



## Planning Commission Staff Report

September 13, 2006  
Item 5.a.

- SUBJECT:** PCUP-171
- APPLICANT:** Eugene Sim / Sim Architects Inc.
- PROPERTY OWNER:** Korean Presbyterian Church of Tri-Valley
- PURPOSE:** Application for a conditional use permit to allow the operation of a church within an existing building.
- GENERAL PLAN:** Business Park (Industrial / Commercial and Office)
- ZONING:** PUD-I/C-O (Planned Unit Development – Industrial/Commercial - Office) District
- LOCATION:** 5925 West Las Positas Blvd, Suite 200
- ATTACHMENTS:**
1. Location Map
  2. Exhibit A, Site Plan, Floor Plan, Elevations, Written Narrative, and Activities Schedule
  3. Exhibit B, Draft Conditions of Approval
  4. Exhibit C, List of Permitted and Conditionally Permitted Uses in the Industrial District
  5. Exhibit D, Hacienda Business Park Owners Association Letter of Support
  6. Exhibit E, E-mail from Betsy Finney dated “September 6, 2006”

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### BACKGROUND

Korean Presbyterian Church has been in ministry for over 20 years in Pleasanton and has been renting space from Pleasanton Presbyterian Church located 4300 Mirador Drive. At its current location the two church's share space and activity times, however Pleasanton Presbyterian Church has sold the property and the Korean Presbyterian Church has decided to move to the proposed location at 5925 West Las Positas to use for their new church facility. The church

feels that the move would be beneficial to its members and the community because they will not be sharing hours of service, space, or parking with another church.

The applicant has submitted an application to allow the church to occupy a portion of the existing building located at 5925 West Las Positas Blvd, Suite 200; as shown on sheet A1.1 of the site plans in Exhibit A. The subject site is zoned PUD-I/C-O (Planned Unit Development – Industrial/Commercial –Office) District. As stated in the PUD development plan, the uses allowed on the subject site are those that are permitted and conditionally permitted uses in the Special Purposes (I–P) District. Churches, and similar religious and meeting facilities, in existing structures in the I-P District are a conditionally permitted use.

## **SITE DESCRIPTION**

The subject site is a 3.44-acre parcel located on the north side of West Las Positas Blvd and the southwest corner of Willow Road. The existing single-story building is approximately 45,525 square-feet in floor area and contains two tenant suites. The Korean Presbyterian Church proposes to occupy the suite located on the southern portion of the building, approximately 21,329 square-feet, as indicated on the site plan of Exhibit A. Direct Buy currently occupies the remaining suite. Staff notes that there are no common hallways in the building that would provide interior access between the two tenant suites. The existing building was subdivided into two condos in November of 2005.

The subject site borders Hart Middle School on the east, across Willow Road, Agilent Technologies and Hewlett Packard invent to the north, the Chabot Canal to the west, and professional / commercial / industrial service offices to the south, across from West Las Positas. The building is encompassed by the shared parking lot, with a total of 173 parking spaces; 6 of those being handicapped. Access to and from the site is from West Las Positas or Willow Road, through the shared parking lot.

## **PROJECT DESCRIPTION**

The Korean Presbyterian Church will offer worship services, ministry, religious instruction and activities at various times throughout the week primarily on the weekend and in the evenings, as shown on the activities schedule in Exhibit A. The churches current membership consists of 150 adults and 100 children and they anticipate future attendance to increase to 170 adults and 120 children with moving to this new location. The table below illustrates the days and times that the churches activities are scheduled to occur with the anticipated number of attendees. Staff notes that this table can also be found in Exhibit A.

<b>DAY</b>	<b>TIME</b>	<b>ACTIVITY</b>	<b>OCCUPANTS</b>
Monday	9 AM – 5 PM 8 PM – 10 PM	Administrative/Office Choir Practice	4 – 6 Adults 20 – 30 Adults
Tuesday	9 AM - 5 PM 6 PM - 10 PM	Administrative/Office Bible Study Classes	4 – 6 Adults 20 – 40 Adults
Wednesday	9 AM – 5 PM 11 AM – 3 PM 7 PM – 9 PM	Administrative/Office Senior Member Ministry Church Service	4 – 6 Adults 20 – 40 Adults 30 – 50 Adults
Thursday	9 AM – 5 PM 6 PM – 10 PM 6 PM – 10 PM	Administrative/Office Bible Study Classes Choir Practice	4 – 6 Adults 20 – 40 Adults 20 – 30 Adults
Friday	9 AM – 5 PM 7 PM – 9 PM 7 PM – 9 PM 8 PM – 9:30 PM	Administrative/Office Youth Ministry Young Adults Ministry Prayer Meeting	4 – 6 Adults 30 – 40 Supervised Youth 20 – 30 Young Adults 30 – 50 Adults
Saturday	6 AM – 7 AM 9:30 AM – 1 PM 3 PM – 7 PM	Morning Service Youth Ministry Education Sunday Prep. Worship Service	10 – 15 Adults 100 – 150 Supervised Youth 20 – 30 Adults
Sunday	8:20 AM – 9:30 AM 10 AM – 11:10 AM 11:30 AM – 1 PM	1 <sup>st</sup> Church Service 2 <sup>nd</sup> Church Service 3 <sup>rd</sup> Church Service	30 Adults 40+ Adults & 20 Supervised Children 100+ Adults & 100 Supervised Children

