

**Planning Commission
Staff Report**

February 27, 2008
Item 6.b.

SUBJECT: PUD-71

**APPLICANT/
PROPERTY OWNER:** Michael Aminian/Medeiros Gardens, LLC

PURPOSE: Application for Planned Unit Development rezoning and development plan approval to rezone an existing 0.876-acre parcel from the RM-4,000 (Multiple-Family Residential) District to the PUD-HDR (Planned Unit Development – High Density Residential) District and to construct ten (10) townhouse units.

GENERAL PLAN: High Density Residential (greater than eight DU/acre)

ZONING: Rezone from the existing RM-4,000 (Multiple-Family Residential) to PUD-HDR (Planned Unit Development – High Density Residential) District.

LOCATION: 3835 Vineyard Avenue

ATTACHMENTS:

1. Exhibit B – Draft Conditions of Approval
2. Location Map
3. Exhibit A – Proposed PUD Development Plan, Green Building Checklist, Tree Report from HortiScience
4. Exhibit C – Neighborhood Meeting Attendance Sheet and Meeting Notes
5. Exhibit D – Public Comments

BACKGROUND

In June 2007, the applicant submitted a preliminary review application for the development of 14 townhomes on the subject site. The General Plan Land Use map designates the site for high-density residential use, which allows a density of greater than eight dwelling units per acre, with a mid point density of 15 units/acre. The site, under this density designation, could have 13 units (at mid point) or more. The proposed development generally met the underlying zoning requirements; staff commented on the project's density, layout, circulation, open space, storm water management, etc., and suggested that affordable housing be considered.

Following staff's comments, the applicant revised the proposal and submitted an application for Planned Unit Development for a 10-unit townhome development with one unit dedicated as Below Market Rate (BMR) unit.

In early December 2007, the applicant invited surrounding neighbors to review and comment the proposed development. The meeting was held on the subject site. On January 24, 2008, staff held a neighborhood meeting. Six neighbors attended the meeting and provided comments on the following issues:

- Existing traffic
- Guest parking
- Proposed building elevations

Neighbors' comments on the project are responded in the "Analysis" section of the staff report.

The Housing Commission is scheduled to review the proposed project on February 21, 2008. Staff will provide a memo summarizing the discussion and action regarding the proposed BMR unit.

SITE DESCRIPTION

The subject site, approximately 0.88-acre in size, is located on the north side of Vineyard Avenue in a high-density residential zoned area. It is currently occupied by a single-family home, several accessory buildings, and an old, non-productive orchard.



Existing Site

The subject lot fronts both Vineyard Avenue (south side) and Vine Street (north side). Access to and from the site is currently via an existing driveway off of Vineyard Avenue.

The site slopes down from the south (Vineyard Avenue) to the north (Vine Street) of the property. There is an elevation difference of 23 feet with an average slope of approximately 5.8 percent.

The subject site is surrounded by high-density residential uses to the north, east and west. Single-family residential neighborhoods are located to the south of the development, across Vineyard Avenue.

PROJECT DESCRIPTION

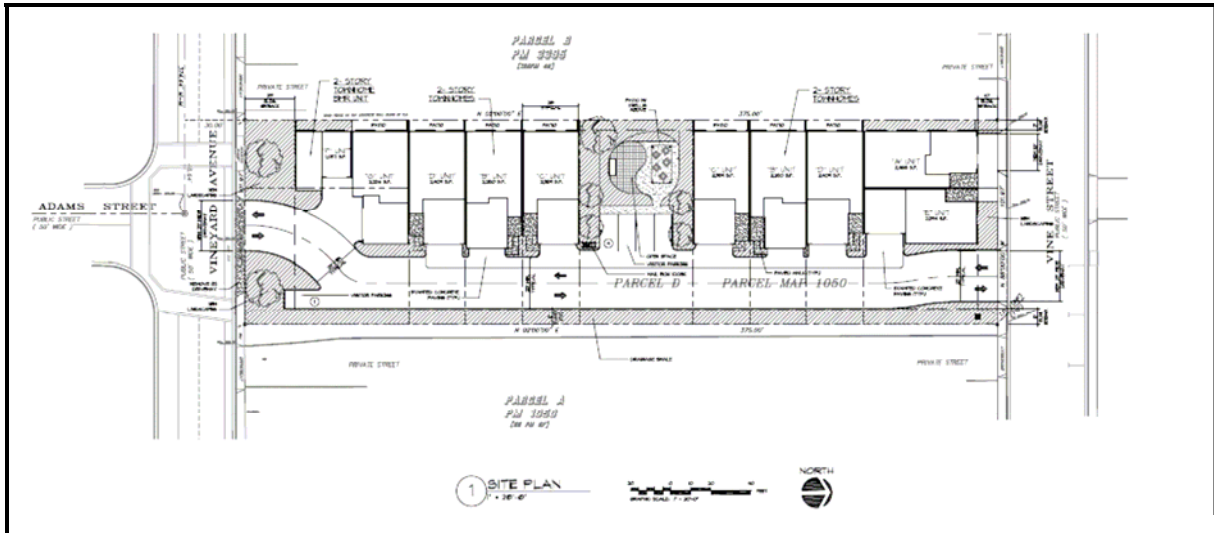
The applicant proposes to rezone the subject site from RM-4,000 (Multiple-Family Residential-minimum 4,000 square-foot lot area per unit) District to PUD-HDR (Planned Unit Development-High Density Residential) District to provide more design flexibility.

