

## Planning Commission Staff Report

August 24, 2016 ~~August 10, 2016~~  
Item 6.a. ~~Item 6.b.~~

- SUBJECT:** P16-1201, PUD-120, & Vesting Tentative Subdivision Map 8326
- APPLICANT/  
PROPERTY OWNER:** Todd Deutscher, Catalyst Development Partners
- PURPOSE:** Applications for: (1) rezoning of three parcels totaling approximately 31,798 square feet from RM-1,500 (Multi-Family Residential) to PUD-HDR (Planned Unit Development – High Density Residential) District; (2) PUD Development Plan approval to retain and relocate the existing single-family residence on-site and construct 10 two-story townhomes and related site improvements; and (3) Vesting Tentative Map approval to subdivide the three parcels into 11 residential parcels and one common parcel.
- LOCATIONS:** 536 and 550 St. John Street and adjacent vacant parcel
- GENERAL PLAN:** High Density Residential
- ZONING:** RM-1,500 (Multi-Family Residential) and Core Area Overlay District
- SPECIFIC PLAN:** Downtown Specific Plan – High Density Residential
- EXHIBITS:**
- A. [Rezoning and PUD Draft Conditions of Approval](#)
  - A.1. [Vesting Tentative Subdivision Map Draft Conditions of Approval](#)
  - B. [Development and Vesting Tentative Tract Map Plans with visual simulations dated “Received June 20, 2016”](#)
  - C. [Historic Surveys](#)
  - D. [Planning Commission Work Session Meeting Minutes](#)
  - E. [Tree Report](#)
  - F. [Noise and Vibration Study](#)
  - G. [Location and Notification Map](#)
  - H. [Public Comments](#)

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### STAFF RECOMMENDATION

Staff recommends the Planning Commission forward P16-1201 (rezoning), PUD-120 (PUD development plan), and Vesting Tentative Subdivision Map 8326 to the City Council with a recommendation of approval by taking the following actions:

1. Make the findings for the proposed PUD rezoning and development plan and Vesting Tentative Map and CEQA determination as listed in this staff report; and
2. Adopt a resolution recommending approval of: (1) rezoning the three parcels totaling approximately 31,798 square feet from RM-1,500 (Multi-Family Residential) to PUD-HDR (Planned Unit Development – High Density Residential) District; (2) the PUD Development Plan to retain and relocate the existing single-family residence on-site and construct 10 two-story townhomes and related site improvements, subject to the conditions of approval listed in Exhibit A; and (3) Vesting Tentative Map 8326 to allow the subdivision of the three parcels into 11 residential parcels plus one common area parcel, subject to the conditions of approval listed in Exhibit A.1, and forward the applications to the City Council for public hearing and action.

## **EXECUTIVE SUMMARY**

Todd Deutscher, with Catalyst Development Partners, is proposing to construct 10 townhomes and retain and relocate the existing historic home on the project site. The Planning Commission reviewed a preliminary development application for the project site at the March 23, 2016, Planning Commission Work Session meeting, discussed in more detail later in this report. The applicant has revised the project based on direction from the Planning Commission and staff in addition to public comments received at the Work Session. The formal development and tentative map applications are now before the Planning Commission for consideration. In general, staff believes this is a project that will protect a significant historic resource and provide additional Downtown housing in a way that is sensitive to the surrounding neighborhood.

## **BACKGROUND/HISTORY**

### Preliminary Review

On August 25, 2015, the applicant submitted a Preliminary Review application to retain the existing historic dwelling and construct 13 three-story townhomes at 536 and 550 St. John Street and the vacant parcel to the east of 536 St. John Street (for ease of reference, these three parcels are referred to as 536 St. John Street, or “project site,” in this report). This initial submittal included relocating the existing dwelling unit from the center of the project site to the northeast corner and reorienting it 90 degrees such that the front no longer faced St. John Street, and constructing 13 three-story townhomes in a motor court type of development (Figure 4, in the Project Alternatives section of this report). After reviewing the application, staff provided the applicant with a letter discussing concerns related to the layout of the units, orientation of the relocated home, aesthetics, architectural styling and the need for the design of the units to be consistent with the Downtown Specific Plan policies and Downtown Design Guidelines (staff notes that elevation drawings were not provided with the Preliminary Review application), lack of private/group open space, and lack of guest parking. Specifically, the initial preliminary layout was not pedestrian-oriented, did not reflect historic patterns of development typically found in the Downtown area, and the proposal diminished the street presence of the historic home by changing its orientation from street-facing to side-facing.

### Alternative Design Discussions

Over the next several months, staff and the applicant discussed alternative design concepts for the subject site that addressed staff’s concerns (see Project Alternatives section). This included reducing the number of units and relocating the existing dwelling unit to another Downtown property. On January 29, 2016, the applicant resubmitted preliminary drawings to demolish the existing non-historic home at 4372 Pleasanton Avenue, relocate the existing single-family

residence from 536 St. John Street to the Pleasanton Avenue site, and construct 12 townhomes at 536 St. John Street. Key changes from the previous submittal included: (1) relocating the existing home off-site; (2) reducing the number of new residential units from 14 to 12 units; (3) creating an improved street presence by orienting the street-adjacent units towards St. John Street; and (4) redesigning the project to be consistent with the height and scale of the surrounding area, including limiting the height of the new residences to two stories.

### Planning Commission Work Session

A Planning Commission Work Session was held for the project on March 23, 2016. The Commission expressed general support for the project and provided staff and the applicant with direction regarding relocating the existing historic residence to Pleasanton Avenue, density on the St. John Street site, rezoning and conceptual site plan layout of the St. John Street parcels, parking, and design as detailed in the Work Session section below. It was noted at the Work Session that the applicant would need to have a guaranteed site for the home when a formal application returned to the Commission for a recommendation to the Council. After several discussions with various property owners over the last several months, the applicant concluded that the only feasible site for the historic home was the St. John Street project site. At that point, the applicant revised the project plans to retain the existing home and relocate it elsewhere on the St. John Street site, construct a detached, single-car garage with an additional uncovered tandem parking space, reduce the number of proposed townhomes from 12 to 10, and add two on-site guest parking spaces. The current proposal is now before the Planning Commission for review and recommendation to the City Council, which will review and take final action on the applications.

### **PLANNING COMMISSION WORK SESSION**

The discussion at the March 23, 2016 Planning Commission Work Session focused on historic resources, land use consistency, zoning and development standards, parking, and architecture. A summary of that discussion organized into primary discussion topics is below.

#### Historic Resources

During the Work Session, the applicant was proposing to demolish the home at 4372 Pleasanton Avenue and relocate the existing historic home on the St. John Street project site to the Pleasanton Avenue site. Although the Commission was supportive of demolishing the home on the Pleasanton Avenue site, as it was determined that it was not a historic resource, the applicant is no longer pursuing that option. The current proposal involves integrating the existing historic home into the new development by moving it to the northwest corner of the site, maintaining its street-facing orientation, and adding the new townhomes adjacent to and behind it. The applicant prepared an addendum to the historic resources survey indicating whether and how the existing residence at 536 St. John Street could be relocated on-site while still preserving the building's historic integrity (Exhibit C). There is no change to the Pleasanton Avenue home or site as a part of this application. Staff's analysis pertaining to retaining the home on-site is discussed in detail in the Historic Resources portion of the Analysis section of this report.

#### General Plan and Downtown Specific Plan Consistency and Land Uses

The General Plan and Downtown Specific Plan designate the project site as High Density Residential – allowing for residential development of greater than 8 dwelling units per gross acre. The General Plan and Downtown Specific Plan allow for a variety of housing types (i.e.,

detached and attached single-family homes, duplexes, townhouses, condominiums, and apartments) under the High Density designation.

During the Work Session, the applicant was proposing 12 dwelling units on the St. John Street site, which resulted in a density of 16.4 dwelling units per acre (du/ac), consistent with the High Density Residential land use designation of the site in the General Plan and Downtown Specific Plan. The Commission was supportive of this density. The current application has 11 dwelling units (the existing home and 10 new townhomes) on the 0.73-acre subject site. This proposal results in a density of 15 dwelling units per acre, which is also consistent with the High Density Residential land use designation of the General Plan and Downtown Specific Plan.

