

## Planning Commission Agenda Report

September 25, 2019

Item 3

**SUBJECT:** P16-1349 and PUD-121

**APPLICANT/  
PROPERTY OWNER:** Abbas Mash

**PURPOSE:** Applications for Planned Unit Development (PUD) Rezoning and Development Plan to: (1) demolish the existing approximately 3,510-square-foot restaurant building; (2) rezone the subject parcel from C-F (Freeway Commercial) District to PUD-C (Planned Unit Development – Commercial) District; and (3) construct an approximately 10,980-square-foot, single-story, multi-tenant commercial building and related site improvements

**LOCATION:** 6455 Owens Drive

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

**ZONING:** C-F (Freeway Commercial) District

**EXHIBITS:**

- A. Draft Resolution and Conditions of Approval
- B. Project Plans dated "Received August 27, 2019"
- C. Proposed List of Uses dated "Received August 27, 2019"
- D. Minute Excerpt of the September 28, 2016, Planning Commission Work Session
- E. Arborist Report dated "August 18, 2016"
- F. Location and Notification Map

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### STAFF RECOMMENDATION

Staff recommends the Planning Commission:

1. Find that the proposed PUD rezoning (P16-1349) and PUD Development Plan (PUD-121) are consistent with the General Plan and the purposes of the PUD Ordinance;
2. Adopt a resolution recommending approval of P16-1349 and PUD-121, subject to the required findings and draft conditions of approval listed in Exhibit A; and
3. Forward the applications to the City Council for consideration.

## **EXECUTIVE SUMMARY**

The proposed project would demolish the existing approximately 3,510-square-foot restaurant building (formerly Denny's) and construct an approximately 10,980-square-foot, single-story, multi-tenant commercial building and related site improvements. Additionally, the property would be rezoned from C-F District to PUD-C District with a defined uses list. The applications were previously reviewed by the Planning Commission at a work session on September 28, 2016. The applications presented have been revised to reflect the Planning Commission comments received at the work session as well as those subsequently received by staff. The applications are now before the Planning Commission for a recommendation to the City Council to approve, approve with conditions, or deny the applications.

## **BACKGROUND**

The subject parcel contains an existing 3,510-square-foot restaurant building (formerly Denny's) that ceased operation approximately four years ago. On August 21, 2015, the applicant submitted a Preliminary Review application to solicit staff comments on a proposal to construct an approximately 6,363-square-foot multi-tenant commercial building on the subject site. After reviewing the application, staff provided the applicant with a comment letter, including comments related to site design and layout, building design/architecture, and landscaping.

Over the next several months, staff and the applicant met several times to review and discuss alternative design concepts for the subject site that addressed staff's comments from the preliminary review process. After numerous site layout and architectural design iterations, on July 25, 2016, the applicant submitted a PUD Rezoning and Development Plan application to construct two single-story commercial buildings totaling approximately 8,660-square-feet in area; and a Conditional Use Permit application to operate a drive-through coffee shop from one of the buildings.

### Planning Commission Work Session

In order to receive early feedback from the Planning Commission and the public on the proposed project, a Planning Commission work session was held on September 28, 2016.