The proposal consists of:

- Demolish the existing single-family dwelling and accessory structures;
- Construct 10 townhouse residential units allocated evenly in two, two-story buildings;
- Construct a common outdoor area between the two building for the residents.

■ On-site improvements.

A two-way driveway would be located generally parallel to the east property line, except for the portion near Vineyard Avenue. The Vineyard Avenue driveway meanders towards the west so that the entrance/exit on Vineyard Avenue would be located between the two existing pedestrian cross walks, which will reduce pedestrian/vehicle conflicts.



Site Plan

The proposed buildings would be located five feet from the west property line, and approximately 23 feet from the east property line. An 8-foot wide bio-swale separates the 25-foot wide driveway and the east property. The common open area in the middle of the development would be furnished with benches, BBQs and a mail kiosk.

A total of five guest parking spaces are provided, four of which are located in common area and the fifth one is located near Vineyard Avenue.

The residential units would be oriented toward the east with the end units oriented toward the streets (Vineyard Avenue and Vine Street) to create an attractive street frontage.



East Elevation



Vineyard Avenue Elevation



Vine Street Elevation

Except for the Below Market Rate (BMR) unit, each of the nine units has a garage for two cars, a living room, family room, dining room, and a kitchen on the first floor, and a four-bedroom living area on the second floor. The unit size ranges from 2,311 square feet to 2,584 square feet.

The BMR unit is approximately 1,044 square foot in size. It has a kitchen, a family/dining room, and a one-car garage on the first floor and a two-bedroom living area on the second floor.

On-site landscaping would be installed as part of the development. In addition to landscaping on the perimeter of the development and the pocket landscaping in the front of the garage, the primary landscaping would be focused in the common area as well as the “island” at the Vineyard Avenue entrance.

ANALYSIS

General Plan and Land Use Conformity

The General Plan land use designation for the subject site is High Density Residential (greater than eight dwelling units per gross acre) with a mid-point density of 15 units. The proposed project, with 10 units on approximately 0.88-acre site, would result in 11.36 units per acre, consistent with the General Plan designation. The project would also be consistent with the following General Plan policy in the Housing Element, “at a minimum, maintain the amount of high-density residential acreage currently designated on the General Plan Map.”

PUD Rezoning

The applicant proposes to change the zoning of the property from RM-4 District to PUD-HDR (Planned Unit Development-High Density Residential). This would be consistent with the General Plan and the Downtown Specific Plan land use designation for the site.

Site Layout

PUD zoning districts do not have specific site development standards with respect to setbacks, building coverage, height limits, etc. Instead, the Municipal Code states that the Planning Commission and City Council should review each project on a case-by-case basis. The following table shows the development standards for the proposed project:

	RM-4,000 (Current zoning)	Proposed PUD Development
Front Yard	30 feet	25 feet (Vineyard Avenue)
Side Yard:	7 feet (one side) 16 feet (both sides)	East Side: 23 feet (25 feet for driveway; 8 feet for bioswale) West Side: 5 feet
Rear Yard:	30 feet	10 feet (Vine Street)
Building Height:	30 feet	30 feet

Each unit has a maximum building height of 30 feet (vertical measurement from the adjacent grade to the roof peak). Due to elevation difference and to avoid unnecessary cut/fill, the applicant utilizes step-down design, i.e., each unit steps down approximately 12 inches.

