



Planning Commission Staff Report

January 24, 2007
Item 6.a.

SUBJECT: PCUP-155/PDR-513

**APPLICANT/
PROPERTY OWNER:** Trinity Lutheran Church of Pleasanton

PURPOSE: Applications for design review and conditional use permit approval of a master expansion plan for an existing church facility that consists of two expansion phases and other site improvements: 1) the replacement of the existing temporary modular buildings with the construction of a one-story, approximately 8,110 square foot education building to the east of the existing church facility; 2) the construction of an approximately 3,108 square foot multipurpose room addition attached to the south of the existing church facility, fronting Hopyard Road, 3) expansion of the existing parking lot, and 4) on-site landscaping removal and replanting.

GENERAL PLAN: Medium Design Residential

ZONING: R-1-6,500 (Single Family Residential, 6,500 square feet minimum lot size) District

LOCATION: 1225 Hopyard Road

ATTACHMENTS:

- Exhibit A – Written Narratives, Site Plan, Floor Plan, and Elevations, dated “Received, June 30, 2006”; Alternate Site Plan, dated “Received, January 17, 2007”
- Exhibit B -- Draft Conditions of Approval
- Exhibit C -- Staff Report for the Workshop and Workshop Minutes
- Exhibit D -- Comments from Neighbors

Exhibit E -- Arborist Report
Exhibit F -- Letter from City Traffic Engineer
Exhibit G -- Master Site Plan (1999), Staff Report (1999),
Planning Commission Meeting Minutes and
Resolution (1999), Approval of the Modular
(2005), Master Plan 1967
Location Map

I. BACKGROUND

Trinity Lutheran Church has applied to the City of Pleasanton for design review approval and a conditional use permit in order to complete the development of its site by implementing its vision for the build out of their site. The entitlements the Church requires approval for are:

- Conditional Use Permit is required to:
 - Expand the existing facility to include the previously reviewed, but not adopted or approved, 1999 master plan. The 1999 Master Plan provided a permanent classroom facility and youth center;

- Design Review approval for:
 - Proposed 8,110 square feet Ministry Building (Sonshine Preschool, facility meeting rooms, outside community use);
 - Proposed 3,108 square feet Youth Center addition to the existing building;
 - Additional parking to provide 122 total on-site parking spaces; and,
 - Proposed landscaping plan.

Trinity Lutheran Church obtained its conditional use permit (UP-67-2) and design review approvals in 1967 for the construction of an approximately 4,760 square feet church facility that included a sanctuary, classrooms, administrative offices and a total of 69 parking spaces. The primary access for parking was from Golden Road which has been maintained since this initial approval.

In 1993, Trinity Lutheran Church received design approval to install temporary modular buildings to the northwest of the church building. The modular buildings were to house children in Sunday school as well as those enrolled in an on-site preschool program (Sonshine Preschool).

In 1999, Trinity Lutheran Church received a condition use permit (UP-99-40) and design review (Z-99-21) to expand the church facility and parking area that is accessed from Del Valle Parkway. Included in the project package was a master site plan showing the general sitting for

a future sanctuary expansion to the southwest of the church, and a future freestanding two-story education building located to the north of the sanctuary. The education building was to provide a permanent location for the preschool and a meeting location for Christian study groups. In addition, conditions of approval allowed the modular buildings to remain on site until June 2006 in anticipation of the construction and completion of the education building. This condition was further extended to June 2007. The implementation of this approval relocated 10 parking spaces from the Golden Road/Hopyard Road parking area to the Del Valle Parkway parking area. It reduced parking at the Golden Road area temporarily, increased parking at Del Valley Parkway, and removed the Hopyard Road access to the church facility. The intent has been to relocate the 1999 Del Valle Parkway parking spaces back to the Golden Road area as depicted in the 1999 master plan.

Trinity Lutheran Church is now ready to complete its final development of the site. The proposed project before the Planning Commission conforms to the 1999 Master Site Plan.

The proposed project has conducted significant community outreach by holding two church-sponsored neighborhood meetings, three City-hosted neighborhood meetings, and one workshop with the Planning Commission. Discussions regarding neighborhood meetings and the Planning Commission workshop are found in the later part of this report.

This project requires a Conditional Use Permit approval to complete the master plan of the existing facility. Although the proposed building locations are very similar to what was shown in 1999, the 1999 master plan was not part of the Planning Commission action at that time. This project also requires a Design Review approval for the proposed education building and the multiple purpose room, new parking, and landscaping.

II. SITE DESCRIPTION

Trinity Lutheran Church is bounded by Del Valle Parkway, Hopyard Road, and Golden Road, on an approximately 3.14-acre parcel.

The subject lot is relatively flat. In addition to the buildings, the site has two parking lots, the west parking lot, has access from Golden Road, and the east parking lot, has access from Del Valle Parkway.

Located on the adjacent parcel to the west of the site is Early Year Daycare which is not affiliated with the church. Trinity Lutheran entered into an agreement for Early Year Day Care to use the drive aisle along with 14 parking of the church's parking lot on Golden Road during weekdays. This parking area along with the drive aisle is described by an easement for the

benefit of the Daycare. A private swim center is located to the north, and Harvest Park is located to the east. Residential uses surround the site located across Golden Road, Del Valle Parkway to the southwest, and to the west, across Hopyard Road.

