

Planning Commission Staff Report

August 8, 2012
Item 5.b.

- SUBJECT:** P12-0801
- APPLICANT:** Eric and Michele Wall
- PROPERTY OWNER:** Eric and Michele Wall
- PURPOSE:** Application for design review approval to construct an approximately 6,200-square-foot residence with a habitable basement.
- GENERAL PLAN:** Low Density Residential (< 2.0 du/ac).
- ZONING:** PUD – LDR (Planned Unit Development – Low Density Residential) District.
- LOCATION:** 2505 Yolanda Court (Lot 5 of Tract 7499).
- EXHIBIT:**
- A. Draft Conditions of Approval for P12-0801, dated August 8, 2012.
 - B. Proposed Plans, dated “Received August 2, 2012” including building floor plans and elevations, building materials and colors, landscape plan, grading and drainage plan, site plan, and green-point checklist.
 - C. Approval Letter for PUD-01-14M, dated July 5, 2012.
 - D. City Council Staff Report for PUD-01-01M, dated March 4, 2003.
 - E. Minutes of the City Council Public Hearing, dated March 4, 2003.
 - F. Ordinance No. 1877 for PUD-01-01M, dated March 4, 2003.
 - G. East Bay Regional Park District Letter, dated May 31, 2012.
 - H. Location Map and Notification Map.

I. BACKGROUND

Background

The applicants, Eric and Michele Wall, have submitted applications for PUD-01-014M, Minor Modification of the approved PUD Development Plan (PUD-01-01M), and Design Review Approval for a single-family residence located on the end of Yolanda Court (P12-0801). This will be the second residence reviewed by the Planning Commission

on the five-lot Yolanda Court subdivision, located between Vineyard Avenue and Shadow Cliffs Regional Park.

PUD-01

In 2001, the City Council approved PUD-01, the PUD Development Plan for Delco Builders to subdivide the properties on 2287 Vineyard Avenue and 2503 Vineyard Avenue into 38 lots for single-family production homes. Six lots were approved on the 2503 Vineyard Avenue site with four lots placed on the north side of Vineyard Avenue and two lots placed on the south side of Vineyard Avenue. After the City Council approved PUD-01, the 2503 Vineyard Avenue property then came to be owned by John McCurdy.

PUD-01-01M

On March 4, 2003, the City Council introduced Ordinance No. 1877 that approved PUD-01-01M, a Major Modification of the PUD-01 Development Plan for the 2503 Vineyard Avenue site. Exhibit D is the City Council Staff Report for PUD-01-01M, Exhibit E is the minutes of the City Council Public Hearing, and Exhibit F is a copy of Ordinance No. 1877 with the approved design guidelines. The City Council approved five lots (2505 – 2529 Yolanda Court) on the north side of Vineyard Avenue, accessed by Yolanda Court, a public street, and one lot (733 Vineyard Terrace) on the south side of Vineyard Avenue accessed from Vineyard Terrace through a shared access driveway. The modification replaced the production home designs on these lots with design guidelines and required the home designs be submitted to the Planning Commission for review and approval at a public hearing.

Ms. Linda Chavez of the East Bay Regional Park District (EBRPD) spoke at the City Council Public Hearing on PUD-01-01M and stated the Park District's support of the proposed modification. She stated that this portion of Shadow Cliffs Regional Park is a relatively passive, natural area of Shadow Cliffs Regional Park and that the Park District wants to maintain the natural ambience of this area. Ms. Chavez stated that the Park District has always requested the City to only allow low residential densities on this site and to limit the building heights and bulk so as to maintain a gentle transition and sensitivity from the development to the Park District property. Ms. Chavez concluded that the additional lot made the whole area work better.

The City Council responded to the Park District's concerns regarding building height and bulk by limiting the maximum building height to 23 feet and by requiring second floor living areas be built into the buildings' attic spaces with the second-story windows designed as dormers only facing the buildings' south sides, i.e., Yolanda Court .

Tract 7499

The City then completed its review of the Final Subdivision Map for Tract 7499 and recorded the final map, subdivision agreement, and improvement plans for Tract 7499. Mr. McCurdy paid the Vineyard Avenue Specific Plan fees and constructed the subdivision improvements including the final section of Vineyard Avenue, the

landscape/noise attenuation berm between Yolanda Court and Vineyard Avenue, and Yolanda Court including public infrastructure.