The long and narrow configuration of the site has imposed some constraints in site development. The applicant proposes a site plan that has units interacting with the streets (Vineyard Avenue and Vine Street), creating a relationship between the proposed project and the existing neighborhood. In recognizing the existence of the apartment buildings on the adjoining property to the west, the applicant enhances the rear elevation of the buildings.

In response to the residents' comments on guest parking spaces, the applicant added an additional parking space near Vineyard Avenue. As such, a total of five guest parking spaces would be provided for this 10-unit townhouse development.

Architectural Design

The proposed design scheme consists of varied wall articulations. The buildings would have a stucco finish with trim around the windows and exposed wood brackets and corbels at the eaves.

The units would face east except for the end units that they front Vineyard Avenue and Vine Street. The architectural design is compatible with the area, specifically they are compatible with Birch Creek Townhouses and the newly constructed Birch Terrace Condominium development to the west of the site. Staff has found the design is professionally executed; therefore, did not request peer review.

In response to the comments raised at the neighborhood meeting, the applicants have revised the designs to provide more interest and articulation on the rear elevations. The revised rear elevation exhibits gable roofs and wall articulations that mimic the front elevations. Below are the "before" and "after" elevations to demonstrate modifications.



Originally Proposed Rear Elevation



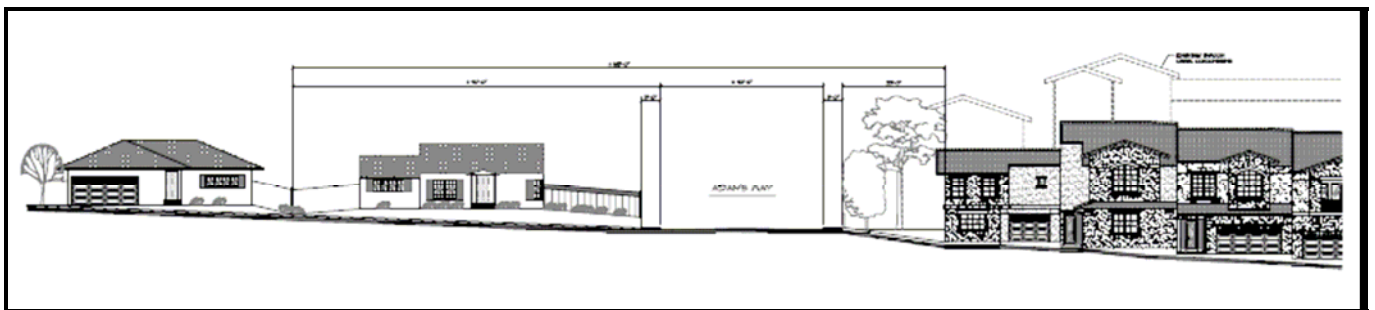
Revised Rear Elevation

The buildings will each have a specific color palate adding interest and diversity to the project’s streetscape. The roof material on all of the buildings is proposed as architectural grade composition shingles. Each building is approximately 30 feet tall when measured from finished grade to roof ridge.

Staff believes that the proposed vinyl windows, if recessed, could be complementary to the building design. Staff has discussed this with the applicant and has added a condition of approval to reflect this.

Street Profile

Mr. David Morris, a resident on Adams Street indicated that the proposed development would block the view from his home. As previously mentioned, the property slopes down from the south to the north. The sidewalk on Vineyard Avenue is at approximately 381.2 feet above sea level. The first unit would be constructed at 375.25 feet above sea level (pad elevation), which is approximately six feet below the sidewalk. At a 30-foot height, the proposed development would be approximately 24 feet above that sidewalk; taller than the existing one-story house on the site but lower than the adjacent three- story buildings. In comparison to other developments on Vineyard Avenue, staff finds that the proposed height is comparable. In addition, the applicant has prepared street profiles showing building profiles cross Vineyard Avenue at Adams Way. The profile demonstrates that that the proposed two-story development would be significantly lower than the adjoining three-story building to the west, and that its roof line would not project beyond the existing homes on Adams Street.