III. PROJECT DESCRIPTION

The proposed development includes the following:

- Replacement of the existing temporary modular buildings with the construction of a one-story, approximately 8,110 square foot education building to the east of the existing church facility;
- Construction of an approximately 3,108 square foot youth center/multiple purpose room, which is an addition attached to the south of the existing church facility, fronting Hopyard Road;
- Expansion of the existing parking lot; and,
- On-site landscaping and upgrading the existing planting materials by removal and replanting.

The scope of this project is to provide a permanent location for the Sonshine preschool and as depicted in the location on the 1999 Master Plan. The overall square footage for the classrooms in the new education building would be comparable to what they currently have. However, the 1999 Master Plan reflected a two-story. The applicant has reduced it to a one-story building. The new building includes a lobby area that is not present in the existing modular buildings, which appears to increase the square footage when compared to the modular sizes.

The following table shows the square footage breakdown by uses:

	Existing Modular	Proposed Education Building
Classroom	5,300 square feet ¹	5,120 square feet
Office	None	1,500 square feet
Storage	None	416 square feet
Hallway	None	1,080 square feet
Total	5,300 square feet	8,116 square feet

Trinity Lutheran Church does not at this time have a plan to expand the preschool program. The preschool enrollment would remain at 99 students as it is currently licensed with the State of California.

¹ One classroom is currently held in one of the rooms within the existing church facility.

The construction of a youth center/multipurpose room to the northwest of the existing sanctuary is to accommodate the church's existing youth program. This expansion would not result in an increase in the current seating capacity within the sanctuary. The church currently utilizes the existing room by sharing it with outside community meeting groups. The youth center will provide a dedicated area serving the youth group's existing needs, and therefore remain unimpacted by other meeting groups for the same space.

Per the current proposal, the western parking lot off Golden Road would be expanded from the existing 51 parking spaces to 101 parking spaces, an increase of 50 spaces. The number of parking spaces in the eastern parking lot off Del Valle Parking would be reduced from the existing 44 parking spaces to 21 parking spaces to accommodate the education building and the play area of the preschool. At the end of the construction, there would be a total of 122 parking spaces provided on site.

The existing on-site landscaping would be removed and replaced. A bio-swale would be constructed along Golden Road to meet the recent State of California C3 stormwater requirements. Additionally, the landscaping plans present a berm along Golden Road which is designed to shield headlight nuisance from the neighbors directly across Golden Road.

The design of the new building and the addition compliment the existing facility design elements and effectively creates an inviting campus community.

IV. Community Outreach

Neighborhood Meetings (November 10, 2005 and November 13, 2005): The Church held neighborhood meetings on November 10, 2005 and November 13, 2005. Though there was considerable notification and outreach, there was very little turnout or interest in the community to discuss the project. The lack of attendance make it appeared as if there was no real neighborhood concerns. City staff believed that low attendance may be due to the holiday season. As a result of discussing next steps, staff determined that it would host a neighborhood meeting.

City Hosted Neighborhood Meeting (July 31, 2006)

The City hosted a neighborhood meeting on July 31, 2006 and noticed an area encompassing a 1,000 feet from the subject site (refer to attached exhibit, for notice radii). Out of 603 properties noticed, ten (10) residents attended the meeting who lived either across the street or in close proximity to the Church site.

The initial neighborhood meeting discussed the plan that was submitted as a part of the application which included the education building, youth center, parking area increase to 122 total parking spaces, and landscaping.

Comments were focused on the location of the education building, the size of the education building, the parking lot layout, and parking space increases. The residents requested the following revisions to the plans:

- Relocate the education building to where the current modular buildings are located;
- Connect the two on-site parking lots;
- Reduce the number of parking spaces that would be provided in the parking lot on Golden Road;
- Retain the current number parking spaces in the parking lot on Del Valle Parkway.

The residents were concerned about additional traffic being brought to the neighborhood, due to the expansion of the western parking lot at Golden Road. The residents voiced the concern that all of the additional parking would encourage an increase in membership and preschool enrollment. They also asked the City to investigate the possibility of creating a left-turn pocket for traffic traveling east on Del Valle Parkway to get to the church's parking lot. This proposal would enlarge the Del Valle Parkway side of the parking lot instead.

City Hosted Neighborhood Meeting (September 6, 2006)

Following the July 31, 2006 neighbor meeting, staff met with the applicant and their architect. A revised site plan was presented to the neighbors. The revised plan provided the following modifications:

1. The number of parking spaces in the western parking lot (Golden Road) was proposed to be reduced from the previously 122 parking spaces to 102 parking spaces.
2. An increased landscaping buffer area is provided along the property line between Trinity Lutheran and the swim club.

Although modified, the residents on Golden Road are still concerned about the size of the parking lot and the number of parking spaces it would provide. They believe the expanded parking lot would continue to attract additional vehicles to the site thus resulting in additional traffic on Golden Road. The residents questioned the location of the education building and the reasons for it not being relocated closer to where the existing modular buildings are located if not at the same location.

In addition, the following issues were discussed:

1. Parking lot lights;
2. The height of the proposed berm along Golden Road;
3. The proposed landscaping;
4. The possibility of increasing enrollment of the existing preschool program and using the education building as an expanded facility during congregation.

Some of the residents objected to any expansion of the existing facility. They expressed the concern that the proposed changes would actually increase membership thereby increasing traffic to the site, resulting in adversely impacting the neighborhood.

City hosted neighborhood meeting (December 21, 2006)

Staff met independently with the applicant followed by a meeting with neighborhood representatives. At this meeting, staff described the additional reduction of parking from 101 spaces at the Golden Road entry to 77 spaces which also effectively increase the landscape buffer area from the original 20 feet up to an approximately 60 feet.

