

Planning Commission Staff Report

July 23, 2014
Item 5.a.

- SUBJECT:** P14-0419, P14-0420 and P14-0421
- APPLICANT:** City of Pleasanton
- PROPERTY OWNERS:** Andrew Batute TR
- PURPOSE:** Applications at an approximately 0.23-acre site located at 4202 Stanley Boulevard for: (1) a General Plan Amendment to change the land use designation from Medium Density Residential to Retail, Highway, and Service Commercial; Business and Professional Offices; (2) a Downtown Specific Plan Amendment to change the land use designation from Medium Density Residential to Downtown Commercial; and (3) rezoning from PUD-MDR/OS-PH&S/WO (Planned Unit Development - Medium Density Residential/Open-Space - Public Health and Safety/Wildland Overlay) to PUD-C-O (Planned Unit Development-Commercial-Office), allowing for the conversion of an existing home to a mixed use building (residential, limited commercial, personal services, and/or office uses).
- LOCATION:** 4202 Stanley Boulevard
- GENERAL PLAN:** Medium Density Residential
- SPECIFIC PLAN:** Downtown Specific Plan – Medium Density Residential
- ZONING:** PUD-MDR/OS-PH&S/WO (Planned Unit Development - Medium Density Residential/Open-Space - Public Health and Safety/Wildland Overlay) District
- EXHIBITS:**
- A. [Draft Conditions of Approval](#)
 - B. [Site Plan for 4202 Stanley Boulevard](#)
 - C. [Draft General Plan Amendment and Specific Plan Amendment Land Use Designation Maps, and Draft Rezoning Map](#)
 - D. [Location and Noticing Maps](#)

BACKGROUND

The subject site is located in the Downtown Specific Plan (DTSP) Area and was formerly a portion of a larger 2.1-acre parcel considered one of the potential high-density residential sites during the City's General Plan Housing Element update. The site was ultimately not selected for rezoning to high-density residential uses. The General Plan and Specific Plan land use designations for the subject site are Medium Density Residential.

On August 20, 2013, the City Council approved a Planned Unit Development (PUD-97) for Ponderosa Homes, which included the rezoning of the larger 2.1-acre parcel, removal of 32 existing mobile home spaces and related accessory structures, construction of 12 new detached single-family homes, and retention of the existing home on the subject site. The Council also directed staff to process General Plan and Specific Plan Amendments and a PUD Rezoning to allow for limited commercial, personal services and/or office uses within the existing home (e.g., law office, counseling services, consulting services, beauty salon, etc.) on the site.

In addition, the Council approval required Ponderosa Homes to complete at least \$30,000 worth of improvements (new roof, exterior paint, and landscaping) to the existing home and its designated lot prior to occupancy of the 12 project units. However, if the existing home was sold to a new owner prior to issuance of building permits for the 12-unit project, then Ponderosa would not be responsible for the cost of improving the house and its designated lot, but would be required to pay \$2,500 per new unit (\$30,000) into the Bernal Park Reserve Fund. Subsequent to the PUD approval, the subject site with the existing home was subdivided from the rest of the Ponderosa Homes site and sold to the current property owner. Therefore, Ponderosa Homes was not required to complete the improvements to the existing home and paid \$30,000 into the Bernal Park Reserve Fund. However, the current property owner submitted a staff-level Design Review application to make improvements to the existing house, and the application is currently being reviewed by staff.

The proposed General Plan and Specific Plan amendments and PUD rezoning require review and recommendation by the Planning Commission and action by the City Council.

SITE AND SURROUNDING AREA DESCRIPTION

The subject site is approximately 0.23 acres (9,799 square-feet) in size and is located on the south side of Stanley Boulevard (Figure 1) in a transition area between the Downtown Commercial area and residential uses to the east. The site is relatively flat and is developed with an existing 1,937-square-foot residence built in approximately 1912. A historic evaluation of the house was conducted as part of the review of PUD-97, which determined that the house lacked integrity and was not eligible for listing in the California Register of Historic Resources. Nevertheless, the Council determined that it added to the charm of Downtown and was worth preserving. The approved use for the site pursuant to PUD-97 is single-family residential.

The property is bordered on the north across Stanley Boulevard by various types of residential and commercial uses (Window-ology), the east and south by the new Ponderosa Homes 12-lot single-family residential development approved under PUD-97, and the west by a chiropractor's office and a single-family home. Commercial uses are located further to the west on Stanley Boulevard.

