



Planning Commission Staff Report

February 14, 2007
Item 6.a.

- SUBJECT:** PUD-85-10-7M
- APPLICANTS:** Peter Shutts/Goble Properties
- PROPERTY OWNER:** Goble Properties
- PURPOSE:** Application for a Planned Unit Development (PUD) Major Modification and development plan to demolish the existing drive-through bank building and related site improvements and construct an approximately 2,530-square-foot, one-story commercial building in its place.
- LOCATION:** 5765 Valley Avenue
- GENERAL PLAN:** The General Plan Land Use Designation for the property is Retail, Highway, and Service Commercial; Business and Professional Offices.
- ZONING:** Zoning for the property is PUD-C-C (Planned Unit Development – Central-Commercial) District.
- ATTACHMENTS:**
1. Exhibit A, Proposed Plans
 2. Exhibit B, Recommended Conditions of Approval
 3. Location Map
 4. Aerial Photograph of the Project Area
 5. Emails from Michael Magnano and Dick Borchers
 6. Tree Report
 7. Table 18.44.090 of the Pleasanton Municipal Code Listing the Permitted and Conditionally Permitted Uses of the C-C District

I. BACKGROUND

A drive-through bank (Community 1st National Bank) was built on the subject site in 1973. At that time, the property was zoned Office District. The property was rezoned to PUD-C-C

(Planned Unit Development – Central-Commercial) District in 1985 along with the adjacent Hopyard Village Shopping Center. Since the bank use existed at the time of the rezoning, other uses were not established for the bank site. The bank closed in December 2003 (last occupied by US Bank) and the property has been vacant since that time.

Goble Properties, who owns the adjacent Hopyard Village Shopping Center, purchased the property in 2004. They wish to demolish the vacant bank building and related site improvements and construct a new commercial building. Since the property is zoned PUD, PUD development plan approval is required to demolish the existing building and construct the new building and related site improvements. In addition, a PUD major modification is required to establish commercial uses for the site.

PUD major modification and development plan applications are subject to review and approval by the City Council, following recommendation on the plan by the Planning Commission. The Planning Commission’s recommendation on the proposed PUD modification and development plan will be forwarded to the City Council for review and final decision.

II. SITE DESCRIPTION

The subject property, measuring approximately 11,669 square feet in area, is located on Valley Avenue near Hopyard Road (please refer to the attached location map). The site contains the 500-square-foot drive-through bank building with four drive-through lanes, a three-space parking lot, and ornamental landscaping. A six-foot tall masonry wall is located along most of the rear property line. Access to the site is provided by two driveways off Valley Avenue; the westernmost driveway is shared with the Hopyard Village Shopping Center. The site slopes up slightly from Valley Avenue, but otherwise is relatively flat.



Existing Bank Building



Rear of Site

The subject property is bordered on the west, north, and east by the Hopyard Village Shopping Center. The Gene's Fine Foods Shopping Center and Steve's Valero Service Station border the property to the south, opposite Valley Avenue. The nearest residences are located on Longspur Way, approximately 245 feet to the east, and on Corte Mente, approximately 320 feet to the south on the opposite side of the Valley Avenue/Hopyard Road intersection.

III. PROJECT DESCRIPTION

The applicants would demolish the vacant bank building and construct an approximately 2,530-square-foot, one-story commercial building in its place. The applicants have indicated that Peet's Coffee and Tea (without a drive-through) would occupy an approximately 1,786-square-foot tenant space in the building. The tenant for the remaining 744-square-foot space has not been determined at this time. The new building would be sited towards the street with parking located on the west side and rear of the building. The building would be set back a minimum of 8 feet from the front property line (with a minimum setback of 29 feet from the face of curb along Valley Avenue), a minimum of 40 feet from the western property line, and a minimum of 5 feet 5½ inches from the rear property line. A roofed trash enclosure would be located near the northwestern corner of the site.

