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STAFF REPORT

Item # 4

To: Lemoore Planning Commission
From: Holly Smyth, Planning Director, Gloria A. Hobbs, Assistant Planner
Review Date: July 18, 2011
Subject: Planned Unit Development Application #2010-02 from Wathen-Castanos Hybrid Homes, Inc., to utilize new floor plans and elevations in Tract 791 – known as “East Village” Subdivision

Background:

A planned unit development (PUD) for Tract 791 was originally approved by City Council Resolution #2003-12 with conditions on April 1, 2003 to Jim Clark to subdivide and develop 21.96 acres into single family, multi-family and duplex lots through Subdivision Map #2003-01/ PUD #2003-01/ Conditional Use Permit #2003-01/ Site Plan #2003-03 for the Tract 791. This original resolution approved an overall plot plan, floor plans, and elevations for the subdivision in conformity with the PUD Design Guidelines and set the impact fees to City Council Resolution #2000-21 (which were the most current at that time). On May 17, 2005, City Council approved Resolution #2005-21 that modified several of the original conditions of approval. In January 2006, Vigen Associates, representing Del Valle Capital Corporation submitted revised floor plans, elevations and overall plot plans for the subdivision which were approved by Planning Commission and City Council based on some modifications to the overall plot plan.

FB Holdings Inc., current owner of the property, is in the process of selling the entire single family portion of Tract 791 to Wathen-Castanos Hybrid Homes, Inc. Wathen-Castanos Hybrid Homes, Inc., has submitted a new Planned Unit Development (PUD) application to a) get a variance on the lot coverage, b) revoke the recorded Reciprocal Use Easement, and c) revise floor plans and elevations with plot plans submitted as building permits are pulled for the 81 single family lots. The PUD application requires a public hearing at Planning Commission (which has been noticed in the paper as well as a notice send to property owners within 300' from the exterior perimeter of the project area) and the passage of a resolution with a ratification/modification/denial resolution passed by City Council.

The **lot coverage variance** being applied for request a “10% variance be applied to the 40% lot coverage ratio to allow for homes up to 44% lot coverage, as long as the average lot coverage for the project in its entirety is equal to or less than 40%”. On May 21, 2002, the City Council adopted the “Liveable Neighborhood Development Implementation Guidelines to a Landscape of Choice” as a design guide for future PUD projects that can be used to provide staff direction in addition to the 28 PUD Design Guidelines Resolution. In this Landscape of Choice document section XX.100 (which is attached) the focus is on setbacks rather than lot coverage. The applicant proposes to have 15'-18' front yard setbacks, 18' garage setback, 5' sideyard setback, 10' side yard setback on street sides of properties, and a 10' minimum rear yard setback which is in conformity with the Landscape of Choice and current Zoning regulations. The current General Plan and Zoning Ordinance specify lot coverage maximums to be 40% for each

dwelling unit. The main purpose for lot coverage is to insure that storm water can penetrate through the lots. Staff believes that if the overall average lot coverage being equal or less than 40%, even though a few individual lots may exceed this number, is a reasonable variance request that should be allowed as it meets the overall intent.

Revocation of the recorded Reciprocal Use Easement agreement is essential according to the developer as they state that such agreement would be a "severe burden on the ability to market and finance the proposed single family project" especially since there are no plans for the multi-family component of the original project still intact. The original PUD approval required shared open space uses between the single-family and multi-family uses which included a pocket park, tot lot, bike path, pool, and clubhouse facility to help offset the small backyards being approved in the single family lots and help foster positive relationships between the multi-family and single family residents. These open space requirements were preserved with the concurrent recordation of the "Declaration of Reciprocal Easements for Use of and Obligation to Construct Recreational Facilities, Play Area, and Clubhouse Facility" with the Subdivision Map. The easement agreement has a clause that allows for modification or termination of the agreement only with the City of Lemoore's written consent.

The applicant proposes to still construct and maintain the proposed common area open space through a Public Facilities Maintenance District (PFMD) consistent with the City's previously approved tot lot plan (which is attached). The only thing missing from this facility, should the other open space components go away, is a water feature which was originally determined as a need due to the fact that the single family lots are generally too small to accommodate individual pools within the back yards. Therefore, staff would recommend that a water play feature be added to the approved tot lot plan/pocket park. Additionally, the pocket park would need to remain accessible to both the future multi-family users and the single family users, as a pocket park cannot be shut off from use by the public. The multi-family component had a bike path adjacent to the railroad tracks which will need to be replaced with 6" wide bike lane striping in "D" street along the frontage of the single family creating a 5' wide lane.