The subject suite will consist of 2 storage rooms, lounge area, men and women bathrooms, 6 classrooms, computer lab, library/reading room, conference room, 4 offices, a youth ministry room, multi purpose room, kitchen, 2 break rooms, cry room, an approximately 4,022 square-foot sanctuary area, and a green room. The green room is used as a lounge/preparation area for visiting pastors and/or speakers. The church is not proposing providing any type of daycare or after school programs and if the church desires to offer these uses in the future, a new use permit will have to be secured. Staff has added a condition of approval to reflect this.

## **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. The following is staff’s analysis of the proposed church and its impacts, if any.

### Land Use

The Land Use Element of the General Plan designates the subject property as “Business Park (Industrial/Commercial and Office)”. The current PUD zoning permits land uses such as

offices, printing shops, laboratories, light manufacturing, and requires conditional use permit approval for uses such as churches and similar religious meeting institutions, day care centers, and schools and/or colleges. Per the PUD, conditional use permit approval is required for “churches and similar religious and meeting facilities in existing structures”; therefore conditional use permit approval is required for the proposed use. No rezoning or other land use modification to the property is proposed or necessary to allow the proposed use.

Other uses in the southwest portion of Hacienda Business Park include offices, a wholesale establishment, manufacturing and warehousing, and commercial service enterprises, as well as other uses permitted and conditionally permitted in the straight-zoned industrial districts. With the exception of Direct Buy, the immediate adjacent uses to the proposed church maintain business hours of 8:00 a.m. to 6:00p.m. Monday through Friday. Direct Buy maintains regular business hours, but is open 24-hours. However, it is not fully staffed during the evenings and weekends. The churches administrative staff will maintain similar office hours and activities as the adjacent uses and because the majority of the churches activities will occur when adjacent uses are closed, or have a minimal number of staff on-site, staff believes that the proposed use would be compatible with existing uses within Hacienda Business Park.

Staff has received a letter of support from the Hacienda Business Park Owners Association, attached as Exhibit D.

### Noise

With the exception of the church services on Sundays and choir practices, the church will not generate a noise level greater than noise levels in most offices. Based on the proposal, staff considers the church to be a generally quiet use as the majority of the church’s activities would be provided at an “office” voice volume level because the activities are set up similar to an office environment; in regards to focusing on discussions, meetings and/or seminars. For perspective, interior noise levels in most offices are around 45-dBA. Additionally, as proposed, the majority of the activities would be held when the other adjacent uses are closed or have minimal staff on-site and therefore staff does not believe that the proposed church would be disruptive to the neighboring businesses/tenants.

The subject site is in an industrial area, and a certain amount of noise is expected. For industrial properties, such as the subject property, 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 seventy-five (75) dBA at any point outside of the property plane.*

The applicant has stated that the church will be using microphones, but not any type of large-scale sound system, and musical instruments that typically consist of a piano, guitars, and a

small amplifier. Staff would like to note that the sanctuary, which is where the majority of the music and/or “noise” will be generated, is separated by ancillary spaces and does not share common walls with the adjoining tenant. With the tenant improvements, which are not a part of this application, the church will be using acoustically insulated walls, which would further reduce the noise.

The Pleasanton Municipal Code also states that a proposed conditional use must be in accord with the objectives of the Zoning Ordinance. One of those objectives is to “promote the stability of existing land uses that conform with the General Plan and to protect them from inharmonious influences and harmful intrusions.” As proposed, staff believes that noise from the church would not negatively impact the existing uses located next or adjacent to the subject suite. All doors will remain closed during activities, further limiting noise impacts to surrounding properties. Therefore, it is unlikely that the noise produced by the church’s operations will be in excess of 75 dBA at any point outside of the property plane as prescribed by code (P.M.C. §9.040.50).

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 church.

### Parking

According to the Pleasanton Municipal Code, section 18.88.030(D)(1), places of public assembly, such as churches, require one space for each six seats or one space for each sixty square-feet of floor area usable for seating if seats are not fixed. The church is proposing 269 fixed seats in the sanctuary, which would require 45 parking spaces (fixed seats / required parking spaces). However, because the youth ministry area does not have fixed seating, and will have activities occurring simultaneously with sanctuary activities, an additional 35 parking spaces for the youth ministry area is required (youth ministry square-footage / required space per 60 square-feet). Therefore, the church is required to provide a total of 80 parking spaces on-site.

