



Planning Commission Staff Report

July 26, 2006
Item 6.c

- SUBJECT:** PAP-96, Appeal of Case PADR-1552
- APPELLANT:** Allen Aldrich
- APPLICANT/
PROPERTY OWNER:** Victor Easley
- PURPOSE:** Appeal of the Zoning Administrator's approval of an Administrative Design Review application to construct an approximately 1,020 square-foot detached single-story second dwelling unit in the rear of the existing residence.
- GENERAL PLAN:** High Density Residential (greater than 8 units per gross acre)
- SPECIFIC PLAN:** Downtown Specific Plan; Core Area Overlay District
- ZONING:** RM-1,500 (Multiple Family Residential, 1,500 Square Foot Lot/Per Unit) District
- LOCATION:** 4767 Harrison Street
- ATTACHMENTS:**
1. Location Map
 2. Exhibit A, Site Plan, Roof Plan, Floor Plans, and Elevations dated "Received July 19, 2006"
 3. Exhibit B, Draft Conditions of Approval
 4. Exhibit C, Photographs
 5. Exhibit D, Zoning Administrator Staff Report dated "June 22, 2006"
 6. Exhibit E, Zoning Administrator Meeting Minutes dated "June 22, 2006"
 7. Exhibit F, Public Comments

BACKGROUND

On June 5, 2006, Mr. Easley submitted an Administrative Design Review application to construct an approximately 1,020 square-foot second dwelling unit. Staff noticed the

surrounding property owners of the proposed application on June 5, 2006. In response to the notification, Mr. Allen Aldrich, property owner of 4741 and 4741A Harrison Street, expressed opposition to the proposed second dwelling unit requesting a Zoning Administrator hearing. Please refer to Exhibit F for the appeal letter from Mr. Aldrich.

On June 22, 2006, the Zoning Administrator approved case PADR-1552 with conditions. Mr. Aldrich, the appellant, objected and has appealed the Zoning Administrator's decision to the Planning Commission for the following reason:

- The proposed project does not meet the parking requirements and will result in overflow parking on his property located at 4741 Harrison.

June 22, 2006 Zoning Administrator Hearing

At the public hearing on June 22, 2006, staff presented the project and recommended that the Zoning Administrator approve the proposed project subject to the conditions of approval listed in Exhibit B of the staff report dated "June 22, 2006". During the hearing, Mr. Aldrich stated the following concerns;

1. That the applicant should provide two additional parking spaces for the main structure and an additional parking space for the second unit, totaling 3 spaces on site.
 - *Staff's response:* Since there were no improvements occurring to the main structure that required a permit from Planning, the applicant was not required to adhere to the current Pleasanton Municipal Code parking standards of providing two additional parking spaces for the main structure. Staff noted that the policy has not been to require an additional parking space for the primary unit if it is not being changed in size however; the applicant needs to provide one additional parking space for the proposed second unit.
2. That the applicant should compensate him for the shrubs that were cut back on his property.
 - *Staff's response:* While it is unfortunate that there are neighborhood issues related to pruned landscaping on his property, that would be a civil matter between the two private parties.

After listening to the comments and concerns of the adjacent property owner, Mr. Aldrich, and the applicant, Mr. Easley, the Zoning Administrator supported staff's recommendation and approved Case PADR-1552, subject to the conditions shown in Exhibit B for the following reasons:

1. The second dwelling unit would adhere to all height, FAR, setback, and second dwelling unit regulations of the Pleasanton Municipal Code;

2. An additional parking space for the second dwelling unit, which would meet the parking requirements;
3. The applicant is providing 500 square-feet of open space for the second dwelling unit, which is 420 square-feet more than required per the Pleasanton Municipal Code; and
4. The applicants are not requesting any variances to any of the Pleasanton Municipal Codes.

Prior to the Zoning Administrator hearing, staff had worked with both the applicant and appellant to discern if there are mitigations both parties may be willing to accept to allow the project to move forward without additional public hearings; however, this mediation process has been unsuccessful. Therefore, the application is now before the Planning Commission for review and consideration. Please see Exhibit D for the Zoning Administrator staff report and Exhibit E for the meeting minutes.

Staff would like to note that only a portion of the shrubs that lined the side of Mr. Aldrich's property were cut or removed. Of the shrubs that lined the side of the property, approximately 3 shrubs were cut back to the base. While it is not clear to staff on what the agreement between the two property owners was regarding the cutting back of the shrubs, the shrubs that were cut back to the base will grow back. Staff is not supporting nor excusing what has occurred and staff does not agree that it is appropriate to cut neighboring properties landscaping to that degree, staff is merely noting that the landscaping should grow back and the landscaping issue is a private matter between the two parties.

SITE AND PROJECT DESCRIPTION

Site Description

The subject property is a residential interior lot that measures approximately 5,594 square-feet in area located on the west side of Harrison Street. The lot is located within the Downtown Specific Plan area and in the Core Area Overlay District. The lot is relatively flat with the rear of the property abutting the Union Pacific Railroad tracks. The subject lot has a front width of 50-feet and an average lot depth of approximately 114-feet and is developed with an approximately 1,080 square-foot single-story residence. There is a 10-unit apartment complex directly adjacent to the subject site on the east (right side – 4741 and 4741A Harrison Street) and a single-family residence west (left – 4779 Harrison Street) of the subject property.

