
Memorandum



TO: PINOLE PLANNING COMMISSION
FROM: ANNE HERSCH, AICP, ASSOCIATE PLANNER
SUBJECT: DR 08-06 HERITAGE PARK SINGLE-FAMILY HOMES
DATE: JUNE 8, 2009

REQUEST & RECOMMENDATION

The Redevelopment Agency is seeking a one-year extension of Design Review approval for DR 08-06 Heritage Park Single-Family Homes. The item was reviewed by the Planning Commission on May 12, 2008. All project entitlements including Design Review, a rezone request, and parcel map, went to City Council on June 18, 2008 and received approval. The Agency has moved forward with construction cost estimating services as the construction drawings are complete. Council authorization is required to move forward with financial authorization and construction. It is expected that the Council will review cost documents in the near future. Granting an extension of the Design Review entitlement will allow the Agency to continue moving forward with the building permit process.

PLANNING COMMISSION RESOLUTION 09-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PINOLE APPROVING A ONE-YEAR EXTENSION FOR DESIGN REVIEW 08-06, HERITAGE PARK PHASE 2, THREE NEW SINGLE-FAMILY HOMES

WHEREAS, the Pinole Redevelopment Agency (hereinafter referred to as applicant) filed an application with the City of Pinole (hereinafter referred to as City) for a Design Review extension in accordance with Title 17 of the Pinole Municipal Code; and

WHEREAS, in accordance with the California Environmental Quality Act, in accordance with the California Environmental Quality Act, the City of Pinole Development Services Department circulated the Initial Study and Mitigated Negative Declaration for the proposed Shell project to the public for a review period of 30 days, pursuant to Section 15073 of the CEQA Guidelines; and

WHEREAS, the Planning Commission originally reviewed Heritage Park Phase 2 at its May 12, 2008 hearing; and

WHEREAS, City Council reviewed and approved entitlements associated with Heritage Park Heritage Park Phase 2 at its June 18, 2008 hearing; and

WHEREAS, the Planning Commission finds, after due study, deliberation, and public hearing, that the following circumstance exists for approval of DR 08-06;

FINDING: Consideration of the appearance and design of other structures in the surrounding area in an endeavor to provide that the proposed buildings or sign will be not unsightly, obnoxious or undesirable in appearance to the extent it will hinder the harmonious development of the area, impair the desirability of the area for the uses permitted therein, limit the opportunity to attain optimum use and value of the land and improvements, or otherwise adversely affect the general property and welfare.

EVIDENCE: The proposed development is sensitive to the surrounding residential neighborhood employing complimentary materials and features. Articulation is provided on all four elevations and includes window trim and pitched roof details. Moderately pitched front-gabled roofs provide relief on the front façade. In addition, there is a front porch with articulated column and railing details providing great variation in the front façade. Each home has a unique color palette and with distinct trim and window details.

Based upon the depth and variety of architectural components and colors, this project will not be unsightly, obnoxious or undesirable in appearance, and will not hinder the harmonious development of the area, impair the desirability of the area for the uses permitted, nor limit the opportunity to attain optimum use and value of the land and improvements, or otherwise affect the general property and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Pinole hereby approves DR 09-03 based on the findings contained in the Resolution, as

provided in the staff report, and subject to the Conditions of Approval (Exhibit A) and Findings contained in the Resolution.

PASSED AND ADOPTED by the City Council of the City of Pinole on this 8th day of June 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dave Kurrent, Planning Commission Chair 2009-2010

ATTEST:

Winston Rhodes, AICP, Planning Manager



Memorandum

TO: PINOLE PLANNING COMMISSION
FROM: ANNE HERSCH, ASSOCIATE PLANNER
SUBJECT: HERITAGE PARK PHASE 2
DATE: MAY 12, 2008

Property Owner/Applicant: Pinole Redevelopment Agency 2131 Pear St. Pinole, CA 94564	Representative: Mike Woldemar 12226 San Pablo Ave. Richmond, CA 94805
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PROJECT: Heritage Park Phase 2 FILE: DR 07-01 LOCATION: 2100 San Pablo Ave. APN: 401-120-029-4 ZONING: MU-Mixed Use GP LU: Low-Density Residential/Downtown Commercial PLANNER: Anne Hersch, Associate Planner

PROJECT REQUEST

The Pinole Redevelopment Agency is seeking approval for the following entitlements:

1. Tentative Parcel Map that will create three new parcels
2. Rezone the residential lots from MU-Mixed Use to PD-Planned Development. The remainder lot will remain MU-Mixed Use.
3. Design Review for three (3) new-single family homes

RECOMMENDATION

The Planning Commission forward a recommendation of approval to the City Council for Design Review 08-06 Heritage Park Houses, MS 651-08 creating three new lots and a resultant lot, Rezone 08-01 a rezone request from Mixed Use to PD-Planned Development.