The residents continued to express concern that the Church was not listening to them and that the primary goal of the neighbors present were to:

- Prohibit any parking expansion on the Golden Road entry thereby ensuring that the Church could not easily expand membership or Community services;
- Prohibit a reduction of any parking spaces on the Del Valle Parkway parking area;
- Relocate the siting of the Ministry/Education Building from the proposed location to where the existing modular buildings are located;
- Remove the Youth Center/multipurpose room addition thereby likely restricting any additional church related meeting increases.

The residents understood that their solution to relocate the proposed Ministry/Education building to the modular building could effectively shut down a portion or all of the Sonshine Preschool operations. The residents believed that this would not be likely in that the Church could relocate the use to the existing building.

Staff discussed these options and noted that the loss of the preschool operations would not only be a lost service and amenity to the community, but would likely inconvenience numerous families who use the facility and may not have other facilities easily at hand to take the place of the Sonshine Preschool. Staff also noted that there may not be adequate facilities in the existing building with which to house the preschool.

Planning Commission Workshop (September 13, 2006)

At the workshop, staff proposed the following questions:

1. Is the location of the education building appropriate?
2. Should the western parking lot (Golden Road) be expanded to alleviate street parking during congregation?
3. Should the parking lots be connected?
4. Is the architecture of the proposed development compatible and complimentary to the existing facility?

The residents on Golden Road and on Del Valle Parkway reiterated their concerns addressed at the neighborhood meetings. In response to staff's questions, the Commission had the following comments:

- Possibility of creating a left-turn pocket on Del Valle Parking for eastbound traffic turning into the church's parking lot;
- Possibility of closing the existing driveway off Golden Road;
- Possibility of creating a new driveway off Hopyard Road;
- Possibility of connecting two existing parking lots on the site; and,
- Compare classroom sizes: existing vs. proposed.

V. ANALYSIS

Land Use

The conditional use permit process evaluates a proposed use and potential effects of the proposed use on surrounding uses.

Trinity Lutheran Church has been successfully operated at the subject site since 1969. There was no record of neighborhood issues concerning the facility. The proposed location for the education building, the Youth Center/multiple-purpose room, and the parking lot layouts are very similar to the master site plan that was included in the 1999 expansion.

The current proposal includes the removal and replanting of the existing pine trees along Golden Road, restriping and paving the parking lot, installing additional parking lot lights similar to the lights that are currently in the parking lot, and to create a berm along Golden Road to shield vehicle lights in the parking lot. This proposal is in conformance to the previous master site

plan. In addition, the scope of the project has been scaled down from an originally noted two-story education building to the now proposed one-story building, and that the size of the parking area has been reduced to respond to neighbors' concerns.

Site Plan

The 1999 master plan set up the framework for a campus environment for Trinity Lutheran at build-out. The entrance to the existing sanctuary is oriented northeasterly toward Golden Road. A plaza area in front the entrance welcomes the parishioners and visitors as they enter the church's site. The proposed education building would be located to the northeast of the sanctuary and its entrance faces the plaza that makes the sanctuary building as the focal point of the church facility. This location has been thoroughly considered so that the existing preschool program, currently operated in modular buildings, could continue without interruption during the construction of the education building. A secured playground would be located to the northeast of the proposed education building since the primary use of the building is for a preschool. The multipurpose room is an extension of the sanctuary building to the north which faces Hopyard Road.

The entrances to the church facility would remain the same. The parking lots would be modified to accommodate the proposed site plan. The parking lot on the Del Valle Parkway side would be reduced from the current 44 parking spaces to 21 parking spaces. Per the applicant, this parking lot has been used as an auxiliary parking lot, and it would continue to be used as an auxiliary parking lot. The existing parking on Golden Road would be expanded northeasterly toward where the preschool modulares are. The modulares would be removed upon completion of the education building . Since it is the main parking lot for the church, it would be expanded so as to accommodate parking during Sunday service times and to relieve street parking to residents and their visitors. Currently there are 51 parking spaces on the Golden Road parking lot. The number of parking spaces would be increased to 101 parking spaces. An open space buffer approximately 20 feet in width would remain along the east property line separating the parking area from the swim club.

The existing pine trees and other trees along Golden Road and in the existing parking area would be removed and replanted with other species. A bio-swale would be installed in the parking lot on Golden Road side to pre-treat stormwater runoff before it enters to the storm drain system. A three-foot high landscape berm would be constructed along the property line on Golden Road to screen the headlights of vehicles. The neighbors were concerned that the new trees placed would take a long time to screen the parking area. Staff discussed the screening issue with the applicant, requiring 24-inch box sized species to provide immediate screening.

Shoebox type parking lot lights would be installed that direct light away from neighbors. The light standards would be similar to those seen in the parking lot on Del Valle Parkway side.

The reception from the residents of the proposed site plan has divided into two groups: the residents on Del Valle Parkway and the residents on Golden Road. The Del Valle Parkway residents welcome this proposal as the existing parking area accessible from Del Valle Parkway would be reduced, which in turn would reduce the amount traffic passing through their front doors. The Golden Road residents oppose the proposed site plan. They felt that the proposal would bring additional vehicles to the Golden Road neighborhood as the parking lot on the Golden Road side would be doubled (from the currently 51 parking spaces to 101 parking spaces), that the construction of the education building at the proposed would make it impossible to make the parking lot on Del Valle Parkway as the primary parking lot as there would not no opportunity for expansion.