Project Description

The Administrative Design Review process is required for second dwelling units in straight-zoned districts. The proposed project is checked for conformity with the required development standards for the zoning district, compatibility of the proposal with existing structures, and any potential effects on neighboring properties. Notices are sent to all adjacent property owners and

other parties who may be visually or physically affected by the project. If no one requests a Zoning Administrator hearing within seven days of the noticing, the project is approved or conditionally approved. In this case, a request for a Zoning Administrator hearing was made.

Mr. Aldrich (appellant) appealed the Zoning Administrator’s approval of the application to allow Mr. Easley (applicant) to construct an approximately 1,020 square-foot detached single-story second dwelling unit in the rear of the existing residence. The height of the second unit is 15-feet and would be set back a minimum of 10-feet from the rear, 5-feet from the left (west), and 20-feet from the right (east) property lines and maintains an approximately 9-foot separation between the existing residence. Two new parking spaces, 19-feet in length and 9-feet in width each, will be located on the right (east) of the second dwelling unit with a 2-foot planter strip located between the second unit and first parking pad. The applicant is also proposing a pedestrian path from the main structure to the sidewalk and an additional pedestrian walk that will be located between the main structure and driveway. The proposed second unit would be similar in stucco material and color as the existing structure; please see the photographs in Exhibit C.

HISTORICAL STATUS

According to the City of Pleasanton’s historical survey list, the subject site is listed as a building with insufficient integrity for landmark status. While the main structure on the site still conveys its original configuration there have been exterior modifications that have that it is not a good example of an early 20th century residence. The modifications are as follows:

- The original windows of the residence have been replaced and the configurations of the openings have been changed.
- A small boxy addition has been constructed on the main elevation, in the area of the porch.
- A new stucco color and windowsill caps have been added to the front elevation; and
- A new 7-foot tall redwood fence along the side and rear property has been constructed.



Photograph of existing main structure



East elevation of the proposed second dwelling unit

Staff would like to note that this is informational only and the main structure is not a part of this application. Since the subject site is not listed as a historical site, there are no overlaying

regulations restricting the proposed second dwelling unit. Furthermore, in staff’s opinion, the second dwelling unit is designed to be harmonious in design with the main structure.

ANALYSIS

The purpose of second dwelling units is to comply with the requirements of assembly bill 1866 codified into the California Government Codes in 2002. The State has specific use requirements and standards that second units have to adhere to in order to ensure neighborhood compatibility. Since second units are mandated by the State legislation, the City only reviews second dwelling units in terms of appropriate zoning and design criteria.

Zoning

The subject property is zoned RM-1,500 (Multi-Family Residential District). A second unit is a permitted use in the RM (Multi-Family Residential) District and as shown in the table below, the proposed second dwelling unit would adhere to the required development standards of this district.

Applicable Standards for Detached Second Dwelling Units in the RM Zoning Districts

	Required	Proposed	Pleasanton Municipal Code Compliance
F.A.R.	50% max.	37.5% (proposed unit and existing unit)	✓
Side Yard Setback	5-foot min.	5-feet	✓
Rear Yard Setback	10-foot min.	10-feet	✓
Height	15ft max. (as measured from grade to highest point)	15ft (at highest point)	✓
Gross Floor Area	1,200 square-feet (max.)	1,020 square-feet	✓
Off-Street Parking	1 additional space	2 additional spaces	✓
Accessible Open Space	80 square-foot min.	500 square-feet	✓
Residential Units on a Lot	1 other (main unit owner occupied)	1 (main unit owner occupied)	✓

Design Review Criteria

Per Chapter 18.20 of the Pleasanton Municipal Code, projects are evaluated by the following design criteria:

1. Preservation of the natural beauty of the City and the project site's relationship to it.

Staff analysis: The proposed second dwelling unit, in staff's opinion, is well designed and complementary to the existing dwelling unit and therefore will not negatively affect the natural beauty of the city.

2. Appropriate relationship of the proposed building to its site, including transition with streetscape, public views of the building, and scale of buildings within its site and adjoining buildings.

Staff analysis: Staff believes the proposed second unit is well designed. The proposed colors and materials for the second dwelling unit would be consistent in color, material, and scale with the existing residences and would preserve and enhance the residential character by continuing to be harmonious with the neighborhood. The neighborhood has a mixture of single-family and multi-family residences that vary from single to two-story structures. Staff finds that a second unit at this location will be in harmony with adjoining buildings and will blend in with the neighborhood character and does not impact public views. There are no restrictions or overlaying regulations on preventing a second dwelling unit on the subject property. The subject lot is neither on the California Register of Historical Places nor the Pleasanton historical survey list. The subject lot is substantially narrower in lot width and lot size, as are the other lots in the neighborhood, and would therefore be appropriate with the adjacent properties.