Figure 1: Aerial Site View



PROJECT DESCRIPTION

This proposal includes a General Plan Amendment, Specific Plan Amendment, and PUD Rezoning to expand the permitted use of an existing home from residential only to residential, limited commercial, personal service, and/or office uses, as listed below and as shown in Exhibit A. As proposed, the residential use (a maximum of one unit) would be limited to the second floor of the existing home. The limited commercial, personal service, and/or office uses would be permissible on both floors of the existing home should the proposed residential unit be eliminated on the second floor of the existing home.

The current General Plan and Specific Plan land use designations are proposed for amendment from Medium Density Residential to Retail, Highway, and Service Commercial; Business and Professional Offices and Downtown Commercial, respectively.

Additionally, the subject site would be rezoned from PUD-MDR/OS-PH&S/WO to PUD-C-O and the following uses would be permitted:

- Administrative headquarters and executive offices
- Business offices, including wholesaling establishments without stock, and not including the retail sale of any commodity on the premises
- Business service offices, including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services
- Charitable institutions – office use only
- Consulting service offices, business and professional
- Design profession offices not including retail sales on the premises
- Flower shop
- Gift shop
- Insurance offices
- Investment service offices
- Legal service offices
- Public utility consumer service offices
- Real estate, title company, and related service offices
- Residential (one unit maximum) – second floor only
- Travel agencies
- Any other use as determined by the Director of Community Development that would be similar or compatible with office and small scale retail uses and the surrounding neighborhood

The hours of operation for all non-residential uses listed above will be limited to the following days and times:

- Monday through Friday: 8:00 a.m. to 6:00 p.m.
- Saturday and Sunday: 10:00 a.m. to 6:00 p.m.

ANALYSIS

General Plan

The subject site is designated by the Land Use Element of the Pleasanton General Plan for Medium Density Residential land uses (Figure 2) and the subject site is developed with one single-family home. The proposal would amend the General Plan designation of the subject site from Medium Density Residential to Retail, Highway, and Service Commercial; Business and Professional Offices to expand the permitted use of an existing home from residential only to residential, limited commercial, personal service, and/or office uses, as listed above and as shown in Exhibit A. The proposal is consistent with the following General Plan Land Use Policies and Programs:

Sustainability

Program 2.2: Encourage the reuse of vacant and underutilized parcels and buildings within existing urban areas.

Overall Community Development

Policy 4: Allow development consistent with the General Plan Land Use Map.

Program 4.1: Ensure consistency between the General Plan Land Use Map and the zoning designation for all properties within the City's sphere of influence.

Policy 5: Evaluate land-use changes in the context of overall City welfare and goals, as well as the impacts on surrounding neighborhoods.

Program 5.2: Consider surrounding land uses and potential impacts when changing land-use designations.

Residential

Policy 8: Preserve and enhance the character of existing residential neighborhoods.

Program 8.2: Use the City's development review procedures to minimize intrusions into existing neighborhoods.

Policy 10: Provide flexibility in residential development standards and housing type consistent with the desired community character.

Program 10.1: Use planned unit development (PUD) zoning for residential properties that have unique characteristics or to accommodate development that does not fit under standard zoning classifications.