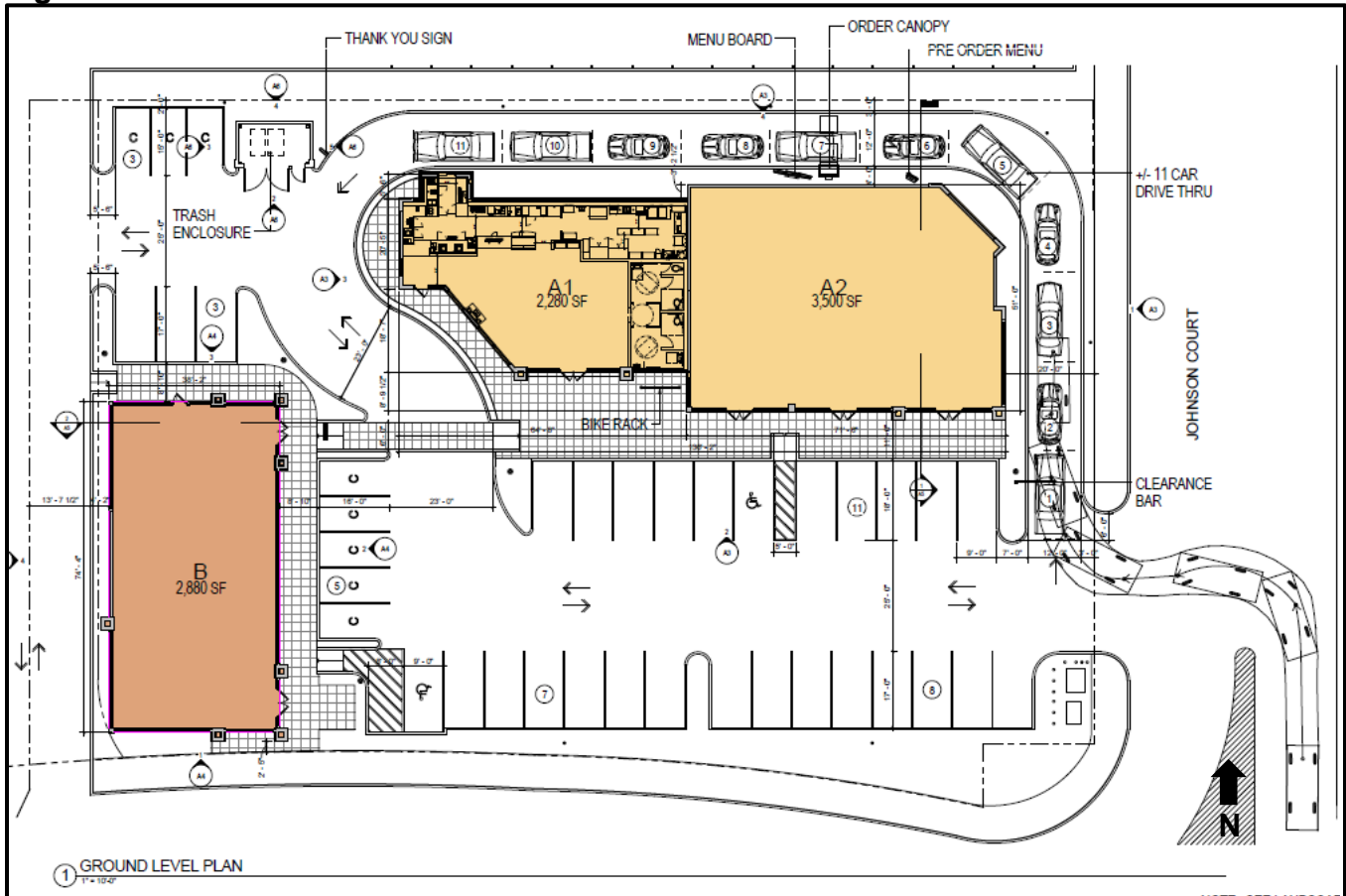
No members of the public, other than the project architect, spoke on the project. The Planning Commission provided comments (summarized below) on the initial site plan and building architecture shown in Figures 1 and 1a below. All comments made by the Planning Commission at the work session can be viewed in the attached minutes (Exhibit D).

### *Planning Commission Work Session Comments*

- Drive-through was not supported given queueing concerns and spillback onto Johnson Court and Owens Drive, as well as potential on-site vehicular conflicts at drive-through exit and the drive aisle between the buildings.
- Commission was split on new commercial buildings' orientation along Owens Drive – i.e. whether all parking should be at the rear and building required to front Owens Drive, versus new commercial buildings pushed back with parking in front.
- Building design, materials and colors were acceptable.
- Tree removal and tree replacement plan were acceptable.
- The proposed uses were generally supported with a preference to include more uses allowed by C-F District.