#### Zoning and Site Development Standards

The property is currently zoned RM-1,500 (Multi-Family Residential) District and located in the Core Area Overlay District. During the Work Session, it was noted that the project would need to be rezoned to a PUD district to allow for modified development standards as the project would include 11 for sale dwelling units that do not adhere to the development standards for the RM District or multi-family housing projects in the Core Area Overlay District, the latter of which applies to projects with 10 or fewer rental units.

Table 1 outlines the requirements of the RM-1,500 District and comparing them to what is formally being proposed for a recommendation to City Council. Please note that although the density has been reduced (12 to 11 units) and the historic home has been incorporated within the development plan, the changes did not alter the development standards of the townhomes (noted as Plan 1 or Plan 2 in Table 1) that were proposed at the Work Session.

**Table 1: RM-1,500 Development Standards vs. Proposed Project**

	<i>RM-1,500 District</i>	<i>Proposed Project</i>
<i>Site Area per Dwelling Unit</i>	21 units max. 1,500 sq. ft. min. site area/du	11 units 2,890 sq. ft. site area/du
<i>Floor Area Ratio</i>	50% max.	Existing House: 29.8%  Plan 1: 77.2-94.1% Plan 2: 93.4-94.2%
<i>Building Height</i>	Primary Structure: 40 ft. max <sup>1</sup>  Accessory Structures <sup>2</sup> : 15 ft. max	Existing House <sup>3</sup> : +/- 22 ft. (No Change)  Plan 1 <sup>3</sup> : 30 ft., 6-in. Plan 2 <sup>3</sup> : 31 ft., 6-in.  Detached Garage <sup>3</sup> : 13 ft., 2-in.
<i>Setbacks (Dwelling Units)<sup>4</sup></i>		
Front (north)	20 ft. min.	Existing House: 11 ft.  Plan 1: 10 ft. Plan 2: 2 ft.
Sides	8 ft. min	Existing House: 6ft on one side and 15 ft. on the other  Plan 1: 0 ft. on one side and varies from 2 to 5 ft. on the other Plan 2: 0 ft. on one side and 3 ft., 4-in. to 10 ft. on the other
Side Aggregate – Total of the two side yards combined	20 ft. min.	Existing House: 21 ft.  Plan 1: 2 to 5 ft. Plan 2: 3 ft., 4-in. to 10 ft.
Rear (south)	30 ft. min.	Existing House: 7 ft., 5 in.  Plan 1: 2 ft. Plan 2: 10 ft. <sup>5</sup> ; 20 ft., 5 in.; & 24 ft., 4 in. <sup>5</sup>
<i>Setbacks (Accessory Structure - Detached Garage)<sup>5</sup></i>		
Front (north)	20 ft. min.	44 ft., 6 in.
Side(s)	3 ft. min.	1 ft. (east); 42 ft. (west)
Rear (south)	3 ft. min.	3 ft. 5 in.
<i>Open Space (Dwelling Units)</i>		
Group	300 sq. ft. min./dwelling unit	None proposed
Private <sup>6</sup>	Ground-level: 150 sq.ft. w/ min. 10 ft. rectangular dimensions  Aboveground-level: 50 sq.ft. w. min. 5 ft. rectangular dimensions	Existing House: N/A, 832 sq. ft. in the side and rear yard provided.  Plan 1: 140 sq. ft. porch w/ 8'x13' dimensions, 143 to 158 sq. ft. of front yard space w/ dimensions varying from 8 to 10 ft., and 84 sq. ft. deck w/ 6'x14' dimensions  Plan 2: 749 to 1,286 sq.ft of total front, side, and rear yard space with dimensions varying from 3 ft., 4-in. to 35 ft., and no aboveground-level space proposed

1. *The height of a structure, as defined by the PMC, is measured from the average elevation of the natural grade of the ground covered by the structure to the mean height between eaves and ridges for a hip, gable, or gambrel roof.*
2. *The height of an accessory structure, as defined by the PMC, is measured from finished grade to the highest point.*
3. *Measured from finished grade to the highest point of the roof's ridge.*
4. *Measured from the closest building wall to the property line.*
5. *Measured from the optional covered patio, noted as the "CA Room" in Exhibit B.*
6. *Private open space in the RM district can be used to meet the group open space requirements, per the PMC.*

### *Front Yard Setbacks in the Area*

Upon returning to the Commission for a formal recommendation, Commissioner Allen requested that information be provided on other front yard setbacks of PUD projects in the vicinity.

- The existing townhomes on the north side of St. John Street have a front yard setback of 25 feet.
- Kimberly Commons, located east of the subject site, has front yard setbacks of 11 feet, 6 inches for the detached single-family homes that face Peters Avenue and 6-foot, 6-inch front yard setbacks for the multi-family units that face St. John Street.
- The single-family homes constructed on the northwest corner of Peters Avenue and W. Angela Street has 7- to 8-foot front yard setbacks.
- The recently approved development on the northeast corner of Peters Avenue and St. Mary Street has 20-foot front yard setbacks on the first-floor and 15-foot front yard setbacks on the second-and third-floors.

As proposed, the townhomes with frontage on St. John Street have a 10-foot setback, measured from the building wall to the property line, which is similar to those setbacks at Kimberly Commons and the single-family homes on the northwest corner of Peters Avenue and W. Angela Street.

The Commission was generally supportive of the proposed development standards at the Work Session. There was discussion regarding the front yard setback for the units on St. John Street and varying opinions about a 10-foot setback. However, the Commission agreed that the height, number of stories (two), and non-continuous building walls could warrant flexibility to the development standards through a PUD application.

### *Historic Home*

Since the Work Session, the applicant has revised the plans in order to retain and relocate the historic home on-site. The plan revisions did not significantly alter the previously proposed setbacks for the townhomes. However, this is the first opportunity the Commission will have to review the proposed setbacks for the retained and relocated historic home and proposed detached garage. Staff is supportive of the proposed setbacks for the existing home given the site constraints and due to the fact that the setbacks are greater than the setbacks for the townhomes. However, staff initially recommended that the detached garage be moved farther north on the site and that the tandem space be relocated to the south of the detached garage to ensure usability of the tandem space. In doing this, the garage would be located within 2 feet of the home. Staff has added a condition of approval to reflect that the garage and tandem space should be relocated.

Given the type of housing proposed, revisions to the proposal, the applicant's desire to retain the existing home on-site (and the desirability of retaining a historic residence on-site), and the direction to construct parking for the existing home, staff recommends that the Commission support rezoning the site to a Planned Unit Development (PUD) District to allow flexibility in development standards.

### *Fencing*

During the Work Session, it was suggested that a low hedge or decorative picket style fence be used for the units along St. John Street to create a more inviting front façade and that a masonry wall be used for the rear units to provide sound attenuation and a buffer for the rear neighbors on St. Mary Street. Low hedges and picket style fencing are not proposed; however, staff has added a condition of approval that 42-inch-tall picket style fencing be used for units 7-10. A 6- or 7-foot tall precast concrete wall is proposed along the project site's rear property line. The applicant has stated to staff that all parties that share the project site's rear property line will continue to discuss and come to an agreement on the final height of the wall prior to its installation.

### Parking Standards

Single-family homes and separately owned townhomes are required to have two parking spaces per unit, with at least one of the spaces covered in a garage or carport. The applicant is providing two covered spaces per townhouse unit via two-car garages. The City encourages, and often requires, on-site guest parking for single-family or townhome projects when there isn't on-street parking provided within the project. During the Work Session, one of the residents of the townhomes on the north side of St. John Street requested that additional parking be provided on-site. The Commission recognized the constraints of the site given the location, layout, density, etc. and ultimately directed the applicant to provide at least two on-site guest parking spaces in addition to meeting the PMC minimum parking requirements for the townhomes. The applicant has revised the plans to include two on-site guest parking spaces and has provided the plan to the concerned neighbor prior to this Planning Commission hearing. Furthermore, at least two additional on-street parking spaces will be provided on the south side of St. John Street with the elimination of two of the three existing curb cuts along the project's frontage. Please refer to the Analysis section of this report for a more detailed discussion on parking.

### Architecture and Design

Elevation drawings were not provided at the Work Session; however, a streetscape rendering of the project site and the architectural concept were provided to the Planning Commission for feedback. The streetscape image illustrated the townhouse units facing St. John Street and included architectural features found in other existing buildings along St. John Street and Downtown. Based on the rendering at the Work Session, the Commission was supportive of the design.

