this construction-related business. Exhibit B, attached, includes the site plan, floor plan, and written narrative for the proposal. As previously stated, each suite includes a small office, bathroom, and multi-purpose work/storage area with a roll-up door. The proposed business would be operated Monday through Friday from 7:00 a.m. to 5:00 p.m. The applicant has stated that there would be two (2) office employees and four (4) field staff.

The main office (1040 Serpentine Lane, Suite 207) would contain the office functions of the business, and the work materials would be stored at the 1032 Serpentine Lane, Suite 109 location. There will be no outdoor storage on either site. All construction/installation work will be conducted on the job sites and not at the subject tenant spaces. The applicant also indicated that materials would be delivered to both tenant suites.

IV. ANALYSIS

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

Land Use

The Land Use Element of the General Plan designates the subject property for “General and Limited Industrial” land uses. The VBP, where this site is located, is designated as PUD-I zoning district. The proposed use is consistent with the intent of the PUD. The CUP process allows staff and the Business Park to consider if proposed uses are compatible and to evaluate the effect of a proposed use on the surrounding uses. The VBP PUD development plan permits land uses such as offices, printing shops, laboratories, and light manufacturing, and requires a Conditional Use Permit for uses such as warehouses, religious institutions, day care centers, and construction and building trades.

The proposed use is an “industry engaged in construction and building trades.” Hence, no rezoning or other land use modification is necessary to accommodate the proposed use. Business hours are generally from 7:00 a.m. to 5:00 p.m. All construction work would be performed at the job sites. The proposed use would be similar to the other uses in or near the

subject site that include office, light industrial, and warehousing businesses. Staff, therefore, believes that the proposed use would be compatible with existing uses within Valley Business Park.

The impacts of the proposed use are considered to be less than significant due to the scale and hours of operation of the proposed facility. A condition of approval is recommended stating that if land use conflicts arise in the future, the CUP may be referred to the Planning Commission for subsequent review and a public hearing.

Parking

According to the Pleasanton Municipal Code, section 18.88.030(C)(6)(11), administrative offices and warehousing, storage, and other industrial uses located within industrial districts, require one space for each employee on the maximum shift, or one space for each 300 square feet of gross floor area. Applying the Municipal Code parking ratio to the proposal, six (6) parking spaces would be required for the six (6) employees.

There are approximately 83 parking spaces for 1032 Serpentine Lane building and 59 parking spaces for 1040 Serpentine Lane building (142 total spaces). The business vehicles operated by Goold Electrical, Inc. would include four (4) standard pick-up trucks and one (1) two-ton capacity utility truck, used by the installers/service technicians on the job sites, and then driven between the job site and the installer/service technician's home. The two-ton truck is parked inside the storage unit when not in use on job sites. The four pick-up trucks would be parked in the parking lot stalls at these locations for a limited period of time to load and unload materials.

The only vehicles that would be parked on-site all day for the proposed business would be the personal vehicles of the bookkeeper and project manager. The other vehicles for the field staff come and go with the employee and are out at job sites for the duration of the work day. Therefore, staff does not believe that parking would be an issue for the proposed business in this location. In the event that future parking problems occur, staff recommends a condition of approval that would allow the Planning Commission to re-evaluate the Conditional Use Permit and add the conditions that it determines to be necessary to resolve such issues.

Circulation

The only traffic that will be expected for the proposed use would be from the six (6) employees and minimal client/supplier visits; therefore, staff does not anticipate any circulation issues, as proposed. In the event that future circulation problems occur, staff has added a recommended condition of approval that allows the Planning Commission to re-evaluate the subject use permit and add conditions as necessary to resolve such issues.

Noise

For industrial properties, the Pleasanton Municipal Code states:

“No person shall produce or allow to be produced by any machine, animal, device, or combination of the same, on industrial property, a noise level in excess of 75 dBA at any point outside of the property plane.”

The electrical contracting work is performed entirely on the job site(s) and not at the tenant suites. Meetings and day-to-day office activities, conducted entirely from within the tenant suite, are quiet activities and would not be audible to the adjacent businesses. The loading and unloading of job materials would be minimal due to the type of materials that are being transferred (i.e., wire spools and general tools). The loading and unloading of the utility truck (two-ton truck) would occur inside of the storage unit where the vehicle is kept when it is not in use. Therefore, staff believes that it is unlikely that the noise produced by this business in this location would exceed 75 dBA at any point outside of the property plane as prescribed by Section §9.040.50 of the Pleasanton Municipal Code.