The former quarry operations created a steep 1:1 (45-degree angle) slope bank along the entire north side of Tract 7499 that required a 30-foot building setback for habitable structures, which exceeds the 20-foot minimum rear yard setback required by the PUD-01-01M Development Plan. Non-habitable structures such as pools, spas, or gazebos may be located to within 20 feet of the rear property line. Requests to change the grades in the setback area are subject to review by the City Engineer and may require a site-specific geotechnical report.

PUD-01-14M

PUD-01-14M is the PUD Minor Modification of PUD-01-01M that increased the maximum building area for this site from 4,200 square feet to 6,200 square feet for the residence proposed under P12-0801 to allow a habitable basement. Exhibit C is a copy of the Zoning Administrator's approval letter. Copies of the proposed plans for PUD-01-14M and P12-0801 were sent to Ms. Anne Rivoire of the East Bay Regional Park District for comment before the PUD Minor Modification was noticed. Exhibit G is Ms. Rivoire's written response stating the Park District's support of PUD-01-14M and P12-0801, and the Park District's comment that the vegetation on district property be left intact. This last comment from the Park District will be discussed in this staff report.

The Zoning Administrator approved PUD-01-14M to allow the additional floor area for the following reasons:

1. The Park District's written support of the proposed increase in floor area based on the proposed design drawings;
2. The design quality of the proposal;
3. The additional floor area is only allowed for the habitable basement shown on P12-0801;
4. The increase in floor area for the basement floor area would not increase the 23-foot building height for this site or modify development standards for setbacks; and,
5. No person that received the notice of the minor modification called or visited the Planning Division to comment or oppose the application.

The Zoning Administrator approved PUD-01-14M on July 5, 2012, which became effective on July 26, 2012. With the PUD Minor Modification effective, the Planning Commission can now review and act on P12-0801 at its public hearing.



Figure 2: Project Site – Northwest View from the City Property



Figure 3: Project Site – Northeast View from Yolanda Court

III. PROJECT DESCRIPTION

The proposed residence is a one-story home constructed with a habitable basement. As calculated by staff from the floor plans, the total proposed floor area for the house and garages is approximately 6,797 square feet divided as follows:

Basement	2,533 square feet
Upper Level	3,213 square feet
Pool Bath/Storage (Garage 2)	134 square feet
<u>Total</u>	<u>5,880 square feet</u>
Garage 1	570 square feet
Garage 2	347 square feet
<u>Total</u>	<u>6,797 square feet</u>
Minus 600-square-foot garage exemption	6,197 square feet
<u>Total</u>	<u>6,197 square feet</u>

The proposed floor area of the residence with the non-exempt garage area and without the basement would be approximately 3,664 square feet. The proposed building height is approximately 22 feet, 6 inches in height, measured from the lowest to highest points of the building. The proposed building is designed with a Spanish style, consistent with the PUD design guidelines and surrounding homes.

The proposed basement will be accessed from the first floor by interior stairs and an interior elevator and by exterior patio stairs. The proposed basement will be excavated into the site so that 50 percent to 100 percent of its ten-foot height will be hidden from view by site topography. The basement windows will be placed in window wells to reduce their visibility as well as providing light and air to the basement area in compliance with the requirements of the California Building Code. The applicant proposed the additional floor area as a basement, graded and built into the site, to satisfy the building height, bulk, and window limitations of PUD-01-01M. The proposed basement will also reduce the overall visual mass of the proposed residence as viewed from Shadow Cliffs Park.

IV. ANALYSIS

The subject property represents a difficult design problem for development due to the constraints of topography, geotechnical setback, development standards including design guidelines, grading and drainage, and with the concerns expressed by the East Bay Regional Park District regarding building height and bulk. Staff considers the proposed building and site design to be a good design solution for this property given its constraints.

Site Plan

The proposed home is sited towards the west and south sides of the property so that the proposed basement would be excavated into the site, thereby reducing the height of the basement/foundation walls on the building's north and east sides, and to reduce the driveway grade so that it can be used as guest parking. Figure 4, below, is a copy of the proposed site plan.

