

Planning Commission Staff Report

April 23, 2008
Item 5.a.

SUBJECT: PUD-73

APPLICANT/PROPERTY OWNERS: Steve Maestas and Mike Carey

PURPOSE: Application for a Planned Unit Development (PUD) rezoning of an approximately .22-acre parcel from the RM-4,000 (Multiple-Family Residential) District to the PUD-HDR (Planned Unit Development – High Density Residential) District.

GENERAL PLAN: High Density – Greater than 8 dwelling units per gross acre

ZONING: RM-4,000

LOCATION: 204 Kottinger Street

ATTACHMENTS:

1. Exhibit A: Site Plans dated “Received, February 21, 2008”
2. Exhibit B: Draft Conditions of Approval
3. Location Map
4. Pleasanton Heritage Association March 25, 2008 comments
5. PUD-91-09 Staff Report and Conditions of Approval
6. PUD-95-01 Staff Report and Conditions of Approval
7. Public Correspondence

BACKGROUND

Steve Maestas and Mike Carey submitted an application for a planned unit development (PUD) on February 21, 2008. As proposed, the project proponents plan to retain the two existing homes located on the site. The applicants have also requested approval to construct two new carports; one carport for each existing residence.

Under the current RM-4,000 zoning, the subject site does not contain sufficient square-footage to allow the property to be subdivided into two parcels. The applicants have requested to utilize the planned unit development process to develop standards for the existing residences.






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

SITE DESCRIPTION

The project site is part of a cluster of small single and multi-family units located along Kottinger Drive. The site is bounded to the east by the two lots that were created by PUD-91-9, to the immediate west are two lots that were created by PUD-95-1, further to the west is a 10 unit condominium development, multi-family residences are located to the north, and single-family residences are located to the south. The western property line is the boundary of the Downtown Specific Plan area.



Downtown Specific Plan boundary

-  10-Unit Condominium development
-  PUD 91-9
-  PUD 95-1
-  Single-family residences
-  Multi-family residences

The project site is an approximately 9,571 square-foot (0.22-acre) lot located at the junction of Kottinger Drive and Second Street. The property is essentially flat with a two existing residences.

The existing homes are approximately 1,026 square feet and 885 square feet in size with no covered parking provided on-site. The age of the front house indicates that it is of historic interest as the city's consultant, Architectural Resources Group, put the home on a list of Landmark Quality Buildings over 100 years old. The homes were constructed in 1895 and 1948, respectively; they are not considered architecturally significant.



The site contains four existing trees that will be preserved as part of this application.

PROJECT DESCRIPTION

The applicants are proposing to retain the two existing single-family residences of approximately 1,026 square feet and 885 square feet respectively and construct a new carport for each residence, subdividing the approximately 9,571 square-foot lot into two parcels of 4,085 square feet and 5,161 square feet respectively, while rezoning from RM-4,000 to PUD-HDR (Planned Unit Development – High Density Residential); and to establish site development standards for any future renovations of the existing homes or new construction. Future proposals to develop the properties would be subject to the standards listed in the *Development Standards* section of this report.

After City Council action, the applicants will follow with an application for a minor subdivision map to subdivide the property from one parcel into two separate parcels.

Site Plan

The plans that are provided as Exhibit A indicate the development plan with the resulting parcel sizes. The PUD process is the most appropriate method to process this application request given the similarities to the adjacent parcels and other development in the downtown area that were also created with the PUD process.

The parcel sizes indicated on the plan takes into account the 335 square feet of area that the City is requiring for public dedication along the front of the existing parcel.

Access to both parcels would continue to be provided by the existing driveway. However, the project would provide a 10' wide easement for ingress and egress.

The table below summarizes the existing and proposed building setbacks. Building B currently has an existing non-conforming rear yard setback at 25 feet where 30 feet is required by code for the RM-4,000 zoning district. The current positioning of the existing structures will be allowed to remain, but the proposed development standards will supersede the existing and resulting setbacks at the time of future development occurs (renovations or new construction).