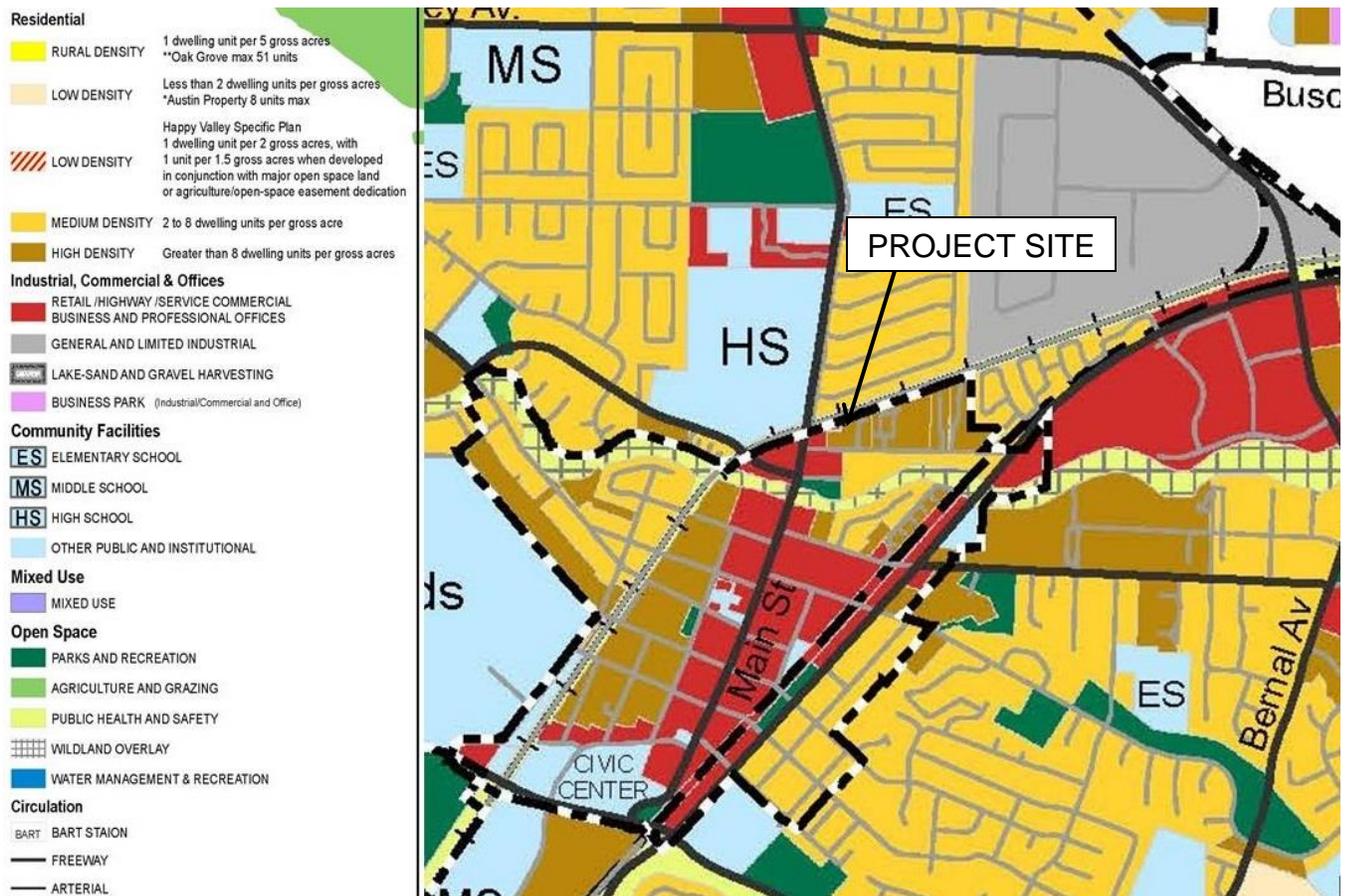
Industrial, Commercial and Office

Policy 12: Preserve the character of the Downtown while improving its retail and residential viability and preserving the traditions of its small-town character.

Program 12.4: Encourage second-floor apartments above first-floor commercial uses and live-work units in the Downtown. Also allow mixed-use development in the Downtown where residences are located behind commercial uses.

Policy 13: Ensure that neighborhood, community, and regional commercial centers provide goods and services needed by residents and businesses of Pleasanton and its market area.