At the direction of the City Council, a Subcommittee composed residents, staff, officials, and the project architect, redesigned the project to address neighbor concerns. The redesigned project is attached to the staff report.

BACKGROUND

Project History

The Redevelopment Agency purchased the land at 2100 San Pablo Ave. to implement General Plan goals to develop affordable housing. In March 2003, the Agency developed conceptual plans to relocate the Faria House and to construct three single-family homes designated affordable. A Mitigated Negative Declaration (MND) was prepared and approved by the Planning Commission in September 2004 for project that included three phases.

Heritage Park Phase 1 was completed in 2005. This included the relocation of the Faria House to San Pablo Ave. location and related site improvements. Phase 2 consists of the development of the three detached single-family homes and related entitlements. A Tentative Parcel Map and Rezone request are also associated with this project request. Phase 3 incorporates the preservation of fruit and nut trees and the creation of a walking trail connecting the north and south ends of the project. The trail will have impervious service (decomposed granite) and lighting. The entire project is being financed by the Redevelopment Agency.

Phase 2 was presented conceptually to the Redevelopment Agency Board in December 2006. At that time, the Board approved the conceptual plan and directed staff and the project architect to move forward with design drawings.

2007/2008 Review

The Planning Commission reviewed and approved Heritage Park Phase 2 at its June 11, 2007 hearing. At that time, the Commission approved the original Design Review and Tentative Map and forwarded a recommendation to the City Council to approve the related rezone request. The Commission's approvals were appealed to the City Council on behalf of Henry Clemes, a Pinole resident.

The City Council reviewed the rezoning and related appeal at its July 17, 2007 hearing. The Council remanded the project back to the Planning Commission and directed the formation of a Subcommittee composed of staff, residents, and the project architect. The Subcommittee was tasked with identifying neighbors' concerns and redesigning the project to include a three home project with modifications based on the identified issues.

The Subcommittee was formed after soliciting participation of community members and is composed of the following:

- Anne Hersch, Associate Planner
- Mary Drazba, Redevelopment Manager
- Inga Lintvedt, Deputy City Attorney
- Pete Murray, Mayor
- Tim Banuelos, Planning Commission Chair
- Maureen Toms, Planning Commissioner
- Paul Sekins, Planning Commissioner
- Mike Woldemar, Project Architect
- Henry Clemes, Buena Vista resident
- Lance Smith, Buena Vista resident

The Subcommittee was tasked specifically with modifying the architecture of the homes and adjust the site plan to respond to neighbor concerns. The number of homes and affordability scope were not issues the Council directed staff to address.

Three meetings were held to discuss the project in a five-month period. The Subcommittee met on August 29, 2007, October 17, 2007, and January 8, 2008. Citizen concerns were identified and discussed at the first meeting. (See Attachment 17) The following is a list of concerns identified by Mr. Clemes & Mr. Smith at the August 29, 2007 meeting. They are sorted into two different categories: potential project impacts and design/site planning concerns.

Potential Project Impacts:

1. How will the proposed project affect property values and comparables when appraisals are prepared?
2. Has the agency considered purchasing homes in the neighborhood and dedicating those units as affordable?
3. Designate each unit at a different income levels – two moderate and one market rate
4. Off site improvements should occur: Widen Buena Vista Drive on the north side of the street and replace yield signs with stop signs
5. CCRs should limit the number of occupants per unit and require that garages be used for parking and not storage
6. BMR program should favor public employees

Design/Site Planning Concerns:

