

Planning Commission Staff Report

May 28, 2008
Item 5.b.

SUBJECT: PCUP-221

APPLICANT: Lazze Jansson

PROPERTY OWNER: Robert Libby

PURPOSE: Application for a conditional use permit to operate an adult trade school for metal-shaping classes.

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

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

LOCATION: 1051 Serpentine Lane, Ste. 500

ATTACHMENTS:

1. Exhibit B, Proposed Conditions of Approval
2. Exhibit A, Description of Businesses
3. Exhibit C, Location Map

I. BACKGROUND

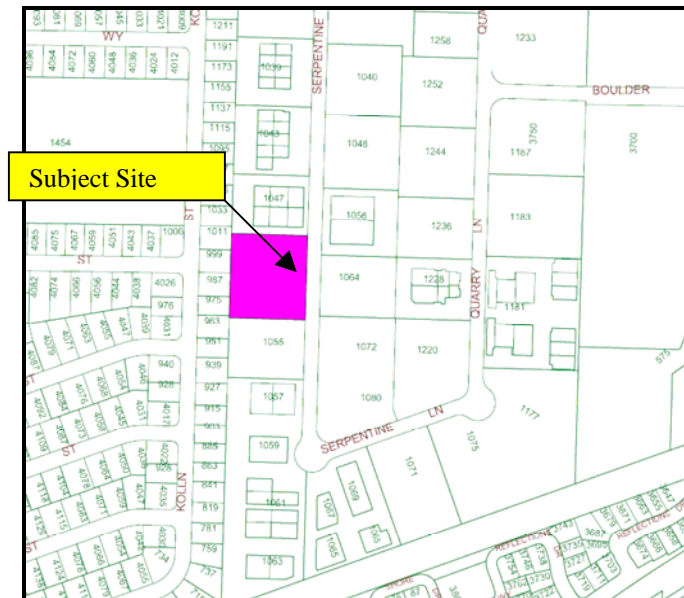
The approved Valley Business Park Planned Unit Development (PUD-80-01) requires a conditional use permit to allow trade schools to locate in the park. The proposed business teaches techniques of using a metal shaping machine/equipment.

II. SITE AND PROJECT DESCRIPTIONS

Valley Business Park, approximately 69 acres in size, is located south of Valley Avenue, east of Santa Rita Road, including Serpentine Lane and Quarry Lane. It is zoned PUD-I (Planned Unit Development – Industrial) District and has a mix of uses that include, but not limited to, professional offices, light manufacturing and industrial uses, and other

uses, such as religious institutes and private schools, and tutoring and recreation/fitness facilities.

The narrative indicates that this field of expertise is highly specialized, claiming attendance by students internationally. The proposed trade school would teach five adult students at one time on how to use a certain type of metal-shaping machine invented by the owner. As described, the trade school would be open Monday through Friday from 8:00 a.m. to 5:00 p.m. The school would occupy a tenant space measuring approximately 3,385 square feet in an existing 18,135-square-foot building.



III. 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.

Land Use: One of the primary concerns in reviewing a conditional use permit application is the effect of the proposed use on surrounding uses. Although the primary businesses in the Valley Business Park are office/warehousing-oriented uses, the business park has attracted a variety of other uses, such as music studios, tutoring facilities. The operation of the proposed business would be similar to music studios and tutoring facilities where teaching is the primary focus of the business. Thus, this use would be a compatible use.

Parking: The site provides 51 parking spaces. The approximately 3,385-square-foot project space would have nine parking spaces allocated to it. The trade school would

accommodate five students at one time; so parking demand meets the number of allocated parking.

Noise: Section 9.04 of the Pleasanton Municipal Code (Noise Ordinance) restricts noise generated from a site that is zoned for industrial but abuts a residential zoning district not to exceed seventy-five dBA at any point outside of the property plane. Although, as stated in the written material submitted by the applicant, the machines/equipment used in the class are quiet tools and the metal shaping method taught is a quiet technique, given that the site directly abuts residential uses and to prevent potential noise that may impact the adjacent residential areas, staff has included a condition of approval requiring that the doors and windows be closed during classes.

Staff has received an inquiry from Mr. Robert Bogni concerning whether building vibration would be detected from using the metal-shaping machine. As the application indicated that the machine used in teaching is a quiet tool, given that the building is located approximately 70 feet from the property line, it is unlikely that any excess noise or significant vibration would be detected at the property line. However, if excessive noise and vibration were detected and measured beyond what are allowed by the Noise Ordinance, the applicant would be required to modify the building for compliance.

IV. PUBLIC NOTICE

Notices regarding the proposed conditional use permit application and related public hearing were mailed to property owners and tenants within the business park and within 1,000 feet of the business park boundaries.

As mentioned above, Robert Bogni expressed concern regarding the proposed business. Responses to his concerns are provided in the Noise section of this report.

V. FINDINGS

The Planning Commission must make the following findings prior to granting a use permit:

- A. The proposed locations of the conditional uses are in accordance with the objectives of the zoning ordinance and the purpose of the district in which the sites are located.**

The objectives of the zoning ordinance include fostering a harmonious, convenient, workable relationship among land uses; protecting existing land use from inharmonious influences and harmful intrusions; 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 proposed business would be operated within the existing buildings. With the proposed conditions, the proposed use would be operated in such a manner that it would conform to PUD-80-01. Staff feels that the proposed trade school for metal-shaping would be a compatible use in the Valley Business Park.

The subject site is in the Valley Business Park, a business park that is dominated by businesses that involve office/warehousing. As described by the business owner, the business will not generate any unusual demands on the existing parking for the subject site or the surrounding properties. In addition, the applicant is required to mitigate any nuisances that may occur as a result of their proposed operations. Therefore, staff feels this finding can be made.

B. The proposed location of the conditional uses and the conditions under which they 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 business description, the proposed business would be compatible with other businesses in the same Business Park. In addition, since it is a small operation, traffic generated from the business during the regular business hours would be unnoticeable and insignificant within the allowed uses in the Park. Conditions of approval prohibit rinsing, clearing equipment, etc. at the subject site. Therefore, staff feels this finding can be made.

C. The proposed conditional uses will comply with each of the applicable provisions of the zoning ordinances.

The proposed business, as conditioned, would comply with applicable provisions of the zoning ordinance. Granting a conditional use permit to the applicant would be consistent with the City's ability to regulate zoning as listed in the Municipal Code. Therefore, staff believes that the third finding can be made.

VI. ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15301, Existing Facilities, Class 1.

VII. CONCLUSION

Valley Business Park is an industrial business park. The proposed use, if operated per the conditions of approval, would be compatible to the uses within the Business Park and would not have significant adverse impacts on existing businesses in the surrounding area.

The conditions along with the regulations of the Pleasanton Municipal Code would mitigate any concerns that are likely to arise.

VIII. STAFF RECOMMENDATION

Staff recommends that the Planning Commission make the required conditional use findings as listed in the staff report and approve Case PCUP-221 subject to the conditions listed in Exhibit B.

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