Table 1.2

Setbacks	Existing	Resulting	Future Development
Building A			
Front	28'	28'	20'
Right side	12'	12'	7'
Left side	11'	1'	3'
Rear	88'	16'	15'
Building B			
Front	92'	10'	20'
Right side	7'	7'	7'
Left side	30'	30'	7'
Rear	25'	25'	15'

ANALYSIS

General Plan Land Use Conformity

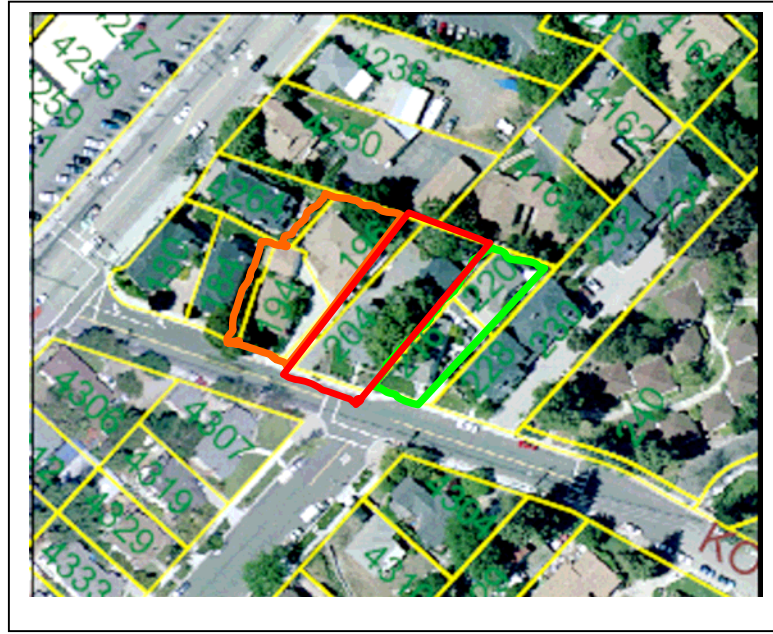
The proposed project is consistent with the General Plan land use designation, which is High Density Residential (greater than eight dwelling units per gross acre). The project would have a density of approximately 9 units per acre, which is within the allowed range of 8 or more dwelling units per acre for HDR development. High density residential does not have a midpoint density requirement.

Downtown Specific Plan Conformity

Although this parcel is not located in the Downtown Specific Plan area, it is the adjacent parcel of the boundary. Therefore staff feels that it is appropriate to review this project for conformity to those standards. Staff believes the current proposal is in conformance with the land use designation and policies of the Downtown Specific Plan, and is consistent with the pattern of approved residential development within the Downtown District.

In 1991, PUD 91-9 was approved to divide the easterly neighboring parcel of an approximately 7,359 square-foot lot into two parcels with areas of 4,053 square feet and 3,057 respectively, where the existing residence (945 square feet) remained and a new 845 square foot home was constructed on the new lot. Please see the attached Staff Report and Conditions of Approval for more information (Attachment 5).

In 1995, PUD 95-1 was approved to divide the westerly neighboring parcel of an approximately 10,474 square-foot lot into two parcels with areas of 4,366 square feet and 6,287 respectively, where the existing residence remained and a new residence and carport parking would be constructed (900 square feet and 1,500 square feet). Please see the attached Staff Report and Conditions of Approval for more information (Attachment 6).



The proposed PUD plan is similar to both PUD-91-9 and PUD 95-1 in that the subject lot proposes to create two parcels of similar square-footages, retention of the existing residences, construction of a new carport, and the rezoning of the property to PUD-HDR as done with both projects previously.

Parcel Configuration

Staff worked considerably with the applicant on various options for development plan configurations. The proposed flag lot design seemed to be the most appropriate for Parcel B given the ability for the structure on Parcel A to be reconfigured in the future to obtain private access within its own parcel boundaries, the parcel sizes that resulted from this layout, and the consistency with the lot configurations of those approved under PUD-91-9, and the “affordable by design” proposal.