The building would generally match the design and materials of the existing Hopyard Village Shopping Center buildings: stucco walls with wood trim, covered walkways, and a mansard-style tile roof. Two tower elements would be added to provide interest and focal points for the building entries. Building colors would primarily match the Hopyard Village Shopping Center buildings: tan-colored body, brown-colored trim, forest green-colored gutters, light-green colored eaves and rafter tails, bronze-tinted windows, and a terra cotta-colored S-tile concrete roof. A color/materials board will be available at the hearing. The building would measure 22½-feet high, as measured from the grade to the top of the upper parapet and 32-feet high, as measured to the top of the tallest tower. The trash enclosure would measure 8½-feet tall and would match the building colors and materials.

Proposed vehicular access to the site would be provided by the existing driveway at the western end of the site, which is a shared driveway with the Hopyard Village Shopping Center. The easternmost driveway would be removed. A total of 11 off-street parking spaces are proposed for the site, comprised of eight standard-sized spaces (including one handicap accessible space) and three compact-sized spaces. Reciprocal parking agreements would be created to allow shared parking between the proposed commercial building and the Hopyard Village Shopping Center.

There are 14 existing trees on or near the property, three of which are defined as "Heritage Trees" by the Municipal Code. The applicants are proposing to retain all of the existing trees on the site. The existing shrubs and groundcover would be removed and replaced with new ornamental landscaping.

The application would also create the allowable uses for the subject property. The applicants are requesting that the permitted and conditionally permitted uses for the subject property be those of the C-C (Central Commercial) zoning district of the Pleasanton Municipal Code (please see Attachment #7 for a list of the C-C uses).

IV. ANALYSIS

General Plan and Zoning

The General Plan designates the subject property as “Retail, Highway, and Service Commercial/Business and Professional Offices.” The proposed commercial project is consistent with this land use designation and, additionally, would provide 2,530 additional square feet of retail space to serve Pleasanton and its market area.

The General Plan allows a range of intensity from 0-60 percent floor area ratio (FAR) for the “Retail, Highway, and Service Commercial/Business and Professional Offices” land use designation, with a midpoint density of 35 percent. Projects proposing development intensities greater than the midpoint may be allowed up to the maximum of the range, provided that sufficient amenities and mitigations are incorporated into the project to justify the increased density (e.g., exceptional design to mitigate the mass of the building, higher landscape ratio, low traffic generation and employee density, etc.). The proposed 2,530 square feet of building area would result in a 21.7 percent FAR for the 11,669-square-foot site, which meets the FAR limit for commercial properties stipulated by the Pleasanton General Plan.

The site is zoned PUD-C-C (Planned Unit Development – Central-Commercial) District. Since the bank use existed at the time of the PUD zoning, other uses were not established for the bank site. Therefore, the applicants need to establish the allowed uses for the site. The applicants are requesting that the permitted and conditionally permitted uses for the subject property be those of the City’s C-C (Central Commercial) District, which are the same uses allowed for the adjacent Hopyard Village Shopping Center, although Hopyard Village has additional use restrictions for second-floor uses and for the 5737 Valley Avenue building located adjacent to the Longspur Way residents. The C-C District allows a wide variety of retail uses. The proposed Peet’s Coffee use is permitted in the C-C District. Examples of other C-C zones include most of the Downtown, the Mission Plaza Shopping Center, and the eastern portion of the Rose Pavilion Shopping Center. Additionally, many of the City’s commercial PUDs are tied to the uses of the C-C district. Staff believes that the proposed C-C District uses are acceptable for the subject site and would be compatible with the surrounding uses.

Site Plan

The proposed building would be positioned towards the front of the site. PUD zoning districts do not have specific site development standards with respect to setbacks, building coverage,

height limits, etc. Instead, the Municipal Code states that each project should be reviewed on a case-by-case basis by the Planning Commission and City Council.

