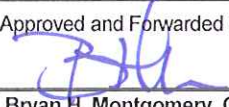




STAFF REPORT

Date: September 12, 2017
To: Bryan H. Montgomery, City Manager
From: Joshua McMurray, Planning Manager
SUBJECT: **422 LAUREL ROAD PRELIMINARY GENERAL PLAN AMENDMENT (PA 03-17)**

Approved and Forwarded to City Council:


Bryan H. Montgomery, City Manager

Summary

This is a work session on a request by Allen and Julie Lucchesi (“Applicant”) to discuss the merits of a potential project regarding amending the General Plan land use designation of 422 Laurel Road from “Single-Family Residential, Medium Density” (3.8 dwelling units per acre maximum density) to “Single-Family Residential, High Density” (5.5 dwelling units per acre maximum density) for the purposes of rezoning the property from the Single-Family Residential (R-10) District to the Planned Development (P-1) District which would allow for single family homes and/or a wine tasting business. No development project is proposed at this time.

This is an advisory work session. There is no process to approve the project as a result of this work session. Upon conclusion of the work session, the City Council may act in an advisory role to the applicant on whether there is interest in considering an application for the requested project. If the Council shows favorable interest in the preliminary application, it may advise the applicant submit, and direct Staff to process, a General Plan Amendment application. Directing staff to process a General Plan Amendment application would not guarantee Staff support or City Council approval of the project.

Background and Project Description

Preliminary General Plan Amendment Process

The process of amending the City of Oakley 2020 General Plan (“General Plan”) is subject to California Government Code (“GC”) Sections 65350 – 65362, which apply to the preparation, adoption and amending of general plans and general plan elements. GC Section 65351 is written as follows:

“During the preparation or amendment of the general plan, the [City] shall provide opportunities for the involvement of citizens, California Native American Indian tribes, public agencies, public utility companies, and civic, education, and other community groups, through public hearings and any other means the planning agency deems appropriate.”

The application process for a general plan land use amendment can come with significant costs when factoring in Staff time involved in preparing documents, conducting analysis, holding non-public and public meetings, hiring consultants for technical and environmental studies and documents, and communicating and meeting with several outside agencies. Since a general plan land use amendment is a legislative and discretionary action that sets the tone for all other land use decisions on a property, Staff encourages potential applicants to first file a Preliminary General Plan Amendment, or "PGPA". The purpose of the PGPA is to allow the applicant to provide a brief description of the proposed amendment, and provide a concept of the project in mind in the event an eventual GPA is approved. A concept of the project is strongly encouraged by Staff. This also helps to prevent requests for land use amendments for the sole purpose of increasing allowable densities or intensities and therefore property value. A Preliminary Site Plan is included in this staff report's attachments.

Land Use Designation (Existing and Proposed)

The existing land use designation on the subject site is "Single-Family Residential, Medium Density (SM)". The purpose of the SM Land Use Designation is to accommodate moderate density, single-family residential development. These neighborhoods will more closely resemble a typical suburban development with spacious yards and little resemblance to a rural neighborhood. This designation allows for a minimum of 2.3 dwelling units and a maximum of 3.8 dwelling units per acre, with parcel sizes ranging from 8,600 to 14,000 square feet. Primary permitted land uses include detached single-family homes and accessory structures. Secondary uses may include home occupations, small residential care and childcare facilities, churches and other places of worship, and other uses and structures incidental to the primary use.

The proposed preliminary land use designation amendment is to change the Single-Family Medium Density "SM" designation on the property to Single-Family High Density "SH". As stated in the Oakley 2020 General Plan:

"The purpose of the Single-Family Residential, High Density (SH) Land Use Designation is to provide for moderately dense single-family residential development that is consistent with suburban uses. This designation will allow for a higher density suburban neighborhood with smaller lots that are commonly seen in traditional urban and suburban neighborhoods within Oakley. This designation allows a minimum of 3.8 and a maximum of 5.5 units per gross acre. Primary land uses include detached single-family homes and accessory structures. Secondary uses may include home occupations, small residential care and childcare facilities, churches and other places of worship, and other uses and structures incidental to the primary use. Also, in specified areas of the City with conventional zoning, attached single-family units may be allowed."

