



Planning Commission Staff Report

December 27, 2006

Item 5.a.

SUBJECT: PCUP-184

APPLICANT: Young J. Lee/California School of Art and Design

PROPERTY OWNER: Sun Kim/Vineyard Technologies

PURPOSE: Application for a conditional use permit to operate a private art school for approximately 15 students per day Monday through Thursday from 2:00pm-7:30pm on the second floor of an existing building.

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

ZONING: O (Office) District

LOCATION: 24 Happy Valley Road

ATTACHMENTS:

1. Location Map
2. Exhibit A, Written Narrative, Site Plan, and Floor Plans
3. Exhibit B, Draft Conditions of Approval

BACKGROUND

The California School of Art and Design (CSAD) was established in 1997 and is currently located in Campbell, California. Young J. Lee would like to open a second business in Pleasanton to teach students professional drawings techniques and fine arts knowledge. Mr. Lee has submitted an application to allow an art school on the second floor of an existing building at 24 Happy Valley Road. The subject site is zoned O (Office). Schools in this zoning district require a conditional use permit and are subject to review and approval by the Planning Commission.

SITE DESCRIPTION

The subject site is an approximately 36,976 square-foot parcel located on the east side of Sunol Road, by the Castlewood Golf Course, and the west side of Interstated-680. The existing two-story building is approximately 14,383 square-feet in floor area and contains a handful of tenant suites. CSAD proposes to occupy only one of the suites located on the southern second floor portion of the building, approximately 500 square-feet, as indicated on the floor plan of Exhibit A. There is a common entryway on the east (front) elevation of the building that provides interior access to the tenant suites. The proposed art school will be located on the second floor and will share the restrooms that are located within the second floor common hallway with the other tenants. Within the shared entryway, the proposed tenant suite has two interior doors that would provide access to the school; with the southern door acting as the main entrance.

24 Happy Valley Road



Partial view of parking lot



On site shared parking can be accessed from Happy Valley Road, with a total of 48 parking spaces. Existing businesses on the subject site are office related uses with the subject site abutting open space on all sides; with the exception of another office building located to the north.

PROJECT DESCRIPTION

CSAD will offer various classes levels, beginning, intermediate, and advanced, and will consist of two instructors with 5 to 10 students per day. For the most part, the classes are instructed in a small group environment at various times throughout the week, primarily in the afternoon and in the early evening. The art school is a large open area and will consist of individual workstations and a sink. CSAD focuses on helping students, who are interested in attending an art school, to

enhance their techniques. The art school will operate Monday through Thursday from 2:30p.m. to 7:00 p.m..

Staff proposed setting block times for the classes; however the applicant wanted to maintain drop-in hours for their students. Since there is a low attendance of students and the majority of the students are in high school, the State does not consider the school as a “daycare facility” and therefore is not required to obtain a Child Care License. However, staff has included a condition of approval that will require CSAD to obtain any applicable State licensing.

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

The subject site is zoned O (Office) and is required to adhere to the Pleasanton Municipal Code for all uses that are permitted or conditionally permitted. As such, an art school is conditionally permitted in the O district. If the requested use permit were granted, the art school would be consistent with the O zoning district.

One of the primary concerns in reviewing a conditional use permit application is the effect of the proposed use on surrounding uses. The subject property is located east of the Castlewood Golf Course with the closets residential area located approximately 750-feet to the east and west of the building and an office building located north of the subject property. The property is surrounded by unincorporated open space with the closest residential areas located approximately 750-feet to the east and west and another office building located north of the subject property.

In the past, the Planning Commission has approved similar business, whether in the musical field or focusing on academics that are similar in use to the proposed art school, and are also located in office buildings and closer to residential areas. Staff is not aware of land use issues associated with these instructional businesses. Therefore, staff believes that the proposed art school would be a compatible use.

Noise

Based on the proposal, staff considers the art school to be a quiet use as instructions would be provided at a low-volume voice level and that students would focus on painting and drawing exercises. Additionally, as proposed, the classes are off set from normal business peak hours with some sessions being held when the office uses in the building are closed. Therefore, staff

does not believe that the proposed art school would be disruptive to the neighboring businesses/tenants.