A new revised easement agreement and covenant document should be drafted between the owner(s) of the single family lots and the owners of the multi-family parcels to replace and supersede the "DECLARATION OF RECIPROCAL EASEMENTS FOR USE OF AND OBLIGATION TO CONSTRUCT RECREATIONAL FACILITIES, PLAY AREA AND CLUBHOUSE FACILITY", which was recorded on May 31, 2006 as document # 0615959, Kings County records. The new easement and covenant should incorporate the construction of the open space area, per the attached approval with the addition of a water feature, to be installed and properly maintained through the PFMD paid for by all the lot owners of the single family subdivision and multi-family parcel in a format acceptable to the Planning Director and City Attorney before recording. This agreement must be executed on all original PUD areas, which includes lots 1-84 of Tract 791 and APN #023-020-085 (which was the multi-family portion). The applicant has verbally requested to use the newly available PFMD to maintain the common spaces, streets, landscape, exterior wall, etc., which will require a written request to the City, versus the previous approval which would have been maintained/paid to a Homeowners Association.

Revised floor plans and elevations have been submitted for the subdivision to be individually plotted as permits are pulled using the individual plot plan process to insure that the PUD guidelines are being meet. In looking at the intent of item #28 of the PUD Design Guidelines, new or modified plans shall incorporate aesthetics and variety in home types and be of a similar quality to the originally approved plans. The original approved elevations of Del Valle Home are included in your packet along with the proposed Wathen-Castanos Hybrid, Inc. elevations. The general differences between the original plans and the proposed plans are as follows:

Design Character	Last Approved Subdivision by Del Valle	Proposed by Wathen Castanos
General Floor Plans	-1,344 sq ft 1-story 3 bed/2 bath 1-car garage with 3 elevations -1,698 sq ft 1-story 4 bed/2 bath 1-car garage with 4 elevations -2,456 sq ft 2-story 4-6 bed/3 bath 2-car tandem garage with 3 elevations	-1,380 sq ft 1-story 3 bed/2 bath 2-car garage with 3 elevations -1,435 sq ft 1-story 3 bed/2 bath 2-car garage with 3 elevations -1,613 sq ft 1-story 3 bed/2 bath 2-car garage with 3 elevations -1,640 sq ft 1-story 4 bed/ 2 bath 2-car garage with 3 elevations -1,788 sq ft 1-story 4 bed/2 bath 2-car garage (6'6" in front of house) with 3 elevations -1,848 sq ft 2-story 4 bed/2 bath 2-car garage with 3 elevations -2,207 sq ft 2-story 4-6 bed/ 3 bath 2-car side entry garage and 1-car front entry garage with 3 elevations
Roof material	-30 year composition roofs	-30 year composition roofs
Porches	-All plans incorporated large covered porches on the forward most wall	-All plans incorporate small covered porches which are setback into the house design, with many not being useable
Elevations	-Used 3 plans with 3-4 elevations for each plan which substantially vary -Simple design garage doors with various complimentary colors incorporated	-Propose 7 plans with 3 elevations each. Some of the elevation/style combinations are identical and should avoid being placed within the six-pak from each other when plotted on lots -Simple design garage doors with various complimentary colors incorporated
Stories	-63 one-story homes and 18 two-story homes were pre-plotted for construction with on one of the two-story homes along the easterly side of the property and form an interesting skyline and architectural interest.	-Unsure of the mix of how many one-story and two-story home will be incorporated. -Suggest that no more than 1/3 of the homes along "D" Street and along the easterly property line be two-story and not more than 45% of all home be two-story.
Wrap architecture	-All dwellings have a wrap around architecture down a portion of the building sides.	-No wrap around features are shown on any of the plans of for corner lots and need to be added to corner lots
Façade material	Stucco and wood siding	-Stucco, stone, and wood siding

Staff believes that the proposed plans are of similar quality or better than the previous approval with the exception that most of the porches are not useable to encourage neighbor interaction. However, two house plans, the 1788 and the 2207, do not conform to the PUD design guidelines as the garages extend more than 5' in front of the main dwelling structure. The 1788 plan extends 6'6" in front of the house and could easily add a front courtyard area to meet the PUD design guidelines. The 2207 is the only proposed side entry garage in the subdivision and could not be modified to meet the PUD design guidelines. The City has previously allowed for this type of design feature previously, as the front elevation does not have the garage as the focus and should be allowed on no more than one-fifth of the lots to reduce the sea of concrete that must be used to accommodate the side-entry.