The General Plan caps the maximum density at 3.8 dwelling units per gross acre within the SM designation. That means under the current General Plan Land Use Designation and zoning, a maximum number of 37 units would be permitted on the 9.78-acre parcel. Under the current proposal, the General Plan maximum density of the SH designation

would change to 5.5 dwelling units per acre, which would allow a maximum of 54 units. The concept land plan that has been provided and attached to this report shows 32 single-family lots with at least a 7,000 square foot lot size. In order to comply with the proposed General Plan Land Use Designation of SH, any proposed subdivision map would have to have a density of at least 3.8 dwelling units per acre.

Existing Conditions and Surrounding Land Uses

The project sites are located on the northeast corner of Laurel Road and Rose Avenue. An active vineyard (See Figure 1. Street View of Project Site) and a single family residence currently occupy the site. The property to the west is an approved subdivision (Rosewood) and to the south is an approved and under construction subdivision (Duarte Ranch) (See Figure 2. Aerial of Project Site and Adjacent Properties).

Figure 1. Street View of Project Site

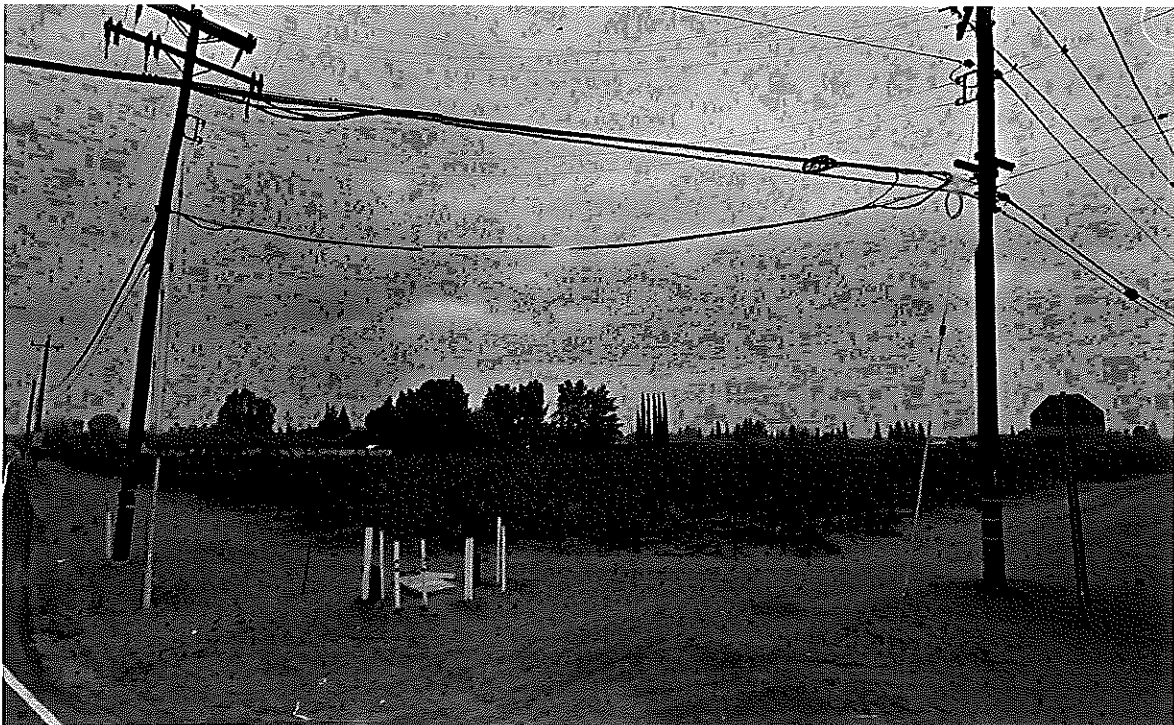


Figure 2. Aerial of Project Site and Adjacent Properties

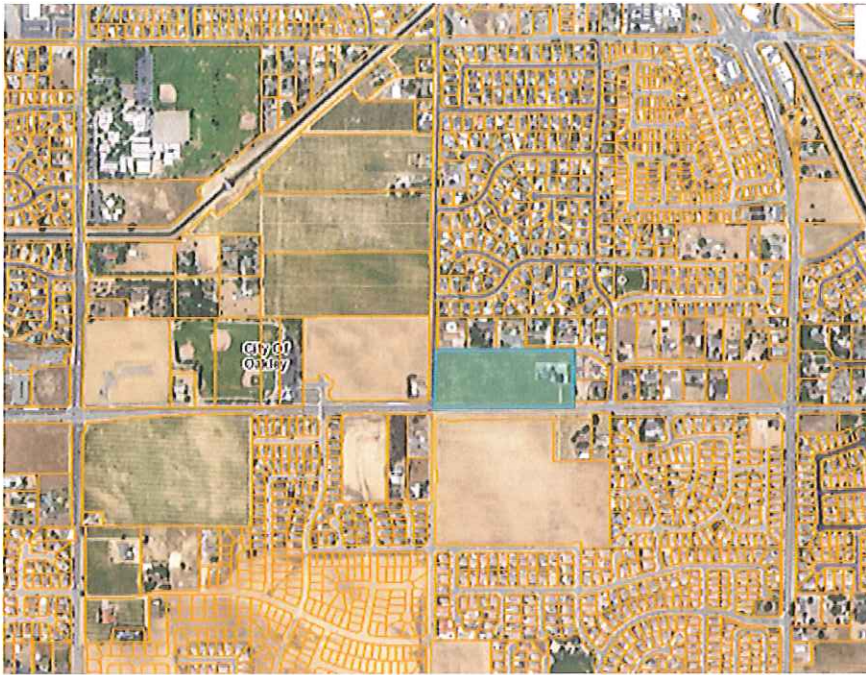
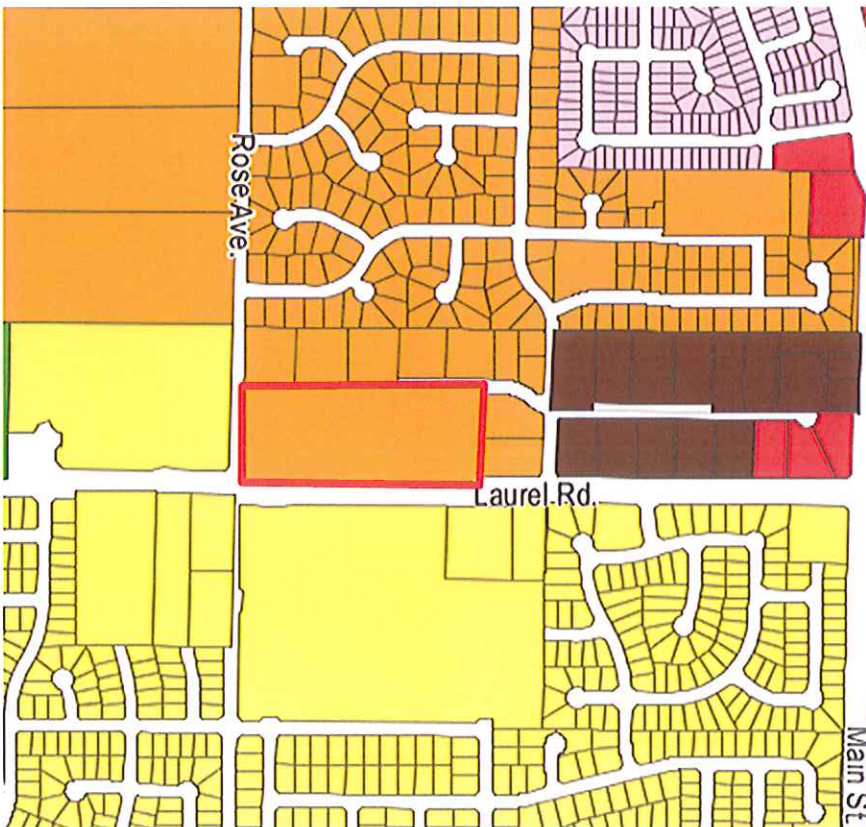