The architecture remains the same; however, this will be the first time that the Commission will have an opportunity to review the architecture of the southern (rear) units. The southern units have garages on the front elevation; however, the units would not be highly visible from the public right-of-way due to the location of the proposed front units on St. John Street. Please refer to the Analysis section for a more detailed discussion on the design and architecture of the buildings.

### Additional Information Requests

Chair Ritter requested a 3-D visual of the project and noted that since the homes are not three-stories, he did not think story poles should be required. The Commissioners echoed Chair Ritter's request. Staff notes that the requested visuals are included in Exhibit B.

### Public Comments

The Planning Commission Work Session also provided the public with an opportunity to review and comment on the proposed plan. Two residents provided comments at the Work Session. Alice Mohr is one of three rear neighbors of the project site and noted that her attendance at the meeting was to confirm that the development would not be three stories. She stated that three-story structures would be out of character for this area and did not want a three-story house behind her. Ms. Mohr also requested a masonry fence at the rear of the project site and questioned whether a 16- to 20-foot setback was appropriate if 30 feet is required. Ms. Mohr noted that there is some parking on St. John Street and parking demand increases substantially during scheduled Downtown events (i.e., First Wednesdays or Barone's on Thursday evenings).

Linda Behers lives in the townhome development on the north side of St. John Street, directly across from the project site. Ms. Behers expressed concerns with existing parking on St. John Street and requested that on-site guest parking be provided since on-street parking can be an issue when activity levels Downtown are higher than normal (i.e., Alameda County Fair, Barone's events, First Wednesdays).

Based on the feedback received at the March 23, 2016, Planning Commission Work Session, the applicant has reduced the number of units from 12 to 11 in order to retain the existing historic home on-site and provide two guest parking spaces for the development. The applicant has also included a 6- to 7-foot precast wall along the southern property line as a part of this development. The March 23, 2016 Planning Commission meeting minute excerpts are provided as Exhibit D.

### **SITE AND AREA DESCRIPTIONS**

The subject site, comprised of three parcels on the south side of St. John Street, is approximately 0.73 acres (31,798 square feet) in area, generally square in shape, and relatively flat. There is perimeter fencing along the east, south, and west property lines and mature landscaping and trees immediately adjacent to the existing, approximately 910-square-foot single-story dwelling, constructed in 1900, and detached garage. The home was included in the City's Historic Resource Survey and was found to be a historic resource. There are mature trees that border the southern portion of the site and mature landscaping (i.e., shrubs/bushes) surrounding the dwelling unit. The subject site is currently accessible from three driveways off St. John Street.

The properties adjacent to the subject parcel include townhomes to the north, across St. John Street; a duplex and detached single-family homes to the east; single-family homes to the south, and an apartment building to the west. The subject site is approximately 183 feet from the Union Pacific Railroad tracks, measured from the tracks to the closest property line of the subject site. Images 1 and 2 show an aerial and street-scene view of the subject site and existing building.



**Image 1: Aerial View of the Project Site**



**Image 2: Street View of 536 St. John Street Site**

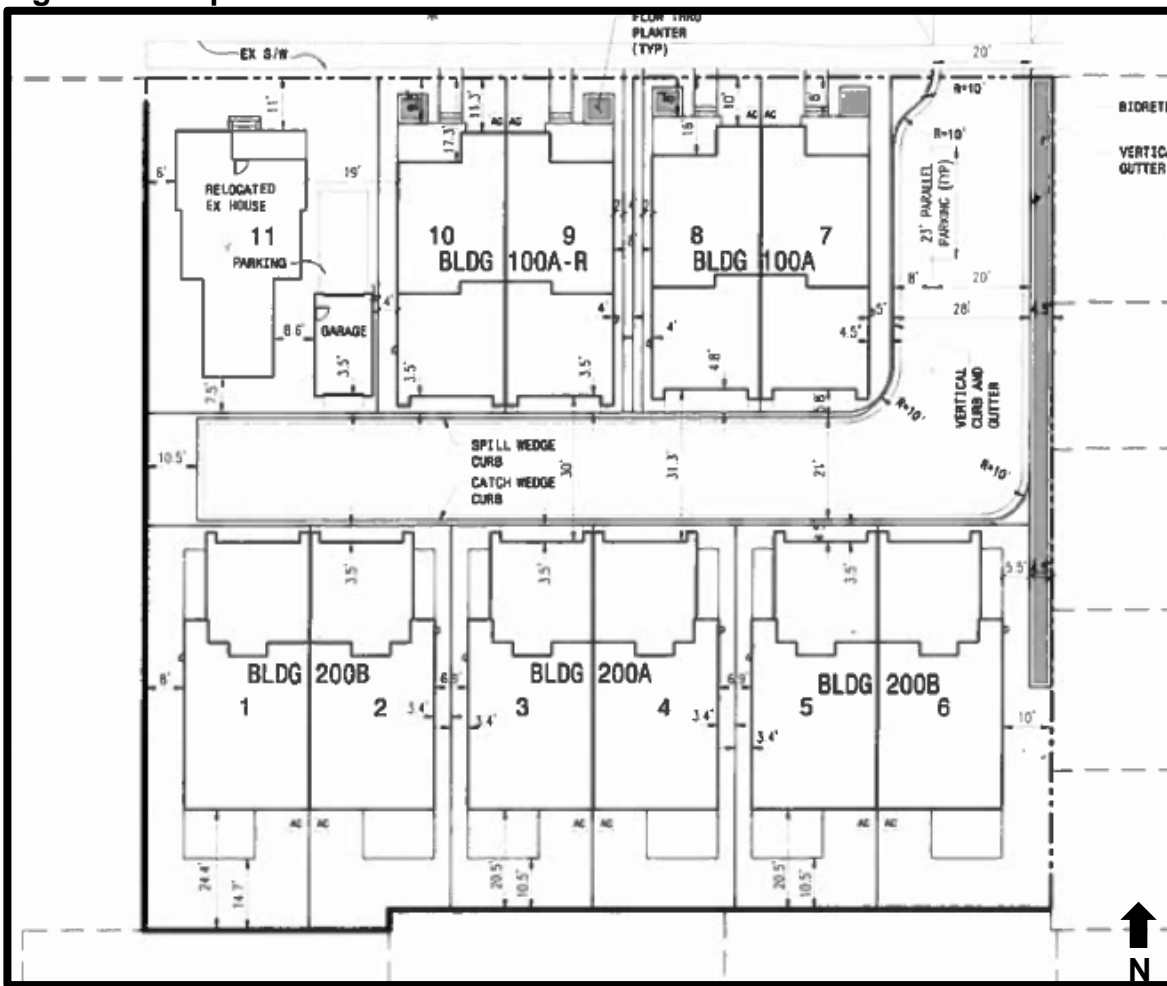


**PROJECT DESCRIPTION**

The applicant proposes to retain and relocate the existing historic home, currently situated in the center of the project site, to the northwest corner of the site, construct a detached, one-car garage and uncovered tandem space for the existing home, and construct 10 new townhomes and related site improvements. All existing site improvements would be removed (including the

existing detached garage, paving, and landscaping) in order to accommodate relocating the home on-site and construct the new townhomes. The site would be developed with four, 1,690-square-foot, two-story townhomes with two-car garages at the front of the site, facing St. John Street, and six 2,158-square-foot, two-story townhomes with two-car garages at the rear of the property. Access to the site would be from a decorative concrete paver drive aisle on the east side of the property that also provides access to the individual garages in each townhome and the new detached garage. A pedestrian pathway would also extend from St. John Street (between Lots 8 and 9) to the drive aisle. Each unit would have three bedrooms and private open space. Two guest parking spaces would be provided on the east side of lot 7. In addition, two additional on-street parking spaces would be added to St. John Street with removal of two of the three curb cuts, meaning that six on-street spaces would be available along the project frontage. Please refer to Exhibit B and Figure 1.

**Figure 1: Proposed Site Plan**



A streetscape view of the project frontage on St. John Street is included in Exhibit B (sheet A0.1) and Figure 2. The townhomes are designed to include some architectural features found in other existing buildings along St. John Street and in Downtown. Most notably, architectural elements prominent in the Craftsman architectural styling are proposed (e.g., inviting front porches, prominent porch supports, knee braces, and gable roofs). The roof designs include both side and front gable roofs, which create more variety in the design and break up the massing. The buildings would either feature stucco with stone or brick veneer or horizontal fiber

cement lapped siding on the first floor walls and the second floor walls would feature stucco, horizontal fiber cement siding, and/or shingle siding with vertical or horizontal siding at the front and rear gable ends, and composition roofing. The proposed colors and materials of the buildings are brown and light grey earstone colors and would complement the historic home and existing residences in the neighborhood. The southern rear units would have covered walkways leading to the front door and garages on the front elevation (Figures 2 and 3).