The roughly triangular-shaped parcel presents some constraints to the site design not typically found on more conventionally configured sites. In staff's opinion, the applicants have accounted for these constraints in positioning the building, resulting in a site plan which provides adequate setbacks from the property lines and street frontage. The proposed building would be set back eight-feet from the front property line. While an eight-foot front yard setback may initially seem too narrow for a major thoroughfare, the front property line for this property substantially curves into the site from Valley Avenue. The building would be set back a minimum of 29-feet from the Valley Avenue face of curb, which is comparable to the nearby commercial buildings. For example, the three existing Hopyard Village Shopping Center buildings along Valley Avenue are set back approximately 27 feet (5737 Valley Avenue), 28 feet (3003 Hopyard Road), and 43 feet (3037 Hopyard Road) from the Valley Avenue face of curb. Staff finds the proposed 29-foot face-of-curb setback to be compatible with the other Hopyard Village Shopping Center buildings, provides adequate room for landscaping in front of the building, and is acceptable.

Staff also believes that the proposed site plan is acceptable in terms of floor area ratio. The proposed 21.7% floor area ratio is below the 30 to 300% FAR limits in the City's "straight-zoned" commercial zoning districts and is below the 35% midpoint FAR of the General Plan.

Traffic and Circulation

The proposed 2,530 square-foot commercial building with a 1,786 square-foot coffee shop and 744 square-foot retail space would generate small increases in peak hour traffic based on the fact that a significant percentage of trips to coffee shops are pass-by trips (i.e., intermediate stops made while en route to the ultimate destination such as stopping off at the coffee shop on the way to work) and the fact that the building would replace a four-lane drive-through bank building. Therefore, the City's Traffic Engineer determined that the project would have negligible traffic impacts and that a traffic report was not necessary.

Access to the commercial building would be provided by the existing 24-foot wide driveway on Valley Avenue that is shared with the adjacent Hopyard Village Shopping Center. This driveway is limited to right-turns in/out from Valley Avenue. Access to the site would also be possible from the three other existing Hopyard Village Shopping Center driveways on Hopyard Road (two driveways) and Valley Avenue (one driveway). The existing 47-foot wide easternmost driveway on the site would be removed, improving traffic flow and safety on Valley Avenue.

Regarding on-site vehicular circulation, staff has worked with the applicants to improve access and safety of the parking lot. Staff believes that the current plan provides adequate on-site circulation and is acceptable. Staff notes that the drive aisle behind parking space no. 7 is 23

feet 9 inches wide, where a 25-foot minimum drive aisle is normally required behind standard-sized parking spaces. Since there is no room to enlarge the drive aisle or move the parking space to the north, and drive aisles behind compact-sized spaces only need to be a minimum of 21-feet wide, staff recommends that parking space no. 7 be designated as a compact space. A condition of approval addresses this item.

Parking

Based on Municipal Code requirements, the 2,530-square-foot commercial building with a 1,786-square-foot coffee shop/restaurant and a 744-square-foot retail space requires 11 parking spaces (nine spaces for the coffee shop/restaurant and two spaces for the retail space). The applicants are proposing a total of 11 parking spaces, which would comply with this requirement.

High parking demand uses such as medical offices and restaurants would be permitted uses for the property. In order to ensure that the parking demand of the future uses in the building doesn't exceed the 11 parking spaces provided, a condition of approval has been included restricting the uses in the building to not exceed the parking provided.

Three (27 percent) of the 11 parking spaces would be designated as compact parking spaces, which complies with the City's 40-percent maximum. The compact ratio would be 36 percent if space no. 7 were changed to a compact space as discussed above. Staff finds the number of compact spaces to be acceptable.

Grading and Drainage

The site currently slopes up a few feet from Valley Avenue and then levels out. The applicants would lower the grades along the project frontage by a foot or two to better match the building finished floor elevation to the adjacent street grades. Staff finds the proposed grading to be minor and acceptable.