Figure 3. Land Use Diagram



Analysis

The purpose of this work session is to allow Staff to provide objective information, related to the existing conditions and potential conditions as proposed by the Applicant, to the public and City Council, and provide the applicant an opportunity to present their preliminary plan to the Council and receive feedback. The public and City Council have been provided information related to the existing and proposed land use designations and their relative potential zoning designations and potential densities. The attached documents and maps should be used as reference for surrounding land use designations and uses.

Amending the General Plan in this specific location would allow for more residential units (single-family homes) than is currently allowed. Laurel Road is a main arterial running east west in the City connecting Main Street at the east end to Highway 4 on the west end. It is not uncommon for higher density residential land use designations to front on major arterials and then lower density land use designations would feather back away from the major arterials. This proposal would create a situation like that.

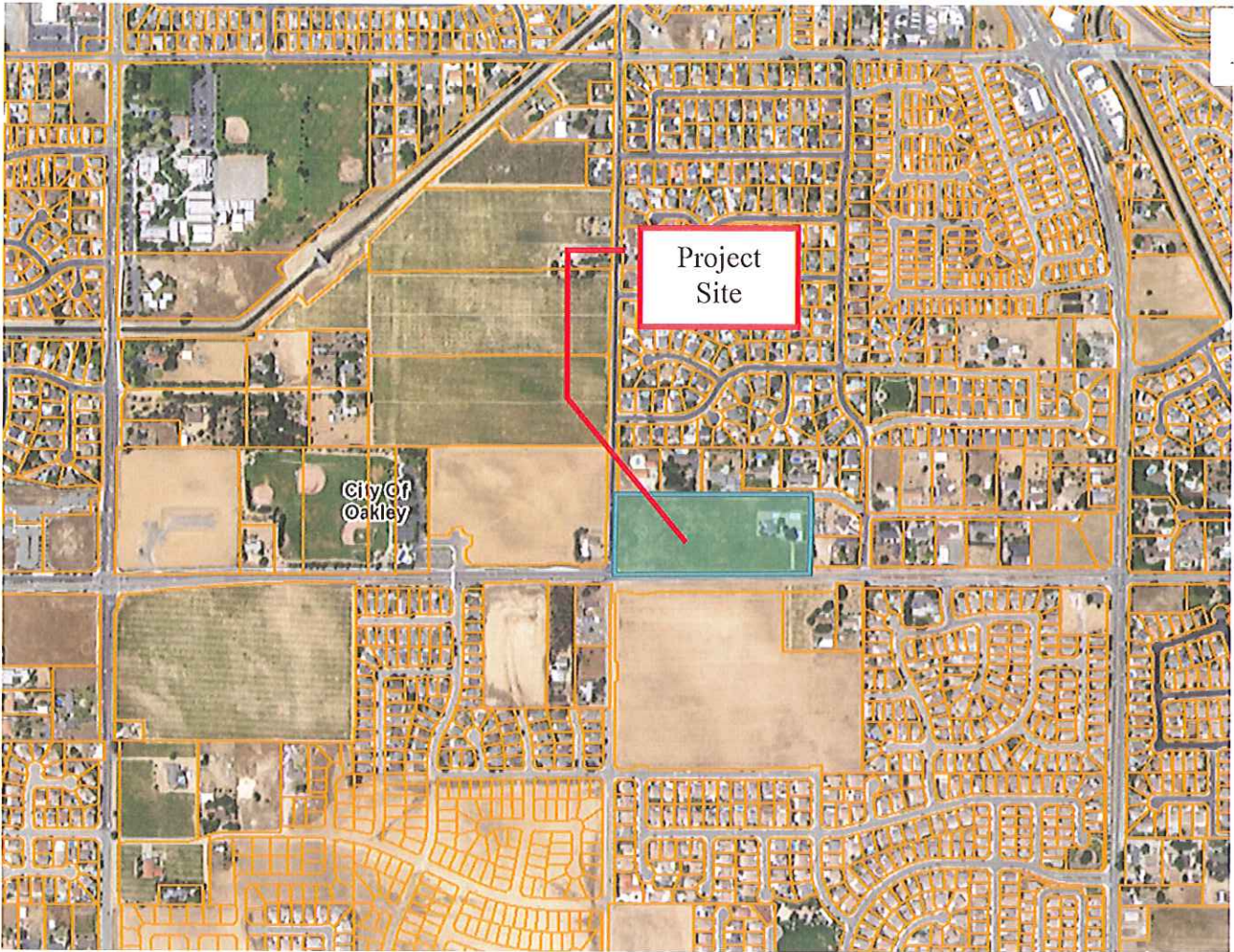