- Photo simulations or renderings were requested with the project resubmittal to better visualize the proposed project within the context of the surrounding area.

**Figure 1: Work Session Site Plan**



**Figure 1a: Work Session Architecture**



### *Proposed Project Modifications Since Planning Commission Work Session*

Since the work session, the applicant substantially modified the project to address the Planning Commission's comments. Key changes include:

- A single, multi-tenant commercial building is now proposed. The new commercial building is oriented toward the south end (front) of the subject parcel along Owens Drive. Two potential outdoor dining areas are now proposed.
- The drive-through has been removed from the proposed project scope. Access to the on-site drive aisle has been placed further north and away from Owens Drive.
- All parking is now located behind the new commercial building and would be screened from Owens Drive.
- The building architecture is now more traditional. The color palette and finish materials have been modified.
- The overall landscaped area and the number of trees to be planted has been increased.
- The uses list has been revised and is generally based on the C-C District uses.
- Photo renderings were provided.

### Site and Area Description

The 0.82-acre site is generally rectangular in shape and the site topography is generally flat. There is an approximately 3,510-square-foot, single-story vacant restaurant (formerly Denny's) building constructed at the southern end of the site. Access to the site is provided by four driveways, two shared with the adjacent parcel to the west off Owens Drive and two off Johnson Court to the east. There are a total of 47 on-site parking spaces. A freestanding pole sign without the cabinet faces is located near the southeast corner of the site. There are 11 trees (four Italian Cypress and seven Callery pear) of various sizes and health conditions on the site. One of the Callery pear trees (Tree No. 110 in Exhibit E), is a Heritage Tree.

The properties adjacent to and within the immediate vicinity of the site contain various commercial uses including Larkspur Landing Hotel, Smart & Final and BevMo, Chick-Fil-A and In-N-Out Burger to the north; Tommy T's Comedy Club, Motel 6, Chevron gas station, and Black Bear Diner to the south; a small two-story office building to the east; and Lay-Z-Boy Furniture store to the west. Figure 2 shows the site and the surrounding area.

**Figure 2: Aerial Photograph**



### Proposed Project

The applicant proposes to demolish all existing site improvements including removal of the approximately 3,510-square-foot, single-story, vacant restaurant building, all paved parking spaces, freestanding pole sign, landscaping and trees. The site would be redeveloped with an approximately 10,980-square-foot, single-story, multi-tenant commercial building and related site improvements.

