

## PLANNING COMMISSION MEETING OF MARCH 14, 2011

**2010-7456 and 2010-7738: Taylor Morrison CA LLC** [Applicant/owner] Application for related proposals on a 7.3-acre site at **1044 E. Duane Avenue**: *(Continued from February 28, 2011.)*

- **General Plan Amendment** from ITRHI (Industrial to Residential High Density) to ITRMED (Industrial to Residential Medium Density);
- **Rezone** from M-S/ITR/R-4/PD (Industrial and Service/Industrial to Residential/High Density Residential/Planned Development) to M-S/ITR/R-3/PD (Industrial and Service/Industrial to Residential/Medium Density Residential/Planned Development);
- **Special Development Permit** to allow 132 townhome-style condominium units;
- **Vesting Tentative Map** to allow 132 condominiums and 32 common lots.  
(Addendum to previously certified EIR) MH

**Mariya Hodge**, Associate Planner, presented the staff report. She said staff recommends approval of the project, subject to the conditions in Attachment B with several modifications including continuing to work with the applicant on the roofing materials, and landscaping. She said a letter of support for the project was received from the San Miguel Neighborhood Association and has been provided to the Commission this evening.

**Comm. Chang** discussed the proposed parking lot shading deviation with staff. Ms. Hodge said, based on the conceptual landscaping plan, staff thinks the 50% shading can be achieved, and staff is not recommending the proposed 41% shading.

**Vice Chair Hendricks** asked staff to discuss and clarify what common lots are. Ms. Hodge explained and said the applicant may want to comment on why they want the proposed number of common lots.

**Comm. Sulser** confirmed with staff that the service station parcel adjacent to the proposed site, with the current zoning of M-S, was not part of the original ITR rezoning. Comm. Sulser discussed with staff the proposed deviation to the rear setback near the service station and possible future uses for the service station site under the current zoning. **Trudi Ryan**, Planning Officer added that with the service station site adjacent to a residential zone, that additional setback is required versus if the service station was near an industrial site. Comm. Sulser asked if the Planning Commission is allowed to recommend a rezone for that service station parcel. Ms. Ryan said that the Planning Commission could consider initiating a rezone, the item would need to be placed on a future agenda, and the property owners should be made aware of a possible rezone before the Commission initiates it.

**Vice Chair Hendricks** asked staff about the setbacks with staff clarifying that the setback information is shown on the project data tables on page 3 and 4 of the report.

**Comm. Dohadwala** asked staff about alternative roofing materials with staff saying that the conditions require the applicant to continue to work with staff on selecting an alternative roofing material for the Modern Rowhouse-style buildings. Comm. Dohadwala confirmed with staff that there are no renderings showing alternative roofing materials from the composition tile at this time.

**Chair Travis opened the public hearing.**

**Jay Pawlek**, applicant with Taylor Morrison, said they are happy with the current proposal. He said they met with neighbors to address concerns and they seem happy with the new proposal. He said they are in concurrence with almost all of the conditions and are excited about the layout, the open space, and the centralized walkways. He asked for flexibility on the parking lot shading requirement. He said as home builders they would have liked to have built more units, but could not find a layout that they felt worked. He said they think this is the best use for the neighborhood and they happy to have the letter of support from the San Miguel Neighborhood Association. Mr. Pawlek discussed common lots and the reasoning for the proposed number of common lots. He said he would love to not have the service station next door however they do not control this parcel. He said they are happy to continue to work with the City on colors that are mutually agreeable. He said they are looking for more flexibility on the parking lot shading requirement and more discussion on the roofing materials. **Jill Williams**, architect with KTG Group, Inc., discussed the roofing and said they do not want to make a fast decision on the roofing materials. She said they think there are different ways to solve the roofing issue. She said they want to build a high quality looking project and want the neighborhood to be distinct.

**Comm. Dohadwala** said she does not like the composition shingles and asked the applicant if they are open to exploring other roofing materials. Mr. Pawlek said they have no objection to concrete tile roof and can continue to work with staff on the roofing material. Mr. Pawlek said he would like to break ground in 2011 and sell units in 2012, and said he would appreciate the Commission's support the project.

**Comm. Sulser** discussed the two architectural designs in the project with the applicant. Mr. Pawlek said they have tried to establish a couple of unique neighborhoods. Comm. Sulser asked staff which of the two styles push up against the existing neighborhoods. Mr. Pawlek said the scheme on the west side of Duane Avenue is the Modern Rowhouse-style. Staff commented that about half of the units are Modern Rowhouse-style and the other half are the Arts and Crafts-style.

**Vice Chair Hendricks** discussed the traffic flow with Mr. Pawlek and that the City's Traffic Division was involved in the traffic flow decision. Vice Chair Hendricks said that the end of the court, which is not part of the proposed site, needs cleaning up and asked about whether the applicant could work with the neighbor. Mr. Pawlek confirmed that they do not own the property and would be happy to work with the neighbor, expressing concern about long-term maintenance. Vice Chair Hendricks discussed with the applicant the absence of solar energy in the project. Vice Chair Hendricks confirmed with the applicant that each unit would have individual metering. Vice Chair Hendricks discussed with the applicant: ADA (American Disabilities Act) compliance in the project; the intersection at E. Duane Avenue and Duane Avenue and asked if the sidewalk could be widened as he thinks there would be more pedestrian traffic in this area; and that there will probably be no pile driving required.

**Arthur Schwartz** commented that this would be a good time and service if the project included solar energy and the builder could probably bring a better price on the units. He also commented that for future projects he would like the guest parking in more convenient places so residents do not park blocking the sidewalk traffic in the development. Mr. Schwartz said that he thinks this is a good project.