In addition, in a meeting in December 2006 with the Golden Road core group, the residents expressed their objection on the proposed multiple room addition as they believe the proposed addition is a form of expansion of the congregation area, which would result in additional traffic to the neighborhood that the existing streets in the neighborhood do not have the capacity to absorb additional vehicles.

Although the 1999 Master Plan was not approved in its entirety, the church pursued construction according to that plan and invested significantly in the site as a result of the 1999 submittal. Staff notes that there did not appear to be any concern by the Commission that the prospered Mater Plan was deficient in any way. The Commission chose not to adopt the Plan and was silent on any reason as to why it was not part of the action or approval. There was no contention or neighbors opposing the project.

Architecture

WMB Architecture, who designed the 1999 expansion, has designed of the education building and the multipurpose room expansion with the same architectural style of the existing sanctuary building.

The education building has a contemporary style that matches the existing building (non-sanctuary portion of the building). The building would have horizontal wood siding, a concrete tile roof, and anodized bronze aluminum windows. The building would be a brown color with hunter green as the accent color. The multiple-purpose room is an extension of the existing facility. Its design coherent to the design of the existing design in that it repeats the building exteriors and window style.

Green Building

The proposed project is under the threshold required to obtain a certified rating on the LEED-NC rating system in accordance with the City's Green Building ordinance. Staff strongly encourages the applicant to obtain some of the LEED points if not all of the required 26 points. In discussion of the LEED requirements, the applicant expressed interest in complying with LEED requirements at its best, and indicated that they intend to use energy star appliances and use water-efficient plants for the project. Staff has added a condition of approval (Condition No.11) encouraging the applicant completes a LEED checklist and comply with LEED requirements at its best.

Parking and Circulation

The Pleasanton Municipal Code requires that a church with an on-site school provide the larger of the number of parking spaces required for the church or that required for a school use. As previously mentioned, the proposed expansion plan does not include the expansion of the existing preschool program. Thus, the required parking would be calculated based on the church expansion. The parking requirement for churches is one space for every six seats, or 52 spaces for Trinity Lutheran that currently has 310 fixed seats. The applicant proposes a total of 102 parking spaces, with 81 parking spaces located on the Golden Road side and the remaining 21 spaces located on the Del Valle Parkway side.

While the number of parking spaces proposed for the site exceeds the minimum number of required spaces per the Pleasanton Municipal Code, both staff and the church's experience has been that parking demand is usually greater, particularly during special events and religious holidays. The residents on Golden Road currently experience street parking issues during services. Although no complaints have been filed with the City, the applicant believes that providing additional on-site parking would alleviate any street parking issues that may currently exist.

The applicant has considered the suggestion of connecting the two parking lots. They decided not to connect the parking lots for the following reasons:

- Not to have a driveway running between the buildings that is meant for pedestrian uses;
- Not have to vehicles passing by an on-site playground for a preschool;
- Not have to have cut-through traffic.

The proposed parking layout has been reviewed and accepted by Livermore-Pleasanton Fire District.

Pastor Beard of Trinity Lutheran indicated that as Trinity Lutheran church is oriented toward the north (Golden Road), the parking lot on Golden Road has been used as the primary lot for the facility while the parking lot on Del Valle Parkway has been served as a secondary parking area. Due to the 1999 expansion, ten (10) of the parking spaces that were located north of Early Childhood Daycare (located on the adjoining parcel) accessed from Golden Road were relocated to Del Valle Parkway site. However, the intention has been always to relocate them back when the church is undergoing the last phase of construction. Pastor Beard pointed out, during the weekday, the parking lot on Del Valle Parkway side has hardly been used. During congregation, the parking spaces on Golden Road get filled first then traffic overflows to the Del Valley Parkway side.

To verify on-site parking during congregation, staff did a field count on Sunday, January 7, 2007 and on Sunday, January 14, 2007. The following table shows the parking counts.

	8:00 Service	10:00 Service
Sunday, January 7, 2007		
Del Valley Parkway Side (a total of 44 parking spaces)	19 spaces occupied	43 spaces occupied, plus 5 cars parked along the curb
Golden Road Side (a total of 51 parking spaces)	38 spaces occupied	All occupied, plus 3 cars parked in unstriped area; 10 cars parked along the street curb in front the church and the swimming club.
Sunday, January 14, 2007		
Del Valley Parkway Side (a total of 44 parking spaces)	--	All occupied, plus 3 cars parked along the curb
Golden Road Side (a total of 51 parking spaces)	--	All occupied, plus 2 cars parked in an unstriped area; 7 cars parked along the curb.

Staff notes that the City Council has recently indicated that it realizes that the existing code for parking does not adequately address the current needs of church attendance. Despite the fact that the number of existing on-site parking exceeds what is required by the current code, the parishioners have been using parking on the streets. The church proposed additional on-site parking to alleviate the existing impacts.

Landscaping Plan

A tree report has been prepared by HortScience in June 2006. The report surveyed 33 trees on the subject site. The majority of the trees were recently planted; 22 of the 33 survey trees are 11 inches or more in diameter. The survey showed that one tree is in a poor condition, with 25 trees in good condition. Due to the scope of the project, 22 of the 33 trees would need to be removed, which includes three heritage-sized trees (two Shamel ash trees and one Yellow willow tree).

