

Planning Commission Staff Report

July 9, 2008
Item 5.c.

- SUBJECT:** PCUP-228/PDR-780
- APPLICANT:** Alexander Eagle/The Bergman Companies
- PROPERTY OWNER:** Benjamin Stoller/Centro Properties Group
- PROPOSAL:** Application for design review approval for modifications to an existing building and for site design changes and for a conditional use permit to operate a grocery store.
- GENERAL PLAN:** Retail/Highway/Service Commercial, Business and Professional Offices
- ZONING:** Planned Unit Development (PUD-C) – Commercial District/
Rose Pavilion Shopping Center
- LOCATION:** 3903 Santa Rita Road
- ATTACHMENTS:**
1. Exhibit A, Site Plan, Floor Plan, Building Elevations, dated “Received June 21, 2008,” Traffic Study prepared by Fehr & Peers, dated “Received June 25, 2008”
 2. Exhibit B, Proposed Conditions of Approval
 3. Exhibit C, Location Map

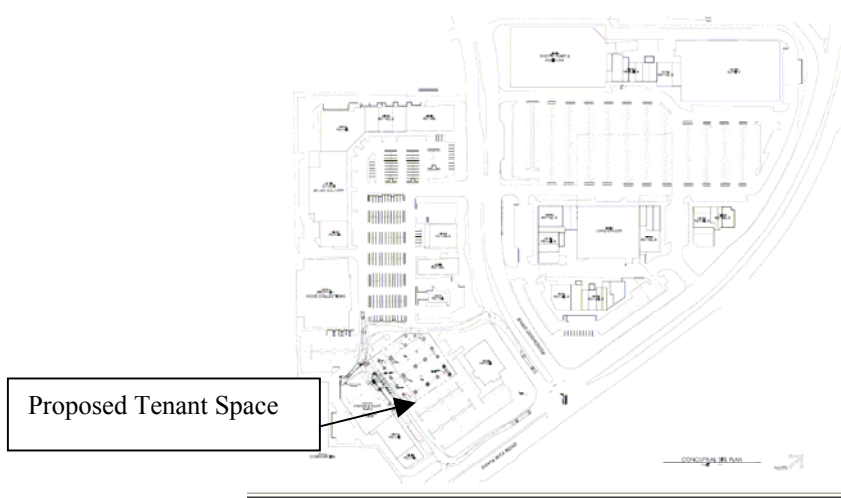
BACKGROUND

Mr. Alexander Eagle requests the consideration of a conditional use permit to operate a neighborhood market in the Rose Pavilion Shopping Center (PUD-89-06). The building is currently occupied by Express Fitness, who would be relocated to another tenant space in the shopping center if this application is approved by the City.

The subject site is located in Phase III of the Rose Pavilion Shopping Center, a mixed-use retail center approved by the City in 1989 and the uses allowed and conditionally allowed

within Phase III of the shopping center follow those listed in the C-C (Central Commercial) District. As such, a market requires a conditional use permit approval by the Planning Commission.

The applicant also proposes to modify the exterior by constructing a new loading dock on the north side of the building and to repaint the building. The design review is a staff level process; however, it is tied to the requested conditional use permit and is a part of the overall project.



Rose Pavilion Shopping Center

The Fresh & Easy market is a general merchandise chain and a subsidiary of Tesco, PLC, Britain’s biggest grocer. Currently it has stores in California, Arizona, and Nevada. The market is specialized in organic foods and prepared meals. The proposed location at Rose Pavilion Shopping Center would be the first store in the Tri-Valley Area.

SITE DESCRIPTION

Phase III of the Rosewood Pavilion Shopping Center is located on the northwest corner of the intersections of Santa Rita Road and Rosewood Drive.

The subject parcel is approximately 4.33 acres located on the west side of Rosewood Drive, on the north side of Santa Rita Road. The parcel has two buildings, an approximately 7,972-square-foot building currently occupied by TGI Fridays restaurant and an approximately 25,521-square-foot multi-tenant building. The proposed Fresh & Easy would occupy approximately 15,585 square feet (61 percent) of the building area. The remaining tenant spaces in the same building are currently vacant.

The building front faces the east towards the parking lot, and has an existing loading dock located at the rear (west side) of the building. Parking within the shopping center is shared by all tenants. There are 85 parking spaces located in the front of the store, eight spaces located on the north side of the store and six spaces in the back.