**Figure 2: St. John Street Units (Lots 7-10 and Existing Home)**



**Figure 3: Southern Units (Lots 1-6)**



In order to allow flexibility in designing a project compatible with the physical features of a property, no minimum property development standards (e.g., setbacks, height, and FAR) apply to a PUD District. The applicant is proposing to rezone the property to a PUD District with the development standards shown in Table 1.

An arborist report prepared for the project surveyed all trees measuring six-inches and greater in diameter within and adjacent to the site. A total of 14 trees comprising seven species and including six heritage trees were surveyed (please refer to Exhibit E for the tree report). As part of the project, a total of eight trees would be removed, including one heritage tree (PMC Section 17.16.020). Of the removed trees, one would be off-site (along St. John Street) and seven (including one heritage tree) would be within the site. The off-site tree that would be removed along St. John Street is dead and the on-site trees would not be preserved as they conflict with building pads and/or would not survive when the project site is graded.

Tree removal is proposed to be mitigated by replacement trees (i.e., two replacement trees for every one tree removed) or contributing to the City's Urban Forestry Fund. Given the limitations

of the site, staff does not believe that the number of trees being planted (six) would mitigate the removal of the existing on- and off-site trees. Therefore, staff's recommendation is to have the applicant pay into the City's Urban Forestry Fund the value of all trees that are proposed for removal.

A Vesting Tentative Map application has also been submitted to subdivide the existing three parcels, totaling approximately 31,798 square feet in area, into 12 new lots (one for the existing home and detached garage, one for each of the 10 new attached townhomes, and a common parcel for the driveway, guest parking, and shared landscaping areas. The subdivision would also include the creation of Parcel A, an approximately 6,703-square-foot common area parcel, for the private driveway with guest parking and stormwater treatment areas. The Vesting Tentative Map is subject to review and action by the Planning Commission.

## **ANALYSIS**

### **Land Use**

#### General Plan and Downtown Specific Plan

The proposed density complies with the site's General Plan and Downtown Specific Plan land use designations of High Density Residential, which require projects to have greater than 8 dwelling units per gross acre (du/ac). The subject site has a density of 15 du/ac and, therefore meets the minimum density required by the High Density land use designations. The site would be rezoned to from Multi-Family Residential to Planned Unit Development - High Density Residential District. The rezoning would be consistent with the Land Use Designations of the General Plan and Downtown Specific Plan. The General Plan encourages the use of PUDs for residential properties that have unique characteristics or to accommodate development that does not fit under standard zoning classifications. In this case, the site contains a historic residence that would be relocated on-site – a unique characteristic. Staff notes that the General Plan does not require High Density Residential designated properties to provide public amenities, such as the dedication of parkland or open space.

As described below, the proposal will further the following General Plan Land Use Element and Housing Element, and Downtown Specific Plan goals, policies, and programs:

#### General Plan - Land Use Element

##### *Sustainability*

Program 2.1: Reduce the need for vehicular traffic by locating employment, residential, and service activities close together, and plan development so it is easily accessible by transit, bicycle, and on foot.

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

Program 2.3: Require transit-compatible development near BART stations, along transportation corridors, in business parks and the Downtown, and at other activity centers, where feasible.

##### *Overall Community Development*

Goal 2: Achieve and maintain a complete well-rounded community of desirable neighborhoods, a strong employment base, and a variety of community facilities.

Policy 4: Allow development consistent with the General Plan Land Use Map.

### *Residential*

Policy 9: Develop new housing in infill and peripheral areas which are adjacent to existing residential development, near transportation hubs or local-serving commercial areas.

Policy 10: Provide flexibility in residential development standards and housing type consistent with the desired community character.

Program 10.1: Use planned unit development (PUD) zoning for residential properties that have unique characteristics or to accommodate development that does not fit under standard zoning classifications.

### General Plan - Housing Element

Goal 1: Attain a variety of housing sizes, types, densities, designs, and prices which meet the existing and projected needs of all economic segments of the community.

Goal 14: Provide adequate locations for housing of all types and in sufficient quantities to meet Pleasanton's housing needs.

Policy 34: Encourage the preservation of historically and architecturally significant residential structures citywide including in the Downtown area, pursuant to the General Plan and the Downtown Specific Plan.

Policy 38: Strongly encourage residential infill in areas where public facilities are or can be made to be adequate to support such development.

Program 36.1: Maintain existing zoning of infill sites at densities compatible with infrastructure capacity and General Plan Map designations.

### Downtown Specific Plan

#### *Land Use*

Goal: Preserve the character and development traditions of the Downtown while improving upon its commercial and residential viability.

Objective 1: Retain the small-town scale and physical character of the Downtown through the implementation of appropriate land use and development standards.

#### Policy No. 15

Initiate an amendment to Municipal Code Section 18.84 to limit building height in all residential zoning districts in the Downtown (including future Planned Unit Development Districts) to not more than two stories and not more than 30 feet.

Staff finds that the project complies with the General Plan and Downtown Specific Plan land use designations of High Density Residential. As indicated above, the project would also promote goals, policies, and programs related to encouraging appropriate infill development, different types of housing, and transit-compatible development.

The height of a structure, as defined by the PMC, is measured from the average elevation of the natural grade of the ground covered by the structure to the mean height between eaves and ridges for a hip, gable, or gambrel roof. The existing zoning designation allows a maximum height of 40 feet. The height of the buildings on the south side of the project site would not exceed 30 feet, 6 inches in height and the buildings with frontage on St. John Street, excluding the existing home, would be 31 feet, measured from finished grade to the highest point of the roof's ridge. As defined by the PMC, the height of both models would be less than 30 feet in height. A PMC amendment for limiting height and stories of structures in the Downtown has not yet been initiated and the intent of this policy is to limit residential development to two stories and not more than 30 feet. The proposal is consistent with the Downtown Specific Plan Land Use policy as the new townhomes are two-story and below the maximum height allowed, as defined by the PMC.

### **Zoning and Uses**

The subject parcels are zoned Multi-Family Residential and Core Area Overlay District. The proposal would rezone the property to Planned Unit Development – High Density Residential (PUD-HDR). The rezoning would permit and conditionally permit those uses listed in Section 18.32.030 and 18.32.040 (One-Family Residential) of the PMC and establish the development standards that would allow the development plan to be implemented.

### **Affordable Housing and Regional Housing Needs Allocation (RHNA)**

The City's Inclusionary Zoning Ordinance (IZO) requires new multi-family residential projects of fifteen units or more to provide at least 15% of units at prices affordable to very low, low, and/or moderate income households and new single-family residential projects of fifteen units or more to provide at least 20% of the dwelling units at prices affordable to very low, low, and/or moderate income households. The proposed project includes retaining the historic home and constructing 10 attached townhomes, none of which are required to be affordable. The applicant intends to sell the homes at a market rate.

The City has already met its Regional Housing Needs Allocation (RHNA) obligation to zone land to meet the anticipated housing demand for the 2015-2023 planning period. Although rezoning additional land within the City for housing is not necessary to meet current RHNA requirements, the proposed housing would assist in easing the area's housing shortage. In addition, staff notes that the current RM zoning and High Density Residential land use designations already allow for high density, multi-family housing to be developed on the site.

### **Site Plan**

A PUD development plan allows flexibility in applying Municipal Code standards in order to achieve a superior and innovative overall plan for the site and the area. The applicant developed the current site plan with input from the Planning Commission during the Work Session and numerous discussions with staff prior to and after formally submitting the PUD application. Staff worked with the applicant to position the buildings to provide adequate setbacks from the property lines and street frontages and maximize the usability of the site. The applicant has opted to retain the existing residence on-site and has provided two on-site guest parking spaces for the development. Staff finds the proposed setbacks to be acceptable and similar to other small-lot PUD developments in the City, some of which are located in the Downtown.

Staff believes that the proposed siting, massing, and size of the units are appropriate for this site and would result in an attractive development for this area of Downtown. The buildings would be in keeping with the scale and massing of the surrounding homes on St. John Street and Peters Avenue (i.e., Kimberly Commons). Furthermore, staff is recommending conditions of approval prohibiting accessory structures and additions to the residential units, including the existing home.