7. The houses are too similar in appearance. Use different finishes and materials.
8. Lots should be a minimum of 6500 sq. ft. in area—similar to the rest of the neighborhood.
9. Has the Agency considered an alternative site plan that would locate one of the three houses facing Quinan St.?
10. Has the Agency considered reconfiguring the site plan to show homes facing Quinan St.?
11. Can the project be redesigned to include 3 bedroom/2 bath units with two-car attached garages and a 20ft. driveway apron?
12. Preserve the tree canopy between Buena Vista Drive and Old Town.
13. The appearance of homes should not differ from existing homes in the neighborhood
14. Leave the west side of the property as permanent open space

Through the Subcommittee meetings, alternative site plans A-G were created as possible responses to community issues. Table 1 below provides a brief description of each alternative site plan.

Heritage Park	
Plan Details	
Site Plan A	Original site plan w/3 public parking spaces, 6 on-street parking spaces, tree removal
Site Plan B	Creation of a new private road homes face Quinan St., each unit is 3 bed./2 bath (1600 sq. ft.) and has garage & driveway aprons, three on-street parking spaces

Site Plan C	Same as Site Plan B except there are no driveway aprons
Site Plan D	Three homes face Buena Vista, each have 1 car garage & driveway aprons, 5 car public parking lot, 2 on-street spaces, tree removal
Site Plan E	Three homes face Buena Vista, two 2 bed/2 bath & one 3 bed/2 bath, each have 1 car garage & driveway aprons, 2 on-street spaces, tree removal
Site Plan F	Three homes face Buena Vista, all homes are 2 bed/2 bath, each have 1 car garage & driveway aprons, 10 on-street spaces, tree removal
Site Plan G	Three homes face Buena Vista, two 2 bed/2 bath w/1 car garage & one 3 bed/2 bath w/2 car garage, 11 on-street spaces, tree removal
Site Plan for consideration	Three units-two 2 bed/2 bath w/single car garage, one 3 bed/2 bath w/two-car garage, all have 20 ft. driveway aprons, three on-street parking spaces, sycamore tree canopy is preserved, different materials finished will be featured on each house, side setback on west side of property is maintained

Table 1. Site Plans A-G descriptions

In response to these alternative site plans, Mr. Smith and Mr. Clemes prepared an alternative site plan that reduced density to two 3-bedroom/2-bath homes on 6,000 sq. ft. lots, a meandering sidewalk, and the planting of new Sycamore trees. A letter prepared by Mr. Smith accompanied the drawing (See Attachment 18). The letter indicated that the alternative site plan addressed the neighborhood concerns and that if the City moved forward with their alternative, the appeal filed by Mr. Clemes would be withdrawn.

At the January 8, 2008 meeting, the Subcommittee rejected the density reduction as non-responsive to the Council's direction to maintain a three unit project. Instead, the project architect modified the site plan to include the meandering sidewalk, preserve the Sycamore trees, provide three different floor plans and different exterior finishes, and slightly increase the lot size. The Subcommittee agreed that this alternative satisfied City objectives and the Buena Vista neighbor concerns.

ANALYSIS

The proposed rezoning, Tentative Parcel Map and Design Review are discussed below. The level of income (ex. low, very low, moderate) at which the homes are sold is yet to be determined and is not a land use issue for the Planning Commission to consider. Currently, the project site is zoned MU-Mixed Use. The subject property is located within the Old Town San Pablo Planning Area and is surrounded by existing residential development.

Rezone

The site is currently zoned MU-Mixed Use. The Mixed-Use designation requires residential lots be at least 5,000 sq. ft. in area. PD-Planned Development allows for the tailoring of development specific lot sizes and square footages, and setbacks. Rezoning the subject site to PD-Planned Development allows the proposal to meet setbacks and development standards of the R-1, Single Family Residential District. The setbacks include 20 ft. front yard setback, 5 ft. side yard setback, and 16-24 ft. rear yard setback (varies by lot). Table 2 shows the proposed lot sizes and area for the project.

Lot Area: Heritage Park		
	Square Feet	Acres
Lot 1	3,810 sq. ft.	.087 acres
Lot 2	3,600 sq. ft.	.083 acres
Lot 3	3,440 sq. ft.	.079 acres
Remainder Parcel	98,921 sq. ft.	2.271 acres
Total	109,771 sq. ft.	2.520 acres

Table 2. Lot Area for Heritage Park Phase 2

Tentative Parcel Map

Each home will be contained on a separate parcel. The remainder parcel contains the Faria House and related site improvements. The Planning Commission may deny a map if it makes any of the following findings in Section 66474 of the Subdivision Map Act.