The developer has submitted an overall subdivision map with setback lines shown on each property (and are discussed above) which should be generally maintained once house plans are submitted. Because the plans/elevations are not pre-plotted and the developer wants to assign as they go, the developer will need to file an individual plot plan submittal with appropriate fee for each lot and staff will have to make sure the plans/elevation within a 6-pak are substantially different from one another and meet all the PUD design guidelines. No air conditioning units will be allowed to be located in side yards where there is less than 3' clear between the unit and the fence and tall fences on corner lots will need to be setback at least 3' behind the sidewalk with landscape planted on the street side of the fence.

Special attention will be paid to the guideline that "not more than three dwelling units on facing or adjoining lots should be of the same model floor plan, and building elevations with the same floor plan on adjoining lots should have elevation features that "sufficiently vary" from each other". Over the last eight years of Planning Commission and City Council design review, "sufficiently vary" has meant that the elevations have at least 5 substantial features varying on the plans which can include the following"

- Front door entry details vary substantially
- Main roof spans are totally different from one another
- Minor roof spans types differ
- Garage details vary (add windows or change framing type that surround opening)
- Architecture types/features vary
- Window types varying in grid design and/or framing details around window
- Courtyards are added
- Roof material varies
- Veneer of façade face varies

To insure sufficiently varying elevation features are met, the application page shall be submitted for each parcel showing the proposed and any previously approved front elevations and floorplan footprints with rooflines of a six parcel grouping, with the subject parcel in the middle, so that diversity can be simply evaluated as identified in the PUD guidelines. Each home must "sufficiently vary" in at least five areas. Additionally, setbacks shall be identified on all six parcels and floor area ratios must be listed for each lot shown on the PUD application page. In order to keep track of the average overall coverage not exceeding 40%, a running excel spreadsheet shall also need to be submitted showing the overall average coverage.

Because Section 9-4-3H and J of the Lemoore Municipal Code requires storage on residential properties within the front or side yard to be screened from view by a minimum six foot (6') high solid fence, it is determined that all sideyard setbacks on the garage side of the floor plan should be at a minimum 6' to allow storage of trash containers and fire department access and 10' sideyard setback between buildings be maintained. Staff recommends that the applicant be required to modify the overall setback plan and resubmit to the Planning Department to meet this minimum 6' sideyard setback and 4' on opposite side of the house for all lots.

Since the time that the subdivision recorded, Street trees were planted along D street with a grant and are now very mature. In reviewing the prior streetscape planned for the area and the current grade/location of the existing trees all the trees would need to be removed. In order to preserve the trees, we recommend allowing staff to adjust the width of the landscape easement area adjacent to the block wall, which might only be able to accommodate vines growing on the wall, so that the trees can remain in place with a potential to incorporate a swale.

As a sidebar, in researching the project's impact fees, the original condition #34, which locked in the 2000 impact fees, cannot be amended to be subject to the current impact fees because both phases of the subdivision were recorded prior to their expiration (which kept the initial conditions intact.)

Environmental Impact:

The proposed application meets the categorical exemption criteria under CEQA Article 19 Categorical Exemptions Section 15305-Minor Alterations in Land Use Limitations. Therefore, this determination is included in the draft resolution.

Public Outreach:

The developer held a community meeting at the Lemoore Chamber on July 11th at 6 pm, inviting surrounding neighbors within 300' of the project site. George Avila, Harry Wiese and Ileen and Ken Jones showed up to the meeting. The developer spent approximately 30 to 45 minutes discussing the history of their company and what they are proposing for this community. The developer fielded several questions from the attendees and they believe those present were unanimously supportive of their project.

Recommendation:

Staff recommends that the Planning Commission review staff information, listen to staff report, conduct the noticed public hearing, and incorporate any needed modifications to the draft resolution if needed and adopt Resolution #2011-15 adopting a categorical exemption under CEQA and approving the above discussed modification and new floor plans/elevations with the conditions stated therein.