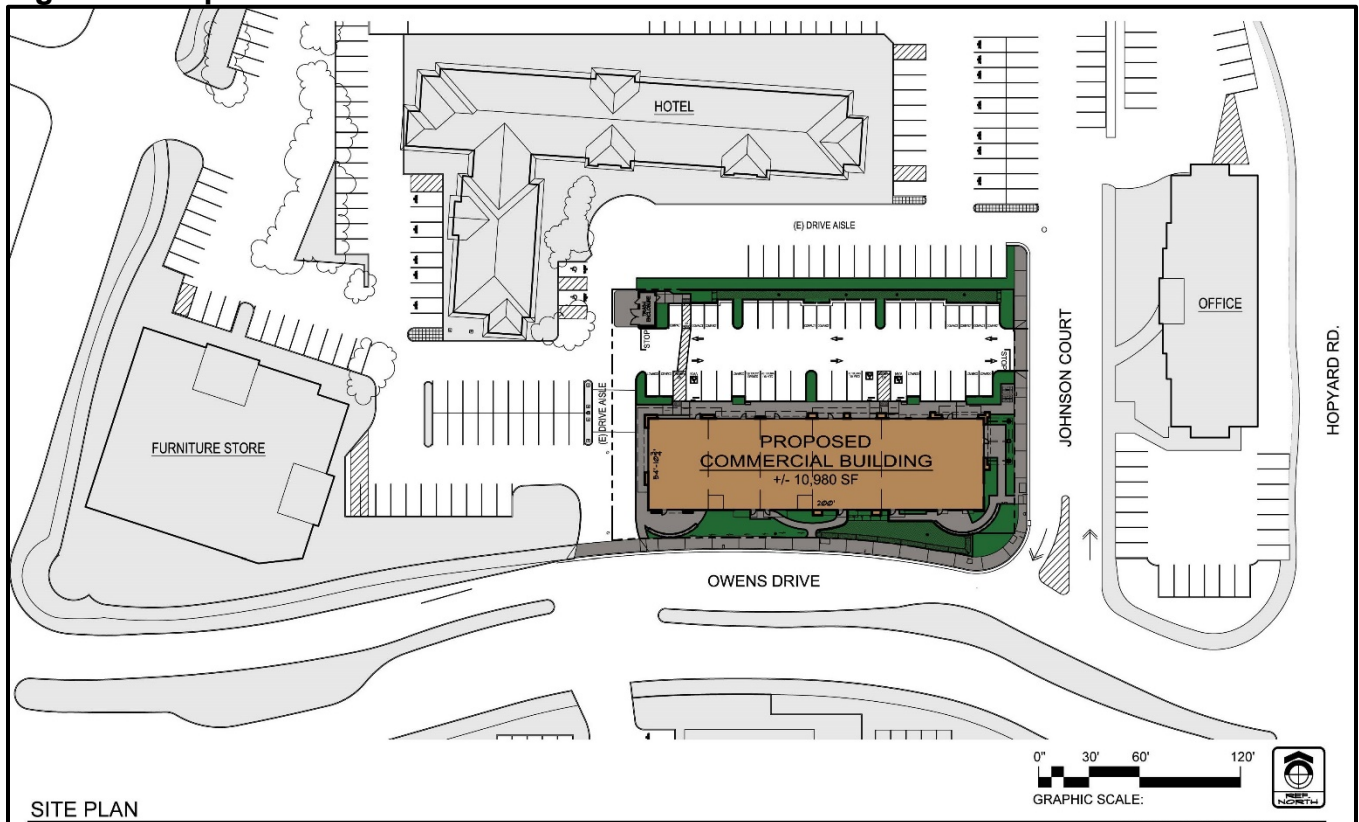
### *Site Layout, Circulation, Parking, and Access*

The new commercial building would be located along the southern end of the site parallel with Owens Drive. The commercial building would be set back approximately 13 feet at its closest point from the southern property line along Owens Drive, with the primary storefronts facing north towards the interior of the subject parcel and secondary storefronts facing south towards Owens Drive. Forty-two parking spaces would be provided, all of which would be located on the north side of the commercial building and would be accessible from a standard double-loaded 25-foot-wide drive aisle. A trash enclosure would be located at the northwest corner of the subject parcel. Access to the site would be via two shared driveways with the adjacent parcels off Johnson Court to the east and Owens Drive to the west. Landscape and hardscape areas would also be provided primarily along the perimeters of the subject parcel and within the proposed parking areas. Figures 3, 4 and 5 show the proposed site plan, enlarged site plan (ground level plan), and bird's eye view of the project in context with the surrounding area.