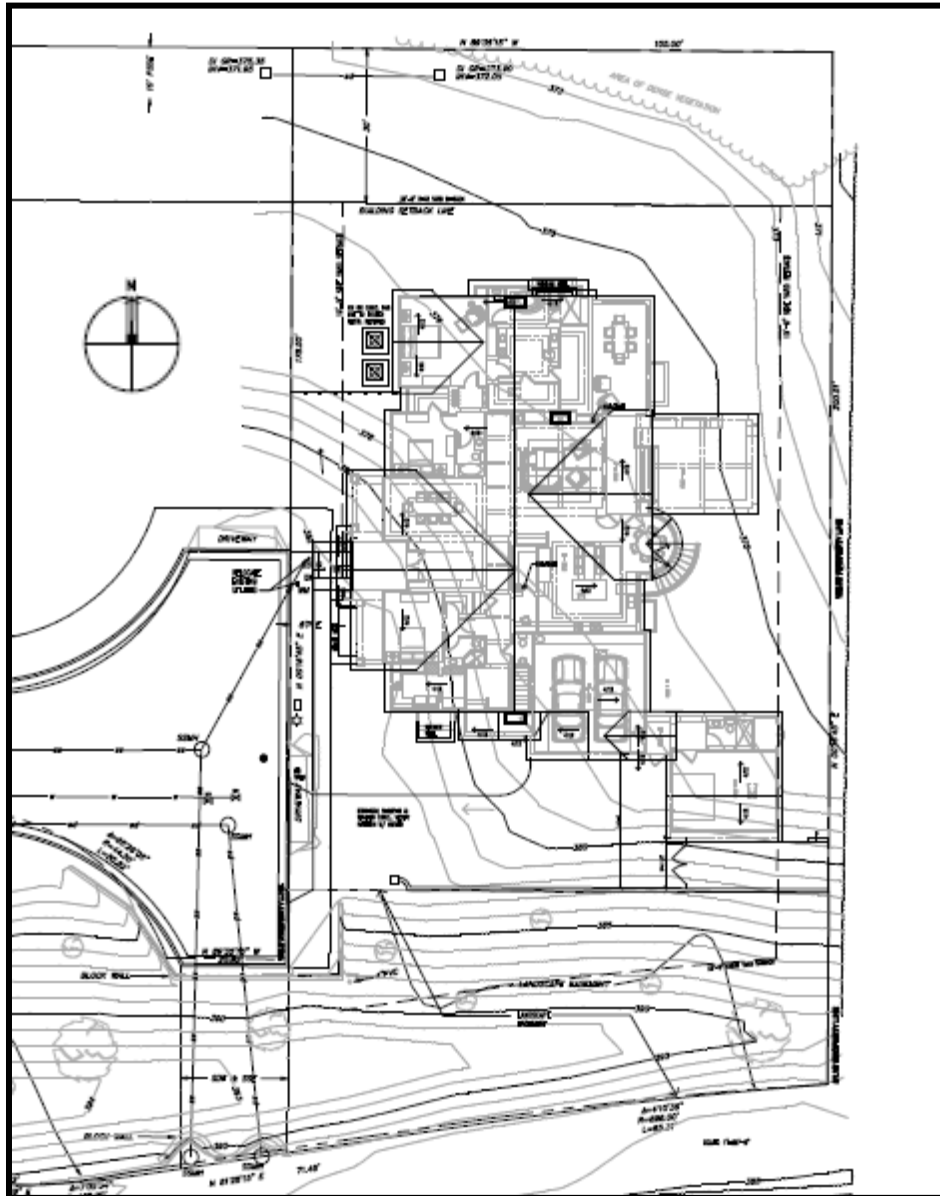


Figure 4: Proposed Site Plan

The entrance to the proposed home faces the west property line with patios and yard areas on the north and east side of the proposed building. Although the front door faces west, staff considers the west property line as a side property line, the south property line by Vineyard Avenue as the front property line, the north property line by Shadow

Cliffs Regional Park as the rear property line, and the east property line by the City property as a side property line.

Table 1, below, demonstrates the proposed project’s conformance to the design standards specified for Lot 5 by the PUD Development Plan and Design guidelines.