Roof drainage would drain into two vegetated swales that would allow contaminants to be filtered from the stormwater before entering the arroyos and, ultimately, the bay. This is a type of stormwater runoff measure supported by the Regional Water Quality Control Board (RWQCB) and local agencies like Pleasanton implementing the urban clean water runoff program. Because parking lots generate more contaminants than building roofs, staff and the RWQCB prefer treating parking lot drainage versus roof drainage. Although the site is somewhat constrained given the existing driveway grades at the west end of the site that must be maintained, staff believes that a portion of the new parking lot can and should drain to a bioswale. For example, staff believes that drainage from parking space nos. 9-11 and some of space nos. 1-5 could be conveyed to the bioswale next to parking space no. 1 if minor adjustments are made to the site grading. A condition of approval addresses this item.

Building Design

Staff believes that the proposed building is attractive and contains design elements that add visual interest to the elevations. The architecture, colors, and materials of the building will generally match that of the existing Hopyard Village Shopping Center buildings. Staff also finds the building height to be acceptable and compatible with the surrounding structures.

The windows along the northern building wall of the 744 square-foot tenant space are required to meet a one-hour fire rating by the Building Code because they are located less than 10 feet from the northern property line. The applicants are proposing to utilize wire glass to meet the one-hour fire rating. Staff would normally be concerned with the aesthetics of wire-glass windows. In this case, the northern building wall would not be visible from off-site public view and staff finds its use to be acceptable.

Regarding colors and materials of the buildings, staff generally believes that the colors and materials will complement the building architecture and would be compatible with the other Hopyard Village Shopping Center buildings. Staff's only concern is with the proposed light green eave and rafter tail color, which is not used on the existing Hopyard Village Shopping Center buildings. Staff believes that the light green color is too intense, and recommends that it be substituted with the same brown color used on the other Hopyard Village buildings or that it be a bit more "subdued" than the proposed green color. A condition of approval addresses this item.

Signage

Tenants in the adjacent Hopyard Village Shopping Center currently have internally illuminated metal cabinet signs with Plexiglas faces and copy mounted on the building eaves above the storefront. A new comprehensive sign program was recently approved for Hopyard Village that changes the tenant signs to internally illuminated metal cabinet signs with aluminum backgrounds with push-through Plexiglas copy. With respect to the subject building, conceptual signage has been shown on the proposed building elevations. Individual-lettered wall signs are shown on the upper portions of the south and west sides of the tower elements. Because the proposed building will be adjacent to and has been designed to generally match the architecture of the Hopyard Village Shopping Center buildings, staff believes that the building signage should be consistent with the new Hopyard Village sign program. The applicants have agreed to make this change and a condition of approval addresses this item.

Landscape Plan

A variety of trees, shrubs, vines, and groundcovers are proposed around the building and parking lot. Proposed plant species include crape myrtle, ornamental pear, and liquidambar trees; agapanthus, daylily, photinia, and smoke tree shrubs; violet trumpet vine; star jasmine

groundcover; and drought-tolerant fescue blend lawn. New trees, shrubs, lawn, and groundcover will replace the older juniper and agapanthus shrubs within the City right-of-way planter along Valley Avenue.

Staff feels that the proposed landscape plan is attractive, contains sufficient landscape area around the perimeter of the building and along the street frontage, and includes an adequate number of plants. However, staff does believe that the landscape plan should be modified in a few areas: 1) add small shrubs or groundcover in the narrow planter areas along the side of parking space nos. 5 and 9; 2) replace the proposed liquidambar street trees in the City right-of-way along the Valley Avenue frontage with Chinese hackberry trees as specified in the City's Master Street Tree Plan; and 3) include a few more shrub species in the plant list to add additional variety and interest. A condition of approval addresses this item. A condition also requires that the precise location of the shrub and groundcover species be indicated on the final landscape plan submitted for issuance of a building permit. The final landscape plan would be subject to final review and approval by the Planning Director.