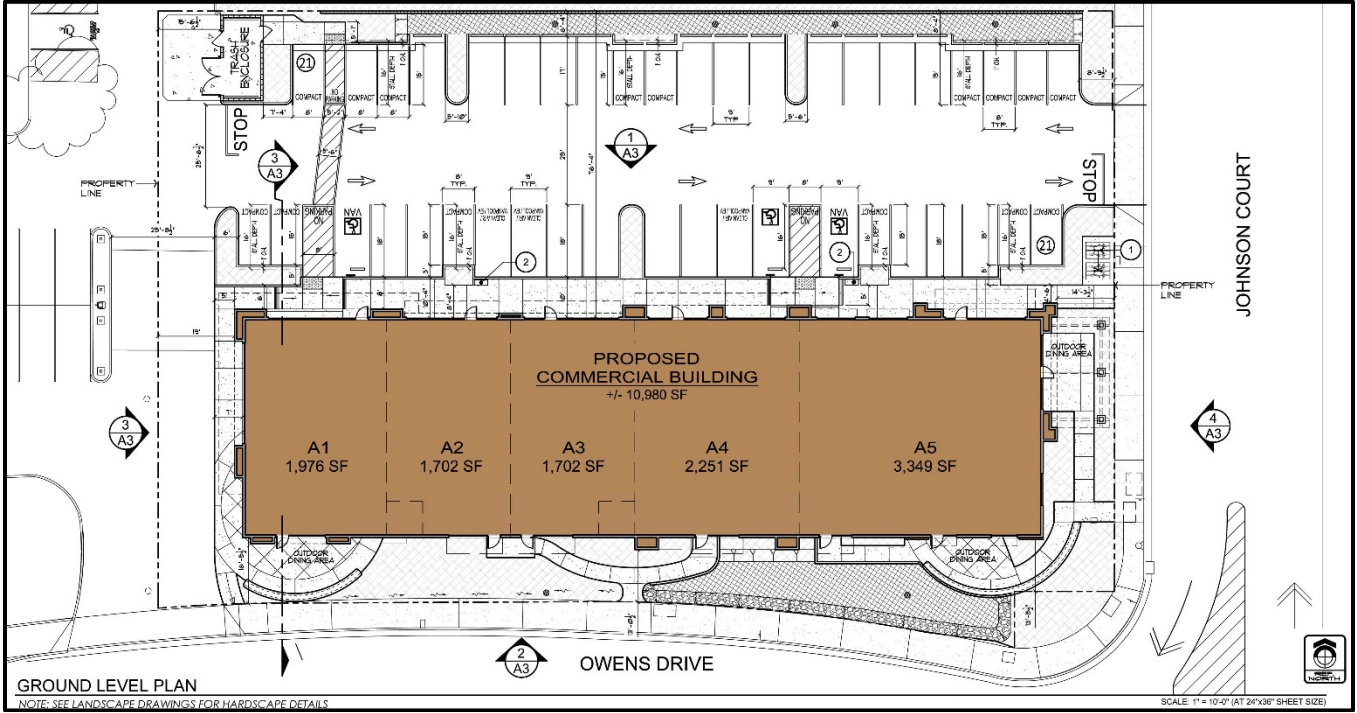
### Commercial Building

The new commercial building would be approximately 10,980 square feet in area and designed for a maximum of five tenants. Suite A5 would be approximately 3,349 square feet in area and is intended to accommodate a restaurant use. The remaining area (tenant spaces) would be occupied by other retail/commercial uses. Primary entrances to the tenant spaces would be on the north side of the building facing the interior of the subject parcel. The corner/end tenant spaces would have secondary entrances on the east or west and south sides of the building to allow access to potential outdoor dining areas and/or pedestrian paths of travel to/from Owens Drive.

**Figure 3: Proposed Site Plan**



**Figure 4: Proposed Enlarged Site Plan (Ground Level Plan)**



**Figure 5: Bird's Eye View of Proposed Project**



## Building Architecture

The new commercial building is designed with more traditional architectural elements. Massing has been segmented by varying wall plane depths, varying roof heights and parapet treatments, recessed storefronts and entrances, material and color changes, horizontal belly bands and wainscoting, canvas awnings, wood arbors, and various other ornamental treatments comprised of both stucco and metal. Finish materials include stucco, brick, stacked stone and typical storefront glazing. Primary exterior colors are generally earthtone in nature including brown and tan, but also include gray and yellow accent colors. Figures 6, 7 and 8 show the proposed building elevations and streetscape renderings.

## Trash Enclosure

The proposed roofed trash enclosure would be a freestanding structure located at the northwest corner of the subject parcel. The exterior materials and colors of the enclosure would match those of the new commercial building.