Project Location

The subject site is bounded by the shopping center to the north and east, a storage facility and outdoor storage yards to the west, and Santa Rita Road to the south. Access to and from the project site are via Rosewood Drive and Santa Rita Road.

PROJECT DESCRIPTION

The Fresh & Easy market would be open seven days a week from 8:00 a.m. to 10:00 p.m. The store layout is typical to other markets providing merchandise stocked shelves, deli/dairy counters, frozen and fresh products with checkout stands located near the entrance. The store would also have receiving and storage areas, a break-room for employees, general offices, and restrooms for both employees and patrons.

The design review application incorporates the following building modifications:

- ❑ A lifting loading dock would be constructed on the north side of the building, facing Golfsmith.¹
- ❑ Stone columns would be added to accent the front elevation.
- ❑ New storefront windows would be added to the left of the entrance.
- ❑ The building exterior would be repainted.
- ❑ A new building sign would be installed.

¹ The existing dock at the rear of the building will be retained.

ANALYSIS

Land Use

The project site is zoned PUD-C where the approved PUD development plan follows the uses listed in the C-C (Central Commercial) District. The proposed use would be located in an existing building with minor site modification. The proposed Fresh & Easy market would be operated at regular retail hours, and merchandise delivery would be made prior to the store opening so that there is less traffic and vehicles in the shopping center.

The activities associated with the proposed market are unlikely to be disturbing to residents in the vicinity or to other tenants in the same shopping center. The nearest residential properties located on Dickens Court are approximately 320 feet to the south of the subject tenant space separated by Santa Rita Road, a landscaped median, and an approximately nine-foot high sound wall. Other residential properties are located on Andrew Street, are approximately 550 feet to the west of the subject tenant space separated by the outdoor storage business and Old Santa Rita Road.

Staff does not anticipate that the proposed use would create land use conflicts.

Traffic

From a traffic perspective, the proposed Fresh & Easy market is a more intense use than the current fitness facility. The market will generate 32 more AM peak hour trips and 152 more PM peak hour trips than the current use. As such, the City Traffic Engineer requested that a traffic study be prepared to evaluate potential impacts of the proposed use onto City roads and as well as possible impacts to the existing traffic pattern within the shopping center.

A Transportation Impact Assessment study was done by Fehr & Peers, a transportation consultant based in Walnut Creek. The study compared the proposed Fresh & Easy market with the current business, Express Fitness.

The study finds that although the proposed market would add additional peak-hour trips than the current use. The added trips in both AM and PM hours would not worsen the existing Level of Service (LOS)¹ at the intersections that are located near the project site – Santa Rita Road/Pimilco Drive/EB 580 Off Ramp, Santa Rita Road/Rosewood Drive, Santa Rita Road/West Las Positas Boulevard, and Santa Rita Road/Stoneridge Drive. Therefore, intersection mitigation measures were not recommended for this project. The applicant would be required to pay standard traffic mitigation fees as required by both the City and the Tri-Valley area. A condition of approval is included to address this issue.

¹ The existing LOS at the studied intersections is LOS A in the morning and LOS B I the afternoon.

Given that the proposal is a neighborhood market, the study also evaluated the pedestrian access, and recommended a pedestrian connection between the store and the existing bus stop on Rosewood Drive be provided. A condition of approval is included to address this issue.

Parking /Circulation

Section 18.88.030 of the Pleasanton Municipal Code requires one parking space for every 150-square-foot of gross building floor area for a grocery store. A total of 104 parking spaces would be required for the proposed Fresh & Easy store. Fresh & Easy is allocated 91 parking spaces, which would be 13 spaces less than what is required.

Fehr & Peers also evaluated parking demand. The report referenced the ITE Parking Generation Manual and found that while the proposed grocery store increases a fair number of PM trips to the site when compared to the current use, the peak parking demand is reduced in comparison to the current use. The analysis indicated that grocery shoppers spend less time in the grocery store than those who are in the fitness facility. As a result, fewer parking spaces would be needed for a grocery store than a fitness facility. Fehr & Peers finds that the allocated 91 parking spaces would be adequate.

As previously mentioned, there are 85 parking spaces located in the front of the store, eight spaces located on the north side of the store and six spaces in the back. The applicant proposes to remove the eight existing parking spaces on the north side of the building because of the new loading dock location. This reduction in parking would not impact the total number of allocated parking spaces; therefore, the allocated parking would remain adequate for Fresh & Easy.