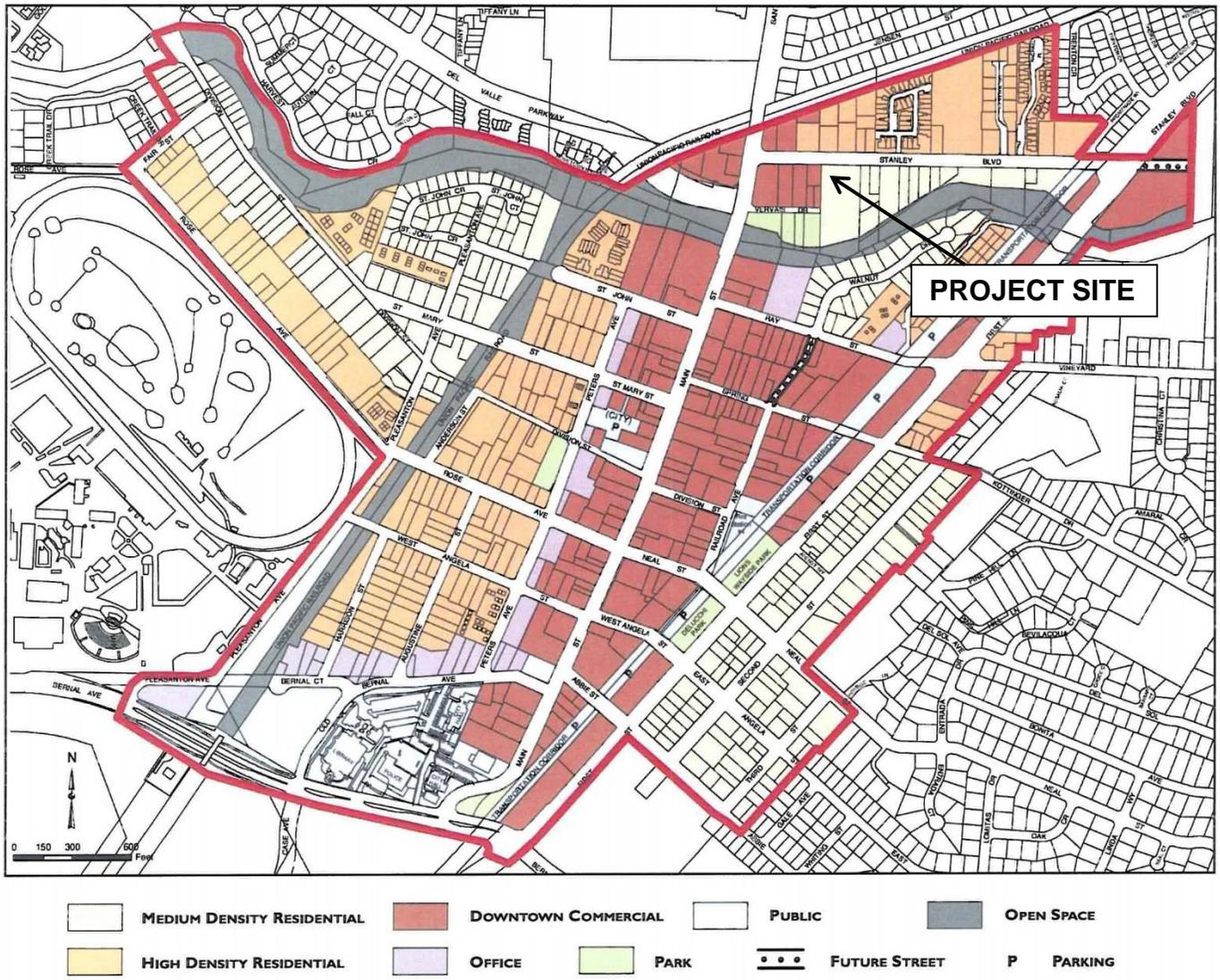
Figure 2: General Plan Land Use Map



Downtown Specific Plan

The subject site is designated by the DTSP for Medium Density Residential land uses (Figure 3) and the subject site is developed with one single-family residence. The proposal would amend the DTSP to re-designate the subject site from Medium Density Residential to Downtown Commercial to expand the permitted uses of an existing home from residential only to residential, limited commercial, personal service, and/or office uses, as listed above and as shown in Exhibit A. The subject site is currently designated for Medium Density Residential uses with Downtown Commercial uses to the west and Medium Density Residential uses to the east. With the DTSP Amendment, the proposal would allow residential, limited low-impact commercial, personal service, and/or office uses which would allow the subject site to act as a buffer/transition area between the commercial uses to the west and residential uses to the east.

Figure 3: Downtown Specific Plan Land Use Map



Zoning and Uses

The subject site is zoned PUD-MDR/OS-PH&S/WO (Planned Unit Development - Medium Density Residential/Open-Space - Public Health and Safety/Wildland Overlay). This district primarily restricts uses to medium density residential uses. The Open-Space-Public Health and Safety/Wildland Overlay was applied when the subject site was part of the larger parcel under PUD-97 due to the proximity of the arroyo at the southernmost end of the Ponderosa Homes project area. The current district is not appropriate, especially now that the subject site is a separate parcel and not part of that development.

Aware that this would most likely be the case when PUD-97 was approved, the City Council directed staff to process a rezoning of the subject site that would allow for limited commercial, personal service, and/or office uses within the existing home. There

are a number of existing residences in the Downtown area that have been converted to small/limited commercial or office uses, some of which also include residential units above the ground floor.

Staff and the current property owner worked closely to develop the proposed list of uses to ensure that they would be compatible with and minimize impacts to the surrounding uses. The list is primarily limited to office uses and a few commercial uses that generate relatively low vehicular traffic (both in the peak hours and throughout the day) and that generate relatively little noise. Additionally, modest hours of operation are being proposed for the new uses to further lessen potential traffic and noise impacts on the surrounding area/existing uses, as well as to ensure no parking or noise conflicts arise between the on-site uses and the potential residential unit on the second floor.