**Figure 6: Proposed Building Elevations**





**Figure 7: Proposed Streetscape Rendering from Johnson Court**



**Figure 8: Proposed Streetscape Renderings**



***Tree Removal***

An arborist report surveyed all trees measuring six-inches and greater in diameter, within and adjacent to the subject parcel. A total of 11 trees, comprising two species (four Italian Cypress and seven Callery pear), were surveyed on-site. One other tree (Callery pear, #112) was in proximity to the site. One of the Callery pear trees surveyed on-site is considered Heritage-sized (as defined by the Pleasanton Municipal Code (PMC)). The attached arborist report (Exhibit E) recommends removing all on-site trees, but preservation of the off-site Callery pear (Tree #112).

## Landscaping

The preliminary landscape plan includes a tree/plant palette of native and non-native species that are primarily drought tolerant, as well as some hardscape features, including decorative paving and outdoor furniture/trash receptacles. As previously described, landscape and hardscape areas would be provided primarily along the perimeters of the site, in the front and rear of the new commercial building and within the proposed parking area. Figure 9 shows the proposed landscape plan.

## Signage

The proposed building elevations show the intended locations for building-mounted signage; however, signage is not proposed with this application. A comprehensive sign program for the project will be reviewed by staff as a Sign Design Review application.

## Proposed Uses

The applicant has submitted a list of proposed permitted and conditionally permitted uses for the site (Exhibit C). The C-C (Central Commercial) District was used as a baseline and the applicant pared down the list of proposed uses based on their desired uses for the project in conjunction with staff guidance based on the scale of the proposed commercial building, the project location, and the proposed parking capacity. Some of the permitted uses include restaurants, personal services, offices and financial institutions. Minor Conditional Use Permits (MCUP's) would be required for some uses including bars and brew pubs (requires CUP in the C-C District), gyms and health clubs with no more than 20 clients at one time, liquor stores, and tutoring facilities with no more than 20 students at one time.

**Figure 9: Proposed Landscape Plan**



## **ANALYSIS**

### General Plan Consistency

The project site has a General Plan Land Use designation of “Retail/Highway/Service Commercial; Business and Professional Offices.” The proposed project conforms to the General Plan land use designation and with the following General Plan policies and programs:

#### *Sustainability*

Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.

#### *Industrial, Commercial and Office*

*Policy 13:* Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.

*Program 13.1:* Zone sufficient land for neighborhood, community, and regional commercial uses to support Pleasanton’s increasing business activity.

*Policy 14:* Provide adequate neighborhood commercial acreage to serve the future needs of each neighborhood at buildout.

*Program 14.1:* Locate appropriately-scaled commercial centers with reasonable access to the residential neighborhoods they serve.

In addition, the proposed project with a Floor Area Ratio (FAR) of 30.73% is below the maximum 60% FAR and the 35% average density FAR allowed for commercial land uses by the General Plan. Therefore, the proposed project is consistent with the General Plan.

### PUD Rezoning and Uses

The subject parcel is zoned C-F District. The proposal seeks to rezone the property to PUD-C, which would: 1) allow for a customized list of permitted and conditionally permitted commercial uses on the subject parcel (Exhibit C); and 2) provide flexibility and/or relief from the prescribed development standards of the C-F District.

The proposed commercial uses comprise uses currently allowed by both the C-F and C-C Districts and include uses such as restaurants, personal services, offices, financial institutions, bars and brew pubs, gyms and health clubs, liquor stores, and tutoring facilities. The proposed uses list was based on the applicant’s desired uses for the project in conjunction with staff’s guidance.

Staff has evaluated the proposed project against the prescribed development standards of the C-F District in Table 1.

**Table 1: Development Standards Comparison**

C-F Zoning District		Proposed Project	
Setbacks		Setbacks	
Front	20 feet	Front	13 feet (closest point)
Sides	20 feet; 40 feet combined	Sides	14 feet (east side) 19 feet (west side) 33 feet combined
Rear	10 feet	Rear	76 feet
Maximum Floor Area Ratio		Floor Area Ratio	
40%		30.73%	
Maximum Building Height		Building Height	
40 feet		28 feet	
Min. No. of Parking Spaces		No. of Parking Spaces	
1 space/200 sq. ft. restaurant* = 17 spaces 1 space/300 sq. ft. retail** = 25 spaces Total = 42 spaces		42 spaces	

\*Based on 3,349 sq. ft. of restaurant space (Suite A5) and PMC Section 18.88.030.C.8.

