EXHIBIT C

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-93-34

RESOLUTION APPROVING A CONDITIONAL USE PERMIT AS FILED UNDER CASE UP-93-25, THE APPLICATION OF TRI-VALLEY CHINESE BIBLE CHURCH

WHEREAS, Tri-Valley Chinese Bible Church has applied for a conditional use permit to establish a church within the existing building located at 1055 Serpentine Lane; and

WHEREAS, zoning for the property is Planned Unit Development (PUD) - I (Industrial) District; and

WHEREAS, at their duly noticed public hearing of June 23, 1993, the Planning Commission considered all public testimony, relevant exhibits and recommendations of the City staff concerning this application; and

WHEREAS, the Planning Commission made the following findings:

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.
Some of the objectives of the zoning ordinance are to: foster a harmonious, convenient, workable relationship among land uses, protect existing land uses from inharmonious influences and harmful intrusions, and to insure 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 church use would be consistent with these objectives in that it would provide religious services to the community and would be conducted so as to not impact or interfere with the surrounding neighborhood. The subject building is located in Valley Business Park which has the characteristics of the City's I-P (Industrial Park) District. One purpose of the industrial park district is to provide locations for uses that can operate in close proximity to commercial and residential uses with minimum mutual adverse impact. As conditioned, the proposed church will be compatible with the adjacent residential and industrial park uses. The applicants will also be required to mitigate any future nuisances which may occur as a result of the proposed use. Furthermore, the proposed building modifications would not degrade the architectural features of the building.

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 use within or near residential areas in Pleasanton. The City's past experience shows that churches make "good neighbors." Given the proposed activities and hours of operation for the church, it will not impact surrounding uses. Churches generally do not subject surrounding uses to heavy truck traffic, hazardous odors, or other objectionable influences. If the recommended conditions of approval are complied with, the proposed church will not detrimentally impact surrounding uses. In addition, the proposed use will have adequate off-street parking to meet project demand.

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

The site's PUD - Industrial zoning conditionally permits the establishment of churches. The applicants have also applied for a PUD modification to the regulations governing Valley Business Park to accommodate their proposed hours of operation. Therefore, the proposed use complies with all relevant sections of the zoning ordinance. Granting a conditional use permit to the applicant would be consistent with the City's ability to regulate zoning as listed in the Municipal Code Chapter 18.124.

WHEREAS, projects of this nature are categorically exempt from the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission determined that the proposed conditional use, as conditioned, will be compatible with the surrounding neighborhood and will not detrimentally affect the surrounding uses or properties.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

Section 1. Approves Case UP-93-25, the application of Tri-Valley Chinese Bible Church for a conditional use permit to establish a church within the existing building located at 1055 Serpentine Lane, subject to the conditions shown on Exhibit "B" attached hereto and made part of this case by reference.

Section 2. This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time.

THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 23RD DAY OF JUNE 1993 BY THE FOLLOWING VOTE:

AYES: Commissioners Mahern, McGuirk, Michelotti, Wright, and Chairman Hovingh
NOES: None
ABSENT: None
ABSTAIN: None

DATE: June 23, 1993

ATTEST:

Peggy Ezidro
City Clerk

Jack Hovingh
Chairman

APPROVED AS TO FORM:

Dennis Beougher
Assistant City Attorney

EXHIBIT B
Resolution No. PC-93-34
Conditions of Approval
Case UP-93-25

1. The proposed use shall conform substantially to the site plan, floor plan, elevations, written narrative, and related materials, Exhibit A (dated "Received" April 30 and May 26, 1993), on file with the Planning Department, except as modified by these conditions.

2. If operation of this use results in conflicts or complaints pertaining to parking availability, interior or exterior noise, traffic/circulation, lighting, or other nuisances, at the discretion of the Planning Director, this matter can be submitted to the Planning Commission for their subsequent review at a public hearing. Specifically, if neighborhood complaints regarding noise from car doors, car engines, or loud talking in the parking lot are received, the applicants shall take whatever measures are necessary and reasonable to eliminate such problems. If necessary, the Commission may modify or add conditions of approval to mitigate such impacts, or may revoke said use permit. Mitigation measures can include: reduction to the hours of operation, reduction to the number of classes and/or meetings, or prohibition of certain activities, to name a few.

3. If found to be necessary by the Planning Director, the applicants shall pursue an agreement with the owner of the adjacent property to the south, when developed, to use a portion of their parking lot.