Recommendation

Staff recommends the City Council provide the applicant and staff with feedback regarding the Preliminary General Plan Amendment so that the applicant may decide whether to file an official application.

Attachments

1. Vicinity Map
2. Public Hearing Notice
3. Oakley 2020 General Plan Land Use Map
4. Preliminary existing and proposed general plan land use designations for the project site
5. Applicant's Concept Plan

Preliminary General Plan Amendment (PA 03-17)
422 Laurel Road
APN: 035-230-002





NOTICE OF PUBLIC HEARING

Notice is hereby given that on **September 12, 2017** at 6:30 p.m., or as soon thereafter as the matter may be heard, the City Council of the City of Oakley will hold a Public Hearing at the Council Chambers located at 3231 Main Street, Oakley, CA 94561 for the purposes of discussing a preliminary application for the **422 Laurel Road Preliminary General Plan Amendment (PA 03-17)**.

Project Name: 422 Laurel Road Preliminary General Plan Amendment (PA 03-17).

Project Location: 422 Laurel Road, Oakley, CA 94561. APN 035-230-002.

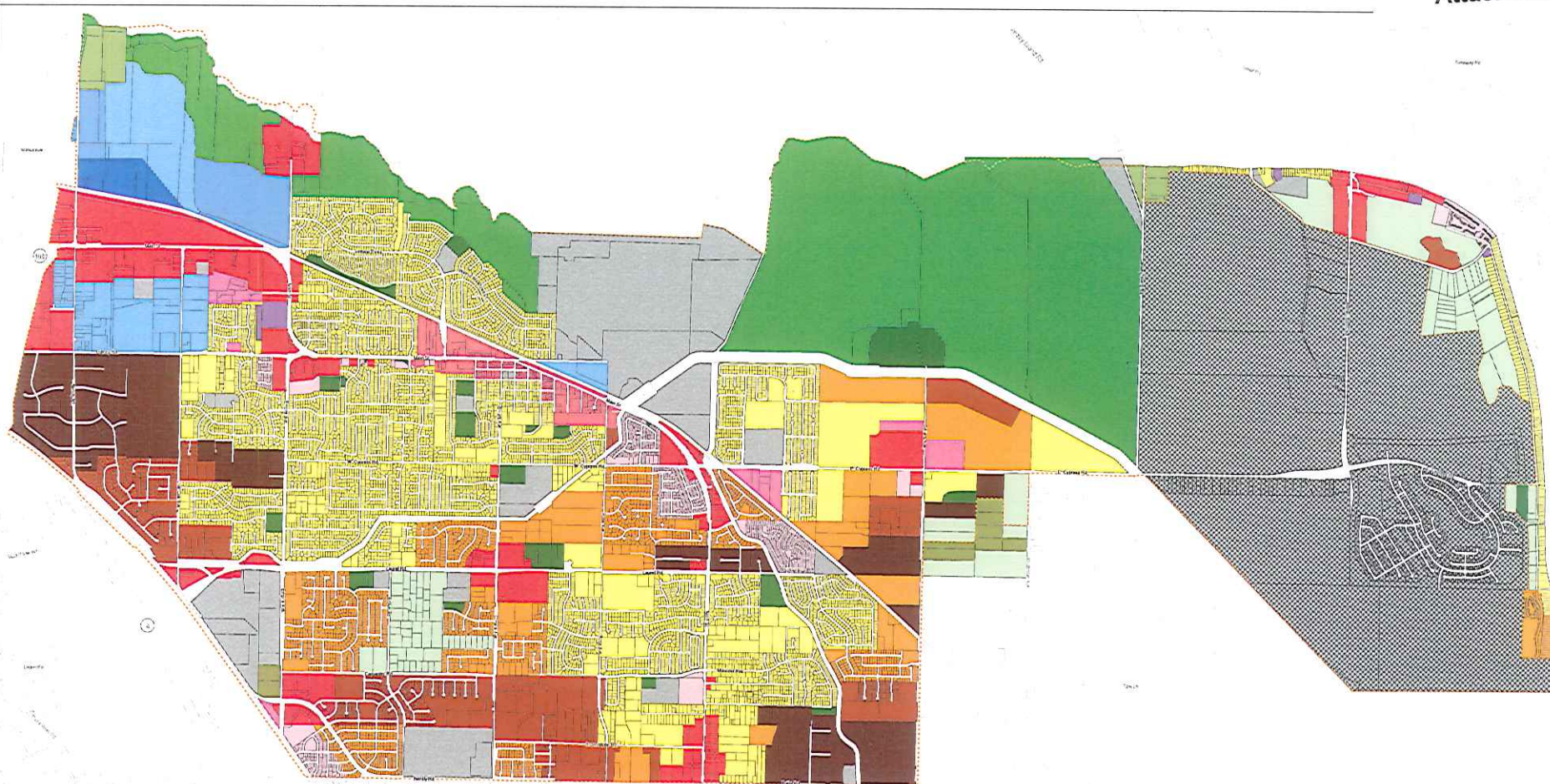
Applicant: Allen and Julie Lucchesi – Lucchesi Family Trust