Specifically, the project will create two legal parcels, each with street frontage, and each with a home that is no greater than 1,200-square-feet in area, which is generally considered “affordable by design”.

Staff believes that the proposed development plan is acceptable for the proposed project of the lot in terms of access, setbacks, floor area ratios (FARs), and the size and shape of

the resulting lots. The current method of access to both units will remain through the establishment of an access easement; however Parcel A could chose to obtain independent access at a future time. The existing structures are proposed to remain, resulting in a number of the setbacks not meeting the proposed development standards. With the proposed site development standards staff feels confident that future site development will provide the correct setbacks.

The resulting FARs are as follows:

Table 2.1

Lot Size	Existing Structures	Current FAR	PUD FAR limit	RM-4 FAR limit	Allowed Square-footage
Building A					
4,085	1,026	25%	40%	40%	1,634
Building B					
5,161	885	2%	40%	40%	1,930
Existing Lot Data					
9,571	1,911	20%	n/a	40%	3,828

The calculations for Building B are based on the exclusion of the access portion of the lot. The net square-footage of Parcel B is approximately 4,826 square feet with the removal of the approximately 335 square-foot access portion.

Architecture/ Design

The subject site is located directly north of the intersection of Kottinger and Second Street. This area of the City contains many quaint and attractive residence built in the “Old Pleasanton” style. Staff feels that it is appropriate for the existing structures to remain, but that any renovation or new structures should complement the character and scale of the buildings in the adjacent area. Therefore, staffs has conditioned that future renovations and new structures be designed in the “Old Pleasanton” style and compliment the surrounding homes in scale, color, materials, and placement.

Parking

The applicants have designed the project to preserve on-street parking to the maximum extent possible. All required parking is conditioned to be provided on-site with access gained from the existing driveway.

Per the requirements of the Pleasanton Municipal Code to provide two parking spaces on-site with one being a covered space, the project proposes to provide two full size parking spaces for each residential unit. Each of the existing residential units is proposed to contain a full-sized, one-car carport and one uncovered parking space. Staff has conditioned that the each space have a minimum dimension of 10 feet by 20 feet (10’ x 20’) and that the parking spaces not be tandem. No parking will be allowed in any area of the joint access driveway (10’).

The applicants have proposed to install two 9-foot, 8-inches tall wood trellis style carports to provided the covered parking space for each lot. Staff feels that the provision for the covered parking is an improvement over the current situation where no covered parking is being provided for either residence. Additionally, staff feels that the informal design of a wooden trellis structure is also appropriate given the constraints of the site and the likelihood that new structures would be constructed at some point in the future.

Site Development Standards

The site development standards for the proposed development are outlined in the table below.

Table 1.1

Main Structures	Parcel A	Parcel B
Lot Size Min.	4,085 sq. ft.	5,161 sq. ft.
Setbacks:		
Front Yard	20 ft.	20 ft.
Rear Yard	15 ft.	15 ft.
Side Yard	3 ft. minimum on the left side and 7 ft. minimum on the right side	7 ft. minimum on both sides
Building Height Max.**	30 ft.	30 ft.
FAR Max.*	40%	40%

Accessory Structures (Class I)	Parcel A	Parcel B
Setbacks:		
Front Yard	20 ft.	20 ft.
Rear Yard***	5 ft.	5 ft.
Side Yard***	3 ft.	3 ft.
Building Height Max.**	15 ft.	15 ft.

* The FAR (Floor Area Ratio) excludes the access portion of Parcel B (net lot size).

** Measured from the lowest finished grade to the highest ridge point, including all chimney projections.

*** Setbacks are measured to the wall and eaves may encroach 1/3 into the setback area per the Building Code.

Class II Accessory Structures follow the R-1-6,500 zoning standards

At the time that Parcel B is redeveloped, the future design proposal is conditioned to install beige colored interlocking pavers along the access corridor.