\*\* Based on 7,631 sq. ft. of retail space (Suites A1 through A4) and PMC Section 18.88.030.C.4.

As shown in Table 1, the applicant is requesting a reduction in: 1) the required front yard setback from 20 feet to 13 feet; 2) a reduction in the required side yard setback from 20 feet to 14 feet on the east side and 19 feet on the west side of the subject parcel; and 3) a reduction in the required combined side yard setback from 40 feet to 33 feet.

Based on the direction provided by the Planning Commission at the previous work session as well as direction provided to the applicant by staff subsequent to the work session, staff believes the proposed setback reductions described above are reasonable as the proposed project would: 1) create a strong building presence along Owens Drive; 2) promote human/pedestrian scale and activity along Owens Drive within the proposed outdoor dining areas; 3) still allow for adequate landscaping area along the south side of the new commercial building to enhance the streetscape along Owens Drive; 4) adequately screen the proposed parking area from Owens Drive; and 5) provide adequate parking area on the subject parcel to accommodate the proposed building area and uses.

Based on the above, staff believes that rezoning the site from C-F District to PUD-C District is appropriate for the subject parcel.

Site Layout, Circulation, Parking, and Access

Per staff’s direction, the new commercial building is oriented toward the front of the site, along and/or closer to Owens Drive, with parking and access drive aisles in the rear farther away from Owens Drive, screened from view, to provide a more attractive streetscape. This orientation also increases the commercial presence along Owens Drive and improves traffic flow into/out of the applicant’s site from Johnson Court. Additionally, this orientation maintains adequate frontage landscaping to not only enhance the streetscape in front of the proposed project but is also consistent with the parcel to the west which creates a more cohesive streetscape along this stretch of Owens Drive.

Parking for the proposed project was calculated based on the PMC requirements for restaurant and retail uses in conjunction with the proposed building area for each type of use. Staff is recommending a condition of approval limiting the amount of restaurant area for the project to 3,349 square feet which is the maximum allowed based on the remaining retail space (7,631 square feet) proposed within the new commercial building and the applicable parking requirements for each land use prescribed by the PMC. As conditioned, the proposed

42 on-site parking spaces conforms with the PMC requirements and, therefore, staff believes adequate parking would be provided for the proposed project.

### Traffic

The City's Traffic Engineer has evaluated the traffic impacts due to the proposed project. At the direction of the City Traffic Engineer, a Traffic Impact Analysis (TIA) report was prepared. The TIA acknowledged that under future conditions, both with and without the project, level of service (LOS) at the various study intersections would worsen, but, in the near term, all of these intersections would continue to operate at an acceptable LOS. However, under long-term, cumulative conditions, the TIA found that the southbound approach (Larkspur Landing) of the unsignalized intersection at Owens Drive and the Larkspur Landing driveway would deteriorate from LOS E to LOS F with the addition of the project trips during both the AM and PM peak hours. The TIA also notes that the increased number of U-turns necessitated by this new median could increase queue lengths at the Johnson Drive/Owens Drive intersection.

The project would be required to implement the following mitigations, which would ensure all intersections operate acceptably:

- Construct a raised channel median at the intersection of Owens Drive and the Larkspur Landing Hotel driveway to prevent left turn movements from both the Larkspur Landing Hotel driveway on the north side of Owens Drive and the Tommy T's driveway on the south side of Owens Drive.
- Pay into the Traffic Impact Fund (TIF) to cover the City's expenses for any signal timing changes in the immediate vicinity as deemed necessary by the City's Traffic Engineer.
- Install ADA compliant ramps on both sides of Johnson Court and install a crosswalk.

These mitigations have been incorporated into the recommended conditions of approval for the proposed project and staff supports the project as conditioned.