The proposed landscaping plan includes a variety of trees, shrubs and groundcover. London plane would be planted along the north property side (Golden Road) to replace the existing coast redwoods and hackberry. A heritage-size Yellow willow, an Almond tree and a Blue atlas cedar are located at where it was to be part of the expanded parking lot. The arborist recommended that they be removed. Since the current site plan shows a 25-foot open space buffer would be located along the side adjoining the swim club, staff recommends as a condition of approval that these three trees be retained.

For other trees that are in a good condition but are required to be removed to accommodate the proposed development, staff recommends that the applicant pay the differences between the mitigation of planting additional trees and the appraised values for the loss. The City would use the money to plant trees elsewhere in the City where needed. Thus, in addition to requiring the installation of the landscaping plan as proposed, staff has also added a condition of approval (Condition No. 18) requiring monetary compensation for the loss of the trees prior to the issuance of a building permit. The specific monetary amount would be determined by the Planning Director based on the appraised value.

Other Site Improvements

Parking lot lights would be included to provide for security and safety. Considering the adjoining residential uses, staff has added a condition of approval (Condition No. 24) requiring light details, include a light fixture details and a lighting cut-sheet, be submitted a part of the construction drawings, and are subject to the approval by the Planning Director.

Traffic

A traffic study was not required for the proposed project because the uses are not being expanded or the hours of operation. The Traffic Engineer indicated, however, that a traffic study would be required if the preschool program should expand. Staff has added a condition of approval (Condition No. 5) addressing this issue.

Grading

The site is relatively flat although minor grading may be needed for construction of the parking lot. Staff has added a condition of approval (Condition No.47) requiring a grading plan be submitted as part the construction drawings.

VI. OPTIONS

Option No. 1

This option plan, noted as the Alternative Plan by the applicant, is the plan shows the following revisions when compared to the site plan shown in Exhibit A:

- The number of the parking spaces in the north parking lot (Golden Road) has reduced from the proposed 101 spaces to 77 spaces;
- The number of parking spaces in the south parking lot (Del Valle Parkway) remains at 21 spaces;
- The buffer zone between the north parking lot and the swim club has increased from the proposed 20 feet to 60 feet, as a result, the existing trees identified as an almond tree, a valley oak and a heritage-sized willow tree would be retained.

This plan responds to the neighbors' request to increase the buffer area on the east side adjacent to the swim club. This plan would have a total of 77 parking spaces, allocating 78% of the on-site parking in the Golden Road parking lot and the remaining 22% in the Del Valle Parkway parking. The following table shows the parking allocation comparison between the existing, the proposed and Option No. 1.

	Total Number of Parking Spaces	North Parking Lot (Golden Road)	South Parking Lot (Del Valle Parkway)
Existing Parking	95 spaces	51 spaces (53% of the overall parking)	44 spaces (46% of the overall parking)
Proposed Site Plan shown as Exhibit A	122 spaces	101 spaces (83 % of the overall parking)	21 spaces (17% of the overall parking)
Option No. 1	98 spaces	77 spaces (78% of the overall parking)	21 spaces (23% of the overall parking)

The church strongly feels that it is important to maintain Golden Road as the primary entrance to the facility as the sanctuary building is oriented toward Golden Road. Both the proposed site plan and the Alternative No. 1 have responded to the neighbors' concerns in terms of on-site parking allocation and separating the parking area from the adjoining property on Golden Road. The church believes that it is to the benefit of the neighborhood to maximize the number of spaces on the site to alleviate the impacts of the parishioners on street parking which together with the swim club activities further limits the residents from enjoying the use of on-street parking in front of their homes for guests.

Neighbors Proposal (Option No. 2)

Staff met with the Golden Road residents, a core group consisting of three residents, on December 21, 2006 discussing Alternative No. 1. The residents were not satisfied with the plan, as they did not feel that their concerns were adequately addressed. The residents stated that they could support the project if: 1) the number of parking spaces on Golden Road side be kept status quo; 2) the education building is constructed at the current modular location; 3) the two parking lots (Golden Road and Del Valle Parkway) are connected; and 4) the elimination of the multiple purpose room addition.

Staff is not in support of the connecting the two parking lots. Doing so would provide an opportunity for cut-through traffic which is not the interest of the City or the church, especially on a site when children are present.

Staff is not in support of eliminating the multiple purpose room addition. As stated in the project's written narrative, this addition is needed for the church's youth program. The subject application does not include an expansion of the congregation area or an increase in the number of seating during congregation. Should the need arises in the future to include this area as an extended wing for the sanctuary during congregation, the church would be required to amend its current use permit, and this amendment would require the review and approval before the Planning Commission.

Staff understands the neighbors' point of balancing the two parking lots, such as what are currently exist, so that parking would won't be concentrated in one area rather than the other. This would either close the preschool program during construction or relocating the preschool program elsewhere either on site or off site. Closing the preschool program is a financial burden on the church. It would also impact the community as preschool/daycare facilities are in need. Relocating both modular buildings elsewhere on the site is difficult due to site constrains. In addition, the church would be required to obtain approval from State licensing.

To reach a compromise, perhaps the proposed education building could be shifted further towards the north. Instead of removing and/or relocating both modular buildings for the construction of the education building as desired by the neighbors, perhaps one of the modular buildings, specifically the smaller-sized modular building, be removed/relocated to accommodate the location of the education building. Although both modular buildings are currently used for both morning and afternoon programs, by comparison, the impact of removing and/or relocating the smaller modular building may be less. This compromise, referred as Option No. 2, would maintain the same number of parking spaces allocated between the two parking lots.