Street Profile

Landscaping/Fencing

The arborist surveyed 30 trees consisting eight species and including five heritage sized trees. Four of the surveyed trees are located off site and the rest are located on site. The tree report evaluated the tree conditions and recommended the removal of all of the 26 trees located on site, which included two of the heritage sized trees found as “poor

suitability for preservation”. The proposed landscaping includes a combination of trees and shrubs. The main landscaping feature is the common open area designed in the middle of the development. This open space area includes other amenities such as bench and BBQs for the residents. In addition to the common open space area, a vegetated bio-swale is proposed along the east property line, and landscaped islands are proposed at both entrances and at each garage. The proposal appears to meet the minimum requirements.

Given the configuration of the site, the landscaping plan does not include many trees as often seen in other developments. Staff finds that the proposed landscaping palette is acceptable, as attentions have been given to the common area. Staff however feels that the two planting “islands” fronts Vineyard Avenue could be enhanced with a combination of accent shrubs/groundcovers/perennials, as they are the entrance to the development. Staff has included a condition of approval to address this item.

Traffic

The residents in the neighborhood raised the concerns that the existing Vineyard Avenue are impacted by traffic volumes and by speed. They indicated that Vine Street has been used as speed way by many motorists and that the proposed development, with an entrance/exit to Vine Street, would worsen the current situation. Some wanted to see the proposed entrance/exit on Vine Street be removed.

The Traffic Engineer initially recommended that Vine Street be the only entrance/exit for the development in order to control vehicular access point onto Vineyard Avenue. Follow-up review of the on-site circulation lead to a recommendation of a two-way driveway for the development that would provide access to both Vineyard Avenue and Vine Street.

In terms of traffic volume, based on the Institute of Transportation Engineers standard, the trip generation rate for a condominium/townhouse project has a 0.66 AM rate and a 0.83 PM rate. The City Traffic Engineer does not believe that the proposed 10-unit townhouse project would overburden the existing traffic pattern in the area.

Additionally, Dowling Associates, one of the City traffic consultants, has created a traffic model for the proposed project, which collected the data for the AM and PM trip distribution for both the existing AM/PM trips and the forecasted trips generated by the project. In review of the collected data, the City Traffic Engineer concluded the that the intersections that would be included in a traffic study have already been studied when the Bernal Commercial Project, located on Bernal Avenue between Stanley Boulevard and Nevada Street, was pending review in August 2005. Therefore, it is unnecessary to perform a separate traffic study to investigate traffic impact at the same intersections. Additionally, the Bernal Commercial Project has a higher traffic impact on the

intersections than the proposed 10-unit residential townhouse project. The Bernal Commercial Project was not required to mitigate the existing traffic other than paying the required traffic fees. The City Traffic Engineer recommends that the applicant pay for the required traffic fee. A condition of approval has addressed this issue.

Parking

Many properties on the north side of Vineyard Avenue between First Street and Stanley Boulevard have a high-density zoning designation. As such, the neighbors have expressed dissatisfaction that curbside parking in the front of their homes have been impacted by the residents in the apartment complexes due to the lack of adequate on-site parking provided by the existing developments. The neighbors wanted to see additional guest parking be provided.

The Parking Ordinance requires, for a multiple-family residential development, the applicant provide one guest parking space for every seven residential units. In this case, and based on the parking requirement, two guest parking spaces would be required for the proposed 10-unit residential development.

In recognizing the parking situation in the existing neighborhood, the applicant proposed four guest parking spaces for uses by the visitors of this ten-unit development. In response to the neighbors' concerns, the applicant has revised the site plan and has made room for an additional guest parking space on site. As result, the proposed development would provide a total of five guest parking spaces.

Staff notes that the parking enforcement would be the responsibility of the homeowners association and/or the management company for the project. The enforcement measures would be addressed in the CC&Rs.

Green Building

The applicant has provided the initial Green point checklist, identifying the design elements for the project to meet the Green Building requirements of 50 points.