Table 1: PUD Development Standards for Lot 5

	Development Standards	Proposed Project²
Front Yard Setback (Vineyard Avenue)	25 feet	48 feet to 50 feet to the garage ³ 67 feet to 82 feet to the house ³
West Side Yard Setback	10 feet	12 feet to the covered porch 21 feet for the house.
East Side Yard Setback	10 feet	12 feet to the garage 14 feet to the covered patio 35 feet to the house
Rear Yard Setback	30 feet	46 to 48 feet.
Building Height	23 feet, measured from the lowest to highest parts of the structure	22 feet, 6 inches
Maximum House Size Allowed¹	6,200 square feet approved by PUD-01-14M.	6,197 square feet (317 square feet of garage floor area is counted towards the maximum floor area).

¹ 600 square feet of garage floor area is exempt from the floor area calculation.

² Verified from the site plan.

³ Varies due to the alignment of Vineyard Avenue.

The one- and two-car garages on the building’s south side provide a 25-foot back-out space to the edge of pavement. The driveway apron is an approximately 10-percent slope, which is acceptable to the City’s Building and Engineering Divisions and to the Livermore-Pleasanton Fire Department. The applicant will modify the existing driveway curb cut to Yolanda Court to accommodate the proposed driveway. Staff estimates that up to four guest vehicles can park in front of the garages in addition to the on-street parking that is allowed on the north side of Yolanda Court. The driveway material will be stamped, colored concrete with an “old granite texture” appearance.

Building Design

The proposed design features traditional style architecture with stucco wall finishes, stone wainscots on portions of the building elevations, and warm-toned colors. Wall color is beige and the trim color is dark brown. Architecture elements include windows and doors deeply recessed into the building walls, wood trim on the window sills and headers, decorative entrance door, stone wainscots, vertically hung windows with quarter-grids on the windows’ upper half portions, and paneled garage doors. Building heights, volumes, and wall surfaces are varied achieving a high level of design quality.

Staff considers the proposed building design including materials, colors, and detailing to be consistent with the requirements of the design guidelines for varied building forms that achieve visual interest, that complement the appearance of the nearby

neighborhoods, and that blends with the natural setting of the Vineyard Avenue area. The applicant is conditioned to add stone wainscots to portions of the west, north, and east sides of the master bedroom, master bathroom, and outdoor porch of the proposed residence to offset the appearance of the stucco wall surfaces. The applicant concurs with this requirement.

The proposed roof pitch is entirely 4:12 so that the proposed residence would maintain the 23-foot height limit of the PUD development plan. The design guidelines state that the maximum roof pitch for the lots of this development should be 6:12, that shallower roof pitches are allowed, and that the roof material should be flat.

Staff and the applicant had worked closely together on the proposed building design before its submittal evaluating the effects on building height of roof pitches varying from a 4:12 pitch to a 6:12 pitch, and concurred that the 4:12 roof pitch should be used to keep the building height below the 23-foot height standard of the design guidelines. (A 6:12 roof pitch would have increased the overall height of the proposed residence from approximately 22 feet, 6 inches to approximately 26 feet, 6 inches and would have increased the building's visual mass.) The proposed roof material is consistent with the Spanish style design. Staff, therefore, considers the proposed roof pitch and material to be consistent with the design guidelines.

Landscaping and Fencing

The proposed landscape plan includes a list of planting species that are attractive and appropriate for the site, including a mix of native and non-native plant species emphasizing low water use, and including dwarf citrus trees such as grapefruit, lime, mandarin orange, and lemon species. All trees will be a minimum 24-inch box size and all shrubs will be a minimum 5-gallon size, and will be grouped in a series of randomly-spaced clusters. As conditioned, the landscape/irrigation plan is required to conform to the California State Model Water Efficient Landscape Ordinance and Bay Friendly Landscapes. The applicant concurs with this requirement.

The applicant proposes landscape up-lighting and flood lighting on the yard areas bordering the Shadow Cliffs Regional Park property to the north and the City property to the east. In order to prevent light spillover to the Park District and City property staff has conditioned the removal of these lights. The applicant concurs with this requirement.