4. If additional hours or activities beyond that proposed in the written narrative, dated "Received May 26, 1993" on file with the Planning Department are desired, prior City review and approval is required. Such modifications shall be submitted to the Planning Director, who may approve the modification if it is judged to be minor, or may refer the matter to the Planning Commission for a public hearing if judged to be substantial.

5. The applicants shall inform all members to utilize the parking spaces towards the front (east) of the building whenever possible.

6. The applicants shall keep the building doors closed at all times except for ingress/egress or emergency purposes. The rear (west) door shall only be used for emergency purposes and shall be labelled for that purpose. The door shall be installed without an outside door handle with key-entry access only.

7. Prior to occupancy of the building, the applicants shall obtain all necessary permits and/or approvals by the Pleasanton Planning, Fire, and Building Departments.

8. No signage is approved as part of this application. Any signage shall conform to the existing approved sign program.

9. The applicants shall obtain all other applicable City permits for the use prior to occupancy.

10. This use permit is contingent on City Council approval of Case PUD-80-1-7M and any conditions of approval attached thereupon.

11. All outdoor activities shall be limited to the hours of 10:00 a.m. until 7:00 p.m., and held on the easterly side of the lot.

12. If outdoor lighting is required to meet safety standards, it shall be installed in such a manner that glare is directed away from residences. If modifications to the existing lighting is proposed, a revised lighting plan shall be submitted to the Planning Department for review and approval prior to occupancy.

13. Tenant improvements shall be made between the hours of 8:00 a.m. and 6:00 p.m., Monday through Saturday.

    (Condition #10 of Ordinance 924 limits construction hours to weekdays between the hours of 7:30 a.m. and 5:30 p.m.; therefore, construction of the tenant improvements shall be limited to 8:00 a.m. - 5:30 p.m., Monday through Friday.)

{end}

PLANNING COMMISSION CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. PC-96-23

RESOLUTION APPROVING THE APPLICATION OF THE TRI-VALLEY CHINESE BIBLE CHURCH FOR A MODIFICATION TO AN APPROVED CONDITIONAL USE PERMIT, AS FILED UNDER CASE UP-96-12

WHEREAS, Tri-Valley Chinese Bible Church has applied for a modification to an approved conditional use permit to extend the Friday night bible study, youth meeting, and Chinese language class hours from 8:00 p.m. until 9:30 p.m., to 8:00 p.m. until 10:30 p.m., and to allow use of the rear (western) doors for ingress/egress of church members, located at 1055 Serpentine Lane; and

WHEREAS, zoning for the property is PUD (Planned Unit Development) - I (Industrial) District; and

WHEREAS, at their duly noticed public hearing of April 24, 1996, the Planning Commission considered all public testimony, relevant exhibits, and recommendations of the City staff concerning this application; and

WHEREAS, the Planning Commission made the following findings:

A. 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.

The subject building is located in Valley Business Park which has the characteristics of the City's I-P (Industrial Park) District. One purpose of the industrial park district is to provide locations for uses that can operate in close proximity to commercial and residential uses with minimum mutual adverse impact. The proposal to extend the church's hours of operation until 10:30 p.m. on Fridays would not interfere with the operations of the surrounding businesses and would not alter the existing design of the building. In addition, as conditioned, the proposed modification will not create adverse impacts on the neighboring residences to the west if restricted to no later than 10:30 p.m. on Fridays. The applicants are also required by an existing condition of approval for Case UP-93-25 to mitigate any nuisances which may occur as a result of the church's activities. The applicants' request to allow use of the rear doors for ingress/egress of church members and employees is acceptable and would not result in adverse impacts on the adjacent residences if restricted to the hours of the church opening until 6:00 p.m.

B. 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.

The extension of the church's Friday hours of operation until 10:30 p.m. and the use of the rear doors for ingress/egress of the church members from the opening until 6:00 p.m. is not anticipated to have an adverse impact on any of the surrounding properties due to the existing conditions of approval which would serve as performance standards to ensure that the safety and general welfare of the surrounding neighborhood is maintained.

C. The proposed conditional use will comply with each of the applicable provisions of this chapter.

The site's PUD - Industrial zoning conditionally permits the establishment of churches. Therefore, the proposed use complies with all relevant sections of the zoning ordinance. Granting a conditional use permit to the applicant would be consistent with the City's ability to regulate zoning as listed in the Municipal Code Chapter 18.124.