**Floor Area Ratio (FAR)**

The new lots would range in size from 1,795 square feet (lots 8, 9 and 10) to 3,266 square feet (lot 11, existing home) and the homes would range in size from approximately 973 square feet (existing home) to 2,158 square feet (lots 1-6). The FAR for the existing home is 29.8 percent and the FAR range for the townhomes is 77.2 to 94.2 percent. Table 2 is a comparison of the combined total FAR of the subject site and the combined FAR of other Downtown townhome developments.

**Table 2: Townhome Developments and PUD-120**

Project	Lot Size	Combined Total House Area	Overall FAR
<b>PUD-120 (Proposed Project)</b> 11 (1 existing single-family home and 10 new townhomes)	31,798 sq. ft.	*20,681 sq. ft. <small>*Square-footage includes the existing single-family home</small>	65%
<b>PUD-85-07 Del Valle Manor Townhomes</b> 36 townhomes	112,454 sq. ft.	49,080 sq. ft.	44%
<b>PUD-87-20 553 St. John Street</b> 28 townhomes	60,663 sq. ft.	36,432 sq. ft.	60%

Staff finds the proposed development to be acceptable and consistent with the pattern of approved townhome developments within the Downtown.

**Maintenance**

The maintenance responsibilities for the private driveway/street with guest parking areas, bio-retention areas, street trees, pedestrian pathway, etc. will be managed by a Homeowners or Maintenance Association. To ensure that the landscaping is maintained, especially for those units on St. John Street, staff has added a condition of approval that the association will be responsible for maintenance of the landscaping, shown on sheet L1 of Exhibit B, and irrigation, in addition to the areas noted above.

The conditions of approval in Exhibit A require the applicant to indicate what type of association will be established, which will be subject to the approval of the Director of Community Development, prior to recordation of the Vesting Tentative Subdivision Map. No matter the type of association established, the homeowners will maintain their private side and rear yards. The

specific responsibilities of the association would be detailed in the agreements and the Conditions, Covenants & Restrictions (CC&Rs).

### **Historic Resources**

The project site is located in one of the five Heritage Neighborhoods that are identified in the Downtown Specific Plan (i.e., St. Mary Street and St. John Street neighborhood) and the existing home was found to be a historic resource. The following Downtown Specific Plan Historic Preservation Policies are relevant to the project:

#### Policy 4

Permit historic homes to be relocated within the Downtown where: (1) the new neighborhood contains older homes; (2) the replacement home is consistent with the design quality of the relocated home; and (3) the replacement home is compatible with the neighborhood's architectural styles and scale.

#### Policy 9

Future residential development (i.e., when additional dwelling units are being proposed on a property that has existing homes) should generally provide for the preservation and rehabilitation of existing on-site street frontage homes built before 1942 or which otherwise substantially contribute to the "small town" character of the neighborhood in terms of architecture and scale. Exceptions may be permitted to: (1) relocate such homes to other appropriate Downtown locations for permanent preservation and rehabilitation; or (2) demolish and replace such homes which are specifically found by the City to lack historic and/or architectural significance.

The house will remain on the project site and in its existing neighborhood. The applicant prepared an addendum to the historic resources survey indicating whether and how the existing residence at 536 St. John Street could be relocated on-site while still preserving the building's historic integrity (Exhibit C). The addendum to the historic evaluation stated that relocation of the home elsewhere on-site would not jeopardize or alter its historic status as long as its identified characteristics are fully retained when relocated. The report also determined that the attached porch addition at the rear east side of the home does not need to be retained as it is not historic or in keeping with the 1907 and 1930 exterior alterations to the home. The proposed project reflects the removal of that addition. Therefore, it complies with the Historic Preservation policies noted above.

The applicant is proposing to integrate the existing St. John Street home into the new development. To achieve this, the home would be relocated to the northwest corner of the site, maintaining its street-facing orientation, and new townhomes would be added to the east and behind the home. The addendum to the historic resources evaluation (Exhibit C) stated that relocation of the home on-site would not jeopardize its historic status as long as its identified characteristics are fully retained when relocated. The report also determined that the attached porch addition at the east side rear of the home does not need to be retained as it is not historic or in keeping with the 1907 and 1930 exterior alterations to the home. The proposed project reflects the removal of that addition (Exhibit B, sheet A3.1). A condition of approval has been added to address removing the porch and replacing any exterior damage, in-kind, that may occur as a result of relocating the home on-site.



## **Architecture and Design**

Design of new residential buildings Downtown should draw upon the primary exterior features of the Downtown's traditional design character in terms of architectural style and materials, colors, details of construction, height, floor area, bulk, massing, and setbacks and should utilize or be based on one of the architectural styles found Downtown dating from pre-1942 (see Policy No. 6 of the Downtown Specific Plan for architectural styles). These elements should be consistent with those elements of buildings in the immediate neighborhood, and the design of the new buildings should not represent a significant departure from the existing neighborhood character.

The Downtown Specific Plan and Downtown Design Guidelines (Design Guidelines) provide guidance related to new construction of residential projects, including architectural details, materials, and windows. The Downtown Specific Plan and the Design Guidelines contain the following design criteria that are applicable to the proposed project.

Downtown Specific Plan Design and Beautification Design Criteria (page 76):

### Policy 17

Protect the established size and spacing of buildings in residential neighborhoods by avoiding excessive lot coverage and maintain appropriate separations between buildings.

The Design Guidelines general criteria for Residential Guidelines for New Construction, Remodels and Additions (page 35) and Multi-Family Zones (page 39) state:

### Siting

Continue the existing density and spacing of homes. Match the side yard setbacks of surrounding homes.

Generally align homes with adjacent homes.

New homes should face the street.

### Height & Mass

New residential building design, including the design of replacement buildings for buildings constructed before 1942 which are approved for demolition, or additions to existing single-family homes should result in homes that are consistent with the floor area, bulk, and massing of homes in the immediate neighborhood.

Reflect the general massing of surrounding homes, including roof forms and step backs, front porches, bay windows, and balconies.

Reduce mass through roof forms such as hips, dormers, small gables, and articulations such as balconies.

### Design

New construction should utilize or be based on the architectural style and detailing of one of the following styles found Downtown dating from pre-1942: Gothic Revival, Italianate, Victorian (Queen Anne, Stick, and Folk), Bay Tradition, Craftsman, Prairie, Mission Revival, Spanish Colonial Revival, Mediterranean Revival, Minimal Traditional, Vernacular Forms, and FHA Minimum House.

### Roofline

Mirror roof form (hip, gable, shed), slope, and material of original home in additions. New homes should use roof forms and materials of similarly styled homes in the immediate neighborhood.

Coordinate roof material with the architectural style of the house, i.e., tile roofs on Spanish- or Mediterranean-style homes.

### Materials

Install the highest quality materials.

Use materials appropriate to the architectural style of the home: stucco for bungalows and Spanish or Mediterranean homes, horizontal wood siding for Victorians, etc.

Use natural exterior materials. Fake stone, rough-hewn wood or plywood, metal, or plastic should not be used as exterior siding. Use of green construction materials is encouraged.

### Windows

The shape, materials, and placement of windows should be appropriate to the architectural style. Various architectural styles require different window details. For example, windows on stucco exteriors must be recessed. For wood clad exteriors, windows do not need to be recessed provided there is substantial trim separating the windows from the wall and have window sills that cast a shadow on the wall.

### Entries

New homes should reflect the predominant entry style of the immediate neighborhood, direct or private.

Front porches are strongly encouraged. Use them on new construction. Retain or enhance on building remodels.

Design porches or protected entryways to recall those elements found in surrounding homes. They should be a minimum of six feet in width.

### Architectural Details

New construction is to use a rich variety of detailing appropriate to the style of the building and that found in similar homes in the neighborhood. This includes elements such as roof eave, door and window trim, balconies, railings, and material accents such as tile or shingle patterns.

### Multi-Family Zones

Multiple-family housing complexes should be designed to follow the rhythm and scale of the surrounding homes.

The architectural style of the development should match an existing style in the immediate neighborhood. If many styles exist, select the one which is most appropriate for the development.

Groupings of townhomes are preferred in multiple-family developments instead of large continuous monolithic buildings with little distinction between residential units.