To ensure that noise would not be an issue, staff has included a condition of approval that allows the City to review the project again to add mitigating conditions should any complaints regarding noise occur at the proposed art school.

Parking

The Pleasanton Municipal Code requires that office use provide parking at a ratio of one parking space for every 300 square feet of gross floor area. The tenant suite in question is approximately 500 square-feet in size. If it were used as an office, the parking requirements would be met based on the 48 parking spaces provided on site. However, the Pleasanton Municipal Code requires art schools to provide one parking space for each instructor and one parking space for every two students 16 years of age and older. As stated in the written narrative, each art class would consist of two instructors and a maximum of 15 students a day. Based on this parking ratio a total of 11 additional parking spaces would be needed for the art school (two parking spaces for the instructors, and 9 parking spaces for students and parents who have to drive their children to the art classes). Staff conducted site visits to the subject property during the hours that the art school would be open and found that there were at least 37 available parking spaces. Therefore, based on staff's site visits and the parking ratio, staff believes that the surplus parking accommodates the additional spaces needed for the proposed art school.

In the event that future parking problems do occur, staff has added a condition of approval that would allow the Planning Commission to reevaluate the subject use permit and add conditions necessary to resolve such issues.

Building Code Requirements

The Building and Safety Division reviewed the proposal and noted that the Building Code requires a student-to-teacher ratio of 6:1, since the use is located on the second floor, in order for an elevator not to be required. This ratio also applies if kindergarten, first and second grade students would want to attend the school; however the school limits it attendees to middle and high school students only. If the art school has a higher student to teacher ratio, then the Building and Safety Division would require the art school to install an elevator. Staff has included a condition of approval to reflect this requirement.

PUBLIC NOTICE

Notice of this application was sent to all property owners and occupants within 1,000 feet of the subject property. At the time this report was prepared, staff had not received any comments or concerns.

FINDINGS

The Planning Commission needs to make the following findings prior to granting the conditional use permit for the proposed business:

1. 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 art school would provide instruction lessons to local children. The City has allowed similar uses to be located in office buildings. Staff is not aware that any of these teaching-oriented businesses has created any impacts on surrounding businesses.

The subject site is zoned O (Office) District, where it is currently surrounded by open space and an office building to the north. Based on the proposal, staff considers the art school to be a quiet use as instructions would be provided at a low-volume voice level, and that students would focus on paintings and drawing. Staff does not feel that the proposed art school would be disruptive to the neighboring businesses/tenants.

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

2. 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.

Staff believes that the use, as conditioned, would not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The applicant would be required to receive all Building and Safety Division permits for any future tenant improvements. The proposed art school would be located in a multi-tenant building where the other businesses are office uses. Based on the proposal, some of the art classes would be held during off-peak business hours and after the office uses in the building are closed. In addition, the proposed art school offers learning sessions that would require concentration from the students. Thus, staff does not believe that the proposed art school would be disruptive to other businesses/tenants in the same building or on the same site. Furthermore, based on the parking analysis of the staff report, sufficient parking is available. In addition, adequate and safe ingress and egress into and out of the site is provided. In summary, staff feels this finding can be made.

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

The Office District standards conditionally permit the establishment of schools/instructional businesses. Granting a conditional use permit would be consistent with the City's ability to regulate related zoning regulations. Therefore, staff believes that the third finding can be made.

ENVIRONMENTAL ASSESSMENT

Projects of this nature are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) Section 15301 Class 1. Therefore, no environmental document accompanies this report.

CONCLUSION

Staff believes that the required use permit findings for the project can be met if the project is approved as conditioned. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area is maintained. Staff believes that the business is providing a beneficial service to the community by providing a place for those teens who wish to enhance their talents and pursue a discipline in art.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission approve Case PCUP-184 by taking the following actions:

1. Make the required conditional use permit findings as listed in the staff report; and
2. Approve PCUP-184 subject to the conditions listed in Exhibit B.

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