The expanded range of uses would be consistent with development in the surrounding area and traffic and noise impacts would be negligible. Therefore, staff believes rezoning the site to the PUD-C-O District subject to the uses listed in Exhibit A is appropriate.

Parking

Seven parking spaces would be provided for the subject site (Exhibit B) and staff believes this would be adequate for the proposed uses, which would require five to seven spaces depending on whether the building is all commercial or commercial on the first floor and residential on the second floor (based on one space/300 sq. ft. of floor area plus two spaces for residential use) under traditional zoning requirements.

PUBLIC COMMENT

Notices of these applications were sent to surrounding property owners and tenants within a 1,000-foot radius of the site. Staff has provided the location and noticing maps as Exhibit D for reference. At the time this report was published, staff had not received public comments regarding these applications.

ENVIRONMENTAL ASSESSMENT

On January 4, 2012, the City Council certified a Supplemental Environmental Impact Report (SEIR) and adopted the California Environmental Quality Act (CEQA) Findings and a Statement of Overriding Considerations for the Housing Element Update and Climate Action Plan General Plan Amendment and Rezoning. This SEIR was a supplement to the EIR prepared for the Pleasanton 2005-2025 General Plan which was certified in July 2009. The subject site was one of 21 potential housing sites analyzed in the SEIR. A total of 54 multi-family housing units were analyzed in the SEIR for the entire project area at 4202 Stanley Boulevard. Ultimately, PUD-97 approved a much less intensive use on the site consisting of 12 new single-family homes and the retention of the existing home, which is the subject of this proposal.

City staff considered three potential options for meeting CEQA requirements: 1) prepare a Subsequent or Supplemental EIR; 2) prepare an Addendum; or 3) conclude that the current application fits within the parameters of the “project” analyzed in the Housing Element Update and Climate Action Plan Amendment and Rezonings SEIR. Staff believes that the current application fits within the project parameters established in the previous EIR; thus no further documentation is required. Development that could result from the current proposal, combined with the 12 single-family residential units on the site, would generate environmental impacts that would be substantially diminished from those resulting from the up to 54 multi-family residential units evaluated in the previous SEIR. In particular, the currently-anticipated development (combined with the existing 12 single-family units) would generate fewer vehicle trips (134 fewer daily trips and 32 fewer trips during the AM and PM peak periods) and corresponding air pollutant and greenhouse gas emission reductions, and reduced noise levels. As described previously in this report, the anticipated residential, limited commercial, personal service, and/or office uses would be compatible with surrounding land uses and would not result in new land use-related impacts beyond those identified in the previous SEIR. Impacts in other areas, including aesthetics, utilities, and public services, would also be reduced. Therefore, staff believes that the analysis in the previous SEIR adequately encompasses the expected impacts of development activities associated with the current proposal, and no changes to the previous SEIR are warranted.

CONCLUSION

Staff believes that the land use and zoning changes to the subject site are appropriate. The land use change allowing residential and low-impact office and commercial uses would allow the subject site to act as a buffer/transition area between the commercial land uses to the west and the residential land uses to the east. The proposed office and retail uses were selected to be compatible with and to minimize impacts to the surrounding uses and the proposed hours of operation would further minimize potential impacts.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following actions:

1. Find that the previously prepared EIR for the Pleasanton 2005-2025 General Plan which was certified in July 2009 and SEIR, including the adopted CEQA Findings and Statement of Overriding Considerations, prepared for the Housing Element Update and Climate Action Plan General Plan Amendment and Rezonings, are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA;
2. Find that the proposed General Plan Amendment, Specific Plan Amendment and PUD Rezoning are consistent with the Goals and Policies of the General Plan;
3. Adopt resolutions recommending approval of Cases P14-0419, P14-0420, and P14-0421, at an approximately 0.23-acre site located at 4202 Stanley Boulevard for: (1) a General Plan Amendment to change the land use designation from Medium

Density Residential to Retail, Highway, and Service Commercial; Business and Professional Offices; (2) a Downtown Specific Plan Amendment to change the land use designation from Medium Density Residential to Downtown Commercial; and (3) rezoning from PUD-MDR/OS-PH&S/WO (Planned Unit Development - Medium Density Residential/Open-Space - Public Health and Safety/Wildland Overlay) District to PUD-C-O (Planned Unit Development-Commercial-Office) District, subject to the conditions of approval listed in Exhibit A, and forward the applications to the City Council for public hearing and review.

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