Owners Association

The applicant and staff have both tried to contact the Owners Association without success. Typically staff requires that the Owners Association provide a letter of support for such projects. However, in recent years the management of the Association has changed and as a result, obtaining such letters is difficult. Therefore, staff has provided a condition of approval that would require the applicant to provide a copy of such a letter at the time that they receive it.

The property owner is in favor of the proposed project, and the surrounding uses are similar to the proposed use; therefore, staff believes that proceeding with this application is appropriate despite the lack of the Association-written support of it.

General Plan Conformity

The 2005-2025 General Plan land use designation for this parcel is General and Limited Industrial. Staff has reviewed the proposed project in relation to the General Plan for conformity. Staff believes that the proposed use supports the following Land Use (LU) Goals, Policies, and Programs of the 2005-2025 General Plan:

- LU Policy 13: Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.

Staff believes that the proposed use provides a service to the residents within Pleasanton and the neighboring communities.

- LU Policy 15: Encourage industrial, commercial, and office development which is compatible with environmental constraints in Pleasanton.

Staff believes that the proposed use is located within an established business park that contains other light industrial uses and will not negatively impact the environmental constraints of Pleasanton.

- LU Policy 15.2: Promote the location of business services in Pleasanton to support industrial, commercial, and office complexes.

Staff believes that the proposed use is well integrated and supports the industrial complex in which it is located.

In addition to supporting and fostering the Goals and Policies of the General Plan, staff also believes that the proposed use will compliment the surrounding uses.

V. FINDINGS

The Planning Commission needs to make the following findings prior to granting the Conditional Use Permit for the proposed business:

- 1. The proposed locations of the conditional use are in accordance with the objectives of the zoning ordinance and the purpose of the district in which the site is located.**

The objectives of the Pleasanton Municipal Code include fostering a harmonious, convenient, workable relationship among land uses; protecting existing land use from inharmonious influences and harmful intrusions; and insuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. The proposed business would be operated within the existing buildings in a manner that would result in negligible disturbance to the nearby businesses and residents.

The subject properties are covered by an approved PUD development plan, which is intended to provide sites for light industrial uses including manufacturing, industries engaged in construction and building trades, neighborhood and support commercial uses, and office uses. The proposed business would not generate any unusual demands on the existing parking for the subject site or the surrounding properties and, for these reasons, would be compatible with surrounding uses.

The VBP 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 with minimum mutual adverse impacts. As conditioned, staff believes that the proposed electrical company use would be consistent with the zoning ordinance objectives and Industrial Park District purpose in that it would provide needed services to the community and would be conducted so as to not impact or interfere with the surrounding uses. In addition, the applicant is

required to mitigate any nuisances that may occur as a result of their proposed operations.

Staff believes the granting of the use permit is consistent with the objectives of the Pleasanton Municipal Code and the zoning district in which the sites are located. Therefore, staff believes that this finding can be made.

2. The proposed locations 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.

Staff believes that the use would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The applicant is required to receive all Building and Safety Division permits for the proposed, and any future, tenant improvements. All storage would be located inside the building and construction activities are not proposed and therefore would not take place outside of the tenant suite. Also, as proposed, an adequate number of parking spaces would be provided on-site.

For the reasons stated above, staff believes this finding can be made.

3. The proposed conditional use will comply with each of the applicable provisions of the Zoning Ordinance.

Chapter 18.124 of the Municipal Code states that, because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to their effects on surrounding properties. The PUD zoning of the subject building permits the establishment of “industries engaged in the construction and building trades” subject to conditional use permit approval. Staff feels that the recommended conditions of approval will help to integrate the proposed use without detrimentally affecting the surrounding properties and the City in general. As with any use permit, this use can be suspended or revoked if the conditions are not met.

For the reasons stated above, staff believes this finding can be made.

VI. PUBLIC NOTICE

Notices regarding the application for a Conditional Use Permit and related public hearing information were mailed to property owners and tenants within a 1,000-foot radius of the subject properties. At the time this report was prepared, staff had received no comments from any of these tenants or residents.

VII. 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.

VIII. CONCLUSION

Staff believes that the proposed use, as conditioned, will be compatible with the surrounding uses and properties. Conditions of approval have been recommended which will ensure that the safety and general welfare of the surrounding area is maintained.

Staff recommends the Planning Commission approve the proposed electrical contracting company.

IX. STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Case No. PCUP-258 by taking the following actions:

1. Make the required conditional use findings as described in the staff report; and,
2. Approve Case No. PCUP-258 subject to the conditions listed in Exhibit A.

Staff Planner: Rosalind Rondash, Assistant Planner, 925.931.5607 or email: rrondash@ci.pleasanton.ca.us