### Architectural Design

The subject parcel is highly visible from the intersection of Owens Drive and Hopyard Road, which is a "gateway" location into Pleasanton. Accordingly, staff worked closely with the applicant to refine the building architecture with specific focus on the south (rear) elevation facing Owens Drive to ensure the new commercial building would be reflective of the design character and quality typically seen in Pleasanton. Staff directed the applicant to incorporate traditional architectural elements into the overall design and to ensure the south (rear) elevation replicated the same storefront and architectural quality exhibited on the north (front) elevation. The proposal now includes varying exterior materials (stucco, brick and stacked stone), and techniques that add architectural interest such as varying wall plane depths, varying roof heights and parapet treatments, recessed storefront and entrances, material and color changes, horizontal belly bands and wainscoting, canvas awnings, wood arbors, and various other ornamental treatments comprised of both stucco and metal. Staff believes the proposed architecture reflects the high-quality design and materials required for this prominent location.

### Tree Removal

As stated earlier, the applicant is proposing to remove all 11 of the on-site trees, including one Heritage Tree, and to protect one off-site tree that is within close proximity to the project site. All of the on-site trees are ornamental in nature/species and are either in fair to good health but are located directly within the footprint of the newly planned building and site improvements. The applicant is proposing to plant 21 new trees throughout the site, all of which have low water requirements and are drought tolerant. Species include Crape Myrtle and Chinese Pistache which are common in this area. The City's Landscape Architecture Division has reviewed attached arborist report (Exhibit E) and found it is generally acceptable subject to the recommended condition of approval that the applicant be required to pay into the City's Urban Forestry Fund for the total value of all trees to be removed as determined by the arborist report less a credit based on the value of the new trees to be planted on-site with the proposed project.

### Landscaping

The preliminary landscape plan includes a tree/plant palette of native and non-native species that are primarily drought tolerant that would enhance the streetscape along Owens Drive, provide screening between the proposed project and the adjoining properties and add accent colors to complement the proposed project as a whole. The City's Landscape Architecture Division has reviewed the proposed landscape plan and supports the proposal as designed.

### **PROJECT SITE ALTERNATIVES**

As outlined in the above analysis staff believes the proposed project, as conditioned, would be compatible with the other uses in the vicinity, not create adverse impacts and recommends the Planning Commission recommend approval to the City Council. However, alternatives to the proposal that could be considered by the Planning Commission include:

1. Recommend denial of the proposed project; or
2. Recommend approval of the proposed project with modifications to the site layout, building design, uses, et cetera.

### **PROS AND CONS FOR THE PROPOSED PROJECT**

<b>Pros</b>	<b>Cons</b>
Uses are consistent with the General Plan.	The project would incrementally increase traffic and activity at the subject parcel.
New commercial building and landscaping would enhance the visual quality of the site and streetscape.	All existing trees would be removed to accommodate the proposed project.
New restaurant and commercial uses serve the needs of the public.	

### **PUBLIC NOTICE**

Notice of this application was sent to surrounding property owners and tenants within a 1,000-foot radius of the subject parcel and published in the newspaper. At the time this report was published, staff has not received any public comments.

## **ENVIRONMENTAL ASSESSMENT**

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15183, because this project is consistent with the City's General Plan it is entitled to a streamlined environmental review process. Additionally, this project is categorically exempt from environmental review pursuant to CEQA Guidelines, Section 15332, In-fill Development Projects, Class 32. Therefore, no environmental document accompanies this report.

## **SUMMARY/CONCLUSION**

As proposed and conditioned, staff believes that the proposed uses will be compatible with the surrounding businesses and will not detrimentally affect the surrounding uses or properties. Conditions of approval have been included which will ensure that the safety and general welfare of the surrounding area, and the City in general, is maintained. Staff believes that the proposed project's site and architectural design, as proposed and conditioned, is appropriate for the surrounding area, conforms to the purposes of the PUD Ordinance, and merit a favorable recommendation by the Planning Commission.

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