V. PUBLIC NOTICE

Notice of the proposed project was mailed to the surrounding property owners and tenants within 1,000 feet of the subject property. At the writing of this report, staff received an email from Mr. Michael Magnano, 5813 Corte Mente, indicating concerns with late-night traffic, noise, and possibly "trouble" if a fast-food establishment or convenience store would locate in the building. He also expressed concern that traffic from a fast-food operation would increase safety concerns when school children cross the Hopyard Road/Valley Avenue intersection in the morning and afternoon. In a second email, Mr. Magnano indicated that he had no concerns with the Peet's Coffee use. An email was also sent by Mr. Dick Borchers, 5824 Corte Mente, requesting that whatever is built at the site be a benefit to the community and not be an eyesore.

VI. PUD CONSIDERATIONS

The Zoning Ordinance of the Municipal Code sets forth purposes of the Planned Unit Development District and "considerations" to be addressed in reviewing a PUD development plan.

1. Whether the plan is in the best interests of the public health, safety, and general welfare:

The project would include the installation of private utility systems to serve the commercial building. Adequate storm drain, sanitary sewer, and water service utilities are present in the area surrounding the development and are sufficient to serve the new building. All on-site infrastructure would be installed by the project developer with connections to municipal systems in order to serve the site. As conditioned, drive aisles

and driveways will be designed and constructed to City standards. Adequate access would be provided to the structure for police, fire, and other emergency response vehicles. The building would be designed to meet the requirements of the Uniform Building Code and other applicable City codes. Most stormwater run-off from the site will be treated before leaving the site. Construction hour limits and dust suppression requirements will minimize construction impacts on the surrounding residents and tenants.

Therefore, staff believes that the proposed plan is in the best interests of the public health, safety, and general welfare, and that this finding can be made.

2. Whether the plan is consistent with the City's General Plan:

The proposed commercial building conforms to the “Retail, Highway, and Service Commercial/Business and Professional Offices” Land Use Element designation for the project site. The commercial building would help the City maintain a strong economic base and would be consistent with Goal Number 1 of the General Plan Land Use Element. In addition, the proposed project would provide additional space for commercial businesses to serve residents and businesses of Pleasanton and its market area and would be consistent with Policy 4 of the General Plan's Land Use Element.

Therefore, staff feels proposed development plan is consistent with the City's General Plan, and staff believes that this finding can be made.

3. Whether the plan is compatible with previously developed properties in the vicinity and the natural, topographic features of the site:

The site currently contains an approximately 500-square-foot, single-story drive-through bank building, paved parking lot and drive aisles, and site landscaping. The existing building would be demolished and the proposed building, parking lot, and landscape areas would replace portions of the existing paved parking lot and landscaped areas. The subject property is bordered on the west, north, and east by the Hopyard Village Shopping Center. The Gene’s Fine Foods Shopping Center and Steve’s Valero Service Station border the property to the south, opposite Valley Avenue. The nearest residences are located on Longspur Way, approximately 245 feet to the east, and on Corte Mente, approximately 320 feet to the south on the opposite side of the Valley Avenue/Hopyard Road intersection.

The proposed commercial uses for the site would be compatible with the surrounding commercial uses that surround the property. Adequate setbacks would be provided between the new building and the existing structures on the adjacent properties. The subject building would be separated from the closest residences to the east by existing

commercial buildings, a soundwall, and existing and proposed landscaping. The proposed building would be separated from the closest residences to the south by two public thoroughfares, a soundwall, and existing and proposed landscaping. Therefore, impacts on adjacent residential properties would be limited. The proposed development would require limited grading for the construction of the building and other site improvements.

Therefore, staff feels that the plan is compatible with the previously developed properties and the natural, topographic features of the site, and staff believes that this finding can be made.

4. Whether grading takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooding to have as minimal an effect upon the environment as possible.