VII. PUBLIC NOTICE

Neighborhood Meetings

Two neighborhood meetings were held by City staff. Comments, concerns, issues raised by the residents were discussed in the “Community Comment” section of this report.

Hearing Notice

Notices regarding the proposed conditional use permit application and related public hearing were mailed to property owners and tenants within 1,000 feet of the subject property. Comments from the neighbors are attached to this report.

VIII. FINDINGS

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

- A. That the proposed location of the conditional use is in accordance with the objectives of the zoning ordinance and the purpose of the district in which the site is located.**

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 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 development has been designed consistent with the 1999 conceptual master plan. As conditioned, staff feels that the proposed project would be consistent with the intent of the zoning code. Staff feels that the existing church operation has generally been

compatible with the surrounding neighborhood and that the expansion will continue to complement the neighborhood. The applicants will also be required to mitigate any future nuisances, which may occur as a result of the proposed expansion; 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.

Churches are a common conditional use in residential areas in Pleasanton. The proposed expansion plan has grouped additions to the existing church facility and utilize existing accesses to and from the streets. The proposed berm, selection of planting species would provide immediate screen of the parking lot on Golden Road side when view from off site. The pattern and timing of use for the church is such that peak use periods occur on weekends, thereby minimizing any adverse effects on local traffic. In addition, the church has no plans to expand the existing preschool program; thus, there would not increased impacts, in terms of noise, traffic, etc. to the nearby residents. Staff believes the proposed expansion will not detrimentally impact surrounding uses, will have adequate parking to meet project demand, and as conditioned, this finding can be made.

C. That the proposed conditional use will comply with each of the applicable provisions of the zoning ordinances.

Chapter 18.124 of the Municipal Code (Conditional Use) 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 proposed expansion plan, with reasonable conditions of approval, can integrate the proposed expanded church use without detrimentally affecting the surrounding properties or the City in general. This third finding can be made.

IX. ENVIRONMENTAL ASSESSMENT

This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15302, Replacement or Reconstruction, Class 2, subsection (a).

A. CONCLUSION

The project shown either as proposed or as Alternative No. 1 conforms to the master plan presented to the Planning Commission in 1999. In fact, the current proposal has reduced the

bulk and perhaps the floor area of the education building as it would now be one-story building not a two-story building as noted on the 1999 Master Plan. The Commission at that time reviewed the master plan but did not take action.

The residents on Golden Road voiced opinions strongly against the location of the education building shown either as in Exhibit A or as Alternative No. 1. They felt that allowing the construction of education building at the proposed location would provide an unbalanced parking therefore would result in additional traffic to ingress and egress the site via Golden Road, a residential street that does not have the capacity to sustain additional traffic. They wanted to locate the proposed education building at where the current modular buildings are.

The proposed location, as well as the alternatives, conforms to the underlined zoning district. Providing a permanent building for the existing preschool is in the best interest of the community. Staff is in support of the proposed development.

XI. STAFF RECOMMENDATION

Staff recommends that the Planning Commission consider the following options:

1. If the Planning Commission finds that the proposed development, shown as Exhibit A is in conformance to the General Plan, and that the Planning Commission can make the required conditional use findings as listed in the staff report, staff recommends the Commission approve the conditional use permit and the design review applications, Case PCUP-155 and PDR-531, subject to the conditions of approval listed in Exhibit “B”.
2. If the Planning Commission finds that the proposed development shown as Exhibit A, but with the “Option No. 1” site plan is in conformance to the General Plan, and that the Planning Commission can make the required conditional use findings as listed in the staff report, staff recommends the Commission approve the conditional use permit and the design review applications, Case PCUP-155 and PDR-531, subject to the conditions of approval listed in Exhibit “B-1”.
3. If the Planning Commission finds that the proposed development shown as Exhibit A but with the suggested Option No. 2 site, is in conformance to the General Plan, and that the Planning Commission can make the required conditional use findings as listed in the staff report, staff recommends the Commission approve the conditional use permit and the design review applications, Case PCUP-155 and PDR-531, subject to the conditions of approval listed in Exhibit “B-2”.

Exhibit B

Proposed Conditions of Approval Case PCUP-155/PDR-531 Trinity Lutheran Church 1225 Hopyard Road

1. The proposed expansion shall conform substantially to Exhibit “A” (the site plan, floor plans, elevations and on-site improvements), dated “Received, June 30, 2006”, on file with the Planning Department, except as modified by the following conditions of approval. Minor changes to the approved operation and schedule may be approved by the Planning Director if found to be in substantial compliance with the proposal.
2. The project developer shall pay any and all fees to which the property may be subject prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.
3. The site plan for the expansion of the church facility and the design review approval shall lapse one (1) year from the date of the approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion or an extension has been approved by the City.
4. Any changes to the proposed project shall be submitted for the review and approval of the Planning Director. Said request shall demonstrate that sufficient parking would be available on-site for the facility and approved uses on the site.
5. This approval does not include the expansion of the existing preschool program. In the event that existing preschool program is proposed to be expanded, a separate conditional use permit shall be submitted. At that time, a traffic study and noise analysis shall be submitted as part of the use permit application.
6. All conditions of approval for this case shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the building developer to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, landscape material, etc.