As shown on the landscape plan, the applicant will install a six-foot tall wrought-iron style fence along the north and east property lines and solid good-neighbor style fence on the west property line. As conditioned, the final designs will be submitted with the building permit. The applicant concurs with this requirement.

Grading, Drainage, and Utilities

The proposed building form is stepped to generally match the site's topography. The proposed basement excavation will result in a 5-foot deep (building's northeast corner) to a 10-foot deep (building's southwest corner) basement being dug into the site. The

applicant proposes up to 4-feet of fill on the east side of the property. The fill area would be retained by a 2-foot to 3-foot tall retaining wall on the east property line ending at the geotechnical setback line. A 5-foot tall retaining wall will be installed along the south side of the driveway apron where the proposed grading for the driveway apron will cut into the berm facing Vineyard Avenue.

As conditioned, the roof areas will drain to the landscape areas to pre-filter the storm water runoff before it enters the existing storm drain inlet located near the north side of the site. The inlet, in turn, is connected to a concrete "V"-ditch constructed on the north sides of Lot 1 through Lot 4 of Tract 7499 that is then connected to an outfall structure to the Shadow Cliffs Regional Park property. All retaining walls are required to be surfaced with stucco or masonry. An erosion control plan will be provided to the Planning Division for review and approval prior to the issuance of a building permit. The applicant concurs with these requirements.

No grading is proposed in the geotechnical setback area except for three-foot fill area contained by retaining walls for a play area. As conditioned, the proposed fill material shall be subject to outside review and recommendation by a geotechnical engineer and then approval by the City Engineer before the issuance of a grading permit. The applicant concurs with this requirement.

Staff is aware of debris material located in the area of Garage 2 that was not removed with the construction of Tract 7499. As conditioned, if during the excavation of the building foundation or basement any debris material is discovered, the excavation shall stop and the owner shall have the debris examined by a qualified environmental professional to determine the context of the material. If lead, asbestos or other hazardous materials are found in the debris, the debris shall be removed to the appropriate land fill that will accept this material. Alternate methods of dealing with the debris material that may be suggested by the environmental professional will be subject to review and approval by the City Engineer. The applicant concurs with this requirement.

Green Building Measures

The attached Green Building checklist shows that the proposed development would achieve 145 points thereby exceeding the 50 point minimum identified by the City ordinance. As conditioned, the final Green Building measures and score will be determined with the review of the building permit application. The State of California's Green Building Standards Code, "CALGreen", shall also apply.

East Bay Regional Park District

Staff referred the project to the East Bay Regional Park District for comment. Exhibit G is attached and states the Park District's support of the proposed project and that the existing vegetation on Shadow Cliffs Regional Park property be left intact. This last comment from the Park District refers to the trees planted on the Park District property that will not be affected by the proposed project. Scrub planting on the project site will be removed, but will be replaced by new shrub and tree planting.

V. PUBLIC NOTICE

Public notices were sent to the property owners and tenants within a 1,000-foot radius of the property, including the East Bay Regional Park District. Exhibit H shows the notification area. Except for the comment letter from the East Bay Regional Park District, staff has not received any other written or verbal comments on the proposed project. Staff will forward comments to the Planning Commission as they are received.

VI. ENVIRONMENTAL ASSESSMENT

Environmental review for the proposed project was completed with the approved Initial Study/Mitigated Negative Declaration (IS/MND) for PUD-01 in conformance with the standards of the California Environmental Quality Act (CEQA). The physical environment has not significantly changed since that time; no newer information or changed circumstances which require additional CEQA review has been identified to the City. Because the proposed project is a single-family residence on a legal parcel of record that would have a negligible effect on the environment, the Mitigated Negative Declaration can be used to cover the proposed project in conformance with the standards of the California Environmental Quality Act (CEQA). For this reason, no separate environmental document accompanies the Planning Commission staff report for this item.

VII. CONCLUSION

The proposed home is an attractive addition to the Vineyard Avenue area and is designed or conditioned to conform to the PUD development plan and design guidelines. The proposed project is compatible in terms of site and building design with the development pattern of the surrounding neighborhoods.

VIII. STAFF RECOMMENDATION

Staff recommends the Planning Commission approve P12-0801 subject to the draft conditions of approval listed in Exhibit A.

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