Given the historical nature of these aged structures, staff has also conditioned the future homes to provide a cost analysis of restoring the structures verses new construction to maintain the historical ties of the structures. If it is determined that the costs to retain and

restore the structure(s), then the applicant is required to provide designs that are in scale and keeping with the surrounding homes. Therefore, staffs has conditioned that future renovations and new structures be design in the “Old Pleasanton” style and compliment the surrounding homes in scale, color, materials, and placement.

Permitted and Conditional Uses

The proposed PUD is subject to the permitted and conditional uses of the R-1 One-Family Residential Districts as outlined in the Pleasanton Municipal Code (P.M.C. §18.32).

Fencing

The proposed project does not contain modifications to the existing fencing. Staff feels that the existing fencing is adequate for the current development. Staff has conditioned this approval to required that future fencing follow the R-1-6,500 requirements and the access portion of Parcel B be considered as the front property line for purposes of determining the appropriate setbacks and height restrictions for fencing.

Trees

There are four trees on the subject property. The existing trees are proposed to be retained and staff has conditioned the project to provide an arborist report for the trees with future development. The existing trees are to be evaluated and bonded for at that time. A tree removal permit must be obtained for the removal of any of the trees; requests for removal are evaluated by the City’s Landscape Architect.

Pleasanton Heritage Association

Although the project site is outside the boundaries covered by the Pleasanton Heritage Association (PHA), they provided comments regarding the proposed project on March 25, 2008 (Attachment 4). The PHA expressed concerns over the land division that are zoned for multi-family dwellings, the size of the lots, the space accommodations for two homes while providing adequate parking and landscaping, density, and design. Furthermore the PHA feels that the historic nature of the existing structures and provisions for adequate parking be reviewed with any future applications.

Specifically regarding the proposed project, the Association preferred garages over the proposed carport designs. The PHA stated it had no position on this project other then the concerns that were described.

PUBLIC NOTICE AND COMMENT

Notice of the proposed project was mailed to the surrounding property owners and tenants within 1,000 feet of the subject property. At the writing of this report, staff received two e-mails expressing concern for development on this site. Please see Attachment 7 to read the e-mails in their interiority.

The e-mail from the Mr. and Mrs. Roberts was received on April 13, 2008 and expresses concern for increased traffic, future two-story homes being built, impacts to the existing tree, blocking of the skyline, and parking concerns.

The e-mail from Mr. Robb Carey (not related to the applicant) was received on April 14, 2008 and expresses concern over the historic legacy of the existing homes.

Staff has explained to both parties that the existing structures are to remain and that the development standards would provide the regulations for future development on the site. The retention of the existing structures seems to address Mr. Carey's concerns over the historic nature of the existing homes and The Robert's concerns for increased traffic. The conditions of approval also require that the future development be reviewed through the Design Review process and that any future development be in scale and keeping with the neighborhood. Lastly, the conditions of approval require a cost analysis for restoration to be done to determine the appropriateness of not retaining the existing structures. Staff feels that this is the best approach to retaining the existing structures while acknowledging their limited longevity.

Staff has provided development standards to guide the future development of these proposed lots. The existing homes of The Roberts' development (PUD-91-9) are limited in their ability for future construction per Condition No. 5 of PUD-91-9. There is a distinct difference between that project and the proposed project, though the parcel sizes are similar; PUD-91-9 created smaller parcels than the ones that are being proposed with this application. Thus, a condition of approval for that PUD to prohibit future additions seems appropriate, whereas, the proposed lot sizes and development standards for this project demonstrate that there is sufficient parcel size to accommodate both future additions and potential two-story design options. Therefore, staff feels that it would be inappropriate for these lots to be prohibited from having future additions.

The concerns of impacts to the existing trees and the blocking of the skyline are not able to be addressed until such time an application for new construction is applied for. The proposed project does not result in any impacts to the existing trees or blocking of the skyline beyond what already exists. Future development will be reviewed for any tree impacts and the surrounding neighbors will be notified of any proposed project.

Parking concerns have been addressed with the requirement for the applicant to provide the on-site parking spaces where currently none exist. Staff feels that the proposed project actually improves the current parking situation.