3. Appropriate relationship of the proposed building and its site to adjoining areas, including compatibility of architectural styles, harmony in adjoining buildings, attractive landscape transitions, and consistency with neighborhood character.

Staff analysis: The project preserves and enhances the residential character of the neighborhood by means of maintaining neighborhood compatibility and supporting the existing character and development pattern of the neighborhood by pursuing a design and integrating the second unit that is compatible with existing and adjacent residences. The architectural style allows for features of the second unit to be complementary to the existing house and will, in staff's opinion, continue to be in keeping with the neighborhood design and architectural style of other homes on Harrison Street. The applicant proposes to provide additional landscaping along the side of the second dwelling unit to soften the transition from the parking spaces to the second unit. The applicant also intends to provide additional landscaping to further improve the appearance of the property. The subject property has some mature landscaping along the rear and side of the property that offers some screening and privacy. The applicant is currently undergoing improvements to the existing residence and is seeking approval, through a separate Administrative Design Review permit, for the existing 7-foot fence. The fence is along the sides and rear of the property and will to further screen and add privacy. There are other second dwelling units located on Harrison Street; therefore maintaining a harmonious relationship with neighborhood character. The project adheres to the Pleasanton Municipal Code requirements

for second units as well as the RM-1,500 Zoning District, thus maintaining the relationship with the other homes in the neighborhood in the zoning district.

4. Preservation of views enjoyed by residents, workers within the City, and passersby through the community.

Staff analysis: The proposed addition will not disturb the views of workers within the City or passersby through the community. Staff would like to note that the height of the second unit is 15-feet and therefore would still allow views to be maintained. The house located to the left, 4779 Harrison, is currently single-story, however the property owner has been granted approval for a new two-story residence. Also the lot located to the right, 4741 and 4741A Harrison, is a two-story apartment complex and therefore, the second unit will be significantly lower in height than the adjacent properties and would continue to preserve the views currently enjoyed. Staff notes that there are no private view easements granted for the subject property or surrounding neighbors and there are no City or homeowner's association restrictions in place to prevent a second unit in this neighborhood.

5. Landscaping designed to enhance architectural features, strengthen vistas, provide shade, and conform to established streetscape.

Staff analysis: No landscaping was proposed as a part of this project. However, as conditioned, the applicant shall provide a 2-foot planter strip along the right (east) side of the second unit and parking pad to soften the parking space located next to the second unit.

6. Relationship of exterior lighting to its surroundings and to the building and adjoining landscape.

Staff analysis: No additional exterior lighting is being proposed with this project; however staff has added a condition of approval if lighting is desired at a later time.

7. Architectural style, as a function of its quality of design and relationship to building's colors and materials; and the design attention given to mechanical equipment or other utility hardware on roof, ground or buildings.

Staff analysis: The architectural style is compatible with the neighborhood and the function of design and relationship to the surroundings and existing unit on the lot. The second unit proposes to use similar colors and materials of the existing residence. No mechanical equipment or other utility hardware was proposed with this project.

8. Integration of signs as part of architectural concept.

Staff analysis: No signage was proposed with this project.

9. *Architectural concept of miscellaneous structures, street furniture, public art in relationship to the site and landscape (Ord. 1612 § 2, 1993; Ord. 1591 § 2, 1993).*

Staff analysis: No miscellaneous structures, street furniture, or public art were proposed with this project.

Noise

The subject lot abuts the railroad that is used by freight trains and commuter trains (ACE). The Pleasanton General Plan requires that all new development to be limited to a maximum of instantaneous noise level in the bedrooms of 50 dBA, and a maximum of instantaneous noise level in other rooms of 55 dBA for residential properties that are exposed to railroad noise. The proposed development is a new dwelling unit; thus, the applicant is required to meet the noise level limitations in order to provide a better living environment. A condition is included to address this issue.

PUBLIC NOTICE

Staff sent notices of the Planning Commission's public hearing on this item to all property owners and residents located within 1,000-feet of the subject property on July 13, 2006. As of the writing of this report, staff had only received one letter of support regarding the proposed addition. Please see Exhibit F for public comments.

ENVIRONMENTAL ASSESSMENT

This project is categorically exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15303 (a), New Construction or Conversion of Small Structures, Class 3. Therefore, no environmental document accompanies this report.

CONCLUSION

The proposed second unit is attractively designed and complements the existing house and surrounding neighborhood. The second unit adheres to the Pleasanton Municipal Code requirements and, in staff's opinion, the applicant is not proposing anything unusual and as conditioned, the second dwelling unit would not result in negative impacts to the privacy of surrounding properties. Staff would like to note that there are no view easements granted to the subject property or surrounding neighbors and there are no City or homeowners' association restrictions in place to prevent second unit in this neighborhood. For the reasons listed above, staff believes the project is supportable, as conditioned by staff.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Deny Case PAP-96, thereby upholding the Zoning Administrator's approval of Case PADR-1552 subject to Exhibit A and the conditions of approval listed in Exhibit B.

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