The site is relatively flat, although there is a slight slope up from Valley Avenue. The applicants would lower the grades along the project frontage by a foot or two to better match the building finished floor elevation to the adjacent street grades. Other minor grading will create proper drainage for the parking lot, bioswales, and planting areas. Grading conducted on the site will be subject to engineering and building standards. The property is not located in an Alquist-Priolo Study Zone. Vegetated bioswales would be utilized to filter roof and parking lot contaminants before entering the arroyos and, ultimately, the bay. Erosion control and dust suppression measures will be documented in the building permit plans and will be administered by the City's Building and Public Works Departments. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located within a 100-year flood zone. Therefore, staff believes that this finding can be made.

5. Whether streets, buildings, and other manmade structures have been designed and located in such manner to complement the natural terrain and landscape:

The project site is in a developed area of the City and would not involve the extension of any new public streets. Since the site was previously developed, there is no natural terrain on the property. The building would be located in an area of the site where the grades are not steep. The proposed building will be compatible in size and scale with surrounding commercial and residential structures. Existing trees have been saved and incorporated into the plan. New landscaping has been installed to mitigate the loss of existing landscaping. Therefore, staff believes that this finding can be made.

6. Whether adequate public safety measures have been incorporated into the design of the plan:

The public improvements associated with this project would be consistent with City design standards. The existing westernmost driveway to remain is located and configured to provide adequate line-of-sight viewing distance and to facilitate efficient ingress/egress to and from the project site. The existing, 47-foot wide easternmost driveway on the site would be removed, improving traffic flow and safety on Valley Avenue. As conditioned, the on-site drive aisles meet City standards for emergency vehicle access and turn-around. The building will be constructed to meet the requirements of the Uniform Building Code and other applicable City codes. Adequate access would be provided to the structure for police, fire, and other emergency vehicles. Therefore, staff believes that the plan has been designed to incorporate adequate public safety measures.

7. Whether the plan conforms to the purposes of the PUD District:

The proposed PUD development plan conforms to the purposes of the PUD District. One of these purposes is to insure that the desires of the developer and the community are understood and approved prior to commencement of construction. Another purpose of the PUD District is to encourage efficient usage of small, odd-sized or topographically affected parcels difficult for development by themselves. Staff believes that the proposed project implements the purposes of the PUD ordinance in this case by providing a building that is well-designed and sited on the subject property, that fulfills the desires of the applicants, and that meets the City's General Plan goals and policies. By taking advantage of the flexibility of the PUD district, the applicants have been able to design the project in a manner most appropriate for this small, odd-sized parcel. The PUD process also allows for ample input from the public and for an ultimate decision by the City Council regarding appropriateness of the proposed uses and development plan. Therefore, staff believes that this finding can be made.

VII. ENVIRONMENTAL ASSESSMENT

In urbanized areas, the construction of a new commercial building of 10,000 square feet or less in area is categorically exempt (Section 15303, Class 3) from the requirements of the California Environmental Quality Act (CEQA). Furthermore, in-fill development projects on sites of five acres or less that have no habitat for endangered, rare, or threatened species, that can be adequately served by all required utilities and public services, that are consistent with the General Plan and zoning regulations, and would have no significant effects on traffic, noise, air quality, or water quality are also categorically exempt (Class 32) from CEQA. Staff believes that the project meets the conditions of the Class 3 and 32 exemptions. Therefore, no environmental document accompanies this report.

VIII. CONCLUSION

Staff believes the project will be a positive change to this underutilized site. The project's building and site design, as proposed and conditioned, is appropriate for the surrounding area, conforms to the purposes of the PUD Ordinance, and merits a favorable recommendation by the Commission.

IX. STAFF RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. Find that the proposed PUD major modification and development plan are consistent with the General Plan and purposes of the PUD ordinance;
2. Make the PUD findings for the proposed development plan as listed in this staff report; and
3. Adopt a resolution recommending approval of Case PUD-85-10-7M, subject to the conditions of approval listed in Exhibit B, and forward the PUD major modification and development plan to the City Council for public hearing and review.

For questions or comments about this proposal, please contact: Steve Otto, Associate Planner at 925-931-5608 or sotto@ci.pleasanton.ca.us.