Request: This is a request for a public hearing to discuss the merits of a potential project regarding amending the General Plan land use designation from “Single-Family Residential, Medium Density” (3.8 dwelling units per acre maximum density) to “Single-Family Residential, High Density” (5.5 dwelling units per acre maximum density) for the purposes of rezoning the property from the Single-Family Residential (R-10) District to the Planned Development (P-1) District which would allow for single family homes and/or a wine tasting business. No development project is proposed at this time.

This is an advisory hearing only. There is no process to approve the Preliminary General Plan Amendment application during the Preliminary General Plan Amendment hearing. Upon conclusion of the public hearing, the City Council may act in an advisory role to the applicant on whether there is interest in considering approval of the General Plan Amendment request. If the Council shows initial interest in the preliminary project, they may advise the applicant submit, and direct Staff to process, a General Plan Amendment application. Directing staff to process a General Plan Amendment application does not guarantee later approval of the project by the City Council.

How to Review: The Staff Report and its attachments will be available for public review, on or before **September 7, 2017** at City Hall, 3231 Main Street, Oakley, CA 94561 or online at www.ci.oakley.ca.us/agendas-minutes-videos-archive/ by navigating to the **September 7, 2017** agenda and clicking the project title link. (Note: City Hall is closed on the 1st and 3rd Fridays of each month). The project description and plans may be accessed at: <https://tinyurl.com/y8gsjbfe>. Interested persons are invited to submit written comments prior to and may testify at the public hearing. **Written comments may be submitted to Joshua McMurray, Planning Manager at the City of Oakley, 3231 Main Street, Oakley, CA 94561 or by email to mcmurray@ci.oakley.ca.us.**

NOTICE IS ALSO GIVEN pursuant to Government Code Section 65009(b) that, if this matter is subsequently challenged in Court by you or others, you may be limited to raising only those issues you or someone else has raised at a Public Hearing described in this notice or in written correspondence delivered to the City of Oakley City Clerk at, or prior to, the Public Hearing.