- a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.
- b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c) That the site is not physically suitable for the type of development.
- d) That the site is not physically suitable for the proposed density of development.
- e) That the design of the subdivision or proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g) That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

As shown in the current submittal and as conditioned in the staff report and Mitigation Monitoring Program, this project is compliant with the General Plan, physically suitable for the site, will not cause environmental or public health impacts and will not cause conflict with easements acquired by the public at large. Please see findings listed in Attachment 3.

Design Review

The proposed homes have been redesigned to include different finishes, different floor plans, and varying color palettes. All homes are composed of stucco with different wood or brick finishes. Gable details are provided on rooflines on all four elevations. Architectural relief including gable details, varying rooflines, and window details are provided on all elevations. The design of the proposed homes meets the intent of the Residential Design Guidelines. Table 3 shows the lots size, home size, bed/bath/garage details.

	Lot Size	Home Size	Bed/Bath	Garage
Lot 1	3,810 sq. ft.	1,156 sq. ft.	2 bed/2 bath	1 car garage under
Lot 2	3,600 sq. ft.	1,237 sq. ft.	3 bed/2 bath	2 car tandem garage under
Lot 3	3,440 sq. ft.	1,017 sq. ft.	2 bed/2 bath	1 car garage under

Table 3. Homes Details

Preliminary Landscape Plans

Landscaping requirements for new home construction are contained in Chapter 17.38 of the Pinole Zoning Code. Buckeye, Oak, Sycamore, and Ornamental Pear trees are located on site and will be preserved. Shrubbery to be planted includes Oleander, Rosemary, Australian Fuscha, and Snow Flurry. All of these plant species are indigenous to the Bay Area and grow well in temperate climates.

Surrounding Neighborhood

The surrounding neighborhood is mostly residential with single-family homes and a small apartment complex. There is no consistent architectural theme in this neighborhood. Houses in this neighborhood were not built in the same architectural period. Several neighboring homes were constructed in the 1980s. Attachment 7 includes photographs of the surrounding neighborhood, the varying architectural styles, and quality of existing homes.

Frontage Improvements

As part of the proposed development, there will be frontage improvements along Buena Vista Drive. This includes the construction of a meandering sidewalk to preserve the Sycamore tree canopy with cut-outs to allow three (3) on-street parking spaces.

ENVIRONMENTAL REVIEW

A Mitigated Negative Declaration (MND) was approved on September 13, 2004 in compliance with CEQA. Pursuant to Section 15162 of CEQA, the environmental document remains valid because no new information has been made available and the project scope has not changed to result in impacts that were not previously considered. Therefore, the previously prepared Negative Declaration remains valid for the revised project.

STAFF RECOMMENDATION

The project is in compliance with the City of Pinole's General Plan and development standards for Single-Family Residential Districts. Additionally, this project has been identified as an Agency goal for diverse housing. Pursuant to the Pinole Municipal Code, staff recommends that the Planning Commission forward a recommendation to the City Council approving Heritage Park Phase 2 at 2100 San Pablo Avenue.

ATTACHMENTS

1. Conditions of Approval
2. Findings of Fact: Design Review
3. Findings of Fact: Tentative Parcel Map
4. Findings of Fact: Rezone
5. Location Map
6. Meeting Minutes from City Council Hearing July 17, 2007
7. Photographs of the surrounding neighborhood
8. Resolution approving Design Review & Tentative Parcel Map and Rezone
9. 1,000 ft. Mailing Labels
10. Department Comments Summary
11. City Policy Consistency
12. Pinole Police Department Comments
13. Fire Department Comments
14. Public Works Comments
15. Letter from Richmond Sanitation
16. Initial Study for Heritage Park Phase 2
17. Notes from August 17, 2007 Subcommittee hearing
18. Letter from Lance Smith dated December 19, 2007
19. Mitigation Monitoring and Reporting System (MMRP)
20. Project Plan Set: Site Plan, Floor Plans, Elevations