7. The project developer shall work with the Pleasanton Unified School District and the City Planning Director to develop a program, in addition to the school impact fees required by State law and local ordinance, to off-set this project's long-term effect on school facility needs in Pleasanton. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities to serve new development in Pleasanton. The method and manner for the provision of these funds and/or facilities shall be approved by the City and in place prior to approval of the final map. In no event shall construction commence unless the above method and manner for the provision of these funds and/or facilities has been approved by the City.
8. Prior to issuance of a building permit, the project developer shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the project developer shall pay any applicable Dublin San Ramon Services District (DSRSD) sewer permit fee.
9. The project developer acknowledges that the City of Pleasanton does not guarantee the availability of sufficient sewer capacity to serve this development by the approval of this case, and that the project developer agrees and acknowledges that building permit approval may be withheld if sewer capacity is found by the City not to be available.
10. This approval does not guarantee the availability of sufficient water to serve the project. The City shall withhold building permits for the project if at the time building permits are applied for, mandatory water rationing is in effect, unless the City has adopted a water offset program and unless the project developer is participating in the program. Notwithstanding the project developer's participation in such a program, the City may withhold building permits if the City determines that sufficient water is not available at the time of application of building permits.
11. Prior to issuance of a building permit, the applicant shall submit a LEED checklist and use their best efforts to implement the measures identified in the U.S. Green Building Council's (USGBC), "Leadership in Energy Environmental Design (LEEDTM)" 2.0 rating system in the design, construction, and operation of the proposed building, including all future tenant improvements.
12. The project developer shall effectively screen from view all ducts, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with

the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Planning Director. All required screening shall be provided prior to occupancy.

13. All mechanical equipment shall be constructed in such a manner that noise emanating from it will not be perceptible beyond the property plane of the subject property.
14. The location of any pad mounted transformers or other utility equipment/ boxes shall be subject to approval by the Planning Director prior to issuance of permits by the Building Department. Such transformers shall be screened by landscaping or contained within an enclosure matching the building and with corrugated metal gates. All transformers shall be shown on the plans submitted for issuance of building permits. The project developer shall attempt to locate transformers at the rear of the site.
15. The final building materials and colors are subject to the review and approval by the Planning Director prior to the issuance of building permits. Any changes to the approved building materials and/or colors shall be submitted to the satisfaction of the Planning Director.
16. All backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened so as to minimize visual impacts. The location of all backflow prevention devices, above ground irrigation controls, and above ground irrigation meters and the quantity and type of proposed landscape screening shall be subject to the review and approval of the Planning Director prior to installation.
17. The project developer shall comply with the recommendations of the tree report prepared by HortScience, Inc. dated June 2006. The project developer shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
18. Prior to the issuance of a building permit, the project developer shall pay for all trees in good condition and six (6) inch in diameter or greater that need to be removed for the proposed development. The specific compensation amount shall be determined by the Planning Director based on the appraised value of these trees from HortScience, Inc.

19. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report. The project developer may be required to post cash, letter of credit, or other security satisfactory to the Planning Director in the amount of five thousand dollars (\$5,000) for each tree required to be preserved, up to a maximum of twenty-five thousand dollars (\$25,000). This cash bond or security shall be retained for one year following completion of construction and shall be forfeited if the trees are removed, destroyed, or disfigured. For trees that are removed, destroyed, or disfigured during construction, the applicant shall pay a fine in the amount equal to the appraised value of the subject tree. If the fine based on the appraised value of the tree(s) exceeds the bond amount, the applicant shall pay the difference between the bond and the appraised value of the subject tree(s).
20. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that the landscaping included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of structure location the subject property. All proposed landscaping shall be irrigated. The site irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to maximize water conservation to the greatest extent possible. The irrigation systems shall include a soil moisture, rain sensor, or other irrigation efficiency device. The proposed type of irrigation efficiency device shall be shown on the plans submitted for the issuance of building permits.
21. A final landscape plan and irrigation plan shall be submitted to and approved by the Planning Director as part of the building permit plan sets prior to issuance of a building or on-site permit. The landscaping and irrigation plans are subject to the review and approval by the Planning Director. The project developer shall provide root control barriers and four (4) inches perforated pipes for trees in planting areas less than ten (10) feet in width, as determined necessary by the Planning Director at the time of review of the final landscape plan.
22. All planting materials shall be minimum 15 gallon for trees, 5 gallon for shrubs, and one gallon for ground cover, unless otherwise approved by the Planning Director and/or the City Landscape Architect.
23. The proposed outdoor lighting for the subject property shall be of low intensity and shielded in order to minimize its visibility from off-site. Outdoor lighting shall also not glare onto adjacent properties or streets. Exterior lighting shall use the lowest wattage and shall limit the number of fixtures to attain the lowest luminosity.

24. The applicant shall submit details of the parking lot light, including but are not limited to light fixture and luminosity to the Planning Director for review and approval prior to the issuance of a building permit.
25. The applicant shall submit detail of fence at the playground to the Planning Director for review and approval prior to the issuance of a building permit
26. Prior to occupancy, the project developer shall certify in writing to the Planning Director that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.
27. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Department will issue permits.
28. Building and situs plans are to be submitted to the Building Department on computer disk in a format approved by the Director. Digitized information shall be submitted before requesting a final inspection and should reflect as-built situs and architectural information as approved by the Director.
29. At no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday. A temporary construction trailer shall be allowed on site during construction for use during the allowed hours of operation.
30. Final inspection by the Planning Department is required prior to occupancy.
31. Portable toilets used during construction shall be emptied on a regular basis as necessary to prevent odor. All demolition activities and all construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be permitted on Federal Holidays. All construction equipment must meet DMV noise standards and shall be equipped with muffling devices.
32. There shall be no truck deliveries, parking lot sweeping, or garbage pick-up between the hours of 10:00 PM and 6:00 AM. During the period of construction. This does not affect the regular scheduled waste pick-up schedule currently established by Pleasanton Garbage Service.

