



## Planning Commission Staff Report

February 13, 2008  
Item 6.c.

**SUBJECT:** PAP-124 (PDR-684)

**APPLICANT:** Peter Shutts

**APPELLANT/PROPERTY OWNER:** Jerry Hodnefield

**PURPOSE:** Appeal of the Zoning Administrator's denial of an application for design review approval to construct a four-car carport for the office building.

**GENERAL PLAN:** General and Limited Industrial

**ZONING:** PUD-I

**LOCATION:** 1020 Serpentine Lane, Valley Business Park

**ATTACHMENTS:**

1. Location Map
2. Exhibit A, Site Plan and Elevation Drawings, Dated, "October 8, 2007"
3. Exhibit B, Draft Conditions of Approval
4. Exhibit C, Letter of Denial for PDR-684, Dated, "November 30, 2007"
5. Exhibit D, Letter of Appeal, Dated, "December 4, 2007"
6. Exhibit E, Letter of Approval from the Valley Business Park Association, dated October 22, 2007

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### BACKGROUND

On October 8, 2007, Peter Shutts submitted a design review application on behalf of Jerry Hodnefield to construct a trellis carport over four parking spaces in the existing parking

lot adjacent to 1020 Serpentine Lane. The parking area is a shared area between all owners/tenants with no established reserved parking. As part of the original application, Mr. Hodnefield submitted a letter of approval for the project from the Valle Business Park Association.

On November 30, 2007, the Zoning Administrator denied the request because the construction of the trellis appeared to indicate reserved parking, which is not supported in shared use parking areas that have ingress/egress and parking access agreements. Additionally, the City has found that reserved parking is inefficient for all parties: owners, tenants, and visitors.

The applicant appealed the decision on December 4, 2007. The Pleasanton Municipal Code requires appeals to be heard and decided within 40 days from the date of the appeal, however, the appellant agreed to move the project back due to scheduling conflicts. The project is now before the Planning Commission for review and decision, which also may be appealed to the City Council.

### **SITE DESCRIPTION**

The subject property is an approximately 1.31-acre flat lot developed with a 17, 940 square-foot, single story, commercial/industrial building. Two parking lots are located on either side (north and south) of the existing building, with direct access to the northern parking lot via Serpentine Lane and direct access to the southern parking lot via Quarry Lane. The lot is located at the southwest corner of Serpentine Lane and Quarry Lane within the Valley Business Park (PUD-80-01).



## **PROJECT DESCRIPTION**

The applicant and property owner applied for design review approval to construct a carport over four parking spaces in the parking lot south of the existing multi-tenant building located at 1020 Serpentine Lane. The proposed construction for the carport is a wood trellis design with a taupe-colored canvas canopy. The four parking spaces Mr. Hodnefield requested to cover are those immediately in front of Suite 111, the tenant space he uses for his construction business.

## **ANALYSIS**

At issue is not the design of the carport itself, but whether a tenant or property owner, particularly in a multi-tenant building, should be allowed to reserve parking spaces, as is implied by the construction of the carport.

Mr. Hodnefield, believes that the prohibition of reserved parking inhibits his ability as a property owner to manage the parking situation of his building. He states that people who are neither employees nor customers of any of the tenant spaces within his building are parking on the property, and that tenants on one side of his own building are parking on the other side, making it difficult for him and his employees to find parking.

Although not codified in the Municipal Code, the City has been consistent in its position in not allowing reserved parking spaces for individual tenants in multi-tenant buildings. Multi-tenant parking lots are reviewed under the assumption that all parking on the site is open and available to patrons of all businesses on the property. Commercial centers or buildings that are under single ownership, or are subdivided as a commercial condominium product, are designed and operated as single entities with common driveway access, landscaping, and utilities, so the parking is also designed to be commonly available. In the case of commercial condominiums, conditions of approval are memorialized into CC&Rs restricting the reservation of parking for any given building or suite therein. Staff believes that parking areas work most efficiently when spaces are available to all tenants at all times and not reserved for a single tenant.

Mr. Hodnefield mentions the existence of “other ‘marked’ parking situations in the Pleasanton area.” Although staff acknowledges that this takes place, staff notes that such reserved spaces are done, with one exception, without City approval.<sup>1</sup>

## **PUBLIC NOTICE**

Staff sent notices of the Planning Commission’s public hearing on this item to all property owners, tenants and residents located within 1,000-feet of the subject property on

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<sup>1</sup> The California Department of Motor Vehicles (DMV) requires a mandatory display area at any vehicle retail sales business. The display area must be of sufficient size to physically accommodate vehicles of a type for which the dealership is licensed to sell; must be clearly for the exclusive use of the dealer for display purposes only; and must also meet the signing requirement outline in the Vehicle Code (CVC §11709(a)).

January 31, 2008. As of the writing of this staff report, staff received public comment from Don Arturu, President of the Valley Business Park Association and owner of the tenant space at 1043 Serpentine Drive, Suite A. Mr. Arturu does not support the construction of the carport. In his conversation with staff on February 4, 2008, Mr. Arturu stated that the project was presented to the Valley Business Park Association as a trellis improvement in front of the building and would not have been supported as a carport. Mr. Arturu agrees that parking is at a premium in the Valley Business Park, but feels this is more the reason that no one tenant should be allowed to reserve parking spaces. Mr. Arturu also stated that the CC&Rs of the Valley Business Park require owners and tenants to limit the amount of structures that are placed outside the buildings.

## **ENVIRONMENTAL ASSESSMENT**

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Section 15303, New Construction of Small Structures. Therefore, no environmental document accompanies this report.

## **CONCLUSION**

The City does not allow reserved parking spaces on properties where there are shared parking access easements with multi-tenant buildings for either owners or their tenants. Parking is determined for the development as a whole, and is considered to be available to the development as a whole. Although Mr. Hodnefield has mentioned to staff that he has no plans to erect any type of signage reserving the four spaces, staff feels that the installation of a carport insinuates that the spaces are reserved, and is, therefore, contrary to historical City practice.

## **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission deny PAP-114, thereby denying PDR-684.

However, if the Commission would like to uphold the appeal, thus approving the carport, staff has attached draft Conditions of Approval in Exhibit B.

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