There are approximately 179-shared parking spaces within the subject parcel site; with 6 of those being handicapped parking spaces. Based on the subject buildings floor area (45,525 square-feet) and the number of parking spaces provided on-site (173 spaces not included handicapped) the parking ratio at the subject site is one space for every 263 square-feet of floor area. With the proposed church occupying approximately 21,329 square-feet of floor area, the church would theoretically be allocated 81 parking spaces. Therefore, the church exceeds the Municipal Code parking standards by one space. While the number of parking spaces proposed for the site exceeds the minimum number of required spaces per the Pleasanton Municipal Code, staff’s experience has been that parking demand is usually greater, particularly during special events and religious holidays. However, staff would like to note that although Direct Buy, the other building tenant, would be allocated the remaining 92 parking spaces, they are only

required to have 49 parking spaces per section 18.88.030(C)(5) of the Municipal Code. Therefore, there would potential be an additional 43 parking spaces based on the Municipal Code parking standards for the two uses on the subject site. These additional spaces would assist in alleviating potential parking problems from occurring. Furthermore, the applicant has stated that it has been the churches experience that the youth and young adult groups typically carpool with friends and since churches are family oriented, families also carpool. Therefore this could also assist in reducing parking problems.

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.

### Circulation

The City traffic engineer, along with the other divisions in the Public Works Department, reviewed the proposal and did not raise any concerns with regards to traffic/circulation as proposed. Staff would like to note that because the majority of the church's activities would occur after regular business hours; this lessens circulation concerns and should not be a problem. Also, as previously stated, carpooling would not only assist in reducing the amount of parking needed, but also circulation as well since the number of cars making trips would be less. Since Sunday services are separated by half-hour breaks, it allows for sufficient time for members to leave and arrive to church; further alleviating traffic ingress and egress. In the event that future circulation problems occur, staff has added a condition of approval that allows the Planning Commission to reevaluate the subject use permit and add conditions necessary to resolve such issues.

### **Tenant Improvements**

The church is proposing tenant improvements; however they are not a part of this application. The tenant improvements are subject to the review and approval of the Building and Safety Division, Fire Department, and Planning Department under separate permits.

### **Signage**

No signage currently exists for the tenant suite. If the applicant wishes to add signage, the proposal would be processed through the standard City procedures for sign design review.

### **PUBLIC NOTICE**

Notice of this application was sent to all property owners and occupants within 1,000 feet of the subject property. In response to the noticing, staff had only received one e-mail that was in support of the proposed church, please see Exhibit E.

## FINDINGS

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

**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 subject site is zoned PUD-I/C-O (Planned Unit Development – Industrial/Commercial-Office) District, and it is located in the Hacienda Business Park, where a mix of office, laboratories, light manufacturing, wholesale, and commercial/personal service uses surrounds it. Based on the proposal, staff considers the church to be a generally quiet use as the majority of the activities would be provided at an office level voice volume, and the members would be focusing on discussions, meetings and/or seminars. In addition, the majority of the activities would be held when the other surrounding uses will be closed or have minimal staff on-site. Staff does not feel that the proposed church would be disruptive to the neighboring businesses/tenants. As conditioned, staff feels that the proposed church would be compatible with the surrounding neighborhood and that it would complement the area.

Furthermore, the church would minimize impacts to residential properties because churches are typically located in residential areas and by moving the church out of a residential area it would significantly reduce the amount of traffic and parking concerns that churches are associated with when in residential areas.

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. Although churches are typically located in residential areas, the City's past experience shows that churches make "good neighbors". The proposed church would relieve traffic and parking issues that are generally associated with churches located in residential areas

by locating outside of a residential area, but still be beneficial to the nearby residential areas. The pattern and timing of use for the church is such that peak use periods occur on weeknights and weekends, thereby minimizing any adverse effects on local traffic. In addition, adequate and safe ingress and egress into and out of the site is provided. Also, the church does not have plans to provide daycare and/or preschool programs; thus, there would not be increased impacts, in terms of noise, traffic, etc. to the subject site and surrounding uses. Since the majority of the church's activities are held on weeknights and weekends with minimal noise, staff does not believe that the church would be disruptive or detrimentally impact surrounding uses and will have adequate parking to meet the churches demand. Therefore, as conditioned, this finding can be made.

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

The PUD development plan and the Pleasanton Municipal Code conditionally permits the establishment of churches and similar religious and meeting facilities in existing structures. Chapter 18.124 of the Municipal Code (Conditional Uses) 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. Granting a conditional use permit would be consistent with the City's ability to regulate related zoning regulations. The proposed church, with conditions of approval, can integrate the church without detrimentally affecting the surrounding properties or the City in general and therefore 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 proposed church 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 is of the opinion that the proposed church would be complementary to the existing businesses and tenants in the Hacienda Business Park. Staff believes that the business is providing a beneficial service to the community by continuing to provide a place of worship for Pleasanton and surrounding city residents. Meanwhile, members from neighboring cities would be in a position to patronize the existing eateries, businesses, and services that are available in Pleasanton.



## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission approve Case PCUP-171 by taking the following actions:

1. Make the required conditional use permit findings as listed in the staff report; and,
2. Approve Case PCUP-171 subject to the conditions listed in Exhibit B.

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