33. If archeological materials are uncovered during grading, trenching, or other on-site excavation, all work on site shall be stopped and the City immediately notified. The county coroner and the Native American Heritage Commission shall also be notified and procedures followed as required the California Environmental Quality Act. A similar note shall appear on the improvement plans.
34. The applicant shall maintain the area surrounding the project in a clean and orderly manner at all times.
35. The project developer shall submit a waste management plan to the Building Department prior to issuance of building permits. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 50% (fifty percent) of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only". The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
36. If required by the Police Department, the building shall be equipped with an alarm system, the type to be approved by the Police Department and that this system shall be installed prior to occupancy of the building.
37. The project developer shall meet all requirements of the Pleasanton Fire Code (Pleasanton Municipal Code, Chapter 20.24).
38. The building covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building Department for review and approval prior to installation. The fire alarm system, including waterflow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s). The fire alarm system shall be monitored in accordance with the Pleasanton Municipal Ordinance #1778. The fire alarm system shall transmit zone information to a UL listed Central Station as specified in the Ordinance.
39. The project developer shall keep the site free of fire hazards from the start of construction until the final inspection.

40. The project developer shall post National Fire Protection (NFP) 704 identification on the building and/or tenancy according to the City's "Hazardous Materials Identification Sign" procedures if storing and/or using hazardous materials within the building covered by this approval.
41. The project developer shall ensure that fire protection facilities, including all surface roads, fire hydrants, and a water supply capable of furnishing the required fire flow are installed and serviceable prior to and during the time of construction. When alternate methods of protection are approved by the Fire Chief, this requirement may be waived or modified. Proposed alternate methods of fire protection shall be submitted, in writing, to the Fire Chief. Work on the alternative fire protection methods shall not start without the approval of the Fire Chief.
42. The Fire Chief shall issue a permit prior to any installation of a fire detection, alarm, and occupant notification system. All sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
43. All portions of the building covered by this approval shall have installed and operating, fire extinguishers with a minimum 2-A:10-B:C rating. The fire extinguishers shall be located within a seventy-five foot (75' 0") radius of each other.
44. All utilities required to serve any existing or proposed development on-site shall be installed underground.
45. The project developer shall submit a refundable cash bond for hazard and erosion control prior to issuance of an Engineering or Building Department permit, if required. The amount of this bond will be determined by the City Engineer.
46. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of an encroachment permit.
47. The project developer shall include erosion control measures on the grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the Building Department. Such measures shall be maintained until such time as permanent landscaping is in place.

48. The project developer shall submit a dust control plan or procedure as part of the improvement plans.
49. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owner(s).
50. Prior to building permit issuance, the developer shall submit a copy of the site, grading, and drainage plans to Zone 7 for review of the project's consistency with Zone 7 applicable guidelines for projects next to Zone 7 channels. The developer shall incorporate any requested changes into the design of the project, subject to the review and approval of the Planning Director.
51. The design of the water supply and sanitary sewer systems shall be subject to the review and approval of the City Engineer.
52. Approval of the storm drainage system shall be subject to the review and approval of the City Engineer to determine that the system is adequate, connects to an approved point of discharge, and meets the immediate and long-range requirements of this development.
53. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
54. The project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
55. The project developer shall pretreat storm water prior to reaching the storm drains to the satisfaction of the City Engineer. The design, locations, and a schedule for maintaining the filtering system shall be submitted to the City Engineer for review and approval prior to issuance of building permits.
56. The project developer shall sweep or vacuum the parking lot and sidewalks a minimum of once a month and shall prevent the accumulation of litter and debris on the site. Corners and hard to reach areas shall be swept manually. If sidewalks and/or the parking lot are pressure washed, debris must be trapped and collected to prevent entry into the storm drain system. No cleaning agent may be discharged into the storm drain. If any cleaning agent or degreaser is used, wash water must be collected and discharged to the sanitary sewer, subject to approval of the Dublin-San Ramon

Services District (DSRSD).

57. The project developer shall label all on-site storm drain inlets with the wording, "No Dumping -- Drains to Bay" using City-approved methods and materials. On-site storm drain facilities shall be cleaned a minimum of twice a year as follows: immediately prior to October 15 and once in January. Additional cleaning may be required if found necessary by the City Engineer/Director of Building Inspection.
58. Prior to the commencement of any clearing, grading, or excavation, the project developer shall submit a copy of the State Water Resources Control Board Notice of Intent (NOI) for coverage under the State Construction Storm Water General Permit.
59. Prior to the commencement of any clearing, grading, or excavation, the project developer shall obtain the Construction Activities Storm Water General Permit from the State Water Resources Control Board.
60. The project developer shall submit a construction Best Management Practices (BMP's) program for review and approval by the Planning Director prior to issuance of building and/or grading permits. These BMP's shall be implemented by the general contractor and all subcontractors and suppliers of materials and equipment. Construction site cleanup and control of construction debris shall also be addressed. Failure to comply with the approved construction BMP may result in the issuance of correction notices, citations, or a stop work order. The project developer is responsible for implementing the following measures during all construction phases of the project:
 - a. Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water runoff pollution.
 - b. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
 - c. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.

- d. Create a contained and covered area on the site for the storage of bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- e. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- f. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.

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