WHEREAS, projects of this nature are categorically exempt from the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the Planning Commission determined that the proposal to extend the church's Friday hours of operation until 10:30 p.m. and the use of the rear doors for ingress/egress of the church members from opening to 6:00 p.m. is acceptable and would not have any significant adverse impacts on the surrounding uses within the Valley Business Park or the adjacent residential properties.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF PLEASANTON RESOLVES THE FOLLOWING:

Section 1. Approves Case UP-96-12, the application of Tri-Valley Chinese Bible Church for a modification to an approved conditional use permit to extend the Friday night bible study, youth meeting, and Chinese language class hours from 8:00 p.m. until 9:30 p.m., to 8:00 p.m. until 10:30 p.m., and to allow use of the rear (western) doors for ingress/egress of church members from opening to 6:00 p.m., located at 1055 Serpentine Lane, subject to the conditions shown in Exhibit "B," attached hereto and made part of this case by reference.

Section 2. This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time.

THIS RESOLUTION ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF PLEASANTON ON THE 24TH DAY OF APRIL 1996 BY THE FOLLOWING VOTE:

AYES: Commissioners Barker, Wright, and Chairman Lutz
NOES: Commissioners Hovingh and McGuirk
ABSENT: None
ABSTAIN: None

ATTEST:

Peggy Ezidro
City Clerk

Harry Lutz
Chairperson

APPROVED AS TO FORM:

Dennis Beougher
Assistant City Attorney

EXHIBIT "B"
Conditions of Approval
Case UP-96-12
Tri-Valley Chinese Bible Church
(April 24, 1996)

1. The hours of operation for the church shall be modified as follows: Fridays, 8:00 p.m. to 10:30 p.m., for a probationary period of six months from the date of this approval. If any complaints are received by the City within that time period, the Friday hours of operation shall be changed back to 8:00 p.m. to 9:30 p.m.

2. Condition of approval no. 6 of Planning Commission Resolution No. PC-93-34 is modified to allow the use of the rear (western) doors for ingress/egress of the church members from opening to 6:00 p.m..

3. Except as noted above, all previous conditions of UP-93-25 shall remain in full force and effect.

{end}

EXHIBIT A
CONDITIONS OF APPROVAL

P12-0841, Tri-Valley Chinese Bible Church Heritage School
1055 Serpentine Lane
August 22, 2012

PROJECT SPECIFIC CONDITIONS

Planning Division

1. This Conditional Use Permit shall be null and void unless Case No. PUD-80-01-12M is approved by the City to allow State-registered Heritage Schools as a conditionally permitted use at the subject location.

2. The proposed Tri-Valley Chinese Bible Church Heritage School shall maintain its Heritage School registration with California Department of Education during its operation. Failure to maintain the Heritage School registration with California Department of Education may result in this application being reviewed by the Director of Community Development for possible future action by the Planning Commission.

3. The proposed Heritage School shall be limited to a maximum of 60 students present at any one time (including the summer school).

4. City review and approval is required prior to any changes in the hours of operation, number of children or staff, or activities beyond what is stated in the applicant's written narrative, dated "Received July 17, 2012" on file with the Planning Division, are desired. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.

5. City review and approval is required prior to any changes in the schedule or number of Church group meetings, beyond what was described in the applicant's written narrative, dated "Received July 17, 2012,". The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.

6. Should parking or on- or off-site traffic/circulation problems occur during student pick-up times as determined by the Director of Community Development, the applicant shall revise the pick-up schedule to resolve the problem(s) to the satisfaction of the Director of Community Development. If necessary, the Director of Community Development may refer the Conditional Use Permit application to the Planning Commission for review and possible modification.

7. The exterior doors of the school shall remain closed when not being used for ingress/egress purposes.

8. The applicant shall inform all patrons that the facility is located in an industrial district and may be subject to noise, odors, etc.

9. Prior to an individual working and/or providing services at the facility, said persons shall complete and pass a criminal background check. The applicant shall submit a letter to the Planning Division stating that all persons at the facility have satisfied this condition.

10. Prior to an individual working and/or providing services at the facility, the applicant shall require said persons to undergo and pass first-aid and CPR training. The applicant shall ensure that these certifications are current at all times. The applicant shall submit a letter to the Planning Division stating that all persons at the facility have satisfied this condition.

11. Children 12 years and younger who do not take a Tri-Valley Chinese Bible Church Heritage School shuttle van shall be signed in/out of the subject school by a parent and/or legal guardian. Children 12 years and younger who take a Tri-Valley Chinese Bible Church Heritage School shuttle van shall be signed in by a school designated staff member and signed out of the subject school by a parent and/or legal guardian.