The density, spacing, and setbacks of the buildings are similar to surrounding buildings, such as the townhomes on the north side of St. John Street, and other Downtown projects that recently received Planning entitlements, that are currently under construction, or that have recently been completed. Furthermore, the buildings on the northern end of the site have been situated such that they face St. John Street.

The project incorporates acceptable building materials for the Downtown and would be consistent with the Specific Plan policy to use high quality building materials appropriate to the architectural style of the building. The plans incorporate articulation in the wall planes and balconies, traditional design features (porches, knee braces, gable roof), and a combination of light colored materials. The proposed building colors meet the intent of the Downtown Design Guidelines, which state that colors should be appropriate to the architectural style of the building.

The Downtown Specific Plan has the following Historic Preservation policies (pages 66-68) that are applicable to the proposed project:

Policy No. 6: New residential building design, including the design of replacement buildings for buildings constructed before 1942 which are approved for demolition, should draw upon the primary exterior features of the Downtown's traditional design character in terms of materials, colors, details of construction, and setbacks and should utilize or be based on one of the following architectural styles found Downtown dating from pre-1942: Gothic Revival, Italianate, Victorian (Queen Anne, Stick, and Folk), Bay Tradition, Craftsman, Prairie, Mission Revival, Spanish Colonial Revival, Mediterranean Revival, Minimal Traditional, Vernacular Forms, and FHA Minimum House.

Policy No. 8: New residential building design, including the design of replacement buildings for buildings constructed before 1942 which are approved for demolition, or additions to existing single-family homes should result in homes that are consistent with the floor area, bulk, and massing of homes in the immediate neighborhood.

Policy No. 10: Comply with all relevant policies of the Design and Beautification Chapter of this Specific Plan and the Downtown Design Guidelines.

The Craftsman style of architecture is an acceptable style for Downtown and would be compatible with the eclectic style of homes on St. John Street and found in the Downtown. The applicant has provided architectural detailing and accent relief on the front building elevations to break up the two-story facades and provide visual relief. The Design Guidelines stress the use of traditional materials, finishes, colors, and detailing. The materials, colors, and details of construction are primarily a Craftsman style architecture that is characterized by wood and stucco siding, front porches, prominent porch supports, knee braces, and gable roofs. Staff has added a condition of approval that all garage doors have a carriage style design to be in keeping with the architectural style.

Window treatments (sills and trim) meet the suggestions in the Guidelines for traditional details. Window specifications were not provided and staff recommends the use of traditional wood-

framed/sashed windows in the Downtown. However, staff generally supports the use of quality fiberglass- or vinyl-framed/sashed windows provided they have a similar frame and sash thickness as found on a traditional wood framed/sashed window. For this project, the windows will require high Sound Transmission Class (STC) ratings (please see the Noise and Vibration section of this report for additional details) to mitigate train noise and staff acknowledges that it may be difficult for the applicant to find windows that comply with these window requirements. Therefore, staff's recommended condition requires that the windows have a similar frame and sash thickness as found on a traditional wood-framed/sashed window and simulated mullions must appear real and be on both sides of the glass unless the required noise mitigation for this project prevents compliance with this condition.

Overall, staff believes that the building designs are attractive, and that the articulation, finish, and materials are appropriate for the Downtown, comply with the Downtown Design Guidelines, and would complement the existing buildings on St. John Street and other areas in the Downtown.

### **Green Building**

The applicant has submitted a Green Building checklist that incorporates a number of green building measures into each new townhome. The PMC requires a minimum of 50 total points and the applicant is proposing a minimum of 75 points. The State's Green Building Standards Code (CALGreen) will also apply to the proposed development and is similar to the green building measures that the City's Green Building Ordinance currently requires.

### **Traffic and Circulation**

The Pleasanton General Plan exempts the Downtown Specific Plan area from the Citywide Level of Service (LOS) D standards although improvements at Downtown intersections may occur where necessary and when consistent with the character of the Downtown. Downtown Specific Plan streets and intersections were built prior to modern road standards and lack the necessary right-of-way for major roadway expansion. Furthermore, removing on-street parking, adding additional travel lanes, and reducing sidewalk width – the types of traffic improvements that are typically required – would be inconsistent with the desired pedestrian character of the Downtown.

The proposed project is considered a small-scale project located in the Downtown and, for these reasons, does not require a traffic study. The residential uses and proposed site layout are not anticipated to create any unique traffic or circulation circumstances, or generate a substantial amount of traffic. The applicant would be required to pay applicable City and Tri-Valley traffic fees as part of the project. Therefore, the project will result in a proposed development that will be consistent with the City's traffic safety.

### **Parking**

#### *Parking for Residents*

Single-family homes and separately owned townhomes are required to have two parking spaces per unit, with at least one of the spaces covered in a garage or carport. The applicant is providing two covered spaces per townhouse unit via two-car garages in each unit and a detached, single-car garage with an uncovered tandem parking space for the relocated historic single-family home. The PMC requires each parking space to have unobstructed access from a street or drive aisle without moving another vehicle (i.e., not tandem). However, rezoning the

property to PUD allows for flexibility in establishing development standards (e.g., parking standards).

In order to accommodate retaining the historic home on-site, in addition to providing two on-site guest parking spaces for the development, the applicant had to reduce the number of townhome units from 12 to 11. The applicant also found it difficult to provide the PMC required parking spaces for the existing historic home. The existing home would normally be required to have two spaces that are continuously available (not tandem) with at least one of the spaces covered in a garage or carport, per the PMC. The applicant is proposing to construct a detached single-story, one-car garage on the east side of the relocated home with an uncovered tandem parking space on the north side of the garage. The tandem space is proposed because the proposed lot for the historic home cannot accommodate traditional side-by-side parking. Therefore, the applicant is requesting flexibility in the PMC development standards as is allowed with a PUD application. The garage, as proposed, is designed as a drive-through, with garage doors on both the front and rear walls (north and south) that provide access to an uncovered space on the north side of the garage. Staff recommends that the uncovered space be relocated to the southern end of the garage, north of the private driveway, to allow for usability, and the garage be moved farther north. The north garage door would then be removed and replaced with an outward swinging man door to provide access to the garage without having to open the southern garage door. Relocating the garage would not require modifications/improvements to the existing home (i.e., fire retardant walls and roof) in order for the garage to meet current Building Codes.

Although not allowed by Code, tandem parking is not unusual in Downtown since many of the older homes have tandem parking (typically with a detached, one-car garage towards the rear of the lot with a long driveway). In addition, the City has approved tandem parking in other residential projects. The adjacent Kimberly Commons project was approved with tandem parking for the four single-family detached homes. These houses all have three tandem spaces (a one-car carport at the rear of the site and two uncovered parking spaces within the driveway). Staff is unaware of any reported problems related to this design. Staff believes the tandem parking, with the recommended change to relocate the tandem space to the south side of the garage, is acceptable for the existing home since other homes nearby also have tandem parking, tandem parking is not unusual in historic neighborhoods, and the existing residence would be the only one on the site with tandem parking. Furthermore, whether the garage is located farther north or remains as is, the retained home would have a 6-foot-tall solid wood fence between the house and eastern property line that would screen the majority of the detached garage from views along St. John Street. Therefore, staff is supportive of the tandem space since it would be completely screened from St. John Street and it would be accessed by the private entrance and exclusively dedicated to the existing home.

As conditioned, the garages will not be allowed to be modified by the residents or used for storage in a manner that interferes with the ability to park two cars within the townhome garages and one car in the detached garage for the historic home and residents will be required to ensure garages accommodate vehicles. A condition of approval requires that these parking restrictions be recorded as restrictive covenants that will “run with the land” and, therefore, would be binding on all future property owners.

### *Guest Parking*

Detached, single-family homes and for sale townhomes are not required to provide guest parking per the PMC. However, the City normally requires some on-site guest parking for single-family or townhome projects when there isn't on-street parking provided within the project site. Guest parking for apartments is required at a ratio of one parking space per seven units. Since these units are townhouses and not apartments, the PMC does not require on-site guest parking; however, the Commission directed the applicant to provide guest parking at the same PMC required ratio (1 space for every 7 units) required for apartments. With a 1:7 parking ratio, two guest parking spaces would be required. The applicant has incorporated two on-site guest parking spaces.