- | | | |
|--|--|---|
|  Agriculture |  Commercial Downtown |  Oakley City Limit |
|  Agricultural Limited |  Commercial Recreation | |
|  Single Family High |  Business Park | |
|  Single Family Medium |  Light Industrial | |
|  Single Family Low |  Utility Energy | |
|  Single Family Very Low |  Public and Semi-Public | |
|  Multi-Family Low |  Delta Recreation | |
|  Multi-Family High |  Parks and Recreation | |
|  Mobile Home |  SP-4 | |
|  Commercial | | |



General Plan Land Use Map City of Oakley
Contra Costa County, California

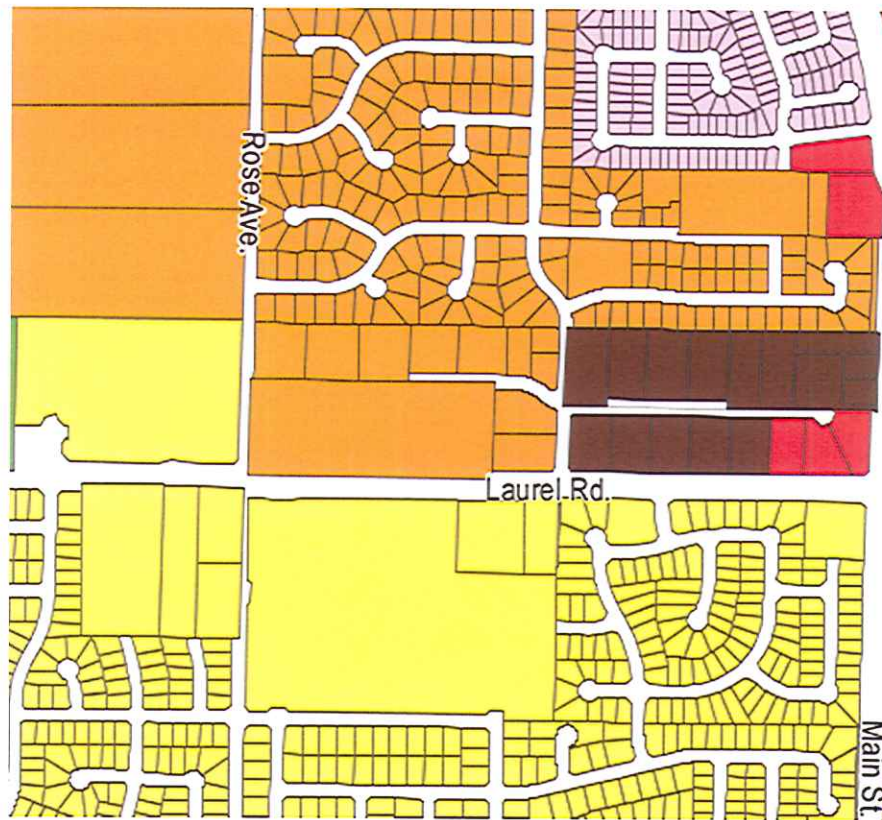


Date: 8/11/2015

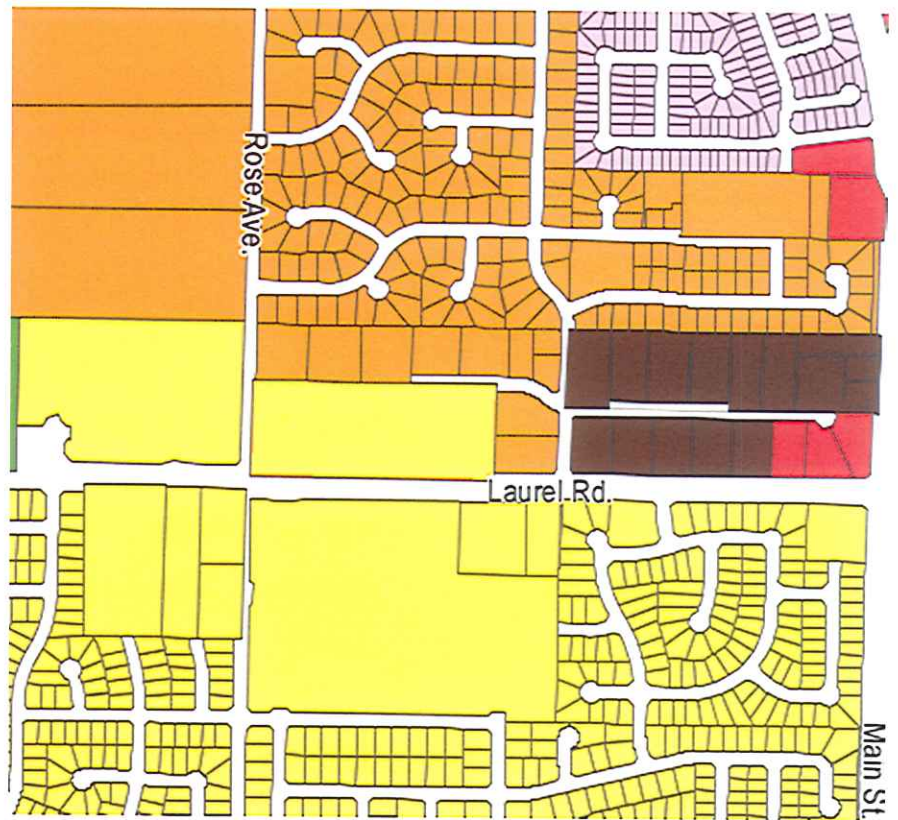
422 Laurel Road Preliminary General Plan Amendment (PA 03-17)
APN: 035-230-002

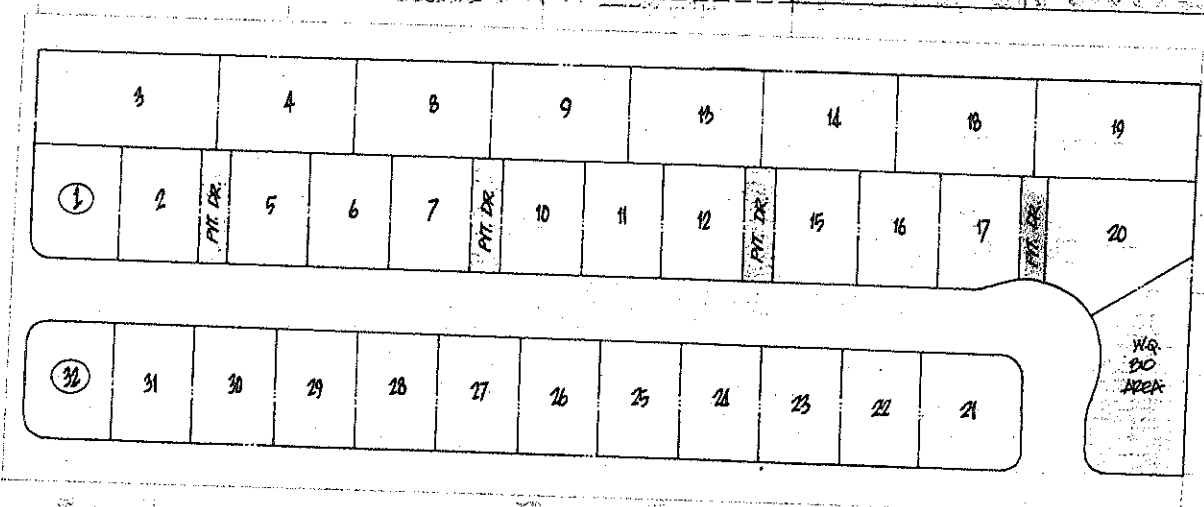
Existing and Proposed General Plan Land Uses

Existing



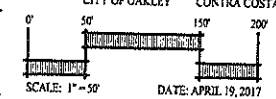
Proposed





AERIAL PHOTO BASE MAP

CITY OF OAKLEY CONTRA COSTA COUNTY CALIFORNIA



DATE: APRIL 19, 2017

Carlson, Barboe & Gibson, Inc.
CIVIL ENGINEERS - ARCHITECTS - PLANNERS

SACRAMENTO, CALIFORNIA 95811-2715

32 LOTS (70' x 100' MIN.)