**Mr. Pawlek** said that parking is always an issue and that there would be an active Homeowners Association. He said it is critical that owners park in their units and not block sidewalks. He said they appreciate the Commission's consideration for this project, that they would appreciate flexibility on the parking lot shading requirement, and that they would continue to work with staff on the roofing materials and the color schemes.

**Chair Travis** discussed with applicant the amount of flexibility he would like on the parking lot shading with Mr. Pawlek saying that they know they can reach the 41% shading and they hope they can get to 50% shading, however they like the site plan the way it is proposed. He asked that, if possible, the condition could be reworded for the applicant to work with staff to achieve the 50% shading as best as possible.

**Comm. Dohadwala** discussed the parking lot shading requirement with staff. Ms. Ryan said staff understands that there will be a lot of pavement not shaded by trees and staff thinks the 50% shading requirement can be met. Comm. Dohadwala asked Mr. Pawlek about Mr. Schwartz's comment about the guest parking being inconvenient. Mr. Pawlek said they looked at many parking alternatives to make the best parking design as possible. He said they think the proposed layout will address the concern.

**Vice Chair Hendricks** confirmed with staff that condition PS-1.e in Attachment B addresses the 50% parking lot shading requirement. Vice Chair Hendricks confirmed

with staff that if the Commission was in agreement to allow some flexibility on the 50% shading requirement that staff could assist with the wording in the condition.

**Chair Travis closed the public hearing.**

**Vice Chair Hendricks moved for Alternative 2 to recommend the City Council adopt a Resolution to certify the EIR Addendum; adopt a Resolution to amend the General Plan designation for 1044 East Duane Avenue from ITRHI to RMED; introduce an Ordinance to Rezone 1044 East Duane Avenue from M-S/ITR/R-4/PD to R-3/PD; and approve the Special Development Permit and Vesting Tentative Map with modified conditions. To modify: condition PS-1.e to include language that the Director of Community Development is authorized to accept a minor deviation from the 50% requirement for tree shading of parking lot areas. Comm. Chang seconded the motion.**

**Vice Chair Hendricks** said he likes this project and that he likes the proposed medium density. He said he can make the findings to certify the EIR addendum, to amend the General Plan designation, to rezone the property to R-3/PD, and to approve the Special Development Permit. Vice Chair Hendricks talked about items discussed in the Study Session, including colors. Vice Chair Hendricks said what he really likes is that the applicant wants to get a good solid project built. Ms. Ryan confirmed with Vice Chair Hendricks that he could not make any of the negative findings for the Vesting Tentative Map.

**Comm. Chang** said he can make the findings, and not make the findings for the Vesting Tentative Map. He said it is good to see the changes made to the project by reducing the number of units, and to have the support of the neighborhood.

**Comm. Dohadwala** discussed condition PS-1.a with staff regarding requiring the applicant to continue to work with the City staff to choose alternative roofing material. Ms. Hodge said that condition PS-1.a only applies to the Modern Rowhouse-style buildings and that the proposed composition shingle roofing would need to be replaced with an alternative material. Ms. Ryan said if the Commission desires, the condition could be more specific on materials. Comm. Dohadwala said she wants to make sure that the **conditions specify that the roofing material cannot be composition** and offered a **Friendly Amendment requiring the applicant work with staff and find an alternative roofing material, which could include tile for the project buildings.** Comm. Travis and Vice Chair Hendricks had staff further clarify condition PS-1.a. Vice Chair Hendricks said he would accept the **Friendly Amendment that includes changing the roofing material also for the Arts and Crafts style. The Friendly Amendment was acceptable to maker and seconder of the motion.**

**Comm. Sulser** said he would be supporting the motion and addressed the rezoning. He said that this is a difficult parcel as it has to relate to nearby low density and high density, and other ITR sites that still need to redevelop. He said that he can support the rezoning as the part of this block that relates to Lawrence Expressway is this part of the block that had not been rezoned when this area was considered previously. He said he thinks the architectural envelope was pushed for an R-3 project and he likes both styles of architecture.

**Comm. Larsson** said he would be supporting the motion and thanked the applicant for working with the neighborhood association, for addressing their most of their concerns, and for getting their support.

**Comm. Hungerford** said he would be supporting the motion and he thinks this is a good project. He offered a Friendly Amendment that **the applicant work with staff to widen the footprint of the sidewalk area at the corner of East Duane Avenue and Duane Avenue to enhance the pedestrian friendliness of the area. The Friendly Amendment was acceptable to the maker and seconder.**

**Comm. Dohadwala** said she would be supporting the motion and that she likes the architectural schemes except the roofing as she does not like composition shingles.

**ACTION: Vice Chair Hendricks made a motion on 2010-7456 and 2010-7738 to recommend City Council adopt a Resolution to certify the EIR Addendum; adopt a resolution to amend the General Plan designation for 1044 East Duane Avenue from ITRHI to RMED; introduce an Ordinance to Rezone 1044 East Duane Avenue from M-S/ITR/R-4/PD to R-3/PD; and approve the Special Development Permit and Vesting Tentative Map with modified conditions. The modified conditions are: to modify condition PS-1.e to include language that the Director of Community Development is authorized to accept a minor deviation from the 50% requirement for tree shading of parking lot areas; to modify condition PS-1.a to read that “the proposed composition shingle roofing on the Modern Rowhouse-style and Arts and Crafts-style buildings shall be replaced with standing seam metal, tile or an alternative material as approved by the Director of Community Development”; to add a condition that the applicant work with staff to widen the footprint of the sidewalk area at the corner of East Duane Avenue and Duane Avenue to enhance the pedestrian friendliness of the area. Comm. Chang seconded. Motion carried 7-0.**

**APPEAL OPTIONS: This recommendation will be provided to the City Council for their consideration at the March 29, 2011 meeting.**