### **Common and Private Open Space**

No common open space/recreation areas are proposed. Private, individual open space would be provided in the form of balconies, porches, and/or yard areas of each unit. The project site is located within close proximity of Veterans Plaza Park and not far from other Downtown parks/open spaces (i.e., Lions Wayside Park, Delucchi Park, Civic Park, and Main Street Green) and Bernal Community Park. Overall, staff is satisfied that the private yards and nearby City parks/open space will substantially meet the residents' park and open space needs.

### **Landscaping and Fencing**

Staff finds the proposed landscape design, densities, and species to be acceptable. Fencing locations and elevations have been shown on the landscaping and site plan in Exhibit B. The applicant has indicated that the property owners south of the project are generally supportive of the 6- to 7-foot precast wall along the shared south boundary line. Staff recommends that front yard picket style fencing be installed on the lots facing St. John Street. Therefore, a condition of approval has been added that requires lots 7-10 to have 42-inch tall front yard picket fences. A condition of approval has also been added to reflect any change in fencing design, material, height, location etc.

### **Noise and Vibration**

#### Noise Impacts on the Project

External noise sources that could affect the site include noise from the railroad to the west. The City's General Plan requires that private yard areas excluding front yards not exceed 60 day/night average decibels (dB Ldn) and that indoor noise levels not exceed 45 dB Ldn. In addition, if the noise source is a railroad, an exterior noise level up to 70 dB Ldn is allowed and indoor noise levels cannot exceed a maximum instantaneous noise level (Lmax) of 50 dB in bedrooms and 55 dB in other rooms. A noise study was prepared to ensure that the project will meet General Plan noise standards.

In order to meet the General Plan noise standards, the noise study indicates that noise reduction measures would need to be incorporated into the project. This includes installing windows and exterior doors with STC ratings of 32 to 42, depending on floor level and occupancy of the room/area. Furthermore, the units would need to be provided with forced air mechanical ventilation (i.e., air conditioning) so that windows and doors may be closed at the discretion of the occupants to control noise. A condition of approval has been added to reflect these requirements.

Staff notes that the above measures would address train engine/wheel noise but exclude mitigation for train horns, which may require mitigation that is infeasible and/or unacceptable from a design and neighborhood impact standpoint (e.g., tall sound walls). The General Plan indicates that the City Council will evaluate the requirement to achieve the General Plan noise standards in the Downtown on a case-by-case basis. Staff believes that a condition of approval requiring disclosure of frequent train whistle noise is sufficient, which is what has been required for other recently approved and/or constructed projects.

#### Noise Impacts on Adjacent Properties

The development of the property will generate added urban noise, such as traffic and landscape maintenance activities. However, noise levels are not expected to change substantially from those currently experienced in the area because overall activity levels at the site would be modest. Ambient noise levels could decrease for some of the adjacent properties due to the shielding of traffic and train noise by the proposed buildings.

Short-term construction noise would be generated during any new construction on this site. The City normally allows construction hours from 8:00 a.m. to 5:00 p.m., Monday through Friday, with Saturday construction allowed if nearby residents are unlikely to be impacted by construction noise or activities. Since there are existing residences directly adjacent to the proposed project site, staff is recommending that Saturday construction not be allowed. Staff is recommending a condition that would allow the Director of Community Development to approve earlier construction “start times” or later “stop times” only for specific construction activities (e.g., concrete pouring) if it can be demonstrated to the satisfaction of the Director of Community Development that the expanded construction hours are necessary (e.g., the concrete foundations need to be poured early due to weather conditions). Construction equipment would be required to meet Department of Motor Vehicles (DMV) noise standards and be equipped with muffling devices.

#### Vibration

The General Plan requires that the project demonstrate that it would be compatible with the vibration impact criteria established by the Federal Transit Administration (FTA). Potential vibration was analyzed in the noise study, with the consultant recommending that the new townhomes be structurally reinforced or require trenching in order to meet the FTA criteria. The structural design will be determined with the building permit based on the analyses provided by the applicant’s consultants including the architect, soils engineer, structural engineer, and noise consultant subject to City review and approval. A condition of approval has been added to address this requirement. Staff has included the noise and vibration study as Exhibit F.

### **PROJECT ALTERNATIVES**

The applicant has proposed several conceptual site plans over the last 11 months prior to finalizing a development plan that addressed feedback from staff, the Commission, and the public. Figures 4-6 are three previously-proposed layouts.





The alternative shown in Figure 5 provided open space and two on-site parking spaces. Staff was supportive of this layout when the proposal included relocating the historic house to a suitable location off-site.

**Figure 6: Work Session - Relocate the existing home off-site and construct 12 townhomes**



Overall, the Planning Commission was supportive of the proposed layout in Figure 6, with the understanding that the historic home would be relocated to a suitable site and two additional guest parking spaces would be provided on-site. After several discussions with various property owners over the last several months, the applicant concluded that the only feasible site for the historic home was the St. John Street project site. Therefore, the applicant redesigned the layout to address the comments from the Work Session.

Other options for the site could include:

- 1) Demolishing the existing home and increasing the proposed density by developing apartments;
- 2) Retaining the home on-site and designing a project that conforms to the RM District;
- 3) Relocating the St. John Street home to another viable downtown property;
- 4) Retaining the house in its existing location and adding townhomes around it;
- or 5) No change to the site.

The first option would not be supported by staff and was not proposed because it would result in a loss of a historic resource. The second option could create a project that has more than two stories, requires more on-site parking, and would not necessarily result in an improved design outcome. The third option could be challenging as there is a very limited number of parcels Downtown that would meet the relocation criteria of the Downtown Specific Plan and Design Guidelines. The fourth option could result in awkward setbacks, and a historic building that is oddly inserted into a development of new structures. The location of the historic structure in the northeast portion of the site, as currently proposed, may provide for better transitions between the new townhouses, the historic structure, and the adjacent apartment complex. The fifth option would leave the site undeveloped (other than the existing home) and, therefore, would not have the benefit of increasing the City’s housing stock.

**PROS AND CONS**

<b>Pros</b>	<b>Cons</b>
A historic resource would be preserved on-site.	New development would be added to a site containing a historic structure.
The residential population of Downtown would increase, and these residents would be expected to patronize local businesses, supporting the local economy.	The project would incrementally increase traffic, noise, activity, and parking demand Downtown.
The project is well-designed and would protect the lower-scale character of Downtown.	Approximately 8 trees, including one heritage tree on the site, would be removed.
Adding residential population in the walkable Downtown provides more opportunities to reduce automobile reliance, consistent with the City’s Climate Action Plan and other policy documents.	
The development of smaller residential units in Downtown would provide more housing choices.	
The project is consistent with the Downtown Specific Plan and Design Guidelines	

**PUD CONSIDERATIONS**

The Zoning Ordinance of the Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development District and "considerations" to be addressed in reviewing a PUD development plan. Staff has provided those considerations and staff’s analysis below.

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

The proposed project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all required on-site utilities with connections to municipal systems in order to serve the new lots. The project will not generate volumes of traffic that cannot be accommodated by the existing City streets and intersections in the area. The structures would be designed to meet the requirements of the Uniform Building Code, Fire Code, and other applicable City codes. The proposed development is compatible with the adjacent neighborhood and uses and would be

consistent with the existing scale and character of the area. Adequate setbacks would be provided between the new buildings and adjacent properties.

Therefore, staff believes that the proposed PUD development 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 and any applicable specific plan:**

The subject site's General Plan and Downtown Specific Plan Land Use Designation of "High Density Residential" requires projects to have densities of eight or more dwelling units per acre. The proposed residential project has a density of 15 units per acre. Therefore, it is consistent with the General Plan and Downtown Specific Plan land use designation for the site. The proposed project is located near public transportation, within proximity to the services and amenities of the Downtown area, and is located in an area already developed with adequately-sized infrastructure. In addition, the project would retain and preserve a historic resource. Staff concludes that the proposed development plan is consistent with the City's General Plan and Downtown Specific 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 project site is surrounded by a variety of uses: single-family homes, townhomes, apartments, offices, and a restaurant, and is within close proximity to personal services. As conditioned, staff believes that the proposal would be compatible with the surrounding uses. The buildings have been sited to minimize impacts on surrounding neighbors to the extent feasible and have been designed to reduce their perceived mass. New landscaping would be installed throughout the site and perimeter to enhance off-site views. The subject site has relatively flat terrain and grading conducted on the site will be subject to engineering and building standards prior to any development.

Staff believes that the PUD development plans are compatible with the previously developed properties and the natural, topographic features of the site, and therefore, staff believes that this finding can be made.