The project is an infill site, benefiting by being in close proximity to many of the services that are considered essential to daily living (convenience grocery shop, child daycare facility, pharmacy, bank, etc.). These factors enable the project to automatically achieve many Green points. Additionally, the applicant has incorporated practical features into the design of the units on both a whole design approach and an individual occupant/user level. For example, engineering framing would be used on doors and window headers, and units would be features with energy star appliances. The project would have 53 green points. A copy of the Green Building Checklist is attached.

Building and Fire Code Compliance

The new units would be required to comply with all current Building and Fire Code requirements. The buildings would be equipped with automatic fire suppression systems (sprinklers), as required by the Fire Department.

Grading, Stormwater, and Utilities

Minor grading would be performed to create building pads.

Vegetated swales have been proposed on the site to filter the storm water of pollutants before it enters the storm drain system ultimately discharging into the Arroyo. Stormwater would be directed to the vegetated swales in the setback area along the east property lines. Stormwater from the driveway aisle and other area would be directed to filtration trench located in the driveways. In order to ensure that the proposed drainage system would be adequate to handle the on-site stormwater run off, staff has included a condition of approval requiring the project engineer provide calculations to ensure that the proposed treatment measures would meet the minimum criteria stated in the ACCWP's NPDES permit.

All utilities within the development are required to be underground. Staff has included conditions of approval addressing these two issues.

Affordable Units

The applicant has voluntarily proposed one of the ten units to be an affordable unit for a low- income level family. The Housing Commission will review the Affordable Housing Agreement on February 21, 2008.

Staff commends the applicant's willingness to include the affordability component into the development. The project would result in an addition to the City's stock of below-market housing.

PUBLIC COMMENTS

Staff has received two written comments from surrounding neighbors.

Mr. David Morris, 324 Adams Way, addressed concerns of view blocking and parking. Susan Alimonti on Carnation Court expressed concerns on parking and traffic. Concerns from both neighbors were addressed in the "Analysis" section of the staff report.

Neighborhood Meeting

Staff hosted a neighborhood meeting at the Regalia House at Kottinger Village Community Park on January 24, 2008. The main concerns from the residents focused traffic and parking. The neighbors indicated that they have been experiencing in recent years that traffic congestion situation has worsened as new residential developments have taken place. They are concerned that the proposed development would further impact the already congested streets. Additionally, Vineyard Avenue between First and Stanley is concentrated with high-density residential complexes and that many of them do not appear to provide adequate on-site parking as the tenants take street parking as their own. The residents are concerned that the proposed two-car garage for each unit may not satisfy residents with more than two vehicles, which has become a more common situation. As a result, these residents would have to park the extra vehicles on the streets, which would further impact the already inadequate on-street parking.

PUD DEVELOPMENT PLAN FINDINGS

The Pleasanton Municipal Code sets forth the purposes of the Planned Unit Development (PUD) District and the considerations to be addressed in reviewing a PUD development plan proposal. The Planning Commission must make the following findings that the proposed PUD development plan conforms to the purposes of the PUD District, before making its recommendation.

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

As conditioned, the proposed development would meet City standards for street improvements and utility design. Adequate storm drain, sanitary sewer, and water service utilities are present in the area surrounding the development and are sufficient to serve the proposed development. All on-site infrastructure shall be installed by the project developer with connections to municipal systems in order to serve the site. On-site guest parking exceeding what is required by the parking ordinance has been provided and drive aisles and driveways will be designed and constructed to City standards. The project will generate traffic loads that can be accommodated by the existing City streets and intersections in the area. Adequate access would be provided to all structures and units for police, fire, and other emergency response vehicles. The building would be designed to meet the requirements of the UBC and other applicable City codes. Therefore, staff believes that the proposed plan is in the best interests of the public health, safety, and general welfare, and that this finding can be made.

2. Whether the proposed development is consistent with the Pleasanton General Plan.

According to the General Plan's mid-range residential density, the holding capacity for the subject site is 13 units. At the proposed density of 12 DU/acre (dwelling units per acre), the proposed project is consistent with the General Plan land use designation of High Density Residential (Greater than eight dwelling unit per acre).

Based on the location of this project, Policy 2 of the Land Use Element, which is "to develop new housing in infill and peripheral areas which are adjacent to existing residential development", will be implemented. As presented in the Analysis section of this report, staff feels the project would be consistent with the following General Plan policy in the Housing Element, "at a minimum, maintain the amount of high-density residential acreage currently designated on the General Plan Map." Additionally, the project would voluntarily provide one affordable housing unit or 10% of the development, very close to Policy 6 deals with targeting 15 percent of the housing stock at full development to be affordable to the needs of lower-income households.