Neither party came to view the plans for the proposed project prior to the publishing of this report.

FINDINGS

The Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development District and the considerations to be addressed in reviewing a PUD development plan proposal. The Planning Commission must find that the proposed PUD development plan

conforms to the purposes of the PUD District, as listed below, before making its recommendation to the City Council.

1. *The proposed development is in the best interest of the public health, safety, and general welfare.*

The proposed development, as conditioned, meets all applicable City standards concerning public health, safety, and welfare including vehicle access, geologic and flood hazards. The project developer will install all on-site infrastructure with connections to the municipal systems in order to serve the site. Adequate storm drain, sanitary sewer, and water service utilities are present near the development and are sufficient to serve the new buildings. Public street access is provided to all structures for police, fire, and other emergency response vehicles. The buildings are designed to meet the requirements of the Building Code, Fire Code, and other applicable City codes. This finding can therefore be made.

2. *The proposed development is consistent with the Pleasanton General Plan.*

The proposed project's land use conforms to the "High Density Residential" land use designation for the project site. The General Plan defines High Density Residential as greater than eight dwelling units per acre. The proposed project, with five units on approximately .22 acres, conforms to this designation. This finding can therefore be made.

3. *The proposed development is compatible with previously developed properties in the vicinity and the natural topographic features of the site.*

As mentioned in the *Downtown Specific Plan Conformity* section of this report, in 1991 and 1995 PUDs were processed on the adjacent parcels with similar project components.

The proposed development is compatible with surrounding developments. The retention of the existing homes will continue the current streetscape. Approval of the PUD will, therefore, not alter the physical characteristics of the site. This finding can therefore be made.

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

The subject site is flat and has a general slope of $\leq 0.5\%$. No grading is proposed at this time, nor does staff foresee the need for any substantial grading in the future. Staff believes this finding can be made.

5. *Streets and buildings have been designed and located to complement the natural terrain and landscape.*

The project site is maintaining the current structures and access. As an urban site, there is little natural terrain in the vicinity. The site design complements the vibrant, pedestrian-oriented neighborhood. Staff believes this finding can therefore be made.

6. *Adequate public safety measures have been incorporated into the design of the plan.*

The project is consistent with City safety standards. As conditioned, the future buildings would be equipped with automatic fire suppression system (sprinklers) as required by the Fire Department. The project would be required to comply with all building and fire code requirements. Staff, therefore, believes that the project has been designed and conditioned to incorporate adequate public safety measures. This finding can be made.

7. *The plan conforms to the purposes of the PUD District.*

One of the purposes of the PUD District is to allow flexibility for projects that would otherwise not meet the standards of the underlying zoning district. The proposed PUD conforms to the policies and programs of both the General Plan and the Downtown Specific Plan. It provides a high-density, single-family housing alternative that is consistent with the fabric of the surrounding area. Staff believes that this finding can therefore be made.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Class 32, Section 15332(a-e). Therefore, no environmental document accompanies this report.

CONCLUSION

Staff believes that, as conditioned, the proposed PUD is in keeping with the themes, policies, and requirements of the General Plan, the Downtown Specific Plan, and the surrounding area. The proposed development obtains the balance required of an infill lot: provision of high-density, single-family housing that incorporates the design and development standards of the surrounding area while respecting the concerns of, and minimizing the impacts on, nearby residents. The development of this PUD would be carried out in a manner that blends in and preserves the unique make-up of the surrounding area. Staff believes that the proposed project merits a favorable recommendation from the Planning Commission.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Make the finding that the proposed PUD development plan is covered by the California Environmental Quality Act (CEQA) Class 32, Section 15332(a-e).
2. Find that the proposed PUD development plan is consistent with the General Plan and the purposes of the PUD Ordinance;
3. Make the PUD findings as listed in this staff report; and
4. Adopt a resolution recommending approval of Case PUD-73, subject to the development plan as shown in Exhibit A and the conditions of approval listed in Exhibit B, and forward the PUD development plan to the to the City Council for public hearing and action.

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