12. Children 12 years and younger shall be escorted to and from restrooms by school staff.

13. Prior to issuance of a business license, the applicant shall prepare and submit a disaster plan to the Planning Division and shall ensure it is in place for the facility/patrons.

14. All vehicles used by the Tri-Valley Chinese Bible Church Heritage School to pick up students shall have access to a means of communication so that the driver can be in direct contact with staff at the Heritage School when needed and in case of an emergency.

15. Drivers for the Tri-Valley Chinese Bible Church Heritage School shall have a student roster to verify students' names and grades.

16. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Pleasanton Municipal Code for a grand opening.

17. Parents, volunteers and employees shall park in designated parking stalls when dropping off or picking up children. No double parking or parking in non-designated stalls shall be permitted.

STANDARD CONDITIONS

Community Development Department

18. The applicant shall pay an all fees to which the use may be subject to prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.

19. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Planning Division

20. The proposed use shall be in substantial conformance to Exhibit B, dated "Received July 17, 2012," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development.

21. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this Conditional Use Permit may be submitted to the Planning Commission for their subsequent review at a public hearing.

22. This Conditional Use Permit approval will lapse one year from the effective date of approval unless the Tri-Valley Chinese Bible Church Heritage School receives a business license within that time.

23. The Tri-Valley Chinese Bible Church Heritage School shall maintain the area surrounding the building in a clean and orderly manner at all times.

24. This approval does not include approval of any signage for the Heritage School. If signs are desired, the Tri-Valley Chinese Bible Church Heritage School shall submit a sign proposal to the City for review and approval prior to sign installation.

25. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.

CODE REQUIREMENTS

Applicants/Developers are responsible for complying with all applicable Federal, State, and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.

26. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

27. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.

28. Prior to occupancy, the applicant shall contact the Buiding Division and Fire Marshal to ensure that the proposed use of the subject building meets Building and Fire Code requirments. If required, the applicant shall obtain all appropriate City permits.

{end}

EXHIBIT A
CONDITIONS OF APPROVAL

P13-0218, Tri-Valley Chinese Bible Church Heritage School – Summer School
1055 Serpentine Lane
May 22, 2013

PROJECT SPECIFIC CONDITIONS

Planning Division

1. City review and approval is required prior to any changes in the hours of operation, number of children or staff, or activities beyond what is stated in the applicant's written narrative, dated "Received April 4, 2013" or in the scheduled church acibities during the hours of operation of the summer school, on file with the Planning Division. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.

2. All conditions of approval for P12-0841 shall remain in full force and effect and apply to the operation of the Summer School Program.

3. The proposed summer school shall be limited to a maximum of 60 students present at any one time.

4. Should parking or on- or off-site traffic/circulation problems occur during student drop-off or pick-up times as determined by the Director of Community Development, the applicant shall revise the drop-off or pick-up schedule to resolve the problem(s) to the satisfaction of the Director of Community Development. If necessary, the Director of Community Development may refer the Conditional Use Permit application to the Planning Commission for review and possible modification. Where possible, the operator shall stagger pick-up and drop-off times in order to reduce traffic congestion.

5. Parents, volunteers and employees shall park in designated parking stalls when dropping off or picking up children. No double parking or parking in non-designated stalls shall be permitted.

6. When being transported to off-site activities, all children shall be picked up from the site. Vans and other vehicles used for the transportation of children shall be parked on the site in a designated parking space to allow for the safe boarding and drop-off of the children. Charter buses may be parked on the street in front of the building for the loading/unloading of children.

7. A minimum of 1.5 hours of outdoor activities or off-site exercise (such as gymnastics, swimming, etc.) shall be provided per day. In the event that the Alisal playground becomes unavailable for outdoor activities for the summer school, the operator shall inform the Community Development Department of plans for a new activity, subject to the review and approval of the Director of Community Development. Each year, the operator shall submit proof to the Community Development Department of the approval for the use of the Alisal Elementary School playground (or future approved site).

8. Approval by the Pleasanton Community Services Department is required prior to any use of City Parks by the summer school.

STANDARD CONDITIONS

Community Development Department

9. The applicant shall pay an all fees to which the use may be subject to prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.

10. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

Planning Division

11. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this Conditional Use Permit may be submitted to the Planning Commission for their subsequent review at a public hearing.

12. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.

13. If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.

{end}