Circulation within the shopping center is easy and convenient except for occasional stops for pedestrians crossing the drive isles. The traffic study also considered the effects of the proposed loading dock location and concluded that it would not cause on-site vehicle circulation impacts (see diagram below). The applicant confirmed that deliveries are typically made in the morning in order to reduce the potential of such conflicts.



Architecture

Stone columns would be added to the front of the building, new storefront windows, and a new color scheme for the building. Staff finds that the proposed modifications would soften and improve the appearance of the building, enhancing the architecture of the building. The green accent on the building would respond to the store signage, the stone element would establish a connection between the project tenant to the Golfsmith building, and the “Philadelphia Cream” color would provide overall improvement and color consideration for the shopping center.



Building Elevation Comparison: “Before & After”

Signage

An internal illuminated cabinet sign has been proposed. Staff recommends that this sign be revised to either a channel letter sign or an individual lettering sign with halo illumination. A condition of approval is included to address this issue.

Trash Enclosure

Two trash enclosures located next to the existing loading dock and also to the south. Both enclosures are in a dilapidated condition – the wooden slats on the gates need to be replaced. Additionally, neither of the enclosures have a cover or are connected to sanitary sewer system. The existing enclosures do not appear to have the capacity to

accommodate both dry and wet trash bins. Staff has added a condition of approval requiring the existing trash enclosures be modified so that they would not only have the sufficient capacity to accommodate the proposed grocery store, they would also be covered. The design of the enclosures is subject to the review and approval by the Director of Planning and Community Development prior to the issuance of a building permit.

Public Comment

Notices of the Planning Commission's public hearing on this item were sent to property owners, business tenants, and homeowners within 1,000 feet of the subject property. Staff has not received any verbal or written comments pertaining to the proposed project.

FINDINGS

The Planning Commission must make the following findings prior to granting a use permit:

A. The proposed locations of the conditional uses are in accordance with the objectives of the zoning ordinance and the purpose of the district in which the sites are located.

Objectives of the zoning ordinance include: protecting existing land use from inharmonious influences and harmful intrusions; fostering harmonious, convenient, workable relationships among land uses; and insuring that public and private lands ultimately are used for the purposes which are most appropriate and beneficial to the City as a whole. As conditioned, the proposed grocery store would be consistent with these objectives.

The site of the proposed use is located in the Rose Pavilion Shopping Center, which permits a variety of retail, personal service, and restaurant uses. The approved Planned Unit Development plan for the shopping center refers the uses in the C-C (Central Commercial) District. Staff believes that operating a grocery store in this shopping center would be in accordance with the purposes of the C-C zoning district and the intent of the approved PUD to provide locations to offer commodities and services to residents of the surrounding residential neighborhood, and other Pleasanton residents and employees working in nearby businesses. The proposed conditions of approval would give the City the appropriate controls to ensure that the use does not have any negative impacts on the surrounding businesses and properties. The use permit for the grocery store would be in accordance with the objectives of the zoning district. Staff believes that this finding can be made.

B. The proposed location of the conditional uses and the conditions under which they would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to the properties or improvements in the vicinity.

The traffic study prepared by Fehr & Peers would bring significant impacts to either the city roadways or to the existing shopping center. The traffic study finds that the allocated parking spaces are adequate to support the parking demand from store patrons during PM peak hours. As proposed, the grocery store would have regular business hours and that deliveries would be complete prior to store opens in the morning. The existing tenant space is located at a fair distance from residential properties and that existing ingress/egress to and from the shopping center would continue provide easy access to the shopping center patrons. With the proposed conditions of approval, staff believes that the proposed use would not detrimentally impact the surrounding properties, and staff believes that this finding can be made.

C. The proposed conditional uses will comply with each of the applicable provisions of the zoning ordinances.

The proposed use, as conditioned, would comply with applicable provisions of the zoning ordinance. Granting a conditional use permit to the applicant would be consistent with the City's ability to regulate zoning as listed in the Municipal Code. Therefore, staff believes that the third finding can be made.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15301, Existing Facilities, Class 1.

CONCLUSION

As conditioned, the proposed Fresh & Easy store would adhere to the requirements of the approved Planned Unit Development plan. Staff believes that the proposed store would be an enhancement, both aesthetically and economically, to this shopping center.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission make the required findings and approve Case Nos. PCUP-228/PDR-780, subject to the proposed conditions of approval listed Exhibit B.

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