Therefore, staff believes that the use and development intensity of the site would be consistent with the policies and programs of the General Plan Land Use and Housing Elements and that this finding can be made.

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

The subject site is surrounded by similar high-density developments on the north, east and west sides. The development would be supported by the existing utilities on Vineyard Avenue. Staff believes that the proposed development would be compatible with the character in the area. The proposed development would require limited grading for the construction of the buildings and would properly transition with the topography of the adjacent sites. Therefore, staff feels that the plan is compatible with the previously developed properties and the natural topographic features of the site; therefore staff believes that this finding can be made.

4. Whether 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.

Grading will be limited to the building pad, driveways, and surface parking. City Building Code requirements would ensure that building foundations, on-site driveways, and parking areas are constructed on properly prepared surfaces. As conditioned, the design of the proposed development would provide adequate drainage to prevent flooding. Vegetated swales would be constructed to filter pollutants in the stormwater before it enters the storm drain system. Erosion control and dust suppression measures will be documented in the building permit plan sets and will be administered by the City's Building and Public Works Departments. The property is not located in the Alquist-Priolo Study Zone. According to the United States Department of Housing and Urban Development Flood Hazard maps, no portion of the site will be affected by a 100-year flood. Therefore, staff feels that the grading is designed in keeping with the best engineering practices, would have a minimal effect on the environment, and that this finding can be made.

5. Whether streets and buildings have been designed and located to complement the natural terrain and landscape.

The access to the site would be from an existing public street and the building pad has been designed to generally follow the site's natural contours, which will help minimize the visibility and reduce the amount of grading necessary to construct the building. Additionally, the design of the buildings have houses front both Vineyard Avenue and Vine Street, and the landscaping islands on Vineyard Avenue to define and beautify the project entrance. Therefore, staff feels that this finding can be made.

6. Whether adequate public safety measures haven incorporated into the design of the plan.

The public improvements associated with this project would be consistent with City design standards. As conditioned, driveway entrance/exit would be located and configured to provide an adequate line-of-sight viewing distance in both directions perpendicular to the vehicle and to facilitate efficient ingress/egress to and from the project site. All on-site driveways and drive aisles meet City standards for emergency vehicle access and turn-around. The building will be constructed to meet the requirements of the Uniform Building Code and will require approval by the State. The building would also be equipped with automatic fire suppression systems (sprinklers). Adequate access is provided to all

structures for police, fire, and other emergency vehicles. Therefore, staff believes that this finding can be made.

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 insure that the desires of the developer and the community are understood and approved prior to commencement of construction. Staff believes that the proposed project implements the purposes of the PUD ordinance in this case by providing well-designed and sited high density project on this in-fill site, and that meets the City's General Plan goals and policies, including those which encourage meeting the needs of affordable housing. The PUD process allows for ample input from the public and for an ultimate decision by the City Council regarding appropriateness of the proposed use. Therefore, staff believes that this finding can be made.

ENVIRONMENTAL ASSESSMENT

In-fill development projects on sites of five acres or less that have no habitat for endangered, rare, or threatened species, that can be adequately served by all required utilities and public services, that are consistent with the General Plan and zoning regulations, and would have no significant effects on traffic, noise, air quality, or water quality are also categorically exempt (In-fill Development: 15332(32)(a-e)) from CEQA. Therefore, no other environmental documentation accompanies this report.

CONCLUSION

The site is an infill site is zoned for high-density residential development. Staff believes that the proposed rezoning, density and development plan are appropriate for the site. Staff believes that the project is attractively designed and will be compatible with the neighborhood and surrounding area. Both on- and off-site improvements will help the project visually and functionally blend in with the existing neighborhood. The project, with its affordable housing component, will provide a necessary service to this community.

STAFF RECOMMENDATION

Staff recommends that the Commission take the following actions:

1. Find that the proposed PUD development plan and related material, Exhibit A, is consistent with the General Plan and purposes of the PUD ordinance;
2. Make the PUD findings listed in this staff report; and
3. Adopt a resolution recommending approval of PUD-71, 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 City Council for action.

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