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

Grading of the site would be limited due to the existing flat terrain. City building code requirements would ensure that building foundations, on-site driveways, and parking areas are constructed on properly prepared surfaces. The proposed development would provide adequate drainage to prevent flooding. Erosion control and dust suppression measures will be documented in the building permit plans and will be administered by the City's Building and Safety Division and Engineering Department. The site is not located within an Alquist-Priolo Earthquake Fault Zone. The flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone. Therefore, staff believes that this finding can be made.

**5. Whether streets and buildings have been designed and located 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. The flat urban infill site has no significant physical landscape features and is appropriate for redevelopment. Development of the site complements the natural terrain by making only minor changes as necessary to the site's existing, developable, relatively flat topography. The proposed buildings will be compatible in size and scale with surrounding structures and new landscaping would be installed. 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 improvements associated with the project would be consistent with City design standards. The driveway entrance is located and configured to provide adequate line-of-sight viewing distance in both directions, and to facilitate efficient ingress/egress to and from the subject site. Adequate access is provided to all structures for police, fire, and other emergency vehicles. Buildings are designed to meet the requirements of the California Building Code and other applicable City codes and all new buildings would be equipped with automatic fire suppression systems (sprinklers).

Although the site is not located within an Alquist-Priolo Earthquake Fault Zone, it would be subject to seismic shaking during an earthquake. The State of California provides minimum standards for building design through the California Building Standards Code. The California Uniform Building Code is based on the UBC and has been modified for California conditions with more detailed and/or stringent regulations. Specific seismic safety requirements are set forth in Chapter 23 of the UBC. The State earthquake protection law requires that buildings be designed to resist stresses produced by lateral forces caused by earthquakes. The City implements the requirements of the California Building Code through its building permit process. The proposed project will be required to comply with the applicable codes and standards to provide earthquake resistant design to meet or exceed the current seismic requirements. A site specific soils analysis would be conducted in conjunction with the building permit review.

Therefore, staff believes that the project 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 ensure that the desires of the developer and the community are understood and approved prior to commencement of construction. Another is to provide a mechanism whereby the City can designate parcels and areas requiring special consideration regarding the manner in which development occurs. Staff believes that the proposed project implements the purposes of the PUD ordinance in this case by providing an in-fill development that retains the existing historic home, is well-designed and sited on the subject site, and that meets the intent of the City's General Plan goals and policies, including those which promote in-fill, residential housing and encourage development of a variety of residential types within the Downtown. The

retention of the historic home was a unique circumstance that warrants customized development standards for the site.

Moreover, input from the adjacent property owners and Pleasanton residents has been sought and obtained through the Work Session; further opportunity for public comment will occur at the Planning Commission and City Council hearings. Staff believes that through the PUD process the proposed project has provided residents, the developer, and the City with a development plan that optimizes the use of the infill site in a sensitive manner. Therefore, staff believes that this finding can be made.

### **VESTING TENTATIVE MAP FINDINGS**

State law and the Zoning Ordinance of the Pleasanton Municipal Code (PMC) set forth the considerations to be addressed in reviewing a Vesting Tentative Map. The Planning Commission must make the following findings that Vesting Tentative Map 8245 conforms to the purposes of the PMC, before making its action.

**1. The proposed vesting tentative subdivision map conforms to the zoning regulations/development plan.**

The Vesting Tentative Map and improvements conform to the PUD development plan and conditions of PUD-120. The map and improvements, therefore, would conform to the underlying PUD zoning district.

**2. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.**

The townhomes will comply with the City's residential Green Building Ordinance, which requires that each townhome achieve a "Green Home" rating on the "Multi-Family Green Building Rating System" in addition to adhering the State's Green Building Standards Code (CALGreen). The homes in the development will incorporate a number of green building measures, providing a minimum of 50-points, and will be constructed to accommodate photovoltaic panels. In addition, the relatively modest size of the homes (1,690 square feet to 2,158 square feet) would generate reduced energy demand compared to larger homes.

**3. The proposed vesting tentative subdivision map, together with its design and improvement, is consistent with the Pleasanton General Plan.**

PUD-120, as discussed in the PUD Findings section of this report, was found to be consistent with the Pleasanton General Plan and with the Pleasanton Downtown Specific Plan and Vesting Tentative Subdivision Map 8326 is based on the proposed development plan. The proposed subdivision and its improvements are compatible with the objectives, policies, land uses, and programs specified in the General Plan and the Specific Plan.

**4. The subdivision site is physically suitable for this type and density of development.**

The area of the property to be developed is not in a flood zone or earthquake fault zone and is relatively flat. Project construction would involve minimal site grading and alteration of existing topography. Thus, the project site is physically suitable for the proposed development.

**5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.**

There are no wetlands, streams, or other sensitive resource areas on or adjacent to the site. PUD-120 includes conditions that require best management practices be incorporated before and during construction to minimize impacts.

**6. The design of the proposed subdivision or type of improvements is not likely to cause serious public health problems.**

The proposed subdivision meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval for PUD-120 and the Vesting Tentative Map. The street design is satisfactory to the Livermore-Pleasanton Fire Department and Traffic Engineer. The townhomes will be equipped with automatic residential fire sprinklers and will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site.

**7. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.**

The Vesting Tentative Map will maintain the existing utility easements located on-site. This Vesting Tentative Map provides for new easements and utilities shown on the PUD development plan or required in the PUD conditions of approval.

**8. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is urbanized and is not covered by a land conservation contract, including a Williamson Act contract.

**9. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).**

No violation currently exists and sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the City's sanitary sewer system for ultimate treatment. Urban stormwater runoff is required to meet the City's RWQCB permit requirements for urban development.

**PUBLIC NOTICE AND COMMENT**

Notices for this hearing were sent to surrounding property owners and tenants within a 1,000-foot radius of the project site. Staff has provided the location and noticing map as Exhibit G for reference. At the time this report was published, staff received three public comments via email, attached as Exhibit H for reference, and one verbal comment. Two of the three emails sought clarification and the third email and verbal comment were a specific project change.

Rick Congdon, the occupant of 746 Peters Avenue, emailed staff and requested confirmation that the "vacant parcel" in the location description of the notification card was the land directly west of the property he is renting. Staff informed Mr. Congdon that the vacant parcel was directly behind his property and part of the proposed development plan.

Scott Raty, Pleasanton Chamber of Commerce President/CEO, emailed staff requesting information on the number of parking spaces proposed for the 11 total units. Staff informed Mr. Raty that each unit has two parking spaces and the overall site contains two on-site guest parking spaces.

Steve Maestas, one of the owners of the adjacent apartment complex to the west of the site at 568 St. John Street, emailed staff to request an 8-foot block wall along the shared property line. Mike Carey, the other owner of the apartment complex and owner of one of the three residents south (rear) of the project site, requested an 8-foot redwood fence on the western property line and an increase in the height of the proposed 6- to 7-foot rear precast wall to 8 feet on the shared south/rear property line.

Staff does not support an 8-foot tall precast wall along the western property line due to the massing and walled-in effect that it will create. Furthermore, the proposed western fence is adjacent to the apartment's driveway and an 8-foot precast wall would not enhance privacy or noise attenuation beyond that achieved by the 6-foot fence. Staff believes that an 8-foot precast wall on the rear property line is excessive and believes the maximum height allowed should not exceed 7 feet. The applicant agrees with staff's recommendation and would like to move forward with the application as proposed (i.e., 6-foot redwood fence along the western shared property line and a 6- to 7-foot precast wall along the rear property line, as conditioned).

**ENVIRONMENTAL ASSESSMENT**

Pursuant to Government Code Section 65457, the proposed project is exempt from CEQA because the project complies with the certified EIR for the Downtown Specific Plan. Therefore, no additional environmental document accompanies this report.

## **SUMMARY/CONCLUSION**

Staff worked with the applicant closely on the proposed development and appreciated the applicant's cooperation in revising the proposal to address comments from the Planning Commission and staff concerning site layout, retaining the home on-site, parking, and other elements of the design. The proposed development is well-designed, would preserve a historic resource on-site, and would be compatible with other residential and commercial uses in the Downtown. Staff, therefore, believes that the rezoning, PUD development plan, and Vesting Tentative Map merit a favorable recommendation to the City Council from the Planning Commission, subject to the conditions in Exhibit A and Exhibit A.1.

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